

PLAIN-ENGLISH GUIDE

Family Law in Darke County

A plain-English map to divorce, dissolution, custody, support, protection orders, and adoption in Darke County: which court handles your issue, what to file, what it costs, and when to ask for help.

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- 01** Find the right Darke County court before you fill out a single form.

 - 02** Tell dissolution, divorce, juvenile custody, and adoption apart.

 - 03** See the exact local forms, fees, deadlines, and filing steps that trip people up in Greenville.

 - 04** Pick a next step that fits your situation, budget, and timeline.

INSIDE THIS GUIDE

Use this guide like a map, not a law textbook.	4
Where your case lives, and who to call.	5
Child support, child safety, and filing online.	6
Domestic Relations: the married-couple court.	7
Dissolution: the fully agreed way to end a marriage.	8
Divorce: are you starting it, or responding to it?	9
What do I fill out, and where do I get it?	10
What does a Darke County divorce look like?	12
Legal separation and annulment: the other two doors.	13
Temporary orders: the rules while you wait.	14
After the decree: changing it, enforcing it, moving.	15
Objections and appeals: review, not a redo.	17
Protection orders when you are not safe.	18
Dividing property and debt fairly.	20
Protect your case (and yourself) day to day.	21
Juvenile Court: when parents were never married.	22
Unmarried parents: paternity first, then custody.	23
Parenting time and grandparent companionship.	25
When a grandparent or relative is raising the child.	26
Changing an order, enforcing one, or an emergency.	27
Child support: how the number is built.	28
When Children Services is involved.	29
Probate Court: stepparent and kinship adoption.	30

What a Darke County adoption involves.	31
How Gavvl Law can help.	32
Ways to pay, and how to start.	33
The fine print, in plain English.	34

START HERE

Use this guide like a map, not a law textbook.

Family-law problems get easier the moment you can name the court, the path, the paperwork, and your next decision. Darke County splits this work between two courts, so step one is knowing which one is yours.

01

Married or ending a marriage?

Divorce, dissolution, legal separation, and annulment are heard by the Domestic Relations Division of the Common Pleas Court. You file at the Clerk of Courts.

02

Parents who were never married?

Custody, parenting time, parentage, and support for unmarried parents go to the Probate/Juvenile Court (Juvenile Division) on Garst Avenue.

03

Adopting a stepchild or relative?

Adoption is a Probate matter, filed in the Probate Division of the same Probate/Juvenile Court.

READ THIS FIRST

This guide is information, not legal advice.

It explains how things generally work in Darke County, but it can't account for the facts of your situation. Reading it, downloading it, or contacting Gavvl Law does not make you a client or create an attorney-client relationship. Only a signed engagement agreement does that. For advice about your own case, talk with a licensed Ohio attorney.

DARKE COUNTY COURTS

Where your case lives, and who to call.

Darke County has no separate divorce court. Married-couple cases run through the Common Pleas Court; unmarried-parent and adoption cases run through the combined Probate/Juvenile Court.

COURT / OFFICE	CONTACT AND ADDRESS
Common Pleas Court — Domestic Relations Division Divorce, dissolution, legal separation, annulment, DR post-decree	Judge Travis L. Fliehman · (937) 547-7325 Darke County Courthouse, 2nd Floor, 504 South Broadway, Greenville, OH 45331 www.darkecountycommonpleas.com
Clerk of Courts Files all Common Pleas DR cases	Cindy Pike, Clerk · (937) 547-7335 Courthouse, 2nd Floor, 504 South Broadway, Greenville, OH 45331 www.darkecourts.com · Open Mon–Fri 8:00 a.m.–4:00 p.m.
Probate/Juvenile Court Unmarried-parent custody, support, parentage, adoption	Judge Jason R. Aslinger 300 Garst Ave, Greenville, OH 45331 Juvenile (937) 547-7350 · Probate (937) 547-7345 www.darkeprobatejuvenile.org · Mon–Fri 8:00 a.m.–4:30 p.m.

A notary is free at the Common Pleas Court.

