

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

**INSTRUCTIONS TO FILE
OBJECTIONS, MOTIONS TO SET ASIDE, RULE 60A MOTIONS,
MOTIONS FOR TRANSCRIPT, AND MOTIONS TO REMOVE**

There is NO FEE to file an objection, motion to set aside or Rule 60A motions.

There may be a fee for the transcript. YOU must contact the court reporter who will tell you how much it will cost.

IF THIS IS A JUDGE'S FINAL ORDER (A MAGISTRATE WAS NOT INVOLVED) YOU MAY NEED TO FILE AN APPEAL, AND THIS PAPERWORK WILL NOT APPLY.

CHECK YOUR ENTRY!!!

It has much of the information you need and the Court will NOT accept the objection until the entry has been filed.

1. Complete heading (caption):
 - IN RE: - print child's name
 - JC# - print juvenile court case number
 - Judge – print Judge's name (assigned to your case)
 - Magistrate – print Magistrate's name (assigned to your case)
 - **Check which you are filing – if you look at the last page of your entry, it will tell you either an objection (you have 14 days from time-stamp to file) OR motion to set aside (you have 10 days to file) WEEKEND DAYS COUNT**
 - Rule 60A - check this if there was a typo – named spelled incorrectly, wrong date used, etc. and you want it corrected
 - Motion to Remove – check this if you can show a Magistrate's personal bias or prejudice concerning a party

2. Complete your form – **WRITE EVERYTHING YOU SPECIFICALLY OBJECT TO / THINK IS INCORRECT IN THE DECISION**

3. Sign your name, print your name, print your address and phone number
4. Put in the date you are filing this at the clerk's window (under Certificate of Service)
5. Put the name and address of everyone you are giving / sending a copy to – EVERY party on the case. This is your responsibility – not the Court's. You can find this information at the bottom of your entry.

Transcripts: A transcript may cost money, but if you do not get one, the court accepts that the Magistrate's entry has all true facts. **If you think the Magistrate's entry has made an incorrect finding of fact, you must request a transcript. TRANSCRIPT COSTS CAN BE FOUND IN THE LOCAL RULES, BUT A COURT REPORTER WILL COMPLETE THE FINAL CALCULATIONS ACCORDING TO THE RULES.**

6. Motion for transcript – complete the heading (caption)
 - Check what you are requesting a transcript for
 - Print the magistrate's name, and the hearing date / time
 - Check that you know you have to pay for this OR that you already filed an affidavit that you are indigent [NOTE: the affidavit must have been filed before the magistrate made his or her decision, and this case must be one in which the state was a party]
 - Sign your name, print your name, print your address and phone number
7. File all this paperwork with the Juvenile Court Clerk's Office.

REMEMBER if you do not file within the time your entry states (10 days or 14 days), the Clerk's Office can refuse your paperwork for being late. WEEKEND DAYS ARE COUNTED. If your last day ends on a weekend or holiday, you must file the next business day for the Clerk's Office to be on time.

If you have any further questions, it is strongly recommended that you speak to an attorney.

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IN RE: _____

JC# _____

JUDGE _____

MAGISTRATE _____

SETS# _____

[Check one below]

_____ Objection to Magistrate's
Decision and Judge's Order

_____ Motion to Set Aside
Magistrate's Order

_____ Rule 60A Objection (clerical error)

_____ Motion to Remove Magistrate

[Type or print specifics of the objection / motion below and on the following page. If you request a transcript, you may supplement (or add to) this information after the transcript is completed.]

Respectfully Submitted,

Signature

Name (please print)

Address _____

Phone Number _____

Certificate of Service

I hereby certify that a copy of the foregoing was served on the following parties by certified mail, return receipt requested and / or by personal service on _____ (file date). [THE PARTY FILING THIS DOCUMENT IS RESPONSIBLE TO SERVING ALL PARTIES ON THE CASE AND PROVIDING PROOF OF SERVICE TO THE COURT]

Parties' Names and Complete Addresses [FILING PARTY MUST LIST EVERYONE HE OR SHE IS SENDING A COPY OF THIS OBJECTION]

Page _____ of _____

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

IN RE: _____

JC# _____

JUDGE _____

MAGISTRATE _____

SETS# _____

MOTION REQUESTING TRANSCRIPT
FOR OBJECTION / MOTION TO SET
ASIDE

REQUEST:

I am requesting a transcript to be filed along with the [choose one]:

_____ objection _____ motion to set aside

HEARING:

The transcript should be prepared for the hearing before _____
(Magistrate / Judge)

on _____ at _____ a.m. / p.m.
(Date) (Time)

Motion for Transcript, page 2
JC#: _____

PAYMENT:
[choose one]

_____ My case is not one of the cases listed below (Criminal, Children's Services or Dependency); therefore, I understand that I am responsible for the cost of the transcript. I understand that the Court will issue an Entry granting or denying my transcript request. If the Court grants my transcript request, I understand that it is my responsibility to contact the Court Reporter and to pay for the transcript. I WILL COMPLETE THIS WITHIN 14 DAYS of the time stamped date of the Entry granting my transcript request.

_____ CRIMINAL/DEPENDENCY/CHILDREN'S SERVICES CASES ONLY
I am indigent. An affidavit has already been filed in this case, and I request that the transcript be provided at the state's expense.

NOTICES:

I understand that if I do not have a transcript prepared (OR PAID FOR), it will NOT be attached to my objections or motion to set aside. The Court will then accept as true the Magistrate's findings of fact when deciding my case.

I understand that I may supplement my objection, in writing, within 14 days of the transcript being completed and filed.

Respectfully Submitted,

Signature

Name (please print)

Address _____

Phone Number _____