

INSTRUCTIONS FOR MOTION FOR TEMPORARY CUSTODY-NO AGREEMENT-JUVENILE COURT
TYPE OR PRINT IN BLUE INK ALL FORMS

Attached is a form motion for temporary custody to be filed with your motion or petition for custody if you wish to have an order of custody prior to the final hearing. These instructions are intended to be a general guide to help you get the form filled out, filed with the Court, and to get your request properly before the Judge. These instructions are not intended to be a legal analysis of your request or whether or not your motion will be granted, but merely to assist you in preparing and presenting your request.

A. FILLING OUT THE FORMS

1. You should fill out these forms before you go to the Courthouse to file it. Other than telling you the time and date of the hearing, the Court staff will not help you in completing these forms.

2. Attached is the sample motion, affidavit and entry and blanks.

3. MOTION FOR TEMPORARY CUSTODY- In the #1 blank, fill in the county where you will be filing your motion or petition. In the #2 blank, fill in the name of the minor child. In the #3 blank, fill in the name of the other child if there is more than one. In the #4a blank fill in the name of the child(ren)'s mother and in the #4b blank fill in the name of the

child(ren)'s father. In the #5 blank fill in the minor child(ren)'s name. In the #6 blank, fill in the name of the parent who should be entitled to visitation. In the #7 blank the petitioner, (person seeking custody) should sign his or her name.

4. AFFIDAVIT IN SUPPORT OF MOTION FOR TEMPORARY CUSTODY - In the #1 blank, fill in the county where you will be filing your motion or petition. In the #2 blank, fill in the name of the minor child. In the #3 blank, fill in the name of the other child if there is more than one. In the #4 blank, write in why you think you need to have custody right away. In the #5 blank, fill in the name of the parents(s) who should be entitled to visitation. In the #6 blank, sign this ONLY in front of a notary. The notary will complete the rest of the form.

5. ENTRY OF TEMPORARY ORDERS - In the #1 blank, fill in the county where you will be filing your motion or petition. In the #2 blank, fill in the name of the minor child. In the #3 blank, fill in the name of the other child if there is more than one. In the #4 blank, fill in the name of the minor child(ren.) In the #5 blank, fill in the name of the parent(s) who should be entitled to visitation. In the #6 blank, the petitioner (person seeking custody) should sign his or her name.

B. FILING THE MOTION

After you have filled all the forms out, make three copies of each and file it along with your petition for custody. THIS CAN NOT BE FILED WITHOUT THE FILING OF ALL THE OTHER PAPERS! THEY MUST ALL BE FILED AT THE SAME TIME.

IN THE COURT OF COMMON PLEAS
- 1 - COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF:

- 2 -

Case No. _____

- 3 -

MOTION FOR TEMPORARY
CUSTODY PENDING HEARING

Minor Child(ren).
Child(ren) of **EXAMPLE**

- 4a -

- 4b -

ONLY

Petitioner moves this Court for temporary custody of the minor child/ren,

- 5 - **DO** _____, subject to

- 6 - _____'s right to reasonable visitation pending hearing for the
reason that it is in the best interest of the minor child(ren). See attached affidavit.

**NOT
USE**

- 7 -
Petitioner

IN THE COURT OF COMMON PLEAS
_____ COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF:

Case No. _____

Minor Child(ren).

MOTION FOR TEMPORARY
CUSTODY PENDING HEARING

Child(ren) of

Petitioner moves this Court for temporary custody of the minor child/ren,

_____, subject to

_____’s right to reasonable visitation pending hearing for the

reason that it is in the best interest of the minor child(ren). See attached affidavit.

Petitioner

IN THE COURT OF COMMON PLEAS
- 1 - COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF:

- 2 -
- 3 -

Case No. _____

AFFIDAVIT IN SUPPORT OF
MOTION FOR TEMPORARY
CUSTODY

Now comes the Petitioner and states as follows

EXAMPLE

1. S/he has filed a petition for custody and a motion for temporary custody of the above-named child(ren).

ONLY

2. An order of temporary custody is needed pending further hearing to avoid the minor child(ren) being removed and to insure stability.