A notary is available at the Common Pleas Court Monday–Friday, 8:00 a.m.–4:30 p.m. — bring photo ID and don't sign your forms until you are in front of the notary. You then file completed DR paperwork with the Clerk of Courts on the 2nd floor.

DARKE COUNTY COURTS

Child support, child safety, and filing online.

Two more offices matter in family cases: the child support agency and child protective services. Both are at the same Wagner Avenue address.

OFFICE	CONTACT AND ADDRESS
Child Support Enforcement Agency (CSEA) Darke County Job & Family Services	631 Wagner Avenue, Greenville, OH 45331 (937) 548-4132 (Child Support: Option 4) · Toll-free (800) 501-5635
Children Services / Child-abuse reporting Darke County JFS	631 Wagner Avenue, Greenville, OH 45331 (937) 548-4132 (Option 5) · After hours (937) 548-2020 Statewide hotline 1-855-642-4453 (1-855-OH-CHILD) · 911 in an emergency

FILING ONLINE IN DARKE COUNTY

There is no full e-filing portal — yet.

The Common Pleas Court allows electronic delivery of pleadings to the Clerk by fax (937-547-7305) or email (edelivery.darkeclerk@co.darke.oh.us). It is not for new cases or any filing that needs a cost deposit, caps documents at 30 pages, and requires a cover page (Local Rule 12).

PROBATE/JUVENILE FILINGS

Established cases only, online.

The Probate/Juvenile Court has no e-filing portal. It accepts electronic filings in cases that are already open, and the judge or magistrate may still ask for original-signature follow-up. New cases are filed the traditional way, in person or by mail.

PART ONE

Domestic Relations: the married-couple court.

If you are married, ending or restructuring the marriage runs through the Domestic Relations Division of the Common Pleas Court (Judge Travis L. Fliehm; Magistrates Brittany M. Johns and Camille L. Harlan). The first question is almost always whether you and your spouse agree.

QUICK PATHFINDER

Do you agree on everything?

If yes, a dissolution may fit — you file together with a signed agreement. If no, or a spouse won't sign or can't be found, divorce gives the court a process for service, deadlines, and temporary orders. Agreement means signed terms on property, debt, support, and parenting.

In this part

- Dissolution (you both agree)
- Divorce — starting it, or responding to it
- Legal separation and annulment
- Temporary orders while a case is pending
- After the decree: changes, enforcement, moving
- Objections and appeals
- Protection orders (DVCPO)
- Dividing property and debt
- Staying out of trouble while your case is open

DOMESTIC RELATIONS

Dissolution: the fully agreed way to end a marriage.

A dissolution is the no-fault path for couples who agree on everything. You both sign a full agreement, file a joint petition, and appear together at a short hearing. No one is served, and there are no fault grounds to prove.

COURT	FILING FEE	HEARING	SERVICE
Common Pleas (DR)	\$300	30–90 days	None — joint filing

This path may fit if...

- You both agree the marriage should end.
- Property, debt, support, and parenting are already settled in writing.
- You both will sign the paperwork and attend the final hearing.

Watch the agreement, not just the forms.
 A clean-looking packet can still cause years of trouble if retirement, taxes, the house, debt, insurance, or parenting terms are vague. The court can approve terms that are clear enough to enforce, even if they are not good terms for you.

Core filing	Joint Petition for Dissolution
Agreement	Separation Agreement signed by both spouses
If minor children	Parenting plan or shared parenting plan, child support worksheet, health-insurance details
Yellow form	Domestic Relations Questionnaire (required)
Final step	Short hearing where you both confirm the agreement

A real Darke County rule for kids' cases
 Before the court approves an agreement involving children, you must have agreed on more than the support amount: parenting time, ordinary and extraordinary medical, dental, optical, and orthodontic costs, and health insurance (Local Rule 7(l)).

DOMESTIC RELATIONS

Divorce: are you starting it, or responding to it?

Divorce does not always mean a trial. It means one spouse files, the other is served, and the court sets a structure. Your very first move depends on which side of that you are on.

A

You are starting the divorce

You file a Complaint for Divorce with the Clerk and ask for service on your spouse. With children, you also file the parenting and financial affidavits below. Your attorney also prepares the Mutual Restraining Orders so they are served with the complaint.

