

MOTION FOR VISITATION (Also Known as Parenting Time or Companionship Rights)

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NOTICE

- This form has been provided to you as a public service by the Butler County Juvenile Court.
- Although you may use this form and represent yourself in this case, you are cautioned that **if you choose to do so, you are continuing at your own risk.**
- If you have questions regarding this case, your legal rights, or your responsibilities, you are advised to contact an attorney.
- This form is to be used when you are requesting the Court to grant you visitation privileges with a child.

INSTRUCTIONS FOR FILING FORM

- You should complete the forms before you file them. Other than telling you the time and date of the hearing, the clerk staff will **NOT** help you in completing the forms.
- You **WILL NEED** a separate motion for each child.
- A filing fee for court costs **MUST** accompany each motion.
- A completed Appendix I (Juvenile Court Face Sheet) must be completed and submitted for each child
- Incomplete, soiled, damaged, or illegible forms may be rejected. Forms that are incomplete may be rejected.
- Form should be neatly printed or typed in black ink. Forms fill out in colored ink or pencil may be rejected because they can not be adequately scanned.
- Some forms **REQUIRE** a Notary. **DO NOT** sign the forms until you have taken them to a Notary Public to be acknowledged prior to filing. The clerk **WILL NOT** notarize these forms.
- You must bring the original packet to be filed with the Clerk and copies of all documents for each party on the case: one copy for you to retain for your records and a copy for each additional party on the case.

ATTENDANCE AT THE HEARING

You must attend the initial hearing and all additional hearings regarding your request. Do not bring the child to any hearing unless ordered to do so by the court.

APPENDIX I - Juvenile Court Face Sheet

INSTRUCTIONS FOR COMPLETING FORMS

CHILD INFORMATION

Name: Print child's last name, first name and middle initial

AKA: Note if child has any other names

SS: Print child's social security number **DOB:** Print child's date of birth **Gender:** Print child's gender **Race:** Print child's race

Birth City/State: Print the city and state child was born

Current Address: Print street number and name where child resides **City/State:** print city and state where child resides

School and Grade: Print current school and grade **School District:** print name of school district

BIOLOGICAL PARENT

Mother's Name: Print mother's last name, first name and middle initial

AKA: Note if mother has any other name such as maiden name or common nickname.

Address: Print mother's street number, street name, city, state and zip code

Phone Number: Print mother's phone number where she can be contacted **SSN:** Print mother's social security number

DOB: Print mother's date of birth **Gender:** Female **Race:** Print mother's race

Custody type: Print the type of custody the mother currently hold (legal, shared parenting, shared custody)

Mother's marital status: Print current marital status **Interpreter needed:** Checkmark if an interpreter is required

Language: If the checkmark for interpreter was marked, print which language in which interpreter needs to be fluent.

Father's Name: Print father's last name, first name and middle initial

AKA: Note if father has any other name such as common nickname

Address: Print father's street number, street name, city, state and zip code

Phone Number: Print father's phone number where he can be contacted **SSN:** Print father's social security number

DOB: Print father's date of birth **Gender:** Male **Race:** Print father's race

Custody type: Print the type of custody the father currently hold (legal, shared parenting, shared custody)

Father's marital status: Print current marital status **Interpreter needed:** Checkmark if an interpreter is required

Language: If the checkmark for interpreter was marked, print which language in which interpreter needs to be fluent.

NOTE:

Complete this area of the document if someone **OTHER** than the biological parents have custody of the child.

Custodian Name: Print last name, first name and middle initial

AKA: Note if custodian has any other name such as maiden name or common nickname

Address: Print custodian's street number, street name, city, state and zip code

Phone Number: Print custodian's phone number where he/she can be contacted **SSN:** Print custodian's social security number

DOB: Print custodian's date of birth **Gender:** Print gender **Race:** Print race **Custody type:** Print the type of custody the custodian currently holds if any (temporary or legal)

Custodian's marital status: Print current marital status **Interpreter needed:** Checkmark if an interpreter is required

Language: If the checkmark for interpreter was marked, please print which language the interpreter needs to be fluent. **Interpreter needed for whom:** If the interpreter area is completed, print the first and last name of the person who is in need of an interpreter.

