

INSTRUCTIONS TO PREPARE A CUSTODY OR VISITATION ACTION

This packet was prepared for your convenience in filing a petition for Custody or Visitation. Please review the attached documents and **conduct any research necessary** to answer all questions. **Be sure you have the correct paperwork with your packet** and request any additional forms from the clerk's office or print them off the www.juvenile-court.org web site. (Local Rules are also available)

Use **BLACK** ink and **TYPE OR NEATLY PRINT** your answers and make sure to answer all questions **completely** and **accurately**. Please do not leave any question unanswered. Pencil and light colored inks are not acceptable due to the requirements of document scanning.

1. **Custody Petition, (Form 580, Parent or Non-Parent) & (Visitation Petition) (Form 585)**, is simply a sworn request of the Hamilton County Juvenile Court to grant temporary legal custody or parenting rights to the petitioner. **Motions** are applicable when a modification action is filed on an existing case. The petition form, **(Form 580 or 585)** must be completed and **NOTARIZED**. The term at the top of the form, "**In Re**", refers to the name of the child or children. The Clerk will assign a case number, unless a previous **Custody, Visitation, Dependency** case number exists and can be used for your filing.
2. The **Child Custody Affidavit, (Form 551)**, must be answered **completely** and **accurately** and must be **NOTARIZED**. The same procedure outlined above is used with respect to the term "**In Re**" and the **Case Number**. Complete whatever research is needed to accurately answer all questions.
3. A **Party Information Sheet, (Form 536)**, requires some research to accurately answer all questions but accuracy and detail are important in order to properly process the petition packet.
4. **Instructions To Clerk, (Form 755)**, requires the child's or children's names at the top "**In Re:**" and the **Case Number** if known. The petitioner(s) insert the current **Date** and **Type or Print** their names followed by the respective "**Signature (s)**".
5. **Service Request, (Form 1397)**, is used to request Notification or Service of Process to **any and all** persons or parties to this action so they may be present at the scheduled hearing. **This is one of the most important parts of the process.** Your **Failure** to properly identify and notify any or all of the interested parties may result in delays and possibly additional expense. These parties should include but are not limited to the biological parents and current custodians of the child or children. Review the **Instructions for Service Sheet** for assistance in determining the type of service you may need. The term "**In Re:**" refers to the name of the child or children. Complete the **Case Number** if known. The "**Case Type**" will be "**Custody**" or "**Visitation**", and the reason for the hearing is "**Pre Trial**". Select the "**Type of Form**", (Summons, Subpoena or Notice) and list your selection in the first column. Decide on the best way or ways to notify each party "**Type of Service**", (Regular Mail, **Certified Mail (Usual Method)**, Personal Service, Residential Service or as a last resort, Publication as this requires additional expense). List your selection in the center column and carefully type or print the person's name and accurate address **including zip code** in the third column. If more than one "Type of Service" is desired, complete the process on the next line changing only the center column or address. Publication (Form 15) is a required means of notification when all other options have failed and involves additional cost.
6. The **HCDJFS Questionnaire, (Form 1284)** is explained at the top of the form and needs to be completed accurately and in detail down to the point that indicates "For Official Use Only by HCDJFS". Be sure to list all children in the home, to include those being considered. Also list yourself and all adults in the home or who may be in regular contact with the child.
7. An "**Authorization to Release Information**" (**Form 1270**) is the document to be completed for release of information from the HCDJFS and must not be confused with the "Personal Information Release Form" used by the Hamilton County Sheriff's Department. The petitioner (s) need to complete this form with the current date and their "Signatures" in the presence of a Witness or a Notary Public. Court Personnel **will not** witness this. **A separate form must be used for each petitioner.**
8. After all documents are completed neatly and accurately, notarized or witnessed appropriately, bring the packet to a Deputy Clerk in the Clerk's Office of the Hamilton County Juvenile Court located at 800 Broadway – Cincinnati, Ohio 45202. Make sure you have attached other documents required by Hamilton County Juvenile Court in accordance with Local Rules. Refer to the checklist cover document.
9. Filing fees must be posted at the time of filing by: Cash, Check, Money Order, Master Card, Discover, American Express **The Filing Fee for Custody and Visitation is \$150.00.**
The Cost for Service by Publication is \$100.00
10. In the event a petitioner is indigent, a Motion or Affidavit (Form 581) may be filed asking the court to waive the filing fee and absorb the cost of the action. Proof of qualifications must be included and the motion will be **granted** or **denied**.

Questions concerning these instructions may be addressed to a Deputy Clerk at 513-946-9433, 9434, 9435 or 946-9436.

All legal questions should be addressed by an attorney and cannot be answered by Court Staff.