

Must I obtain the Court's permission to move my child outside State or County?

Permission is only required if a previous decree or order requires the party to obtain permission. However, Ohio law requires that the person having custody of a minor child notify the Court if the person plans to leave the State or County. The person must complete a "Notice of Intent to Relocate" and file it with the Court. This form is available on this website. The Court will mail a copy of the Notice of Intent to Relocate to you former spouse. Your former spouse may file a Motion with the Court to contest the relocation. Even if the relocation is not contested, parties often find it useful to file a motion to modify the parenting schedule if relocation will make complying with the current schedule impractical.

What can I do if my spouse will not let me see our child?

Both parents are presumed to have equal rights to their children unless a court orders otherwise. You may file a motion to get a court order in the Juvenile Court if the parties are/were not married or from the Domestic Relations Court if you have filed a Complaint for Divorce, Dissolution or a Complaint for Legal Separation.

What can I do if my former spouse will not return my child but I am the residential parent and legal custodian?

Take a certified copy of your order awarding you this status and contact your local police department for help in securing the return of your child.

Can I get a court order to see my grandchildren?

Ohio law allows the Court to grant companionship time to grandparents of children with divorced parents under certain circumstances if it is in the best interest of the children. An appropriate motion must be filed with the Clerk of Court and served on all parties.

What Is Shared Parenting?

Shared Parenting is an arrangement through which divorcing parties share the responsibilities for the care of the children. **Shared parenting does not mean that each parent has the children 50% of the time.**

However, It does requires that the parents prepare a "shared parenting plan" that outlines how they will make the major decisions affecting the children once the marriage is over. Some of the areas that the parents must address are education, medical treatment, and the religion the children will practice. Usually, the parents agree that they will both be involved in making these decisions. In addition, the plan must contain a schedule that sets out with whom the children will be during the week, on weekends, national holidays and days of special meaning.

At what age can my son or daughter choose which parent he or she wants to live with?

There is no law in Ohio that gives a child the right to elect which parent he or she will reside with. The Court will consider the child's wishes and concerns, but ultimately the Court must decide where the child will reside and which parent will make major decisions about the child based on what the Court comes to believe is in the child's best interest.