Person Requesting Custody

Name: Print your last name, first name and middle initial

AKA: Note if you go by any other name

Address: Print your street number, street name, city, state and zip code

Phone Number: Print your phone number where she can be contacted **SSN:** Print your social security number

DOB: Print your date of birth **Gender:** Print your gender **Race:** Print your race
Custody type: Print the type of custody the you hold, if any (legal, shared parenting, shared custody)

Marital status: Print your current marital status **Interpreter needed:** Checkmark if an interpreter is required

Language: If the checkmark for interpreter was mark, please print which language

Legal Relationship to child: Print the relationship to child

Note: If you are not legally related (related by blood or adoption) to the child you must obtain a home study. You may obtain a home study from any licensed psychologist, psychiatrist, licensed independent social worker.

MOTION FOR VISITATION

INSTRUCTIONS FOR COMPLETING FORMS

Case Caption (name of the case): This is the full legal name of the Child that you are requesting you be granted visitation rights with. You should be able to find the name of the case on child custody, visitation, protection orders, abused child, neglected child, and dependent child cases. Most cases are usually captioned as “In the Matter of: Child’s Name.” Some child custody cases are captioned “Plaintiff’s Name vs. Defendant’s Name.” This motion should not be filed in a delinquent child, unruly child, or juvenile traffic offender case. The clerk can give you assistance if you cannot find the name of the case.

Case Number: The Case Number is located on previous orders issued by the court regarding the child. The clerk can help you find the case number if you need assistance.

Your Name: Print Your Name on the form.

Type of Order being Requested: Print the Type of order being requested. Print the where, when, frequency, etc. that you are asking the Court to grant.

Name and Date of Birth of the Child involved in the case: Print the information. *Note: Separate motions must be filed for each child.*

Your Name and Personal Information: Print your current name. Then list your maiden name (if applicable) and any aliases that you have been known by. Complete the remaining personal information lines by filling in your address, Zip Code, Date of Birth, Telephone Number, School District where you reside, and your relationship to the Child.

Physical Address of Child: Print the current address where the Child is living and the school district the address is located in.

Names and Addresses of Parties: Insert all information on the parties. If a party is deceased, write the name of the person and write deceased next to the name.

1. Print Mother’s Name and maiden name and/or aliases (if applicable), Address, Zip Code, Telephone Number, Date of Birth, and School District. If you are the mother and you are filing the motion, you may print “Same as the Movant” in this space on the form.
2. Print Father’s Name and aliases (if applicable), Address, Zip Code, Telephone Number, Date of Birth, and School District. If you are the father and you are filing the motion, you may print “Same as the Movant” in this space on the form.
3. Print Custodian’s Name, Address, Zip Code, Telephone Number, Date of Birth, and School District. If the custodian is the mother, you may print “Mother is Custodian” in this space on the form. If the custodian is the father, you may print “Father is Custodian” in this space on the form.

I am requesting the court to issue this order: Print on the form your reasons as to why the order should be issued on your request. If you do not specify your reasons or if your reasons are legally insufficient to justify the order you are requesting, your motion may be dismissed with or without a hearing.

<p>On the line that asks for your reasons for requesting this order, you should print a short explanation of why you are asking for visitation with the child. NOTE: If you allege that you are requesting visitation due to concerns that legally could be defined as child neglect or abuse, this court may order that the Butler County Children Services Agency conduct an investigation regarding the child and your complaint prior to the issuance of any visitation order. If you believe that the child in question is in danger, you should not use this form and you should immediately contact the Butler County Children Services Agency at 513-887-4026 (weekdays), 513-868-0888 (weekends), or at 1-800-325-2685 (toll free).</p>
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Your Signature: Sign the Form.

Notice of Hearing: The hearing information will be filled out by the clerk.

CHILD CUSTODY AFFIDAVIT

INSTRUCTIONS FOR COMPLETING FORM

Case No.: Deputy Clerk will complete this.

