

IF YOU ARE FILING FOR CUSTODY OR SUPPORT OF A MINOR CHILD, AND THE PARENTS OF THE CHILD ARE MARRIED TO EACH OTHER OR WERE PREVIOUSLY MARRIED TO EACH OTHER, PLEASE REVIEW THE FOLLOWING INFORMATION:

The Ohio legislature recently enacted changes as to where Custody and Support actions shall be filed. The impact is largely to those matters where the parents are currently married to each other or where the parents have previously been married to each other.

- If the child’s parents are married to each other, any new complaint for custody or support must be filed in the Domestic Relations Division of this Court. If a third party is filing the complaint, they should be able to offer sufficient proof the parties are married.
- If the child’s parents were previously married to each other, and there are orders related to that child in the case that terminated the parents’ marriage to each other, then you must first check to see if any new matters can be addressed in that case. If the new matters cannot be filed in the case that terminated the parents’ marriage, and the parties terminated their marriage **in Ohio**, then the case must be filed in the Domestic Relations Division of this Court.
- If the child’s parents were previously married to each other, and there are custody or support orders for another of their children **in an Ohio case** that terminated the parents’ marriage to each other, then any new action related to this child must be filed in the Domestic Relations Division of this Court.
- Filings for custody or support that are made in relation to Abuse, Neglect, or Dependency cases while the Juvenile Court maintains wardship over the child are not subject to these changes.
- Cases where the parties’ terminate their marriage in another state, or have custody orders from other states (incl. Registration of Foreign Orders under RC §3127) are not impacted by these changes.

Additionally, the following information is important to know:

- There is an updated *Required Notice of Previously Filed Case/Certificate of Assignment* that must be used. Please discard any versions older than January 2020.
- There is a new *Complaint to Establish Parental Rights pursuant to HB595*. It is preferred that this new complaint be used for all new actions related to custody and support impacted by these legislative changes and which are to be filed in the Domestic Relations Division of this Court.
- The legislative changes addressing the filing of new complaints are in ORC §2151.233.

The Self-Represented Resource Center on the 4th floor can assist with filling out the required forms. Clients are seen on a first come/first serve basis.

Marital Status	Existing in DR	Also Required to Invoke DR Jurisdiction
Biological or adoptive parents of the child in question are currently married to each other.	Nothing has ever been filed	Nothing. Currently married parties requesting custody file in DR. Third parties will have to provide sufficient proof of the parents' marriage.
Biological or adoptive parents of the child in question were previously married to each other but are no longer married to each other.	There is a previously granted Ohio termination of marriage OR an Ohio DR Custody or Support Case.	1. There is an existing order for custody or support in Ohio regarding the child in question over which the Juv. Court does not have jurisdiction OR 2. There is an existing order for custody or support in Ohio regarding another child of the same parents over which the Juv. Court does not have jurisdiction.
Biological or adoptive parents of the child in question have terminated their marriage to each other or an action to terminate their marriage is pending.	There is a previously granted Ohio termination of marriage OR an Ohio DR Custody or Support Case.	The determination of child support or custody is ancillary to the parents' pending or prior Ohio termination of marriage action.

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

PLAINTIFF

ADDRESS

CITY, STATE, ZIP

CASE NO: _____

JUDGE _____

MAGISTRATE _____

vs.

DEFENDANT

ADDRESS

CITY, STATE, ZIP

COMPLAINT FOR ESTABLISHMENT OF PARENTAL RIGHTS AND RESPONSIBILITIES (per R.C. 2151.233)
(Custody, Parenting Time, Support in Domestic Relations Court)

Now comes _____, Plaintiff in this matter, and pursuant to R.C. 2151.233 requests this Court establish an order for: (please check all that apply)

- Custody with Parenting Time (visitation)
- Child Support.

This request addresses the following minor children:

Name of Child	Date of Birth	CSEA SETS # (if applicable)	Paternity Registry # (if applicable)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

1. My relationship to the children is:

- PARENT (MOTHER) PARENT (FATHER)
- OTHER: _____.

2. The other parties to this matter are:

- PARENT (MOTHER/FATHER): _____.
- PARENT (MOTHER/FATHER): _____.

