

INSTRUCTIONS FOR FILING A
MOTION TO MODIFY

If there has been a prior order of custody, parenting time, or companionship time through this court, and you are asking the Court to modify the prior Order, you will be filing a ***Motion to Modify*** for each child whose Order you wish to modify.

If you are requesting the Court to issue Temporary Orders regarding the Custody or Care of the child listed, you may file a Motion for Temporary Custody pursuant to Ohio Juvenile Rule 13 along with the *Motion*. The Court will then review your filing and may then schedule the matter for hearing accordingly.

A Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit must be completed and then submitted at the time of the filing of the *Motion*. The affidavit must be answered completely and accurately and must be notarized. When you have a document notarized it is under oath and you are attesting the information you provided is true and accurate to the best of your knowledge.

If you are alleging that you or your child's health, safety, or liberty would be jeopardized by disclosing identifying information, and you make this allegation under oath, the information provided in these forms will not be disclosed to the other party. If you believe that your address must remain confidential, please check the appropriate box on the UCCJEA Affidavit. However, the Court may order the disclosure to be made after a hearing in which the Court takes into consideration the health, safety, and liberty of you and your child and determine that the disclosure is in the interest of justice.

Issues regarding the establishment or modification of child support will be addressed by the Juvenile Court subsequent to the resolution of parenting/companionship time or custody.

For your convenience, these forms are available on the Juvenile Court's home page at www.juvenile.cuyahogacounty.us and in the **Resource Center**, on the second floor of the Cuyahoga County Juvenile Justice Center, located at 9300 Quincy Avenue, Cleveland, Ohio 44106. General information regarding the documents may be obtained there, in person, or by calling at **(216) 443-3149**, Monday – Friday from 8:30 a.m. until 4:30 p.m.

All *Motion to Modify* filings must include the following:

1. The *Motion*, filled out completely, with affidavit notarized (pg.2).
2. A completed UCCJEA Affidavit, notarized (pg.6).
3. You must pay the filing fee of **\$20.00** per *Motion* (per child). Additional motions filed with the *Motion* may incur further filing fees. If found to be indigent, the filing fee is waived. If not found to be indigent, your *Motion* will be accepted and filed by the Court, but not set for hearing. A 30 - day grace period will be given to allow you to make your payment. If payment has not been made on day 31, the filing will be dismissed. Methods for payment include cash, check, money order (made payable to the Cuyahoga County Juvenile Court), or credit card. Credit card payments are non-refundable and include a 2.5% processing fee.
4. Proof of paternity, if not already on file at the Juvenile Court, which can include the paternity establishment document through the Cuyahoga Job and Family Services-Office of Child Support Services, a copy of the court order establishing paternity, or the Central Paternity Registry number for the child, written on the Custody Intake Information Sheet, with the indication of how Paternity was established. The Central Paternity Registry number can be obtained by calling the **Central Paternity Registry at 1-888-810-6446**.
5. A photocopy of the child's Birth Certificate, if not already on file at the Juvenile Court.
6. A photocopy of current child support order (if applicable, and if not already on file at the Juvenile Court).
7. Custody Intake Information Sheet.
8. Completed Instructions for Service form. If a party cannot be located, Service by Publication may be required, which shall necessitate an additional affidavit and an additional fee of \$35.00 per Publication.

Complete your *Motion* packet using blue or black pen. Once completed you may take your packet to the **Resource Center**, for the *Motion* to be reviewed for completion.

Prior to filing your *Motion* in the Clerk's Office, pages 2 and 6 must be notarized. Be sure **not** to sign the bottom of pages 2 or 6 prior to being in the presence of the Notary Public. For your convenience, the Court will notarize each affidavit for **\$2.00 per notarization**. When the *Motion* is filed, you may request the clerk date-stamp any photocopies of the completed *Motion*, providing you a record of what you have filed.