B

You were served with divorce papers

Read the first page for your answer deadline. You have 28 days from the date you were served to file an Answer (and a Counterclaim if you want your own requests). Don't rely on a promise that the case is "on hold." Save every document.

COURT	FILING FEE	ANSWER DEADLINE	CASE CODE
Common Pleas (DR)	\$300	28 days	26DIV#####

DON'T GET BOUNCED AT THE COUNTER

The yellow Questionnaire is mandatory.

Every divorce, dissolution, and legal-separation complaint in Darke County must include the personal-history Questionnaire printed on yellow paper (Local Rule 7(A)). Get it from the Clerk — the Clerk will not accept the complaint without it.

DOMESTIC RELATIONS

What do I fill out, and where do I get it?

Darke County publishes its own divorce and dissolution forms. For motions other than the starter complaints, the Common Pleas Court points you to the Supreme Court of Ohio standardized forms.

FORM (TAP TO OPEN)	WHERE TO GET IT	WHAT IT'S FOR
Complaint for Divorce With Children https://darkecountycommonpleas.com/wp-content/uploads/2024/05/Complaint-for-Divorce-With-Children.pdf	Darke County Common Pleas (Court Forms page)	Starts a divorce when minor children are involved
Complaint for Divorce Without Children https://darkecountycommonpleas.com/wp-content/uploads/2024/05/Complaint-for-Divorce-Without-Children.pdf	Darke County Common Pleas	Starts a divorce with no minor children
Domestic Relations Questionnaire (the "yellow form") https://darkecountycommonpleas.com/wp-content/uploads/2024/05/Domestic-Relations-Questionnaire.pdf	Darke County Common Pleas / Clerk	Required personal-history form for every DR complaint
<p>▲ Heads up: Print on yellow paper. The Clerk rejects a complaint filed without it (Local Rule 7(A)).</p>		
Affidavit of Income, Expenses, and Financial Disclosures https://darkecountycommonpleas.com/wp-content/uploads/2024/05/Affidavit-of-Income-Expenses-and-Financial-Disclosures.pdf	Darke County Common Pleas	Your money picture for support and property
Affidavit of Property and Debt https://darkecountycommonpleas.com/wp-content/uploads/2024/05/Affidavit-of-Property-and-Debt.pdf	Darke County Common Pleas	Lists what you own and owe
Parenting Proceeding Affidavit (UCCJEA) https://darkecountycommonpleas.com/wp-content/uploads/2024/05/Parenting-Proceeding-Affidavit.pdf	Darke County Common Pleas	Required with children — where they've lived and any other cases
Health Insurance Affidavit https://darkecountycommonpleas.com/wp-content/uploads/2024/05/Health-Insurance-Affidavit.pdf	Darke County Common Pleas	Children's health-coverage details
Notice to Attend Parenting Program https://darkecountycommonpleas.com/wp-content/uploads/2025/08/Notice-to-Attend-Parenting-Class.pdf	Darke County Common Pleas	Required pleading in DR cases with children

FORM (TAP TO OPEN)	WHERE TO GET IT	WHAT IT'S FOR
Application for Child Support Services (IV-D) https://darkecountycommonpleas.com/wp-content/uploads/2024/05/Application-for-Child-Support-Services.pdf	Darke County Common Pleas	Opens the CSEA support file

DOMESTIC RELATIONS

What does a Darke County divorce look like?

Most divorces settle. The steps below are the path the court sets in motion once you file, whether or not you ever reach a trial.

WHEN DIVORCE IS THE RIGHT TOOL

You need a deadline, a temporary order, information, or a judge's decision.

Divorce is often the necessary path when a spouse won't sign, money is unclear, parenting time is disputed, or someone needs the court to act before everything is settled.

Strong early strategy is organized, not loud. A clean timeline, complete financial records, and a short list of what must be decided now versus later does more than any dramatic filing. Contested divorce is the path where having a lawyer matters most.

