



The
Legal Aid Society
— of Cleveland
Since 1905

Ashtabula County

Ashtabula County Juvenile Court
3816 Donahoe Drive, Ashtabula, OH 44004
Phone: 440.994.6000
<http://courts.co.ashtabula.ob.us>

Cuyahoga County

Cuyahoga County Juvenile Court
Clerk's Office
2209 Cedar Avenue, Cleveland, OH 44115
Phone: 216.698.4711
<http://juvenile.cuyahogacounty.us>

Geauga County

Geauga County Juvenile Court
Courthouse Annex, 2nd Floor
231 Main Street, Suite 200, Chardon, OH 44024
Phone: 440.279.1830
www.geaugacourts.org

Lake County

Lake County Court of Common Pleas,
Juvenile Division
53 East Erie Street, Painesville, OH 44077
Phone: 440.350.4000
www.lakecountyohio.gov/juvenile

Lorain County

Lorain County Domestic Relations Court,
Juvenile Division
225 Court Street, Elyria, OH 44035
Phone: 440.329.5187
www.loraincounty.com/domesticrelations

*This pamphlet was prepared by
The Legal Aid Society of Cleveland which serves
low-income people in Ashtabula, Cuyahoga,
Geauga, Lake and Lorain Counties.*

Cleveland

Phone: 216.687.1900
Toll-Free: 888.817.3777

Elyria

Phone: 440.323.8240
Toll-Free: 800.444.7348

Jefferson

Phone: 440.576.8120
Toll-Free: 866.873.9665

Painesville

Phone: 440.352.6200
Toll-Free: 888.808.2800

www.lasclev.org

REMEMBER:

This pamphlet is meant to give you general information and not to give you specific legal advice. This information cannot take the place of advice from a lawyer. Each case is different and needs individual legal advice. You should contact a lawyer if you need representation or if you have questions.

If you have a communications limitation, contact us through the Ohio Relay Service at 1.800.750.0750. Interpretation services are available so that anyone can communicate with us in his or her dominant and/or preferable language.

Custody: How Does the Court Decide?



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How is child custody determined ?

In Ohio, there are two types of child custody.

- 1) “Residential parent” (custodial parent) is where the court designates one parent as “residential parent” and gives the other parent “parenting time” (visitation rights).
- 2) “Shared parenting” is where parents may agree on a “shared parenting” plan and in which the court officially endorses a schedule for the parents to divide parenting rights and responsibilities.

Under each plan, the schedule becomes part of a court order and may be enforced or modified by the court.

How will the court decide who will be the RESIDENTIAL PARENT?

The court will consider the all of the facts of the case, including the following factors:

- 1) the parents’ wishes with regard to the child/ children;
- 2) the wishes of the child or children, as expressed to the court;
- 3) the child’s relationships with parents, siblings, and other significant individuals in the child’s life;
- 4) the nature of the child’s adjustment to home, school, and community;
- 5) the mental and physical health of all persons involved;
- 6) which parent will better follow court-ordered schedules of parenting time;
- 7) the parent’s record of paying child support ;
- 8) either parent’s conviction of child abuse or neglect and any evidence that either parent has abused or neglected a child;
- 9) evidence that either parent continuously and willfully denied the other parent’s right to court-ordered parenting time;
- 10) evidence that either parent has established or is planning to establish a residence outside of Ohio.

For SHARED PARENTING, how will the court decide whether shared parenting is in the best interest of the child?

The court will consider whether the parents can work as a team to share parenting responsibilities:

- 1) do the parents appear able to cooperate in making decisions about the child/children?
- 2) is each parent willing and able to encourage the child’s positive relationship with the other parent?
- 3) is there any history of, or potential for, abuse, domestic violence, or parental kidnapping?
- 4) are the parents’ residences close enough to each other to allow shared parenting to work?
- 5) what is the recommendation of the child’s guardian ad litem, if one has been appointed?

What other sources of information may the court consider?

- diagnostic clinic
- family conciliation service