

Seneca County Juvenile Court
Judge Jay A. Meyer
103 E. Market St.; Tiffin, Ohio 44883; (419) 447-4912

NOTE: Effective March 22, 2019 the Juvenile Court may not accept original filings to determine custody or support regarding a child if any of the following apply:

- 1. The child's parents are married to each other; or***
- 2. The child's parents are not married to each other and there is an existing Order in another Court for custody or support regarding the child, sibling(s); or***
- 3. There is a pending action for divorce, dissolution, annulment or legal separation.***

Instructions for Pro Se Filings

1. You must complete all forms in their entirety and to the best of your ability. Failure to complete and file all attached documents may result in your filing being returned to you with no action being taken. You must type or print your responses in blue or black ink. If you are filing a new complaint, the filing fee will be \$178.00 per child at the time you file the complaint. If there is an existing case the fee is \$163.00, per child.
2. Where noted, some forms must be notarized **prior to** filing with the Court. The Court cannot provide Notary services.
3. You must also complete a request for service on the opposing party(s). It is your responsibility to supply a good address for the other parties in writing to the Court as soon as possible. If you do not do so, the motion/complaint may be dismissed without further action. All complaints shall be served on the parties by certified mail, unless service by the sheriff or process server is requested in writing. If you request personal service by the sheriff, additional costs will be assessed. If you want personal service by a process server, it is your responsibility to make those arrangements.
4. If you are unable to supply the address because the other party's location is unknown to you, and cannot be found out with reasonable diligence, service by publication is provided for you in the Civil Rules.
5. **If you are requesting an Emergency Order (*ex parte* Order), you must also complete a separate Motion and Affidavit.**
6. If you are filing for Shared Parenting you must also file a Shared Parenting Plan with the Court and serve all parties with it no later than 30 days prior to the Court Hearing or your request may be denied. (A sample form for Shared Parenting Plans may be found on the Courts Website at: senecajpcourt.com)
7. The complaint/motion shall be set for hearing by the Court. You shall receive a hearing notice in the mail. If your hearing notice is returned as undeliverable as addressed and you have not notified the Court of your new address, in writing, the complaint/motion may be dismissed without further action.
8. Return all forms with appropriate filing fee between the hours of 8:30 & 4:30 M-F in person to: Seneca County Juvenile Court; 103 E. Market St., Tiffin, Ohio 44883.

Ohio Revised Code 4705.01 prohibits the Juvenile Court from giving legal advice or from helping you prepare legal papers in a new or pending case in this or any Court.

IN THE COURT OF COMMON PLEAS, SENECA COUNTY, OHIO
JUVENILE DIVISION
JUDGE JAY A. MEYER

In the Matter of:

TO BE FILLED IN BY THE COURT

Case No: _____
TO BE FILLED IN BY THE COURT
SETS No. _____

TO BE FILLED IN BY THE COURT

Plaintiff

vs.

Case No: _____
TO BE FILLED IN BY THE COURT
SETS No. _____

TO BE FILLED IN BY THE COURT

Defendant

**MOTION FOR CUSTODY, VISITATION, PATERNITY OR SUPPORT
ESTABLISHMENT OR MODIFICATION** (Mark through any that DO NOT apply)

Party Information: Circle party filing request:

FATHER MOTHER GRANDPARENT AUNT UNCLE

OTHER: (describe relationship) _____

Mother's Name: _____

Date of Birth: _____ SSN:XXX-XX-_____ (Last 4 digits only)

Address: _____

City: _____ State: _____ Zip Code _____

Telephone Number (____) _____ Cell Phone Number (____) _____

Father's Name: _____

Date of Birth: _____ SSN:XXX-XX-_____ (Last 4 digits only)

Address: _____

City: _____ State: _____ Zip Code _____

Telephone Number (____) _____ Cell Phone Number (____) _____

First Child's Name: _____ (Attach copy of Birth Certificate)

Date of Birth: _____ Resides with: (____) Father (____) Mother (____) Other

If other, please specify: _____

Second Child's Name: _____ (Attach copy of Birth Certificate)

Date of Birth: _____ Resides with: () Father () Mother () Other

If other, please specify: _____

Third Child's Name: _____ (Attach copy of Birth Certificate)

Date of Birth: _____ Resides with: () Father () Mother () Other

If other, please specify: _____

-Attach additional sheet, if necessary, for other children.

