

**INSTRUCTIONS FOR FILING CIVIL PLEADINGS WITH THE
ASHLAND COUNTY JUVENILE COURT**

The Ohio Supreme Court has created standard forms to be used in some types of civil proceedings in Juvenile Courts. There are links to those forms on the Court's website which is: acjuvenileprobate.org. There are also local forms on the Court's webpage which you may use. These forms are designed for use by PARENTS. They are not designed to be used in cases which involve non-parents (i.e. grandparents). If you are a non-parent or you are a parent filing a document in a case which involves a non-parent, there are no standard forms for those types of cases. The Court strongly recommends that non-parents seek legal advice before filing anything in Juvenile Court. If none of the Supreme Court's forms apply to the type of action you want to file with the Court, you will have to draft your own documents or have an attorney draft them for you.

1. **If you decide to represent yourself, follow the rules and the law:** One of the benefits of having an attorney is that the attorney will know the rules and law applicable to your legal situation and the attorney can give you advice about those matters. When you act as your own attorney, you are responsible for educating yourself about the court rules and the laws. There are local rules of Court (available on the Court's website) and rules set by the Supreme Court (Ohio Rules of Juvenile Procedure, Ohio Rules of Civil Procedure and Rules of Superintendence for Courts of Ohio - available on the Supreme Court's website) which apply to all cases filed with this Court. Make sure that you read the rules and any laws of Ohio which apply to your case. Failure to follow the rules or the laws may result in dismissal of your case or denial of the request you make of the Court.
2. **Select the correct forms or draft custom documents if necessary:** If there are forms for the type of action you want the Court to take, make sure you select the correct packet of forms from the Court's website. If there are no forms that apply to your situation, you must draft your own documents or have an attorney draft them for you. There are two (2) types of documents used to ask the Court to take action with regard to a child:
 - A. **MOTION:** A motion is filed if the Court already has an EXISTING civil case for the child. If you are not sure if the Court has an existing case, you may ask the Deputy Clerk to check that for you. A motion is a formal request made to a judge or magistrate for an order or judgment. Motions can be made in closed cases to re-open the case and seek new or modified orders. Motions are also made for procedural reasons (for example, a motion to continue a hearing). Motions must be made in writing (unless made during a hearing). Motions also have to be served on all other parties to the case. A motion re-opening the case must be served by the Court and you are responsible for providing service instructions to the Court. If you file any motions while the case is open, it is your responsibility to serve the motion on all other parties and you must certify that you have done so on your motion. There is a blank motion form on the Court's webpage which can be used for procedural matters after a case has been opened.
 - B. **COMPLAINT:** A complaint is filed if the Court DOES NOT HAVE an existing case for the child. A complaint is the first document filed with the court to open a new case. A complaint should not be filed to re-open a case. The party filing the complaint is usually called the plaintiff and the party against whom the complaint is filed is called the defendant or defendants.
3. **Case Caption on Pleadings:** See Local Rule 9(C) for the information the Court requires in a caption on a motion re-opening a closed case and on a new Complaint. If you are filing a motion to re-open a case, make

sure you correctly identify who is the Plaintiff and who is the Defendant. If you are not sure which parent is the Plaintiff and which parent is the Defendant, please ask a Deputy Clerk for that information before completing all of your forms. If you have telephone numbers and email addresses for the parties, please include that information.

4. **Paternity of the Child:** If paternity of the child has already been established and you are filing a Complaint to open a new case regarding the child, ATTACH A COPY OF THE CHILD'S BIRTH CERTIFICATE TO THE COMPLAINT. If the paternity of the child is not established, then any known alleged father and the unknown father of the child must be included as a party. If there is no known alleged father, then just the unknown father of the child must be included as a party.
5. **One Set of Pleadings Per Child:** The Court maintains one case file per child, as required by the Ohio Supreme Court. This means that you must complete a full set of documents (other than the IV-D Application) for each child. **You cannot include two or more children on one complaint or motion.**
6. **IV-D Application:** The local rules of Court require the completion of a IV-D application if there is no existing child support order for the child. That form is found on the Court's website and it is called: "Application for Child Support Services Non-Public Assistance Applicant/Recipient." If you do not know if there is a child support order for the child, complete the IV-D Application anyway. If there IS an existing child support order for the child, please list the SETS Case Number for that child on the first page of your motion or complaint. If you are filing cases for more than one child, you only need to complete one IV-D application and you can list multiple children on that form.
7. **Completion of the Pleadings:** Preferably, type your pleadings. If you do not have a way to complete typed documents, you can file handwritten documents with the Court. However, your handwriting must be legible and completely readable. If handwritten, the documents must be completed in black or blue PEN, not pencil. Complete ALL portions of the forms. If there is no answer, write "none" or \$0.
8. **Filing your documents with the Court:** All pleadings can be filed with the Court by mail, by personally bringing the documents to the Court, or electronically by Fax. If you are filing electronically, please read the instructions on the Court's website for electronic filing and comply with all of those requirements. Failure to comply with those requirements may result in rejection of your pleadings.
9. **Notarization of Documents:** Many of the Supreme Court's forms require that your signature be notarized. Please sign your documents in front of a notary before filing them with the Court. The Court's deputy clerks do not notarize documents.
10. **Filing Fee Deposit:** You must pay a filing fee deposit (as listed on the "Filing Fee Schedule" page of the Court's website), when you file your pleadings. If you cannot afford to pay the filing fee deposit, then you must complete the Request for Waiver of Filing Fee form on that same page of the Court's website, and submit it to the Court with your pleadings.
11. **Service of Your Pleadings:** Generally, the Court cannot take action on a Motion or Complaint until the other parties have been served with the Motion or Complaint. When you are re-opening a closed case, or you are filing a new case, it is your responsibility to provide written instructions to the Clerk about how the Clerk should serve a copy of your pleadings on the **other** party or parties. You must complete Uniform Juvenile Form 10 and list all persons the Court must serve. It is your responsibility to list the name of the person to be served, the address for service, and the method of service, for each person to be served. **DO NOT**

INCLUDE YOURSELF as a person to be served on Uniform Juvenile Form 10. You can obtain a date-stamped copy of your pleadings from the Court. If you are unable to supply the service address because the other party's location is unknown to you, and cannot be found out with reasonable diligence, the rules of procedure allow for other methods of service. Because of the technical requirements and cost involved in serving persons that you do not have an address for, the Court suggests that you consult with an attorney before filing service instructions for a person you do not know an address of. There can be additional costs for service and those costs may not be included in the original court cost deposit. The Court could require you to make an additional deposit for service.

12. **Copies of Your Pleadings:** Under Local Rule 9(C), it is your responsibility to provide an original set of pleadings for filing with the Court, and a copy of your pleadings for yourself (if you want one), all persons the Clerk is being asked to serve, and a copy for the Ashland County CSEA (if required). If you fail to provide copies when you file your documents, the Court will make the necessary copies and you will be required to pay the cost of those copies at \$.10 per page.