

DARKE COUNTY JUVENILE COURT

LCUQP T0CUNKPI GT'''''''' **300 GARST AVENUE** **MICHAEL D. McCLURG**
Juvenile Judge **GREENVILLE, OHIO 45331** **Magistrate**
Patty Fellers Phone (937) 547-7350 **Paul Garrett**
Chief Deputy Clerk Fax (937) 547-1945 Chief Probation Officer

To Whom It May Concern:

Following this cover letter you will find instructions and court policies regarding Pro-Se Filing.

The Court encourages the use of attorneys and it would be a good idea to at least have a consultation with one.

If you cannot afford an attorney, do not qualify for court-appointed counsel, or do not wish to use an attorney, you may certainly proceed Pro-Se.

If you wish court-appointed counsel, please ask for a financial disclosure/affidavit of indigency form and I will make a determination of eligibility for appointed counsel.

Please read all of the documentation carefully and fill out all appropriate forms correctly. Even if you are not proceeding pro se, please fill out the complaint/motion form so the Court has some idea what it is you wish to do.

If you are married, this Court generally does not have jurisdiction over your matter and you will need to retain counsel and proceed through adult court. This Court does get involved in support and medical expense matters, in married but separated situations and the case is initiated by the Darke County Child Support Enforcement Agency.

If paternity has not been established in your case, the Court will refer your case first to the Darke County Child Support Enforcement Agency to follow the administrative procedure required. The CSEA has a standard letter they present to the Court if you don't have to proceed administratively. You have to ask for the letter and it is necessary to attach it to your paperwork.

Best Wishes,

Jason R. Aslinger, Sr.
Darke County Probate/Juvenile Judge

INSTRUCTION SHEET FOR PRO-SE FILING

1. There are several documents that must be completed: a complaint/motion, a custody affidavit, and an application for child support services. **ALL** documents must be completed to the best of your ability, except for the case number, and filed with the Juvenile Court Clerks' Office. A case number will be assigned after filing. Failure to complete and file all documents will result in your filing being returned to you with no action being taken.
2. **Type or print** your responses in **black ink**.
3. The filing fee of \$225.00 for the initial filing and \$150.00 for post decree pleadings must be paid when the papers are given to the Clerks' Office.
4. If the parents were not married when the child was born, paternity must be established. If paternity has been established, attach a copy of the order or acknowledgment. If paternity has not been established, indicate that in the space provided on the complaint/motion, and the Court will most probably refer you to Child Support Enforcement for proper proceedings.
5. The complaint/motion shall be set for hearing by the Court. You shall receive a hearing notice in the mail. If your hearing notice is returned undeliverable as addressed and you have not notified the Court of your new address, in writing, the complaint/motion shall be dismissed without further action.
6. If the hearing notice for another party is returned as undeliverable as addressed, you will be contacted for a new address. It is your responsibility to supply a good address in writing to the Court as soon as possible. If you do not do so, and the complaint/motion is not served at the time of the hearing and the other party does not appear at the hearing, the motion/complaint will be dismissed without further action. All complaints/motions shall be served on the parties by certified mail, unless service by sheriff or process server is requested in writing. If you request personal service by the sheriff, additional costs will be assessed. If you want personal service by a process server, it is your responsibility to make those arrangements.
7. If you are unable to supply the address because the other party's location is unknown to you, and cannot be found out with reasonable diligence, service by publication is provided for in Juvenile Rule 16 (A). Because of the technical requirements and cost involved, the Court suggests that you consult with an attorney before pursuing this action.

COURT POLICY REGARDING EMPLOYEES DISPENSING LEGAL ADVICE

By law, court employees, including deputy clerks, are not allowed to give legal advice. They have no law degree and could be prosecuted for practicing law without a license.

Deputy clerks may look over paperwork to see that the right blanks have been filled in or that you provided the necessary names and addresses and signed at the right location, **but they cannot tell you if the content of your filing is adequate or will satisfy the requirements of the Court.** You could consult with an attorney or research the law at the library,

If a clerk does not answer a question, it is not that she/he does not want to be helpful; but she is following the court's policy to uphold the law that does not allow her/him to offer legal advice.