-If a person other than a parent is filing this request:

Name of person filing: _____

Date of Birth: _____ SSN:XXX-XX-_____ (Last 4 digits only)

Address: _____

City: _____ State _____ Zip Code _____

Telephone Number () _____ Cell Phone Number () _____

Relationship to the Child(ren) _____

Regarding the above listed child(ren):

1) Is there an existing Court Ordered regarding Custody of the child(ren)? YES / NO
If you answered YES- in what Court was Custody established? _____

2) Who has physical possession of the child(ren) at this time? _____

3) Were the parents of the child(ren) ever married to each other? _____

4) Was Paternity established? ____ (if yes provide a copy of the Administrative Order)

5) Have you ever been to this Court before for any matters concerning the child(ren), and if so please explain when and under what circumstances: _____

6) Explain briefly why it would be in the best interests of the child(ren) to grant the requested relief: _____

_____ (Attach additional sheet if necessary)

7) Has the Mother: _____ Abandoned the child(ren)
_____ Contractually relinquished custody

- _____ Been totally unable to provide care and support
- _____ Been unfit or unsuited to parent the child(ren)
- _____ Other: _____

Based upon the following facts: _____

 _____ (Attach additional sheet if necessary)

- 9) Has the Father:
- _____ Abandoned the child(ren)
 - _____ Contractually relinquished custody
 - _____ Been totally unable to provide care and support
 - _____ Been unfit or unsuited to parent the child(ren)
 - _____ Other: _____

Based upon the following facts: _____

 _____ (Attach additional sheet if necessary)

I am requesting that the Seneca County Juvenile Court hold a hearing to determine and Order the following: (Check all that apply)

_____ Parental Custody

- {__} An initial designation of Residential Parent, no existing Order is in place
- {__} A Modification of the current Residential Parent. The following change has occurred in the circumstances of the child or the person who was granted legal custody of the child since the existing Order was issued: _____

 {__} A request for Shared Parenting. *I understand that if I am filing for Shared Parenting that I must file a Shared Parenting Plan with the Court and serve all parties with it no later than 30 days prior to the Court Hearing or my request may be denied.*

_____ Legal Custody to a non-parent

Note: Legal Custody is **intended to be permanent**, Further, the Movant will be required to affirm under oath or Affidavit the following "Statement of Understanding" to comply with ORC 2151.353 (A)(3):

- (1) that it is the intent of the person to become legal custodian and they are able to assume the responsibility; and
- (2) that the person understands that legal custody is permanent and continues until the child is of the age of majority or finishes high school; and
- (3) that the parent(s) has residual parental rights, privileges, and responsibilities. (Visits; Religion; adoption and child support).

_____ Visitation

- {__} Establish visitation for non-residential parent
- {__} Modification of existing Visitation

To establish Grandparent Visitation

_____ Child Support

- That a child support Order be issued
- Objections to CSEA Administrative Order of Support
- A request for Modification of existing Child Support
- Tax Dependency Exemption Award
- Other-Please Specify _____

_____ Parentage (ORC 3111.04)

- To establish the natural Father of the child(ren)
- That the parties submit to Genetic Testing/DNA

_____ Other: (Describe in detail what you are asking the Court to do) _____

The reasons I am requesting a Hearing: _____

_____ (Attach additional sheet if necessary)

I, being duly sworn, depose and state that I have read the forgoing document and that all the information and allegations contained herein are true.

Signature

Date

Printed Name

Sworn and subscribed in my presence this _____ day of _____ 20__

Notary Public
My commission expires _____

IN THE COURT OF COMMON PLEAS, SENECA COUNTY, OHIO
JUVENILE DIVISION
JUDGE JAY A. MEYER

In the Matter of:

TO BE FILLED IN BY THE COURT

Case No: _____
TO BE FILLED IN BY THE COURT
SETS No. _____

TO BE FILLED IN BY THE COURT

Plaintiff

vs.

