

Where to go:

Ashtabula County

Ashtabula County Juvenile Court
3816 Donahoe Drive
Ashtabula, OH 44004-4573
Phone: 440.994.6000
<http://courts.co.ashtabula.oh.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
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



The
Legal Aid Society
— of Cleveland
Since 1905

This brochure was prepared by Legal Aid which serves low-income residents of Ashtabula, Cuyahoga, Geauga, Lake and Lorain Counties in Northeast Ohio.

New Client Intake

Toll Free: 888.817.3777
Phone: 216.687.1900

Learn more about Legal Aid and
upcoming brief advice clinics:

www.lasclev.org

Legal Aid Offices:

Cleveland & Administrative Offices

1223 West Sixth Street, Cleveland, OH 44113

Elyria Office

1530 West River Road, Suite 301, Elyria, Ohio 44035

Jefferson Office

121 East Walnut Street, Jefferson, OH 44047

Painesville Office

8 North State Street, Suite 300, Painesville, OH 44077

If you have a communications limitation, contact Legal Aid through the Ohio Relay Service at 800.750.0750.

Legal Aid offers interpretation and translation services so those with limited English proficiency can communicate with Legal Aid staff in their dominant and/or preferred language.

The information in this brochure 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.



12/11

How Do You Respond to a Custody Summons From Juvenile Court?



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How will I find out the other parent wants custody or visitation?

You will receive by mail a summons from the Juvenile Court with legal papers called “Application to Determine Custody” or a “Motion” regarding a previous court order.

Does this summons tell me what the other parent wants?

The “Application to Determine Custody” tells you only that the other parent wants the court to issue an order about custody or parenting time of your child. A “Motion” will tell you what the other parent is asking for.

Do I have to reply to this summons?

Yes, but only if the information it contains about the child’s past and present residence is wrong. If it is wrong, you should give the court the correct information. You do not have to reply if that information is correct.

What happens after I receive the summons?

- Most courts, except the **Lorain County Juvenile Court**, will refer your case to a mediator. The Mediation Office will send you a notice about your mediation within about four weeks. You should immediately call the assigned mediator listed on that notice.
- For custody cases in **Lorain County Juvenile Court**, you must appear in court at the date and time in the summons. Read the pamphlet *Custody: How Does The Court Decide?* for information about what will happen in court.

What will happen at mediation?

The other parent will say what custody or parenting time he or she wants. You will be able to say what arrangement you want. The mediator will try to help you arrive at an arrangement that is agreeable to both of you. Read the pamphlet *What to Expect at Custody Mediation* for information on how to prepare for mediation.

What will happen after we agree on an arrangement?

The mediator will send your agreement to the court, and a judge will issue a court order that your agreement should be followed. After that, the court will enforce the agreement if asked to do so.

What if we can’t come to an agreement?

If you cannot agree, your case will be sent to a magistrate for a hearing. The magistrate will decide on your custody arrangement. The decision will no longer be in your hands. Read the pamphlet: *Custody: How Does The Court Decide?*

What if the other parent is behind in support payments?

The parenting time agreement does not depend on support payments. Support enforcement is a separate legal matter.

DO NOT DENY PARENTING TIME BECAUSE OF PAYMENT ISSUES. Parenting time **must** be allowed according to the court order.

What if parenting time with the other parent is inconvenient or unpleasant?

You should work with the other parent to improve the situation. It is the residential parent’s job to encourage and support the child’s relationship with the other parent. Denial of parenting time can result in a change of custody to the other parent.

What if the visits are dangerous?

If you think the child is in danger with the other parent, you should call 696-KIDS to request an investigation and file a Motion to Modify your parenting order.

What if I have concerns for my safety?

You must notify the mediator of those concerns and of any existing safety orders such as **Civil or Criminal Protection Orders, Temporary Restraining Orders, or Anti-Stalking Orders**. You may refuse to participate in mediation, if after consulting with the mediator regarding safety arrangements, you are not convinced that you will be safe.

What if I change my mind about the agreement?

If you change your mind very soon after mediation, call the Mediation Office; if the order has not yet been signed (probably within about two weeks), it can be cancelled and the case referred directly to a magistrate. If the judge has already signed the order and circumstances change, you should return to the court to file a Motion to Modify your existing order. You are required to follow the existing order until it is changed by the court.