Answer	28 days after service
Agreements filed	within 14 days
GAL report	7+ days before hearing
Most cases resolved	within ~24 months

1 **File and pay (or ask to waive the fee)**
File the complaint with the Clerk and pay the \$300 deposit, or file a fee-waiver affidavit if you can't afford it.

2 **Serve your spouse**
Service goes by certified mail first, then regular mail or the sheriff. Posting runs 6 weeks if an address is unknown.

3 **Temporary orders, if needed**
The court can set interim rules for money, the home, and the children. Darke County favors keeping the status quo.

4 **Parenting seminar**
With minor children, finish the approved class and file the certificate before the final hearing.

5 **Settle or go to hearing**
Most cases settle after finances are exchanged. If not, a judge or magistrate decides the open issues.

DOMESTIC RELATIONS

Legal separation and annulment: the other two doors.

Not every married-couple case is a divorce. Two narrower options solve different problems, and both are filed in the same Common Pleas DR Division.

LEGAL SEPARATION (R.C. 3105.17)

Court orders, marriage intact

A court can divide property and order support and parenting terms without ending the marriage. People choose it for religious, insurance, immigration, or personal reasons. It uses the same pleading set as divorce — including the yellow Questionnaire — and the mutual restraining orders apply.

ANNULMENT (R.C. 3105.31)

As if it never happened

An annulment declares a marriage was void or voidable — for example bigamy, fraud, underage, or incapacity. The grounds are narrow and statutory. It is not a faster substitute for divorce, and it treats the marriage as never validly existing.

When the county hasn't published the detail

Annulment grounds and forms aren't published locally. For the complaint and affidavits, Darke County points to the Supreme Court of Ohio standardized forms. Always confirm with the Clerk of Courts — counties handle details differently. [Supreme Court standardized DR and Juvenile forms](https://www.supremecourt.ohio.gov/forms/all-forms/domestic-relations-and-juvenile-standardized/1)

(<https://www.supremecourt.ohio.gov/forms/all-forms/domestic-relations-and-juvenile-standardized/1>)

DOMESTIC RELATIONS

Temporary orders: the rules while you wait.

While a divorce or legal separation is pending, the court can set interim rules for parenting, support, and who stays in the home. In Darke County, the court leans toward keeping things as they are.

What a temporary order can cover

- Temporary parenting time and residential placement
- Temporary child or spousal support
- Who lives in the home or uses a vehicle
- Restraining orders against draining accounts or harassment

It is not the final word.

A temporary order holds the line during the case and can be changed. The final decree is what controls afterward.

TWO REAL DARKE COUNTY DEADLINES

Move fast if the other side asks first.

If your spouse requests temporary orders, you generally have only about 10–14 days to respond or to ask the court for more time. Detailed affidavits matter — vague ones are discouraged, and disruptive ex parte orders about the children are generally disfavored (Local Rule 7(C)).

Rule	Civ.R. 75(I)/(M), Local Rule 7(C)
Respond within	Often 10–14 days
Court's lean	Maintain the status quo

DOMESTIC RELATIONS

After the decree: changing it, enforcing it, moving.

Three different things can happen after a Darke County divorce, and they are not the same. They all stay in the original Common Pleas DR case under the court's continuing jurisdiction.

CHANGE IT**Modification**

Ask the court to change custody, parenting time, child support, or (if reserved) spousal support. Each has its own standard — changing custody is a heavier burden than changing parenting time. A school-placement dispute is not the same as changing legal custody.

ENFORCE IT**Contempt**

If the other person ignores the order — won't pay support, withholds parenting time, ignores a property term — you file a motion to show cause. Contempt enforces the existing order; modification changes it going forward.

MOVE**Relocation**

A residential parent who plans to move must file a notice of intent to relocate. The standard mutual restraining orders also bar moving the children out of Darke County, or from their current address, without agreement or court permission.

A local must-do when you reopen a case

Your first post-decree filing must include the current address of all parties and an updated IV-D Application for Child Support Services (Local Rule 7(H)). Post-decree filings also need the UCCJEA, income, and health-insurance affidavits.