Case No: _____
TO BE FILLED IN BY THE COURT
SETS No. _____

TO BE FILLED IN BY THE COURT

Defendant

MOTION FOR EMERGENCY ORDERS

The Petitioner(s) are asking this Court to issue an emergency Order of immediate Temporary Custody (*ex parte*) without a hearing. Petitioner(s) understand a review hearing will be scheduled within 72 hours.

AFFIDAVIT SUPPORTING REQUEST FOR EMERGENCY CUSTODY

I have reason to believe, and, personally swear or affirm, that the child is in immediate danger from the child's surrounding's, and the child's removal is necessary to prevent immediate or threatened physical or emotional harm because: _____

Attach additional sheet if necessary.

Further, I personally swear or affirm that I have made reasonable efforts to notify the child's parent or custodian by the following efforts: _____

OR

I swear or affirm that notification would jeopardize the physical or emotional safety of the child because: _____

I, being duly sworn, depose and state that I have read the forgoing document and that all the information and allegations contained herein are true.

Signature

Date

Printed Name

Sworn and subscribed in my presence this _____ day of _____ 20__

Notary Public

My commission expires _____

**IN THE COURT OF COMMON PLEAS SENECA COUNTY, OHIO
JUVENILE DIVISION
JUDGE JAY A. MEYER**

IN THE MATTER OF:

TO BE FILLED IN BY THE COURT

CASE NO. _____
TO BE FILLED IN BY THE COURT

SETS NO. _____

TO BE FILED IN BY THE COURT
Plaintiff

CASE NO: _____
TO BE FILED IN BY THE COURT

Vs.

SETS NO. _____

TO BE FILED IN BY THE COURT
Defendant

**DECLARATION UNDER UNIFORM CHILD CUSTODY
JURISDICTION AND ENFORCEMENT ACT (UCCJEA)
CHILD CUSTODY AFFIDAVIT (ORC 3127.23)**

I, (full legal name) _____ being sworn according to law,
certify that these proceedings involve the custody of a child, or children and the following
statements are true:

1. One **Minor Child is subject to this proceeding as follows:** (Insert the information requested
below. The residence information must be given for the last FIVE years.)

a. Child's name	Place of birth	Date of birth	Sex

Period of residence	Address	Person child lived with (name & address)	Relationship
_____ To Present			
to			
to			
to			
to			

2. **Participation in custody proceeding(s): (check only one)**

_____ I **HAVE NOT** participated as a party, witness, or in any capacity in any other litigation, in this or any other state, concerning the custody of or visitation (parenting time) with any child subject to this proceeding.

_____ I **HAVE** participated as a party, witness, or in any capacity in any other litigation, in this or any other state, concerning the custody of or visitation (parenting time) with any child subject to this proceeding.

Explain:

- a. Name of each child _____
- b. Type of proceeding _____
- c. Court and state _____
- d. Date of court order or judgment (if any) _____

3. **Information about custody proceeding(s): (check only one)**

_____ **I HAVE NO INFORMATION** of any proceedings that could affect the current proceeding, including any proceedings relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning any child subject to this proceeding.

_____ **I HAVE THE FOLLOWING INFORMATION** concerning proceedings that could affect the current proceeding, including any proceedings relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning any child subject to this proceeding, other than set out in item 3.

Explain:

- a. Name of each child _____
- b. Type of proceeding _____
- c. Court and state _____
- d. Date of court order or judgment (if any) _____

4. **Persons not a party to this proceeding: (check only one)**

_____ **I DO NOT KNOW OF ANY PERSON** not a party to this proceeding who has physical custody or claims to have custody or visitation rights with respect to any child subject to this proceeding.

_____ **I KNOW THAT THE FOLLOWING NAMED PERSON(S)** not a party to this proceeding has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this

- a. Name and address of person _____

() has physical custody () claims custody rights () claims visitation rights

Name of each child _____

- b. Name and address of person _____

() has physical custody () claims custody rights () claims visitation rights

Name of each child _____

5. Knowledge of prior child support proceedings: (check only one)

_____ The child described in this affidavit is NOT subject to existing child support order(s) in this or any state or territory.