3. The parents were married to one another on _____.

4. These children:

- were born to the above-listed parents' during their marriage to each other.
- were legally adopted by one or more of the above-listed parents.
- were not born during the parents' marriage to each other and parentage was established by:
 - administrative order judicial order paternity registry
 - not established unknown

5. These children reside within _____ County, in the State of _____.
6. I reside within _____ County, in the State of _____.
7. These children have resided in the State of Ohio since _____.
8. These parents: (you must check at least one for this case to be filed in the Domestic Relations Division; if none of the items below apply, then your case may need to be filed in the Juvenile Branch)
- are currently married to each other. (a third party must have sufficient proof that a legal marriage between the parties exists).
- OR**
- were previously married to each other, AND
there are existing custody and/or child support orders for any of the biological or adopted children of these same parents, AND
these orders are in an OHIO domestic relations case (a divorce, dissolution, or legal separation).
9. The parents: (only check those that apply)
- have terminated their marriage in OHIO and the case is listed below;
- OR**
- have a pending case to terminate their marriage in OHIO and the case is listed below.

Case Name: _____

Case Number: _____

Date Filed: _____

Termination of Marriage Date: _____
(if applicable)

10. I have completed and am filing the following required items/affidavits along with this Complaint:
- Parenting Proceeding Affidavit (required by R.C. §3127 and Local Rule in all custody actions).
- Child Support Affidavit (required by Local Rule 23 in all child support actions).
- Health Insurance Affidavit (required by RC §3119 and Local Rule in all child support actions).
- IV-D Application (required by RC §3119 and Local Rule in all child support actions).
- Proposed Child Support worksheet (required by Local Rule 21 in all child support actions)
11. Plaintiff's reasons for bringing this Complaint are more fully explained in the attached affidavit.
12. All applicable administrative child support orders are attached as Exhibit A

WHEREFORE, the undersigned Plaintiff requests an order for Custody and/or Support as specifically indicated herein, and:

- requests that the administrative child support orders attached as Exhibit A be approved, adopted, and modified (only available if the administrative orders originated in Franklin County)
- an Order for Shared Parenting (*note: a shared parenting plan MUST be filed by one party*)
- any other relief the Court deems appropriate;
- other: _____.

The filing party acknowledges that the requests made in this Complaint subject the parties to the establishment of a child support order if one has not been established already.

Respectfully Submitted,

PLAINTIFF NAME (PRINTED)

PLAINTIFF SIGNATURE

STREET ADDRESS

CITY, STATE, ZIP CODE

DAYTIME TELEPHONE

NOTICE OF HEARING

(to be filled out if Complaint is being filed in person; not for use with e-filing)

Please take notice that the complaint will come on for hearing on _____ (month) _____ (day),
_____ (year) at _____ am/pm in Courtroom _____, 373 S. High Street, 3rd Floor, Columbus,
Ohio 43215.

Plaintiff

***NOTICE: Failure of the Plaintiff to appear at any hearing will result in dismissal of the Complaint.
Failure of Defendant to appear at any hearing can result in the hearing of all claims.***

MARYELLEN O'SHAUGHNESSY
IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO
DIVISION OF DOMESTIC RELATIONS AND JUVENILE BRANCH

PLAINTIFF/PETITIONER

Case No. _____

DEFENDANT/PETITIONER

CERTIFICATE OF ASSIGNMENT

*To be filed with all NEW Cases requesting an allocation of parental rights or child support
(including a petition for civil protection order; not to be used for CSEA Objections/Complaints)*

(1) The Complaint or Petition requests child support or an allocation of parental rights:

<ul style="list-style-type: none"> • The biological or adoptive parents of the child(ren) are currently married <u>to each other</u>. 	YES	NO
<ul style="list-style-type: none"> • The biological or adoptive parents of the child(ren) were previously married to each other, AND <p style="padding-left: 20px;">there are existing custody and/or child support orders for any of the biological or adopted children of these same parents, AND</p> <p style="padding-left: 20px;">these orders are in an OHIO domestic relations case (a divorce, dissolution, or legal separation).</p>	YES	NO

(2) Another case between the same parties is currently pending and assigned to:

Judge: _____ Magistrate: _____

Case Number: _____ Court: _____

**(3) The foregoing complaint / petition filed herewith HAS HAS NOT
been previously filed and dismissed or withdrawn.**

The complaint / petition that was previously dismissed or withdrawn was:

Case Number: _____

Assigned to: Judge _____

Magistrate _____

I hereby certify that the information contained herein is correct to the best of my knowledge.

Attorney / Party

Internal use only - Related Cases

Case Name	Case Number	Relationship	Notes