

**IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO
JUVENILE DIVISION**

FILING PRO SE

[Acting As Your Own Attorney]

The Montgomery County Juvenile Court is committed to providing our clients, and the community, with the best possible customer service. The information, and the forms that follow, are meant as a guide to assist you in filing certain types of cases “pro se”, or acting as your own attorney. While our office is here to assist you in preparing your pro se filings, please note, throughout the court process, you will be held to the same standards and requirements as an attorney who is properly licensed and registered to practice law.

Please read the following information about our pro se process, as well as the instructions that have been prepared regarding paternity, custody, visitation, parenting time, and support matters. While our office can provide you with general information on how to complete the pro se forms, court staff (including the Staff Attorney) is prohibited by law from giving any legal advice or opinions on your case, including telling you what specifically you should write on your pro se forms or pleadings.

If you are not sure what to file, or if you have questions about issues in your case, we recommend you speak with a private attorney.

If you need assistance completing the forms, the Greater Dayton Volunteer Lawyers Project or the Kinship Caregiver Coalition, may assist you, provided you meet their individual guidelines.

Attorneys

If you decide you want to have an attorney represent you, you are responsible for contacting and retaining an attorney. You do not necessarily need to have an attorney to begin your case, but may, instead, choose to file pro se, then retain an attorney to represent you after the fact. **The Juvenile Court will not appoint attorneys in civil matters** (custody, visitation, etc.). You may qualify for appointed counsel ONLY if you are indigent (below the poverty level) **and** you are facing an allegation of “Contempt of Court”, or Montgomery County Children’s Services has filed a case against you.

If you are seeking a local attorney, you may contact the **Dayton Bar Association’s Lawyer Referral Service** at **937-222-6102**. Initial consultations with an attorney through this service are \$35.00. Beyond the initial consultation, regular fees apply.

Greater Dayton Volunteer Lawyers Project

If you need assistance completing your paperwork, or cannot afford your filing fee, you may contact Legal Aid of Western Ohio at **1-888-534-1432** (Monday through Thursday, 9 A.M. to 5 P.M.) to see if you qualify for aid through the **Greater Dayton Volunteer Lawyers Project’s Juvenile Court Pro Se Clinic**. When you call, you will reach a recording. You will need to leave a message and a telephone phone number where you can be reached. Calls placed before 2:00 PM are typically returned the same

day. Because Legal Aid screens for a number of different services, it is important that you state you are **“requesting help with paperwork”** and would like a referral to the **Greater Dayton Volunteer Lawyers Project**. If you qualify for assistance, you will be scheduled to attend a monthly clinic, where someone will assist you with completing your paperwork, and a waiver for your filing fees. Your filing fee will only be waived if you are qualified for assistance through the Greater Dayton Volunteer Lawyers Project. The Greater Dayton Volunteer Lawyers Project does not provide attorneys to represent you in court, they merely assist with the completion of the required forms.

Kinship Caregiver Coalition

Kinship Caregiver Coalition, located at Dayton Children’s Hospital, can assist **non-parent family members** in completing court forms, as well as provide access to a number of other community resources. To schedule an appointment, call 937-641-3000 x 8591.

Filing Pro Se

How do I file?

- All necessary forms are available on our website, mcjcoho.org, or through the Citizen Services Office located in the lower level of the Juvenile Justice Center.
 - Citizen Services is open Monday – Friday 8:30 AM – 11:30 AM and 1:00 PM – 3:00 PM
 - Closed from 11:30 AM – 1:00 PM
 - Closed weekends and holidays
 - Same day filing is NOT guaranteed
 - ALL COMPLETED FORMS MUST BE REVIEWED BY CITIZEN SERVICES PRIOR TO FILING
- When you arrive at Citizen Services, please sign in and wait to be called.
- Our staff will assist you in the order in which you sign in.
- A member of the Citizen Services staff will speak with you, one on one, to determine which pro se packet you will need to complete.
- The staff member will then go over the packet with you, and highlight the sections which need to be completed.
 - Sample books containing completed forms are available outside the Citizen Services office to assist you.
- Once your paperwork is completed, please place it in the black box located inside the Citizen Services Office.
- Our office staff will review your paperwork and indicate any required additions or corrections. Please make any noted corrections and return the packet to the black box inside the Citizen Services office.
- Once your forms are completed, a member of our staff will meet with you to notarize any documents requiring notarization, and to sign off that your packet is ready for filing.
- Once your forms have been approved for filing you will be notified of any applicable filing fees.
- Our staff will then deliver your forms to the Clerk’s Office for filing. PLEASE WAIT TO BE CALLED TO THE CLERK’S WINDOW TO COMPLETE YOUR FILING.
- **Hours for filing are Monday – Friday 8:30 am – 4:00 pm**

How much will this cost?

