

FORM 10.01-E: HOW TO COMPLETE THE INFORMATION FOR PARENTING PROCEEDING AFFIDAVIT

These instructions will help you prepare the Information for Parenting Proceeding Affidavit. The Affidavit must be filed if you are requesting a parenting (custody) order in a Petition for a Domestic Violence Civil Protection Order. **IF ANOTHER COURT IS ADDRESSING OR HAS ADDRESSED CUSTODY ISSUES INVOLVING THE CHILDREN, CUSTODY ISSUES MAY BE HANDLED IN THAT CASE, NOT IN THE DOMESTIC VIOLENCE CASE.**

FILLING OUT THE FORM: Check each instruction below after you read and complete it

- ☐ **Print or type only.** Attach an additional page to the Affidavit for your answers if you need more room.
- ☐ **At the top of the front page, fill in the names.** YOU are the "Petitioner." The person you want protection from is the "Respondent." Leave the Case No. and Judge lines blank for the Clerk of Court to complete.
- ☐ **First Paragraph.** Fill in your legal name in the blank line.
- ☐ **Paragraph 1:** Check this box if you wish your current address to remain confidential.
- ☐ **Paragraph 2:** On the blank line fill in the number of children that are subject to this court case. For each table at the top write in the child's name, place of birth, date of birth, sex, and address unless confidential. As you write on each line going across the table, start with the length of time, the address unless confidential, the adult the child lived with at that time, and the relationship of that adult to the child. There are three tables. If you have more than three children that are subject to this court case, attach additional pages containing the requested information for each of those additional children.
- ☐ **Paragraph 3:** Mark the box showing whether or not you have participated as party, witness, or in any capacity concerning any civil or criminal case regarding custody or visitation of any of the children that are subject to this court case. If you have been involved in such a case fill in the details requested in lines a, b, c, and d.
- ☐ **Paragraph 4:** Mark the box showing whether or not you have any information concerning any case that could affect the current case including any case relating to custody, domestic violence and or protection orders, dependency, neglect, or abuse allegations or adoptions other than those listed in paragraph 3. If you do have such information, fill in the details requested in lines a, b, c, and d.
- ☐ **Paragraph 5:** List the criminal background and history of yourself and members of your household including any convictions or guilty pleas of any offense resulting in a child being an abused or neglected child, any offense that is a violation of R.C. 2919.25, any sexually oriented offense defined by R.C. 2950.01, and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.
- ☐ **Paragraph 6:** Check the first box if you do not know of any person not a party to this case who has physical custody or claims to have custody or visitation rights with respect to any child subject to this case. Check the second box if you do know anyone who is not a party to this case who has physical custody or claims to have custody or visitation rights with respect to any child subject to this case. If you check the second box you will fill in the required information for each person that you know who is not a party to this case who has physical custody or claims to have custody or visitation rights with respect to any child subject to this case.
- ☐ **Paragraph 7:** You have an on-going duty to notify the Court of any custody, visitation, parenting time, divorce, dissolution of marriage, separation, neglect, abuse, dependency, guardianship, parentage, termination of parental rights, or domestic violence case concerning the children that are subject to this case.

SIGNING THE FORM

AFTER YOU HAVE FILLED OUT THE FORM, TAKE THE FORM TO A NOTARY PUBLIC TO HAVE YOUR SIGNATURE NOTARIZED. DO NOT SIGN THE FORM UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL NOTARIZE THE PARENTING PROCEEDING AFFIDAVIT FOR YOU.

IN THE _____ Domestic Relations _____ COURT
 _____ Summit _____ COUNTY, OHIO

 Petitioner

Case No. _____

v.