_____ The child described in this affidavit IS subject to the following existing child support order(s):

a. Name of each child _____

b. Type of proceeding _____

c. Court and address _____

d. Date of court order or judgment (if any) _____

e. Amount of child support paid and by whom _____

f. SETS number _____

6. I acknowledge that I have a continuing duty to advise this Court of any custody, visitation, child support, or guardianship proceeding (including dissolution of marriage, child neglect, or dependency) concerning the child (ren) in this state or any other state about which information is obtained during this proceeding.

I certify that a copy of this document was (check only one)

() mailed () faxed and mailed OR

() hand delivered to the person(s) listed below on (date)

Other party or his/her attorney

Name _____

Address _____

City, State, Zip Code _____

Fax _____

I understand that I am swearing or affirming under oath to the truthfulness of the statements made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated_____

Printed Name_____

Signature of Party_____

Address_____

City, State, Zip code_____

Phone Number_____

Fax Number_____

Sworn and subscribed in my presence this _____ day of _____ 20__

Notary Public

My commission expires_____

IN THE COURT OF COMMON PLEAS, SENECA COUNTY, OHIO
JUVENILE DIVISION
JUDGE JAY A. MEYER

In the Matter of:

TO BE FILLED IN BY THE COURT

Case No: _____
TO BE FILLED IN BY THE COURT
SETS No. _____

TO BE FILLED IN BY THE COURT

Plaintiff

Case No: _____
TO BE FILLED IN BY THE COURT
SETS No. _____

vs.

TO BE FILLED IN BY THE COURT

Defendant

REQUEST FOR SERVICE

TO THE CLERK:

Please serve the foregoing Pleading and all associated papers on the following:

Name: _____

Address: _____

City: _____ State: _____ Zip Code _____

Name: _____

Address: _____

City: _____ State: _____ Zip Code _____

Please issue service by certified mail, return receipt requested, at the address above in accordance with Rule 4.1 of the Ohio Rules of Civil Procedure.

If the same should be returned "unclaimed" or "refused", please cause a true copy to be served at the above address by regular mail pursuant to Rule 4.6 of the Ohio Rules of Civil Procedure. Please also serve Notice of hearing.

Your Signature: _____

**SENECA COUNTY JUVENILE COURT INFORMATION SHEET
EFFECTIVE JULY 1, 2009**

Please complete the following information. This will allow the court to have needed demographic information without it being released to the other parties on your case.

Please provide complete Social Security numbers, financial account numbers, debit/credit/charge numbers, or employer and/or employee identification numbers are necessary, since they are also considered personal identifiers which must be omitted prior to submission or filing. On all filling(s), you must place the last four digits of the Social Security number (in each area required). It should appear in this format: xxx-xx-1234. **YOU MUST COMPLETE A SEPARATE INFORMATION SHEET FOR EACH CASE NUMBER.**

THE FOLLOWING INFORMATION MUST BE TYPED:

Juvenile Court Case # _____

Sets# _____

COMPLAINANT/PETITIONER/Plaintiff

Name: _____

Address: _____

SSN:XXX-XX-_____ (Last 4 digits only) Date of Birth: ___/___/_____

Respondent/Petitioner/Defendant

Name: _____

Address: _____

SSN:XXX-XX-_____ (Last 4 digits only) Date of Birth: ___/___/_____

Child's Name

Child's Name: _____

Address: _____

SSN:XXX-XX-_____ (Last 4 digits only) Date of Birth: ___/___/_____

Mother's Name: _____

Father's Name: _____

Additional Party

Circle the party's role: Petitioner/Plaintiff OR Respondent/Defendant

Name: _____

Address: _____

SSN:XXX-XX-_____ (Last 4 digits only) Date of Birth: ___/___/_____

This document is for informational purposes only and is not meant to replace legal representation

IF YOU DECIDE TO REPRESENT YOURSELF

SENECA COUNTY JUVENILE COURT

JUDGE JAY A. MEYER

103 E. Market St. Street

Tiffin, Ohio 44883

419-447-4912 FAX 419-448-5070



The term *pro se* is defined as “for yourself”, and this means that you have decided to represent yourself in Court without the assistance of an Attorney.

REPRESENTING YOURSELF:

When you decide to represent yourself, you take on the full responsibility for your case. You need to handle legal questions as well as deadlines, documents, evidence, witnesses, and any other issues that may come up. *Pro se* litigants are held to the same standard as Attorneys.