Post-decree motion fees

Call the Clerk of Courts at (937) 547-7335 for the current deposit on a post-decree motion. A motion that needs a new cost deposit can't be filed by electronic delivery (Local Rule 12).

FORM (TAP TO OPEN)

[Motion for Change of Custody \(SF 27 / JF 6\)](https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form27.pdf)

<https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form27.pdf>

WHERE TO GET IT

Supreme Court of Ohio
(standardized forms)

WHAT IT'S FOR

Asks the court to change legal custody

FORM (TAP TO OPEN)	WHERE TO GET IT	WHAT IT'S FOR
Motion for Change of Parenting Time (SF 26 / JF 5) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form26.pdf	Supreme Court of Ohio	Asks to change the parenting-time schedule
Motion for Change of Child Support (SF 28 / JF 7) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form28.pdf	Supreme Court of Ohio	Asks to change child support or related expenses
Motion for Contempt (SF 24 / JF 3) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form24.pdf	Supreme Court of Ohio	Enforces an order the other person is violating

DOMESTIC RELATIONS

Objections and appeals: review, not a redo.

If a magistrate decides your case, or you disagree with the final ruling, there are ways to ask for review — but they are not a second chance to present new evidence.

THE HARD TRUTH

This is not another hearing.

An objection to a magistrate's decision, or an appeal, can generally only use the information already presented. It is a review for legal error, not a fresh trial. The deadlines are short and unforgiving.

Objecting to a magistrate's decision

In Darke County, objections to a magistrate's decision are due within 14 days. You can waive the objection period by signed consent (Local Rule 8).

Appealing to the Court of Appeals

A notice of appeal of a final judgment generally must be filed within 30 days under the Ohio Rules of Appellate Procedure. Because the clock is short and the rules are technical, this is a point to get advice quickly.

OBJECTION TO MAGISTRATE	APPEAL OF FINAL JUDGMENT	NEW EVIDENCE?	SOURCE
14 days	30 days	Generally no	Local Rule 8 · App.R. 4

DOMESTIC RELATIONS

Protection orders when you are not safe.

A Domestic Violence Civil Protection Order (DVCPO) under R.C. 3113.31 protects you from a family or household member who has harmed or threatened you. In Darke County, you file it in the Common Pleas Court.

FILING FEE	FIRST HEARING	FULL HEARING	ORDER CAN LAST
None — ever	Same / next business day	Within 7 court days	Up to 5 years

How it works

- You file a petition describing the most recent incident and the history. There is no filing fee.
- The court can hold an ex parte hearing the same or next business day and issue a temporary order right away.
- A full hearing is set within 7 court days of the ex parte order (10 if no ex parte order issued). Your abuser is served and can respond.
- If granted, the final order can last up to 5 years and goes into law-enforcement databases.

A RELATED ORDER FOR MINORS

Juvenile respondents

If the person you need protection from is a minor, the case may route through the Probate/Juvenile Court instead. Check with the Clerk at intake.

If an order is violated, call 911.

Violating a protection order is a crime — it is not something to handle yourself. Call the police. A DVCPO is a civil order; any criminal charges are a separate matter handled by law enforcement and the prosecutor.

FORM (TAP TO OPEN)	WHERE TO GET IT	WHAT IT'S FOR
Petition for Domestic Violence Civil Protection Order https://darkecountycommonpleas.com/wp-content/uploads/2024/05/Petition-for-Domestic-Violence-Civil-Protection-Order.pdf	Darke County Common Pleas	Protection from a family/household member

FORM (TAP TO OPEN)	WHERE TO GET IT	WHAT IT'S FOR
<p>Petition for Dating Violence Civil Protection Order</p> <p>https://darkecountycommonpleas.com/wp-content/uploads/2024/05/Petition-for-Dating-Violence-Civil-Protection-Order.pdf</p>	<p>Darke County Common Pleas</p>	<p>Protection from a dating partner</p>
<p>Petition for Civil Stalking Protection Order</p> <p>https://darkecountycommonpleas.com/wp-content/uploads/2024/05/Petition-for-Civil-Stalking-Protection-Order.pdf</p>	<p>Darke County Common Pleas</p>	<p>Protection from stalking by anyone</p>

DOMESTIC RELATIONS

Dividing property and debt fairly.

