

Union County Court of Common Pleas, Juvenile Division

215 West Fifth Street

Marysville, Ohio 43040

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FILING CHECKLIST

Registration of Foreign Child Custody Determination

R.C. Chapter 3127, R.C. 3127.35

Any interested person can petition the Union County Juvenile Court to register a child custody determination previously issued by a foreign (out-of-state or another country) court, if this Court's jurisdiction can be established pursuant to [R.C. 3127.17](#).

Pursuant to [R.C. 3127.35](#)(B), upon receipt of the petition, all [required documentation](#) (see below) and filing deposit, the clerk will file the foreign judgment and serve notice upon all respondents. A respondent is any party to the original action who was granted parental rights (custody, visitation, etc.) by the original decree; a person with legal and/or physical custody of the child(ren); or a person who is exercising the rights and responsibilities of a parent.

R.C. 3127.35(B)(2) requires that the Clerk serve a Notice of Registration, the petition and all documents filed upon all named respondents. Service will be by U.S. Certified Mail, unless an alternate method of service is requested (or required).

Pursuant to R.C. 3127.35(D), the 30-day period to contest the registration does not *start* until service is *complete*. After service is complete, respondents have thirty (30) days to request a Court hearing to contest the validity of the registration. If no respondent requests a hearing, the Court will issue a Notice of Confirmation (R.C. 3127.35(F) and (E)), which finalizes the registration.

At that time, the Court can proceed to hear any pending [motions to enforce or modify the foreign judgment](#), which can be filed simultaneously with the petition.

Required Documentation

1. To register a foreign child custody or support determination, **prepare and file all the following:**

- ☐ **Petition to Register a Foreign Child Custody Order, with Notice** ([Local Form](#))
- ☐ One **Certified Copy** (from the issuing Court) of the subject **Foreign Order**.
- ☐ **Government-issued** proof of paternity/parentage for each child, preferably, a **Certified Copy of their Birth Certificate**, or one or more of the following, as appropriate:
 - ☐ Paternity established by [acknowledgement](#): a certified copy of the final and enforceable Acknowledgement of Paternity;
 - ☐ Paternity established by [genetic testing](#): a certified copy; or
 - ☐ Paternity established by [any other means](#): a certified copy of a **court order** or government **agency-issued order**.
- ☐ **Parenting Proceeding Affidavit** ([SCO Uniform Domestic Relations Affidavit 3](#))

NOTICE

This information is provided for the benefit of unrepresented litigants as a public service of the Union County Juvenile Court and is not legal advice. The Union County Juvenile Clerk's Office, available by phone at (937) 645-3029 during normal business hours, will assist as permitted but cannot provide legal advice. Questions about the process, legal significance or effect of these proceedings should be directed to a licensed attorney.

Attorneys are required to eFile:
eservices.co.union.oh.us/eservices

2. If the any of documents filed are set forth in a language other than English, also attach:
- ☐ **Certified Translations** into English of **each document** filed; and
 - ☐ **Sworn Affidavit(s) of the Document Translator(s)**, which must substantially:
 - State the full name of the translator(s); their business address and telephone number; briefly state their credentials/qualifications as a qualified foreign language interpreter of legal documents for the languages involved; and aver that the translator(s) is/are unbiased, neutral, and without personal interest in the proceedings;
 - Reference the title of all document(s) for which translation is provided; and
 - State that the translation(s) are complete and accurate without alteration, omission or addition to what is written in the original documents.
3. File a **Request for Service**. If the petition is simultaneously filed with a request to enforce or motion to modify the foreign order, the petitioner must file a **Request for Service** ([SCO Uniform Domestic Relations Form 31/Juvenile Form 10](#)).

The Court will inform the filer if any form of attempted service fails as to any respondent. The filer should respond *immediately* to avoid dismissal by filing a Request for Service and either request an alternate method of service and/or provide an updated address or location to serve the named respondents. *Additional deposits for service costs shall be paid if service is reissued.*

If any party agrees to waive service of summons, sign and file a **Waiver of Service of Summons**. ([SCO Uniform DR Form 30/Juvenile Form 9](#))

4. **Service Copies**. In addition to the original documents submitted for filing, please provide one (1) complete photocopy of all documents filed for each Respondent. (Attorneys: service copies will be generated from eFiled submissions and billed to costs.)
5. **Pay the required Deposit(s) for Court Costs**. Final costs will be apportioned at the conclusion of the case, though additional deposits may be required or ordered.