- Filing fees are due at the time of filing and are payable with Cash, Credit Card (except American Express), Debit Card, Money Order or Cashier's Check. **PERSONAL CHECKS ARE NOT ACCEPTED.**
- \$130 for paternity filing
- \$130 for new custody or visitation– first child; \$80 for each additional child – when parties are the same for all cases (if the parents or guardians are different in any way, each child will be treated as a new case)
- \$115 for new child support cases – first child; \$65 for each additional child – when parties are the same for all cases
- \$65 for any children who already have case numbers. If all parties are the same, one fee applies to all children having existing case numbers.
- **THERE IS AN ADDITIONAL \$5.00 COPY FEE FOR ALL FILINGS.**

BACKGROUND CHECKS (CUSTODY CASES)

- Either: \$40 for background check (Ohio) or \$50 for background check (FBI) will be charged, depending on the filing party's residency. **THIS FEE CANNOT BE WAIVED, BUT IS NOT DUE AT THE TIME OF FILING.** This fee **MUST** be paid at least 30 days before your hearing.
- \$15 – FINGERPRINT CARD – this fee may be charged in addition to the above, if an electronic version cannot capture your fingerprints, and you need to be fingerprinted manually.

Other important things to note:

- If you are given a court date at the time of filing, you will not receive a summons or other reminder in the mail.
- If you fail to appear for court, and you are the Plaintiff (the person who filed), your case will be dismissed.
- If your case is dismissed, for any reason, you will not receive a refund for any filing fees or background check.
- If your case is dismissed and you have to refile, the same filing fees apply.

When will I have court?

Hearings are set based on the time available on the Judges and Magistrates' individual dockets. Most civil matters will be set approximately 90 days from the date of filing.

What if there is an emergency?

If your case involves a child emergency to health, safety or overall welfare, you should first contact your local law enforcement agency or Children Services at 937-224-5437.

What documents are required?

Under our Court's Local Rules, certain documents are required for each type of filing. These documents are available on our Court's website, or can be picked up from the Citizen Services Office.

Below is a list of each form required for each of the most common pro se filings. Other forms are available from the Citizen Services office.

Custody to a Parent

- Juvenile Court Information Sheet (this is required by the court, but will not be filed as part of the public record)
- Complaint for Parentage, Allocation of Parental Rights and Responsibilities (Custody), and Parenting Time (Companionship and Visitation)
- Affidavit of Income and Expenses
- Parenting Proceeding Affidavit
- Application for IV-D Services
- Release of Information
- Instructions for Service

Custody to a Non-Parent

- Juvenile Court Information Sheet (this is required by the court, but will not be filed as part of the public record)
- Motion for Allocation of Parental Rights and Responsibilities (Custody) to a Non-Parent and Memorandum in Support
- Affidavit of Income and Expenses
- Parenting Proceeding Affidavit
- Application for IV-D Services
- Release of Information
- Instructions for Service

Change/Modify Custody

- Juvenile Court Information Sheet (this is required by the court, but will not be filed as part of the public record)
- Motion for Change of Parental Rights and Responsibilities and Memorandum in Support
- Affidavit of Income and Expenses
- Parenting Proceeding Affidavit
- Application for IV-D Services
- Release of Information
- Instructions for Service

Visitation for a Parent

- Juvenile Court Information Sheet (this is required by the court, but will not be filed as part of the public record)
- Complaint for Parentage, Allocation of Parental Rights and Responsibilities (Custody), and Parenting Time (Companionship and Visitation)
- Affidavit of Income and Expenses
- Parenting Proceeding Affidavit
- Instructions for Service

Visitation for a Non-Parent

- Juvenile Court Information Sheet (this is required by the court, but will not be filed as part of the public record)
- Motion for Visitation by a Non-Parent and Memorandum in Support
- Parenting Proceeding Affidavit
- Instructions for Service

Change/Modify Visitation

- Juvenile Court Information Sheet (this is required by the court, but will not be filed as part of the public record)
- Motion for Change of Parenting Time (Companionship and Visitation) and Memorandum in Support
- Parenting Proceeding Affidavit
- Instructions for Service

Parentage/Paternity

- Juvenile Court Information Sheet (this is required by the court, but will not be filed as part of the public record)
- Complaint for Parentage, Allocation of Parental Rights and Responsibilities (Custody), and Parenting Time (Companionship and Visitation)
- Application for IV-D Services
- Parenting Proceeding Affidavit
- Affidavit of Income and Expenses

Child Support (initial request)

- Juvenile Court Information Sheet (this is required by the court, but will not be filed as part of the public record)
- Complaint for Parentage, Allocation of Parental Rights and Responsibilities (Custody), and Parenting Time (Companionship and Visitation)
- Affidavit of Income and Expenses
- Parenting Proceeding Affidavit
- Application for IV-D Services
- Instructions for Service

Change/Modify Child Support

- Juvenile Court Information Sheet (this is required by the court, but will not be filed as part of the public record)
- Motion for Change of Child Support, Medical Support, Tax Exemption, or other Child-Related Expenses and Memorandum in Support
- Affidavit of Income and Expenses
- Application for IV-D Services
- Instructions for Service

[Information for filing pro se revised 10/2017]