Ohio is an equitable-division state. That is firm-approved statewide framing — Darke County applies the same Ohio law. Here is what the court is actually doing.

Equitable is not the same as equal

Ohio courts divide marital property and debt fairly, which is not always 50/50. The judge weighs the full picture.

Marital vs. separate turns on timing

What's marital usually depends on when it was acquired, not whose name is on it. Inheritance and gifts can be separate if traceable — but mixing them with marital money can change that.

Some assets need a special order

Retirement accounts often divide by a QDRO; certain Ohio public pensions use a DOPO; military retirement has its own rules. A house, a business, or disputed values may need an appraisal or a financial professional.

Mutual restraining orders are standard.

Original divorce and legal-separation cases come with standard mutual orders against draining accounts, canceling insurance, hiding assets, or moving the kids. They are routine — not a finding that either spouse did anything wrong (Local Rule 7(J)).

A note on fault

It is usually wise to include no-fault grounds. Courts won't punish bad behavior for its own sake — but behavior that drained marital money or affected the children's safety can still matter to the outcome.

DOMESTIC RELATIONS

Protect your case (and yourself) day to day.

Most damage in a family case is self-inflicted and avoidable. A few habits keep you out of trouble and keep the focus where it belongs.

Do

- Keep communication in writing, and save it — texts, emails, and messages about parenting time.
- Save evidence: postings, bank records, and a simple timeline of events.
- Put the children's needs first, and your own well-being second only to theirs.

Don't

- Don't post about your case or your spouse on social media.
- Don't put the children in the middle, or use them as messengers.
- Don't lock a spouse out, cancel their insurance, or destroy property — it backfires and can violate the restraining orders.

KIDS' SAFETY COMES FIRST – YOURS MATTERS TOO

Help exists for the hard parts.

If there is violence, financial pressure, or instability, you do not have to navigate it alone. The Common Pleas Court handles protection orders at no filing cost, the Darke County CSEA can help with support, and the resources on the disclosures page are there for a reason.

NOT SURE WHICH PATH IS YOURS?

Take the 2-minute quiz — it routes you to the right starting point.

Dissolution, divorce, or just a consult? Gavvl's Find My Service quiz gives a personalized recommendation in about two minutes. [Take the quiz](https://gavvl.com/find-my-service) (https://gavvl.com/find-my-service) · Call (844) 694-2885.

PART TWO

Juvenile Court: when parents were never married.

Custody, parenting time, parentage, and support for parents who were never married to each other are decided by the Juvenile Division of the Darke County Probate/Juvenile Court (Judge Jason R. Aslinger), at 300 Garst Ave in Greenville — not by the Common Pleas DR Division.

START WITH ONE QUESTION

Is there already a court order?

Establishing a first custody or support order is a different process than changing one that already exists. And if a Common Pleas divorce decree already set custody, changes stay in that DR case — not here.

In this part

- Parentage and custody for unmarried parents
- Parenting time and grandparent companionship
- Legal custody to a grandparent or relative
- Changing or enforcing a juvenile order
- Emergency custody
- Child support, start to finish
- When Children Services is involved

JUVENILE COURT

Unmarried parents: paternity first, then custody.

This is the single most misunderstood thing in juvenile court. Until a court orders otherwise, an unmarried mother is the sole residential parent and legal custodian by law. A father gets there in two separate steps — and the order matters.

01

Establish paternity

By signing an Acknowledgment of Paternity, by a court-ordered DNA test (an at-home test won't count), or by court order. The CSEA or the Juvenile Division can help. Establishing paternity triggers child support — but by itself it does not grant custody or parenting time.

02

Then ask the court for custody or parenting time

This is a separate request to the Juvenile Division. The court allocates parental rights — sole custody to one parent or shared parenting — using the child's best interest, and sets a parenting-time schedule.

Asking for shared parenting isn't enough.

If you want shared parenting, you must submit a proposed shared parenting plan. Without a plan, the court can't consider it.

