



**Summit County  
Domestic Relations Court**

Administrative Judge Katarina Cook  
Judge Kani H. Hightower

**INSTRUCTIONS**  
**FILING FOR LEGAL CUSTODY**

**1. ARE YOU IN THE RIGHT COURT?**

Before filling out the Complaint for Legal Custody and paying the filing fee, first determine if you are in the right court:

- A. If you are a GRANDPARENT and the minor child is currently living with you, the Summit County Juvenile Court’s website [www.juvenilecourt.summitoh.net](http://www.juvenilecourt.summitoh.net) provides instructions for completing and filing a Caretaker Authorization Affidavit (when you can’t locate one or both parents) or a Grandparent Power of Attorney (completed by the parent when temporarily unable to care for the minor child).
- B. If the minor child has been found to be dependent, abused or neglected in a prior or current case filed by Summit County Children Services Board (“CSB”) or any other county’s child welfare agency, this Court cannot hear the case. Go to Summit County Juvenile Court to file.
- C. If the minor child has a pending delinquency case in a juvenile court, go to Summit County Juvenile Court to file.
- D. If you want to apply for guardianship of a minor child and have consent of the biological parents, go to Summit County Probate Court and file for guardianship.
- E. If the minor child is nearing the age of 18 and has a developmental disability, see the Help Desk at the Summit County Probate Court for further guidance.
- F. If none of the above apply, then follow the instructions below.

**General Information**

The information provided below does not constitute legal advice.

The Court strongly encourages parties to consult with an attorney.

- If you have retained an attorney or intend to, the Court will only communicate with your attorney.

**2. Options to Consult with an Attorney:**

- **The Akron Bar Association’s (ABA) Lawyer Referral Service** can match you with an attorney. You will receive up to a 30-minute consultation with an attorney for a non-refundable \$30 fee. For more information about ABA’s Lawyer Referral Service, please visit their website at <https://www.akronbar.org/?pg=LRS> or call (330) 253-5038.

- If your case involves domestic violence, you may be eligible to receive legal assistance from **Community Legal Aid**. Call (330) 535-4191.
- You may be eligible through **Community Legal Aid** for a free or reduced fee attorney. Visit <https://www.communitylegalaid.org/> or call (330) 535-4191.
- **Attend a Justice Bus** event held quarterly here in Summit County for free legal advice and connecting with other community agencies: Follow us on social media (Facebook Summit County Domestic Relations Court) for dates and locations.

**3. If you decide to represent yourself (which is called proceeding pro se):**

- Visit Ohio Legal Help’s website at <https://www.ohiolegalhelp.org/> for guidance in preparing your documents.
- Attend a Justice Bus event held quarterly and hosted by the Court held in various locations in Summit County where volunteer attorneys offer free legal advice.
- Also, “Ask an Attorney” is a community outreach program offered by the Akron Bar Association. Members of the community may call to receive free answers to brief legal questions. The program is scheduled on the 2<sup>nd</sup> and 4<sup>th</sup> Fridays of the month from 9:00 a.m. to 11:00 a.m. Call (330) 253-5007 for more information.
- **The primary way the Court will communicate with you is via email.** Please provide the Clerk of Courts with your email address and check your email regularly. Keep in mind, if you are representing yourself, you will be held to the same standard as an attorney and are responsible for completing the necessary paperwork, and ensuring that you and your necessary witnesses appear at court for your hearing.

**FILING A COMPLAINT FOR LEGAL CUSTODY**

1. If this is a new case, you will be filing a Complaint for Legal Custody. If there has been a prior custody case regarding the child(ren), you must inform the Clerk and file a *Motion for Change of Custody*, [Form 27](#).
2. For a NEW case, the following forms need to be completely filled out and filed:

[Local Form 127](#) - *Legal Custody Case Designation Form*

[Local Form 128](#) - *Complaint for Legal Custody*

[Affidavit 3](#) - *Parenting Proceeding Affidavit Form* and

[Form 31](#) - *Service Request*

3. All parties which would include Mother and Father of child and any person currently designated as legal custodian must be served (notified) regarding the Complaint for Legal Custody. Complete addresses must be included on the Service Request Form.
4. For further instructions on obtaining proper service, see [Instruction 9](#) for In-State Service or [Instruction 10](#) for Out-of-State Service located on this Court's website at [drcourt.org](http://drcourt.org). The hearing may not go forward unless the parties have received proper notice. *You will be notified of your hearing by mail.*
5. If a parent cannot be located, a service by publication must be completed. The fee for publication cannot be waived.
6. **If you cannot afford the filing fee**, you may file a [Local Form 124](#) -*Motion to Proceed In Forma Pauperis and Financial Disclosure/Affidavit of Indigency*, asking the Court to proceed without paying the initial deposit for the filing fees at the time of filing.
  - Filing a *Motion to Proceed In Forma Pauperis* does **not** mean that your filing and other fees will be free, it means you do not have to pay the initial deposit. If the motion is granted, you will be placed on a payment plan at a rate of \$25/month.
  - Please see [Instruction 12](#) for Filing a Motion to Proceed *In Forma Pauperis*.
7. If you are requesting **Temporary Custody** be granted to you at the initial hearing, you will also need to complete and file a *Motion for Temporary Custody* – [Local Form 129](#).
8. Immediately upon your filing of the required documents, you will obtain an Initial Hearing date. To do so, use the phone provided at the Clerk of Courts and you will call/be connected to the court schedulers who will provide you with the hearing date.