Petition to Register Foreign Custody Determination..... \$115.00
 With Simultaneous Request(s) for Enforcement/Modification..... \$175.00

Request for Personal Service

 By Union County Sheriff..... \$25.00
 By Out-of-County Sheriff..... \$50.00

Litigants: Payment is accepted by personal check, cashier's check, credit/debit card (convenience fees will apply), and cash. Do not mail cash. Tender cash in person in the Clerk's Office during normal business hours.

Attorneys: Payment is accepted by credit/debit card (convenience fees will apply) through the ECF.

Action to Modify or Enforce a Registered Foreign Child Custody Determination

By operation of law, this Court cannot proceed to modify or enforce a foreign order until the foreign order is registered and confirmed (finalized).

At a minimum, finalization occurs *after* (1) service of the Notice of Registration is perfected upon all respondents; (2) the 30-day period to contest the registration has elapsed without contest; and (3) the Court issues a Notice of Confirmation.

Once finalized, parties may file motions to modify. If motions were filed simultaneously with the original petition to register, the Court will issue summons upon the pending motions.

If any party believes that a **Foreign Language Interpreter** or **Sign Language Interpreter** will be necessary during Court proceedings, please advise the Clerk's office upon filing to avoid delays. The Court will adhere to Rule 88 of the Ohio Rules of Superintendence when appointing interpreters.

Enforcement

R.C. 3127.35(A) permits petitioners who register a foreign child custody action to submit a simultaneous request for **enforcement** with their petition. The reasons for enforcement can be stated in the Court's local form petition or provided within a separate pleading. The matter will be set for hearing following confirmation of the registration.

Modification

1. If **modification** of the foreign order is desired, prepare and file the appropriate **motion(s)** to modify, such as one or more of the following:

- ☐ **Motion for Change of Parenting Time** (Companionship and Visitation)
([SCO Uniform DR Form 26/Juvenile Form 5](#))
- ☐ **Motion for Change of Parental Rights and Responsibilities** (Custody)
([SCO Uniform DR Form 27/Juvenile Form 6](#))
- ☐ **Motion for Change of Child Support, Medical Support, Tax Exemption, or Other Child-related Expenses** ([SCO Uniform DR Form 28/Juvenile Form 7](#))

NOTE: This motion may be filed only with motions to modify custody or parenting time. If only seeking enforcement or modification of an existing child support-related order, the Court recommends the party to call the Union County Child Support Enforcement Agency: (937) 644-1010 or otherwise proceed under R.C. Chapter 3115.

2. Also prepare and file:

- ☐ **Parenting Proceeding Affidavit** (R.C. 3127.23(A))
([SCO Uniform Domestic Relations Affidavit 3](#)) – Note: This affidavit is required to be filed with petition to register; do not file an identical Parenting Proceeding Affidavit unless motions to enforce or modify were not filed simultaneously with the petition.
- ☐ **Health Insurance Affidavit** ([SCO Uniform Domestic Relations Affidavit 4](#))
- ☐ **Application for Child Support Services** (IV-D) – Application for Child Support Services Non-Public Assistance Applicant/Recipient ([JFS 07076](#)) – File this application regardless of whether child support is sought to be enforced, established or modified.

3. File a **Request for Service** ([SCO Uniform Domestic Relations Form 31/Juvenile Form 10](#)). State the current address of any person to be served and indicate method of service (U.S. certified mail or personal service by Sheriff).

If any party agrees to waive service of summons, sign and file a **Waiver of Service of Summons**. ([SCO Uniform DR Form 30/Juvenile Form 9](#))

- ## Motion to Enforce and/or Modify

Full Agreement (with all Waivers of Service filed)\$75.00

Request for Personal Service

By Out-of-County Sheriff.....\$50.00

Attorneys: Payment is accepted by credit/debit card (convenience fees will apply) through the ECF.

If all parties agree to the proposed modification(s), the Court will review the proposals, determine if the agreement is in the best interest of the minor child(ren) and set the matter for hearing to finalize the agreement. As evidence of the complete agreement to all terms, submit the following to the Court:

- ## Online Resources

[https://www.unioncountyohio.gov/departments/Probate Juvenile Court/juvenile-court-forms](https://www.unioncountyohio.gov/departments/Probate%20Juvenile%20Court/juvenile-court-forms)