It is always a good idea to seek professional legal advice, and you should consult with an Attorney if you have any questions regarding your rights or how you should proceed. The Court may continue a scheduled hearing to provide you time to find an Attorney if your request is made prior to the hearing date.

If you choose not to retain an Attorney you need to understand some basic rules for being in Court. This document cannot possibly cover all the legal rules that Attorneys spend years learning, but it can give you some guidance on what to expect in general about the legal process. If you decide to take on the complex task of representing yourself, the Court will base its decision on the facts of the case, so it is important to carefully consider the manner in which you prepare and conduct yourself in Court.

BASIC RULES FOR COURT SETTING:

All Courts have rules and procedures that litigants should know before presenting a case. The Local Rules for the Seneca County Juvenile Court may be found on the Court website at <https://www.senecajpcourt.com>. Some of the rules which you should be familiar are:

1. Cell phones, cameras and recording devices are not permitted in Court.
2. Dress appropriately-no shorts, t-shirts, tank tops, or similar casual wear. Hats should be removed. You don't have to be fancy – clean and neat are the rules to show proper respect for the court that will decide your case.
3. This is not the time for drinks, snacks or chewing gum. If you need to have water or certain foods because of a medical condition, please advise the Clerk.
4. Children should not be brought to court unless they are supposed to talk to the Judge or Magistrate that day. There is little for children to do here, and they may become restless and noisy in the hall or courtroom. They should not be made part of your disputes.
5. You need to use words that show respect for the Judge, Magistrate and the other party and attorney.
6. No matter how much you disagree with others, be polite and do not interrupt. You will get a chance to say what you want if it relates to what the court has to decide.
7. The Judge or Magistrate cannot help you present your case; may not speak with you about your case when the opposing party is not present; and will decide your case only on the basis of the facts presented in Court, under the applicable law.

GETTING INFORMATION FROM THE STAFF:

By law, the Court staff may not advise you on what to do; please be courteous to the Court staff and respect the limits on what they may do for you.

The people who work at the courthouse cannot give you legal advice (that is, tell you what you *should* do, or what you should file). They can give you information so you make decisions for yourself. So:

They can:

- Explain how the Court works.
- Give you information from your case file.
- Give you general information about rules and procedures.

They cannot:

- Tell you whether you should file a motion or a complaint.
- Tell you what words to use in your Court papers.
- Tell you what words to say in Court.
- Give you an opinion about what will happen when you go to Court.
- Let you talk to the Magistrate or Judge outside of a Court Hearing.
- Notarize any documents.

FILINGS AND DOCUMENTS

All Motions must be typed or neatly handwritten on 8.5 x 11 paper and must contain information for each party. The other parties must be properly served with a copy of any Motion or Pleading. Requirements for what has to be filed are different in different States and in different Counties. Do not assume that forms that are used in another Court are right for this Court.

WHAT HAPPENS IN COURT:

EVEN THOUGH YOU HAVE NO ATTORNEY, YOU ARE REQUIRED TO FOLLOW THE SAME RULES

1. The Judge or Magistrate is in charge of the procedure that is followed in Court and decides what evidence can be legally used by the Court to decide the case. You have to follow those rules. You will not have a jury trial.
 2. When you are in the Courtroom, the hearings are recorded. That means that you need to speak clearly and always use words to answer questions. It also means that you have to take turns talking so the recording is understandable.
 3. The Judge or Magistrate can only hear and decide the problems that have been properly brought to the Courts attention. For example, if the only motion that was filed with the clerk's office said that you wanted visitation, the Magistrate may not decide that you should have custody of the child(ren) or want child support. Whatever the reason you are in Court, you must convince the Judge or Magistrate that he should rule in your favor. This is done by providing sufficient documentary evidence and witness testimony. There are different standards of proof for various types of cases. If you fail to prove your case according to the standards set out by law, it will be denied or dismissed. The other side is not required to but has the right to present witnesses or evidence. If you and the other party **CANNOT AGREE** on how to resolve the case, the hearing begins and progresses as follows:
 - a. ***Opening Statements:*** Both sides can outline what they think the evidence will prove, but the statements are not evidence and cannot be the only information presented to the Court.
 - b. ***Presentation of Evidence:*** The party who filed the motion presents his or her evidence first. If you filed, you have the "burden of proof", that is, you have to prove that it is more likely that you are right than that the other person is right. The other party then produces his or her evidence. The first party gets another chance in what we call "rebuttal." During this part of the hearing, you can ask questions of any witnesses who are called to testify. This is not a chance for you to make more statements, you can only ask the witnesses questions. The Court has to consider all the evidence based on legal standards. The Court has to consider facts, not your opinions, so you need to have witnesses who can tell what *they* saw or heard, not what they heard from someone else (which is called hearsay).
- Rules about admissible evidence are complicated.** There are many possible reasons that evidence or testimony you think is relevant and important may not be admissible in

