

**INSTRUCTIONS FOR FILING A PRO SE EX PARTE
RELIEF FOR TEMPORARY CUSTODY**

There is no guarantee that the court will grant you temporary custody without a hearing. **You MUST completely fill out the forms and file them with the Court along with the initial pro se packet for PETITION FOR CUSTODY or CHANGE OF CUSTODY given to you.**

STEP 1: COMPLETING THE FORMS: There are three forms in addition to the regular pro se packet which you must complete to request the Court to give you ex parte relief (temporary custody). These forms must be completed before filing:

1. Motion for Ex Parte Relief
2. Affidavit
3. Judgment Entry

FILL IN THE FORMS AS FOLLOWS:

A. THE MOTION AND AFFIDAVIT

1. Complete the information on the Motion; explain briefly why you want temporary custody. Sign everywhere BUT the Affidavit.
2. Complete the information on the Affidavit; here explain in more detail why you should get temporary custody. **IN FRONT OF A NOTARY, sign the Affidavit. DO NOT SIGN UNTIL YOU ARE IN FRONT OF A NOTARY.**

REMEMBER: YOU ALSO HAVE TO COMPLETE AND FILE THE PRO SE PACKET GIVEN TO YOU FOR CUSTODY AS WELL.

B. THE JUDGMENT ENTRY

Fill in the names of the child and sign your name and address after the word pro se. This must be filed with the Motion and Affidavit. This is for the Judge to sign.

MAKE THE NUMBER OF COPIES THE CLERK NEEDS AND ONE FOR YOURSELF

STEP II: FILE ALL OF THE FORMS WITH THE CLERK'S OFFICE

- A. Take the completed originals and the copies along with the Affidavit of Inability to pay to the Clerk of Courts. Tell the Clerk you want to file for custody and would like a temporary custody order.
- B. The Clerk will time stamp copies and return one of them to you.

You will then be notified by the Court if and when you are given temporary custody and when a final hearing will be set. Keep any temporary orders with you at all times. Beyond this information, we will not be able to help you further.

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO

Case No. _____

Judge _____

Plaintiff

v.

MOTION FOR EX PARTE RELIEF

Defendant

I, _____, move this Court for an order temporarily allocating/re-allocating parental rights and responsibilities of the minor child/ren _____. I am requesting this temporary relief because it is in the best interest of the child(ren) to remain in my care pending the court's final determination. I have attached an affidavit to support my motion.

I also request _____

WHEREFORE, I request the Court grant me a temporary order allocating parental rights and responsibilities of the above named child(ren) until further Order of this Court.

Respectfully submitted,

Pro Se
Address:_____

Telephone:_____

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been served upon (put name and address of all other parties):

by regular U.S. mail this _____, day of _____, 20____

Pro Se

IN THE COURT OF COMMON PLEAS
_____ COUNTY, OHIO

Plaintiff,

Defendant.

Case No. _____

Judge _____

AFFIDAVIT

STATE OF OHIO
COUNTY OF _____: ss

I, _____, being duly sworn and cautioned states:

I am the Plaintiff/Defendant in this action and have personal knowledge of the events sworn to in this affidavit. I respectfully request that this Honorable Court grant me an ex-parte Order designating me the residential parent and legal custodian of my children because

It is in the child(ren)'s best interest to be with me.

FURTHER AFFIANT SAYETH NAUGHT.

(Plaintiff/Defendant's signature)

STATE OF OHIO

COUNTY OF _____: SS

Before me a Notary Public personally appeared _____, who being first
duly cautioned and sworn, says the facts in the foregoing affidavit are true.

Notary Public

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

Plaintiff

Case No. _____

vs.

JUDGE _____

Defendant

JUDGMENT ENTRY

The Court hereby temporarily allocates _____ parental rights and responsibilities of _____ and hereby designates _____ the residential parent.

Law enforcement agencies, including but not limited to, _____, are ordered to assist _____ in gaining physical custody of the child(ren) if necessary.

ALL UNTIL FURTHER ORDER OF THIS COURT.

Dated: _____

JUDGE

Submitted by:

Pro se

pc: Plaintiff
Defendant