3. The temporary order of custody is necessary for school and medical purposes.

4. I need temporary orders now because - 4 -

4. - 5 - **DO** should be entitled to reasonable visitation with the minor children.

NOT - 6 -
PETITIONER

Sworn to and subscribed before me this _____ day of _____,

20__.

USE

NOTARY PUBLIC

IN THE COURT OF COMMON PLEAS
_____ COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF:

Case No. _____

AFFIDAVIT IN SUPPORT OF
MOTION FOR TEMPORARY
CUSTODY

Now comes the Petitioner and states as follows:

1. S/he has filed a petition for custody and a motion for temporary custody of the above-named child(ren).

2. An order of temporary custody is needed pending further hearing to avoid the minor child(ren) being removed and to insure stability.

3. The temporary order of custody is necessary for school and medical purposes.

4. I need temporary orders now because _____

5. _____ should be entitled to reasonable visitation with the minor children.

PETITIONER

Sworn to and subscribed before me this _____ day of _____,

20____.

NOTARY PUBLIC

IN THE COURT OF COMMON PLEAS
- 1 - COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF:

- 2 - _____

Case No. _____

- 3 - _____

EXAMPLE ENTRY OF TEMPORARY ORDERS

Upon consideration of Petitioner's motion for temporary custody pending further hearing, it is hereby ORDERED that Petitioner is granted temporary custody of

- 4 - _____ subject to - 5 - _____'s right to

reasonable visitation.

DO
JUDGE

Leave Blank _____

SUBMITTED BY:

NOT

- 6 - _____
PETITIONER

USE

IN THE COURT OF COMMON PLEAS
_____ COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF:

Case No. _____

ENTRY OF TEMPORARY ORDERS

Upon consideration of Petitioner's motion for temporary custody pending further hearing, it is hereby ORDERED that Petitioner is granted temporary custody of _____ subject to _____'s right to reasonable visitation.

JUDGE

SUBMITTED BY: _____

PETITIONER

CUSTODY
VERIFIED MOTION FOR TEMPORARY ORDERS EX PARTE

INSTRUCTIONS

Attached is a form requesting that the Court grant you an emergency order for custody during the pendency of a case. This form must be filed in conjunction with your Complaint or Motion for Custody.

These instructions are intended to be a general guide to help you get the forms filled out, filed with the Court, and properly before the Judge. These instructions are not intended to be a legal analysis of your request or advice as to whether you should win your request. They are merely to assist you in preparing and presenting your request.

A. FILLING OUT THE FORM - TYPEWRITTEN OR IN INK

1. The enclosed forms should be filled out before you go to the Courthouse to file them. The Clerk of Court's staff will not help you in completing the forms.

2. **Verified Motion for Temporary Orders Ex Parte** - If there is no existing Order and you have, or are filing a Complaint, you are the Plaintiff. If there is an existing Order and you have, or are filing a Motion, and you were the Plaintiff on that Order, you are still the Plaintiff. If there is an existing Order and you have, or are filing a Motion, and you were the Defendant on that Order, you are still the Defendant.

Fill in the name of the county and court division (i.e., Juvenile, Domestic Relations) and the name, address, telephone number, and birth date of both parties. If there is no existing order, leave the case number blank. If there is an existing order, use the same case number that is on the existing order.

Fill in your name. Fill in the name(s) and date(s) of birth of the child(ren).

Under **Memorandum**, explain the reason that you need the Court to grant an emergency order.

This is a verified Motion. Your signature has to be notarized. **Sign your name above Movant when you are in the presence of the Notary.**

Under **Instructions for Service**, check either Plaintiff or Defendant (the person you want the Court to serve the papers on) and sign your name above Movant.

3. **Judgment Entry** - Fill in the name of the county and court division, and the Plaintiff and Defendant. Fill in the case number if there is an existing order.