Court. If your case will involve contested evidence, consider again whether you should retain an Attorney.

-Make sure evidence you plan to use will be acceptable and available in court. If your case will involve documents, pictures, receipts or other items, you must prepare them for Court use. In particular you must bring copies for the Court and opposing party and be able to verify the documents are what you say they are and contain accurate information.

-Make sure your witnesses are prepared and available in court. If your case will involve testimony from others you need to make sure they are present and prepared to answer your questions. All testimony must be given under oath. The number of witnesses is usually not more than 2 or 3 and may include: a relative; close friend; neighbor; or yourself. If you have more than one witness you may call them in any order you choose. However, it is your responsibility to ask questions for the witness to answer. After the witness is sworn, you should begin the questions by establishing their relationship to the parties, and then ask short, relevant questions to assist the Court in making a decision regarding what you want. Do not argue with a witness, if you disagree or do not get the answer you expected, move on to the next question.

c. **Closing Arguments:** Each side gets to tell the Court why, based on the evidence the Court has heard, which party should get what they are asking for.

d. **Magistrate's Decision:** If a Magistrate hears your case, within the next 2 to 4 weeks, you will get a written Decision from the Court. This will explain what the Magistrate recommends and why. If you disagree with that Decision, the Judge will review everything if you file a written objection with the Court clerk within 14 days the decision is made and provide a transcript of the hearing for the Judge.

4. If you and the other party **AGREE**, you will go into the Courtroom and tell the Magistrate what the agreement is. If the Court approves your agreement and finds that it is in the best interest of the child(ren) it will then be written up as a Court Order and the case will be finished.

BASIC TERMINOLGY:

Magistrate: This is a person appointed to hear cases for the Judge. They hear evidence, issue certain types of orders and recommend what orders the Judge should make.

Motion: This is a written request for the court to do something, for example, reduce your child support or give you more time with your child(ren). Motions need to be written and served on the other party.

Pretrial: This is a meeting to see if we can agree on some things and to decide what we need to do next. You may meet with the other attorney and the Judge or Magistrate. Witnesses do not come to these meetings.

Hearing: This is when you need evidence to show the Judge or Magistrate why you should get what you want. You may testify, you may bring other witnesses, and you may use documents to prove your case.

Party/Litigant: These are the people named in the case, typically you and the child's parent(s).

Service/serve: This refers to sending to the other party a copy of all papers that are filed with the Court by certified mail or other permitted methods to guarantee the other party is aware of the proceedings.

Guardian ad litem: When children are involved in a dispute, this is someone the Court may appoint to investigate the situation and recommend what is best for the child(ren). This person will talk with you and other people who know the child.

In Camera Interview: This is when the Judge or Magistrate speaks with the child(ren) to see if they are mature enough to express their opinions about their situation. It is up to the Court to permit the interview; the child shall not be brought to the hearing.

Shared Parenting: This is a specific document that allows parents to share in decisions regarding the child's welfare, including education, medical care, and the time the child spends with each parent. Parents can only enter into shared parenting by creating a specific written plan together and presenting it to the Court.

OTHER AVAILABLE RESOURCES:

1. Ohio State Legal Services Association: www.oslsa.org (Public Law Library) provides brochure on different legal processes.
2. Seneca County Juvenile Court has forms available for filing motions with the Court. The forms must be notarized by a public notary. The clerks cannot notarize your filings.

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