

**MONTGOMERY COUNTY JUVENILE COURT
GENERAL INFORMATION**

FILING PRO SE

Montgomery County Juvenile Court is committed to providing our clients and the community with the best customer service possible. However, the court and its staff are prohibited from giving any legal advice or assisting clients with completion of forms. Please read through this introduction to the pro se process, as well as the instructions that have been prepared with each packet.

Pro Se Filing and Attorneys

Filing *pro se* means you will prepare documents and represent yourself, without the assistance of an attorney. Montgomery County Juvenile Court has prepared packets to assist you in this filing process. If you decide you want to have an attorney represent you, you are responsible for contacting and retaining an attorney. The Juvenile Court is prohibited by law from appointing attorneys in civil matters.

If you cannot afford an attorney, you may contact the Dayton Bar Association Volunteer Lawyer Project or Legal Aid society at 888-534-1432 (Monday through Thursday, 9:00a.m.- 5:00p.m.).

You can also access the court's Local Rules online at <http://mcjc.mcoho.org>
If your filing is dismissed for any reason, there will be no refund for filing fees.

Other Courts

If this child is / was the subject of a custody action in any other court (for example, Domestic Relations Court), you should not and cannot file these forms nor file an action in the Juvenile Court. You need to contact the other court to determine how to proceed.

Are you filing for Paternity? Please see page 2.

Are you filing for Custody, Visitation or Support? Please see page 3.

Filing for Paternity

Getting Forms

You may print the Pro Se Paternity Packet from the court's website at <http://mcjc.mcoho.org>. Click on "Forms Directory" on the bottom of the home page and then click on Pro Se. You can then choose what forms you need to print.

You may also pick up the forms from the court, at the Clerk's Office. This is located in the Juvenile Justice Center, Lower Level, 380 West Second Street, Dayton, Ohio. Packets may be picked up between 9:00am and 3:00pm.

Filing Process

Follow the instructions on the packet. A separate packet must be used for each child. You must complete all questions and fill in the blanks provided. Please write clearly, or the packet will be returned to you. It is important you have the complete address for all parties in the case.

Once you have completed the packet, take it to the Clerk's Office between 9:00am and 3:00pm. Court staff will review the packet and highlight any information that it is not completed. This review will take 2 business days.

If your packet has been accepted, you will pick it up at the Clerk's Office between 9:00am and 2:00pm. You must make 6 copies of the packet and bring it back to the Clerk's Office with your filing fee. The packet will then be filed. You will get a copy to keep, and the other packets will be mailed to the parties in the case. The court will notify you of your hearing date 6 weeks after you have filed, but your first hearing may not be scheduled for two to three months.

Cost of Filing / Waiving the Filing Fee

For each new case the filing fee is \$90.00 for the first child and \$45.00 for each sibling. The fee for a new motion is \$45.00. NO PERSONAL CHECKS ACCEPTED.

The filing fee may be waived if you have low income. The court must use the federal guidelines to waive your filing fee. You will need to complete the "Affidavit of Indigency" to see if the court can waive your filing fee.

Filing for Custody, Visitation, or Support

Getting Forms

You may print the Pro Se Custody, Visitation, Support Packet from the court's website at <http://mcjc.mcoho.org> Click on "Forms Directory" on the bottom of the home page and then click on Pro Se. You can then choose what forms you need to print.

You may also pick up the forms from the court, at the Clerk's Office. This is located in the Family Court Center, 380 West Second Street, Dayton, Ohio. Packets may be picked up between 9:00am and 3:00pm.

Filing Process

Follow the instructions on the packet. A separate packet must be used for each child. You must complete all questions and fill in the blanks provided. Please write clearly, or the packet will be returned to you. It is important you have the complete address for all parties in the case.

Once you have picked up the packet, you must contact the Volunteer Lawyer Project at 888-534-1432. If you qualify, they will schedule an appointment with you and will assist you in completing the packet, and they will drop it off at the court when completed. If you do not qualify, you must complete the packet and take it to the Clerk's Office between 9:00am and 3:00pm. Court staff will review the packet and highlight any information that it is not completed. This review will take 2 business days.

If your packet has been accepted, you will pick it up at the Clerk's Office between 9:00am and 2:00pm. You must make 6 copies of the packet and bring back to the Clerk's Office with your filing fee. The packet will then be filed. You will get a copy to keep and the other packets will be mailed to the parties in the case. The court will notify you of your hearing date within 4 to 6 weeks after you have filed, but your first hearing may not be scheduled for two to three months.

If you are filing for custody, you must complete a background check, called a 'Web Check'. This can be done at the Family Court Center, where you file your paperwork. **Effective March 1, 2009 the charge for web check is \$40.00 (in-state) and \$50.00 (FBI).** This fee must be paid before you get the Web Check and the check must be completed before your first hearing. **Web checks may be done at the Juvenile Court on Tuesdays and Thursdays 9:00am – 11:30pm and 1:30pm – 4:00pm.**

Cost of Filing / Waiving the Filing Fee

For each new case the filing fee is \$90.00 for the first child and \$45.00 for each sibling. The fee for a new motion is \$45.00. NO PERSONAL CHECKS ACCEPTED.

The filing fee may be waived if you have low income. The court must use the federal guidelines to waive your filing fee. You will need to complete the "Affidavit of Indigency" to see if the court can waive your filing fee. The Web Check fee for custody cases cannot be waived.

SPECIAL NOTES

In representing yourself, you MUST realize there are some risks involved that may not work in your best interest. Those risks include:

- **Not having a full understanding of the law and court procedures**
- **Not being prepared appropriately**
- **Not knowing what you want the Court to do for you**

If your filing is dismissed for any reason, there will be no refund for filing fees.

If your case involves a child emergency to health, safety or overall welfare, you must first contact Children Services at 937-224-5437.