

**INSTRUCTIONS FOR FILING A**  
**THIRD PARTY COMPLAINT / MOTION FOR LEGAL CUSTODY**

1. Completely fill out the following:
  - (A) Complaint / Motion for Legal Custody
  - (B) Motion for Temporary Custody (if requested);
  - (C) Parenting Proceeding Affidavit (Uniform Domestic Relations Form Affidavits);
  - (D) Request for Service (Uniform Juvenile Form 10) **or** Waiver of Service (Uniform Juvenile Form 9); and
  - (E) Juvenile Family Information Sheet.
2. If the case is an **initial** juvenile complaint involving custody, you **must attach** a copy of the child(ren)'s birth certificate or other evidence of parentage.
3. All parties must be served with your Complaint / Motion. Complete addresses must be included on the Instructions for Service Form. The hearing may not go forward unless the parties have received proper notice. You will be notified of your hearing by mail.
4. You must be prepared to pay the filing fee. Fees must be paid by cash, money order or credit / debit card.
  - (A) New complaints - \$160.00
  - (B) Motions on existing case - \$105.00
5. If a parent cannot be located, a service by publication or posting must be completed as required by the Rules of Juvenile Procedure.

**REMEMBER:** Legal matters are often complicated and involve issues that are best handled by an attorney. We advise all litigants before our court to retain an attorney. If you do not know an attorney that you wish to retain, the Trumbull County Bar Association's Lawyer Referral Service can provide you with the name of a Family Law practitioner. The Lawyer Referral Service can be reached at 330-675-2415 or email at [bamahan@trumbull.oh.us](mailto:bamahan@trumbull.oh.us).

**IN THE COURT OF COMMON PLEAS  
DOMESTIC RELATIONS DIVISION / JUVENILE DEPARTMENT  
TRUMBULL COUNTY, OHIO**

\_\_\_\_\_  
Proposed Legal Custodian(s)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

**PETITIONER(S)**

**vs.**

\_\_\_\_\_  
Mother

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

**AND**

\_\_\_\_\_  
Father

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

**AND**

\_\_\_\_\_  
Current Custodian (if not parent)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

**RESPONDENT(S)**

**IN RE:** \_\_\_\_\_

First Child's Name

**DOB:** \_\_\_\_\_

\_\_\_\_\_  
Second Child's Name

**DOB:** \_\_\_\_\_

\_\_\_\_\_  
Third Child's Name

**DOB:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

**JUDGE:** \_\_\_\_\_

**THIRD-PARTY COMPLAINT / MOTION**

(Circle One)

**FOR LEGAL CUSTODY**

**with**

**MOTION FOR TEMPORARY CUSTODY**

## COMPLAINT FOR LEGAL CUSTODY

\_\_\_\_\_, \_\_\_\_\_, alleges the following:

<i>Petitioner(s)</i>	<i>Relationship to child(ren)</i>
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1. The child(ren) is in the legal custody of \_\_\_\_\_. The child(ren) now lives with \_\_\_\_\_ at the following address: \_\_\_\_\_ and has lived there since \_\_\_\_\_.

The child(ren): (*check one*)

- ☐ a. Was involved in another court that issued orders about the child(ren)'s custody, visitation and/or support of the child(ren) in \_\_\_\_\_ court in the state of \_\_\_\_\_ and the case number is \_\_\_\_\_.
- ☐ b. Is not a ward of another court pursuant to R.C. §2151.23(A)(2).

2. The Mother of the child(ren) is \_\_\_\_\_. She lives at \_\_\_\_\_.

3. Paternity: (*check one*)

- ☐ a. Has been established through (*check one*)
- ☐ i. Genetic testing;
  - ☐ ii. An Acknowledgement of Paternity signed by the parents;
  - ☐ iii. Court Order;
  - ☐ iv. Presumption due to the parents' marriage at the child(ren)'s birth.

The Father of the child(ren) is \_\_\_\_\_. He lives at: \_\_\_\_\_.

- ☐ b. Has not been established. (*check one*)
- ☐ The Alleged Father of the child(ren) is \_\_\_\_\_.
- He lives at \_\_\_\_\_.
- ☐ The Father of the child(ren) is unknown.
- ☐ c. Is unknown to the Petitioner.

4. The Parents: (*check one **or** both if applicable*)

- ☐ a. Are unsuitable because (*check one **and** provide narrative*)
  - ☐ i. They have abandoned the child(ren);
  - ☐ ii. They have contractually relinquished the child(ren);
  - ☐ iii. They are totally unable to provide care or support; or
  - ☐ iv. Remaining in the custody of the Parents would be detrimental to the child(ren).

Please describe the circumstances supporting unsuitability:

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**or**

- ☐ b. Agree to the transfer of legal custody of the child(ren) without a finding of unsuitability.

5. It is in the best interest of the child(ren) to be placed in the legal custody of Petitioner(s) because:

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The Petitioner(s) respectfully requests that the Court grant legal custody of the child(ren) to Petitioner(s) and make a determination of residual parental rights and responsibilities including but not limited to visitation and child(ren) support.

Respectfully submitted,

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Petitioner, (Signature)

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Petitioner, (Signature)

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Printed name

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Printed name

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Address

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Address

---

City, State, Zip

---

City, State, Zip

---

Phone / Email

---

Phone / Email

**MOTION FOR TEMPORARY CUSTODY**  
*(Optional)*

\_\_\_\_\_, \_\_\_\_\_, requests that the  
Petitioner(s) Relationship to child(ren)

child(ren) be placed in the temporary custody of Petitioner(s).

1. While the Complaint for Legal Custody is pending, the Court should place the child(ren) in the temporary custody of Petitioner(s) because: *(check one)*

☐ An order placing the child(ren) in the temporary custody of Petitioner(s) is in the best interest of the child(ren) because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**or**

☐ The parties agree to placement of the child(ren) in the temporary custody of Petitioner(s).

Respectfully submitted,

\_\_\_\_\_  
Petitioner, (Signature)

\_\_\_\_\_  
Petitioner, (Signature)

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Printed name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone / Email

\_\_\_\_\_  
Phone / Email