

MONTGOMERY COUNTY JUVENILE COURT
FILING PRO SE

What does filing “pro se” mean?

- You complete the forms that the Court provides without an attorney or help of any Court personnel
- You represent yourself in court without an attorney

Will the Court give me an attorney after I file?

NO– the Court will NOT give you an attorney on private civil matters (such as custody, support, visitation or paternity).

What if I have legal questions?

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

You can also review the court’s Local Rules online at <http://mcjc.mcoho.org>

Can Court Staff help me fill out the forms?

NO – it is against the law and court policy for any staff to answer your legal questions or give you any legal advice.

Will the court make copies of my packet for me?

NO - you are acting as your own attorney. Like the attorneys, you must make the required number of copies.

What happens if I was involved with another court?

If this child is / was the subject of another court’s action, you may need to file there. If you file in the wrong court or you cannot prove your case, your case may be DISMISSED. **IF YOUR FILING IS DISMISSED FOR ANY REASON, YOUR FILING FEES AND ANY OTHER COURT COSTS WILL NOT BE REFUNDED.**

You should contact the other court, the Volunteer Lawyers (888-534-1432) OR another attorney to determine where to file and other basic legal questions.

How much does it cost to file a case in Juvenile Court?

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.** YOU WILL BE TOLD THE COST TO FILE WHEN YOU BRING THE FILING IN FOR REVIEW.

SPECIAL NOTES

If I am filing for custody, can I legally keep the child / children from the person who has custody now?

NO. You are filing for custody, visitation, support or a change to one or more of these. **THIS IS NOT A COURT ORDER.** You must appear for a hearing **AND** prove all requirements for your case first. Then the court will make a decision for the child's best interest.

What if my case involves an emergency of child abuse, dependency or neglect?

You must first contact Children Services at 937-224-5437, or your local law enforcement / police.

When 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 of any filing fees or any other Court costs.

Filing for Paternity

Anyone requesting the filing fee be waived, should contact the Child Support Enforcement Agency OR MUST make an appointment through an approved Volunteer Lawyer, who will provide your copies and will take care of the following steps. If you do not file through Volunteer Lawyer assistance, you must pay the filing fee, and complete the following:

Step 1: Getting Forms

You may pick up the forms from the court, at the Clerk's Office, IF YOU ARE PAYING A FILING FEE. This is located in the Juvenile Justice Center, Lower Level, 380 West Second Street, Dayton, Ohio. You may also print the Pro Se Paternity Packet from the court's website at <http://mcjc.mcohio.org> Click on "Forms Directory" on the bottom of the home page and then click on Pro Se. You can then choose the forms you need to print.

Step 2: Completing Pro se Packet

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. If you have any questions, contact the Volunteer Lawyers Project (888-534-1432) or an attorney.

Step 3: Review of Pro se Packet

Take your completed packet to the Clerk's Office. Court staff will review the packet and highlight any information that it is not completed.

Step 4: Making Copies

After your packet has been reviewed and approved for copying, YOU must make copies of the packet and bring it back to the Clerk's Office with your filing fee. Usually, you will have to make 6 – 7 copies of the entire packet. You may need to make more, if there are many parties on the case. The Clerks Office will tell you how many packets to make.

Step 5: Filing the Pro se Packet

When you bring the original packet, the copies and the filing fee back to the Clerks Office during the times below, 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 about 6 weeks after you have filed, but your first hearing may not be scheduled for two to three months.

Review & Filing Times

Monday, Tuesday, Thursday:	9am – 2pm
Wednesday:	8:30am-4:00pm* (later, as scheduled)
Friday:	8am - Noon

Filing for Custody, Visitation, or Support

Anyone requesting the filing fee be waived, **MUST** make an appointment through an approved Volunteer Lawyer, who will provide your copies and will take care of the following steps. If you do not file through Volunteer Lawyer assistance, you must pay the filing fee, and complete the following:

Step 1: Getting Forms

You may pick up the forms from the court, at the Clerk's Office, IF YOU ARE PAYING A FILING FEE. This is located in the Juvenile Justice Center, Lower Level, 380 West Second Street, Dayton, Ohio. You may also print the Pro Se Custody, Visitation and Support Packet from the court's website at <http://mcjc.mcohio.org> Click on "Forms Directory" on the bottom of the home page and then click on Pro Se. You can then choose the forms you need to print.

Step 2: Completing Pro se Packet

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. If you have any questions, contact an attorney.

Step 3: Review of Pro se Packet

Take your completed packet to the Clerk's Office. Court staff will review the packet and highlight any information that it is not completed. Review times are listed below (Step 5).

Step 4: Making Copies

After your packet has been reviewed and approved for copying, YOU must make copies of the packet and bring it back to the Clerk's Office with your filing fee. Usually, you will have to make 6 – 7 copies of the entire packet. You may need to make more, if there are many parties on the case. The Clerks Office will tell you how many packets to make.

Step 5: Filing the Pro se Packet

When you bring the original packet, the copies and the filing fee back to the Clerks Office during the times below, 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 about 6 weeks after you have filed, but your first hearing may not be scheduled for two to three months.

Review & Filing Times

Monday, Tuesday, Thursday:	9am – 2pm
Wednesday:	8:30am-4:00pm* (later, as scheduled)
Friday:	8am - Noon

Step 6 (CUSTODY ONLY): Web Check – ADDITIONAL FEE FOR CUSTODY CASES, EVEN IF YOUR FILING FEE IS WAIVED!

If you are filing for custody, you must complete a background check, called a 'Web Check'. This can be done at the Juvenile Justice Center, where you file your paperwork. **The charge for web check is \$40.00 (in-state) or \$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 are done on the same days as the pro se filings (above). A valid ID is required.** Note: If the Web Check cannot be obtained electronically at Juvenile Court, you will be sent to the Miami Valley Regional Crime Lab. If they cannot obtain the Web Check electronically, it will result in completing an ink card of your fingerprints and you will have to pay an additional \$15.00 fee for the ink card, payable at the Juvenile Court.