In re: Print first and last name of child

The undersigned: Print Name of Person asking for custody of child

1. **Address:** Print street number and name where child is currently living
Print City, State, and zip code
2. **Name:** Print and complete all information as to where the child has resided for the past five (5) years.
3. **Name:** Print and complete all information on the persons where the child is currently living
4. Read carefully and answer truthfully to the best of your knowledge as this document is a sworn document. If appropriate, list the other State and County names, date of court contact and case number
5. Read carefully and answer truthfully to the best of your knowledge as this document is a sworn document. If appropriate, list the other State and County names, date of court contact and case number
6. Read carefully and answer truthfully to the best of your knowledge as this document is a sworn document. If appropriate, list the other State and County names, date of court contact and case number
7. **Print reasons for information to be sealed.** The Court **MAY or MAY NOT** grant the request

Affiant/Petitioner: Sign your name **in front** of a Notary Public.

Sworn to and subscribed before me: This area is to be completed by a Notary Public.

Note: a) If the packet is not notarized, it **WILL NOT** be accepted. b) If the packet has been notarized more than 30 days before submitting to the Clerk's Office, the packet **WILL NOT** be accepted. The Clerk's Office **DOES NOT** notarize these forms.

PERJURY CAUTION!

Many documents in this packet must be notarized. That means that you must state that they are true under oath. If you make a material false statement on a notarized form, this court has a duty to refer the matter to the criminal division of the office of the prosecuting attorney. If you make a false statement under oath you may be prosecuted for perjury. Perjury, under Ohio Law, is a felony.

REQUEST FOR SERVICE

NOTICE

- Mother, Father, and any other persons having Custody of the child, must be served with the Motion for Visitation, the Child Custody Affidavit, and a Notice of Hearing.
- Carefully read the instructions to determine what type of service is acceptable before making your selection.

INSTRUCTIONS FOR COMPLETING FORM

Case Number: Print Case Number

In Re: Print first and last name of child

To the Clerk: This is your instructions to the Clerk advising who is to be served and by what type of service.

- If the party lives outside of Butler County, service **MUST BE ISSUED** by certified and ordinary mail. The Butler County Sheriff Department does not complete service outside of Butler County.
- If the party lives in Butler County, service can be issued by certified and ordinary mail or by personal service through the Butler County Sheriff Department.
- You **MUST** note the type of service by completing each person's name and complete address (including zip code) in the proper area.
- All parties (mother, father and current custodian) must be served

The Undersigned: Certified Mail and Ordinary Mail
(mandatory if the person lives outside of Butler County)

- Name: Print first and last name of person to be served
- Address: Print entire address including street number and name, city, state, zip

The Undersigned: Personal Service by the Butler County Sheriff

- Name: Print first and last name of person to be served
- Address: Print entire address including street number and name, city, state, zip

The Undersigned: Publication in local Newspaper

Note: If you have chosen this option, you must complete the "Affidavit for Service by Publication".

- Name(s): Print the first and last name(s) of the person(s) to be served by Publication through the newspaper.

Court Date: The Clerk will fill in this information.

Signed: Sign your name as the Movant (person requesting the service).

AFFIDAVIT OF PUBLICATION

NOTICE

- If you do not know the identity of one of the parents, you must serve that unknown parent and you must insert that information in the AFFIDAVIT FOR SERVICE BY PUBLICATION. (For example, if you do not know the identity of the father, on the affidavit after the words "following person" insert the words "unknown father.")
- If you do not know the current address of a party, you must serve that party through Publication.
- You will need to complete that form, *including a description of what you have done to find the person*, have it notarized, and return it to the clerk's office with the rest of your papers when you file your case.

INSTRUCTIONS FOR COMPLETING FORM

Case Number: Print the Case Number

In Re: Print the first and last name of child **DOB:** Date of Birth of the child

To The Clerk: This is your instructions to the Clerk advising who is to be served through publication:

1. Print First and last name of parent you are unable to locate
2. Print the last known address (street number, street, city, state, and zip code)
3. Print an explanation of the efforts you have made to try to contact the person you are requesting publication
4. Complete this same as #3 if publication is required for a second person
5. Print mother and father's first and last name

Movant's Signature: Do not sign your name until you are before a Notary Public.

The State of: This area is to be completed by a Notary Public.

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