

**IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO  
DIVISION OF DOMESTIC RELATIONS AND JUVENILE BRANCH**

**(Case Caption)**

**CASE NO.** \_\_\_\_\_  
**JUDGE** \_\_\_\_\_  
**MAGISTRATE** \_\_\_\_\_

**COMPLAINT FOR ALLOCATION OF  
PARENTAL RIGHTS/CUSTODY**

1. I am \_\_\_\_\_, the \_\_\_\_\_ of the minor child(ren),  
(full name) (relationship to child)  
\_\_\_\_\_. I live at \_\_\_\_\_.  
(names) (full address including zip code)
  
2. The child(ren) reside(s) in \_\_\_\_\_, County, Ohio and has/have for \_\_\_\_\_.  
(time period)
  
3. The natural or biological mother is \_\_\_\_\_ and her current mailing  
(full name)  
address is \_\_\_\_\_.  
(full address including zip code)
  
4. The natural or biological father is \_\_\_\_\_ and his current mailing  
(full name)  
address is \_\_\_\_\_.  
(full address including zip code)
  
5. The father-child relationship was established by \_\_\_\_\_  
(administrative order, judicial order or  
\_\_\_\_\_. The number is \_\_\_\_\_.  
(paternity registry, child born during marriage)
  
6. The child(ren) is(are) not wards of any other court.

WHEREFORE, I request the allocation of parental rights and responsibilities/custody/shared parenting/parenting time/visitation/child support and any other relief the court deems appropriate.  
(Circle all that apply.)

\_\_\_\_\_  
Plaintiff/Petitioner (signature)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
(City) (State) (Zip Code)

\_\_\_\_\_  
(Telephone number)

**VERIFICATION OF SIGNATURE**

The above person appeared before me and stated that the statements contained in the complaint were true to the best of his/her knowledge this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Notary Public

**NOTICE OF HEARING**

Please take notice that the complaint will come on for hearing on the \_\_\_\_ day of \_\_\_\_\_, 200\_\_ at \_\_\_\_\_ am/pm in Courtroom \_\_\_\_\_, 373 S. High Street, 3<sup>rd</sup> Floor, Columbus, Ohio 43215.

\_\_\_\_\_  
Plaintiff/Petitioner

# INSTRUCTIONS FOR FILING CUSTODY/ VISITATION COMPLAINT

Documents needed:

1. **Complaint with Notice of Hearing;**
  2. **Custody Affidavit (FILL IN ALL BLANKS);**
  3. **Health Insurance Affidavit (if seeking child support);**
  4. **Verification of parent-child relationship  
(administrative order, registry number or judicial order);**
- IF APPLICABLE, ATTACH AS EXHIBIT TO COMPLAINT;

**YOU WILL NEED THE ORIGINAL AND TWO COPIES  
(ADDITIONAL COPIES FOR EACH ADDITIONAL PERSON SERVED.)**

**All necessary parties must be served with a copy of the documents through the clerk's office at least seven (7) days prior to the hearing date. Nonparents MUST serve both Mother and Father.**

YOU MAY HAVE THE CLERK SERVE THE COMPLAINT/MOTION BY ONE OF THE FOLLOWING  
METHODS:

1. **Certified mail;**
2. **Personal service by the sheriff;**
3. **Personal service by process server;**
4. **If reasonable attempts have been made to locate parties and you are unsuccessful, you may serve by publication or posting. A reasonable attempt is made when you send certified mail to the last known address of the party.**

## **IF SERVICE FAILS**

You will receive written notification by letter from the clerk's office. **YOU MUST FOLLOW UP** by attempting another type of service **OR YOUR CASE WILL BE CONTINUED AT THE FIRST HEARING DATE.**

**If certified mail service fails because it is unclaimed or refused ----- then request ordinary mail service to the same address through the Clerk's office.**

If personal service fails ----- you must try another method, such as certified mail through the Clerk's office.

**Necessary parties may waive service of summons (agree in writing to accept the paperwork). Special forms are available with the Clerk or assigned Magistrate.**

**IF QUESTIONS, PLEASE SEE THE DUTY MAGISTRATE ON THE THIRD FLOOR.**

**IF SEEKING AN EMERGENCY CUSTODY ORDER, THE FOLLOWING PROCEDURE SHOULD BE FOLLOWED:**

Emergency custody orders are rarely granted as there are very few cases where a true life altering emergency exists. Therefore, a request for emergency custody should be reserved for situations where there is an immediate, present danger to the child /children. The following situations do not constitute an emergency:

- Enrolling the child in school**
- Obtaining an initial custody order**
- Missed visitation**
- Refusal to Return the Child Following Visitation**
- Obtaining Non-Emergency Medical Treatment**

Before requesting an emergency custody you must file a complaint for custody or a motion to modify the existing custody order.

To request an emergency custody order, you must prepare a Motion For Emergency Custody along with an Affidavit verifying the basis for your Motion. You must schedule a hearing before your assigned Judge. The request for emergency custody will be heard within 30 days from the date of filing your motion. Prior to your hearing, all parties to the case must receive service of summons and notice of hearing as outlined previously in this packet.

The hearing on your request for emergency custody will be continued unless service has been obtained on all parties and proof of service has been confirmed with the Clerk's office.

# WHAT TO EXPECT WHEN YOU COME TO COURT

1. **DO NOT** bring the child(ren) to Court with you unless instructed by the Court.
2. **DO** bring with you the parents, and the current custodians, if other than the parents.
3. **CHECK IN WITH THE BAILIFF/COURT OFFICER** upon your arrival to court.
4. There are only two ways your case can be decided:
  - a. If everyone is in agreement
  - OR
  - b. By witnesses and evidence, if there is not a full agreement by everyone
5. If the parents, or current custodians, appear and contest the change of custody **OR** the service and notice requirements have not been met, then your case will be continued to another hearing date.
6. **FAILURE OF THE FILING PARTY TO APPEAR FOR HEARING WILL RESULT IN DISMISSAL OF THE CASE WITHOUT FURTHER NOTICE.**