Judge: _____

INFORMATION FOR PARENTING
 PROCEEDING AFFIDAVIT (R.C. 3127.23(A))

 Respondent

NOTE: By law, an affidavit **must** be filed and served with the first pleading filed by each party in every parenting (custody/visitation) proceeding in this Court. Therefore, an affidavit must be filed with a Petition for Domestic Violence Civil Protection Order if children are involved. Each party has a continuing duty while this case is pending to inform the Court of any parenting proceeding concerning the children in any other court in this or any other state. **If more space is needed, attach an additional page.**

I (full legal name) _____, being sworn according to law, certify these cases involve the custody of a child or children and the following statements are true:

1. ☐ I am requesting the Court to not disclose my current address or that of the children. My address is confidential pursuant to R.C. 3127.23(D) and should be placed under seal in that the health, safety, or liberty of myself and/or the children would be jeopardized by the disclosure of the identifying information.

2. (Number): _____ Minor child/children is/are subject to this case as follows:

(Insert the information requested below. The residence information must be given for the last 5 years.)

a. Child's name		Place of birth	Date of birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F
Period of residence	<input type="checkbox"/> Address Confidential	Person child lived with (name & address)		Relationship
to present				
to				
to				
to				

Case No. _____

b. Child's name		Place of birth	Date of birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F
Period of residence	<input type="checkbox"/> Address Confidential	Person child lived with (name & address)		Relationship
to present				
to				
to				
to				

c. Child's name		Place of birth	Date of birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F
Period of residence	<input type="checkbox"/> Address Confidential	Person child lived with (name & address)		Relationship
to present				
to				
to				
to				

- d. Additional children are listed on Attachment 2(d). (Provide requested information for additional children on an attachment labeled 2d.)

3. **Participation in custody case(s): (check only one)**

- ☐ I **HAVE NOT** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of or visitation (parenting time) with any child subject to this case.
- ☐ I **HAVE** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of or visitation (parenting time) with any child subject to this case. Explain:

Case No. _____

- a. Name of each child _____
- b. Type of case _____
- c. Court and State _____
- d. Date of court order or judgment (if any): _____

4. **Information about custody case(s): (check only one)**

- ☐ **I HAVE NO INFORMATION** of any cases that could affect the current case, any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations, or adoptions concerning any child subject to this case.
- ☐ **I HAVE THE FOLLOWING INFORMATION** concerning cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations, or adoptions concerning any child subject to this case, other than listed in Paragraph 3. Explain:

- a. Name of each child _____
- b. Type of case _____
- c. Court and State _____
- d. Date of court order or judgment (if any): _____

5. List all of the criminal convictions including guilty pleas for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

NAME	CASE NUMBER	COURT/STATE/COUNTY	CHARGE

6. **Persons not a party to this case: (check only one)**

- ☐ **I DO NOT KNOW OF ANY PERSON** not a party to this case who has physical custody or claims to have custody or visitation rights with respect to any child subject to this case.
- ☐ **I KNOW THAT THE FOLLOWING NAMED PERSON(S)** not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case:
- a. Name and address of person _____
 has ☐ physical custody ☐ claims custody rights ☐ claims visitation rights.
 Name of each child _____
- b. Name and address of person _____
☐ has physical custody ☐ claims custody rights ☐ claims visitation rights.
 Name of each child _____

Case No. _____

c. Name and address of person _____
has ☐ physical custody ☐ claims custody rights ☐ claims visitation rights.
Name of each child _____

7. I understand that I have a continuing duty to advise this Court of any custody, visitation, parenting time, divorce, dissolution of marriage, separation, neglect, abuse, dependency, guardianship, parentage, termination of parental rights, or protection from domestic violence case concerning the children in this state or any other state about which information is obtained during this case.

OATH OF AFFIANT

I hereby swear or affirm that the answers above are true, complete, and accurate to the best of my knowledge. I understand that falsification of this document may result in a contempt of court finding against me which could result in a jail sentence and fine, and that falsification of this document may also subject me to criminal penalties for perjury under R.C. 2921.11.

**DO NOT SIGN THE FORM UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL
NOTARIZE-THE PARENTING PROCEEDING AFFIDAVIT FOR YOU.**

AFFIANT

Sworn to and subscribed before me on this _____ day of _____

NOTARY PUBLIC