

## **HOW TO FILE A COMPLAINT FOR LEGAL CUSTODY**

1. Completely fill out the Complaint, UCCJEA (Parenting Proceeding Affidavit) Form and Service Instruction Form. If this is a new case, you will be filing a complaint. 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.
2. All parties must be served with your Complaint. Complete addresses must be included on the Instructions for Service Form. The hearing may not go forward unless the parties have received proper notice. You will be notified of your hearing by mail.
3. You must be prepared to pay the filing fee. Fees must be paid by cash, check, money order or credit/debit cards.
  - a. New Complaints = \$420
4. If a parent cannot be located a service by publication must be completed. The fee for publication cannot be waived.

**Remember:** Legal matters are often complicated and involve issues that are best handled by an attorney. We advise all litigants coming before our court to retain an attorney. If you do not know an attorney that you wish to retain the Akron Bar Association's Lawyer Referral Service can provide you with the name of a Family Law practitioner who will do an initial one-half hour consultation with you for \$30.00. The Lawyer Referral Service can be reached by telephone at **(330) 253-5038** or e-mail at [iris@akronbar.org](mailto:iris@akronbar.org).

**IN THE COURT OF COMMON PLEAS  
DOMESTIC RELATIONS DIVISION  
SUMMIT COUNTY, OHIO**

\_\_\_\_\_  
Proposed Legal Custodian(s)  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip

**PETITIONER(S)**

**VS.**

\_\_\_\_\_  
Mother  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip

**AND**

\_\_\_\_\_  
Father  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip

**AND**

\_\_\_\_\_  
Current Custodian if not parent  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State, Zip

**RESPONDENT(S)**

**IN RE:** \_\_\_\_\_  
Child's Name

**D.O.B.:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

**JUDGE:** \_\_\_\_\_

**MAGISTRATE** \_\_\_\_\_

**COMPLAINT FOR LEGAL CUSTODY**

with

**MOTION FOR TEMPORARY CUSTODY**

# COMPLAINT FOR LEGAL CUSTODY

\_\_\_\_\_, \_\_\_\_\_, alleges the following:  
Petitioner(s) Relationship to child

1. The child is in the legal custody of \_\_\_\_\_. The child now lives with \_\_\_\_\_ at the following address \_\_\_\_\_, and has lived there since \_\_\_\_\_.

The child: (*circle one*)

- a. Was involved in another court that issued orders about the child's custody, visitation and/or support of the child in \_\_\_\_\_ court in the state of \_\_\_\_\_ and the case number is \_\_\_\_\_.
- b. Is not a ward of another court pursuant to R.C. 2151.23(A)(2).

2. The Mother of the child is \_\_\_\_\_. She lives at \_\_\_\_\_.

3. Paternity: (*circle one*)

a. Has been established through (*circle one*)

- i. Genetic testing.
- ii. An Acknowledgement of Paternity signed by the parents.
- iii. Court Order.
- iv. Presumption due to the parents' marriage at the child's birth.

The Father of the child is \_\_\_\_\_. He lives at \_\_\_\_\_.

b. Has not been established. (*circle one*)

- i. The Alleged Father of the child is \_\_\_\_\_. He lives at \_\_\_\_\_.
- ii. The Father of the child is unknown.

c. Is unknown to the Petitioner.

4. The Parents: *(circle one or both)*

a. Are unsuitable because *(circle one and provide narrative)*

- i. They have abandoned the child;
- ii. They have contractually relinquished the child;
- iii. They are totally unable to provide care or support; or
- iv. Remaining in the custody of the Parents would be detrimental to the child.

Please describe the circumstances supporting unsuitability:

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b. Agree to the transfer of legal custody of the child without a finding of unsuitability.

5. It is in the best interest of the child to be placed in the legal custody of Petitioner(s) because

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The Petitioner(s) respectfully requests that the Court grant legal custody of the child to Petitioner(s) and make a determination of residual parental rights and responsibilities including but not limited to visitation and child support.

Respectfully submitted,

\_\_\_\_\_  
Petitioner, (Signature)

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Petitioner, (Signature)

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

**MOTION FOR TEMPORARY CUSTODY**  
*(Optional)*

\_\_\_\_\_, \_\_\_\_\_, requests that the child be  
Petitioner(s) Relationship to child  
placed in the temporary custody of Petitioner(s).

1. While the Complaint for Legal Custody is pending, the Court should place the child in the temporary custody of Petitioner(s) because: *(circle one)*

a. An order placing the child in the temporary custody of Petitioner(s) is in the best interest of the child because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. The parties agree to placement of the child in the temporary custody of Petitioner(s).

Respectfully submitted,

\_\_\_\_\_  
Petitioner, (Signature)

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Petitioner, (Signature)

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

# PARTY INFORMATION FORM

**CASE NO:** \_\_\_\_\_

1. NAME OF CHILD: \_\_\_\_\_ DOB: \_\_\_\_\_ SEX: \_\_\_\_\_

2. MOTHER'S NAME: \_\_\_\_\_ DOB: \_\_\_\_\_

ADDRESS/CITY/ZIP: \_\_\_\_\_

SSN: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

HAS PATERNITY BEEN ESTABLISHED? \_\_\_\_\_ YES \_\_\_\_\_ NO If yes, how?

\_\_\_\_\_ GENETIC TESTING \_\_\_\_\_ ACKNOWLEDGEMENT \_\_\_\_\_ PRESUMED BY MARRIAGE

3. FATHER'S NAME: \_\_\_\_\_ DOB: \_\_\_\_\_

ADDRESS/CITY/ZIP: \_\_\_\_\_

SSN: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_

Email Address: \_\_\_\_\_

4. NAME OF PERSON FILING: \_\_\_\_\_ DOB: \_\_\_\_\_

RELATIONSHIP TO CHILD: \_\_\_\_\_

ADDRESS/CITY/ZIP: \_\_\_\_\_

SSN: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_

EMAIL ADDRESS: \_\_\_\_\_

5. CURRENT ADDRESS OF CHILD: \_\_\_\_\_

6. PERSON CURRENTLY PROVIDING CARE AND SUPERVISION FOR CHILD:

\_\_\_\_\_

ADDRESS/CITY/ZIP: \_\_\_\_\_

7. NAME AND ADDRESS OF SCHOOL CHILD IS ATTENDING:

\_\_\_\_\_