Where	Juvenile Division, 300 Garst Ave
Paternity fee	\$175 new / \$150 if open / \$50 consent
Custody fee	\$175 new / \$150 to reopen
Pay with	Cash, check, or card
Helpful form	Pro-Se Filing Packet; Unwed Mothers' Rights

FORM (TAP TO OPEN)	WHERE TO GET IT	WHAT IT'S FOR
Juvenile Pro-Se Filing Packet https://www.darkeprobatejuvenile.org/pdf/proSePacket-20250220.pdf	Darke County Probate/Juvenile Court	Starter packet for unmarried-parent filings
Unwed Mothers' Rights (information) https://www.darkeprobatejuvenile.org/pdf/mother_rights.pdf	Darke County Probate/Juvenile Court	Explains a mother's default rights before any order

FORM (TAP TO OPEN)	WHERE TO GET IT	WHAT IT'S FOR
Complaint for Parentage / Allocation of Parental Rights (SF 23 / JF 2) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form23.pdf	Supreme Court of Ohio	Establishes parentage and asks for custody and parenting time

JUVENILE COURT

Parenting time and grandparent companionship.

“Parenting time” is the schedule for a parent. “Companionship” is the term for time granted to a non-parent, most often a grandparent. The Juvenile Division has its own schedules, separate from the Common Pleas DR schedule.

<p>FOR PARENTS</p> <p>Parenting time</p> <p>A defined schedule for an unmarried parent. Absent agreement, orders reference the Court's Standard Schedule for Parenting Time — there is an Under 90 Miles and an Over 90 Miles version for long-distance situations.</p>	<p>VERY YOUNG CHILDREN</p> <p>Phase-In schedule</p> <p>For children under one year, or where a parent has had little contact, the Court uses a Phase-In schedule that builds time up gradually.</p>	<p>FOR GRANDPARENTS AND RELATIVES</p> <p>Companionship</p> <p>A non-parent may be granted companionship in limited situations under R.C. 3109.11 (deceased parent) or R.C. 3109.12 (unmarried mother). A fit parent's wishes carry strong constitutional weight.</p>
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SCHEDULE (TAP TO OPEN)	WHERE TO GET IT	WHAT IT'S FOR
Standard Schedule for Parenting Time — Under 90 Miles https://www.darkeprobatejuvenile.org/pdf/parentingTimeOrderUnder-20260413.pdf	Darke County Probate/Juvenile Court	Default schedule, nearby parents
Standard Schedule for Parenting Time — Over 90 Miles https://www.darkeprobatejuvenile.org/pdf/parentingTimeOrderOver-20260413.pdf	Darke County Probate/Juvenile Court	Default schedule, long distance
Phase-In Parenting Schedule https://www.darkeprobatejuvenile.org/pdf/phaseInVisitation-20210907.pdf	Darke County Probate/Juvenile Court	Gradual schedule for young kids

JUVENILE COURT

When a grandparent or relative is raising the child.

A non-parent can ask the Juvenile Division for legal custody under R.C. 2151.23 — but because parents have a protected constitutional interest, the bar is real. There is also a lighter-weight option.

Legal custody to a non-parent
 A grandparent, relative, or caregiver can file for legal custody. Generally you must first show the parents are unsuitable (or have abandoned the child, relinquished custody, or that a parent's custody would harm the child) before the court reaches best interest. The court may order a home study and may appoint a GAL.

THE LIGHTER-WEIGHT OPTION
Grandparents' Power of Attorney
 Ohio lets a parent give a grandparent a Power of Attorney (or a Caretaker Authorization Affidavit) for a child's care without a full custody case. It can be revoked, and it's handled through the Probate/Juvenile Court (clerk Rebecca Sowers).

Custody is not for school choice.
 Darke County does not change custody for school-enrollment purposes only.

Custody fee	\$175 new / \$150 to reopen
Pay with	Cash, check, or card
Forms	Pro-Se Packet; Grandparents' POA

FORM (TAP TO OPEN)	WHERE TO GET IT	WHAT IT'S FOR
Grandparents' Power of Attorney https://www.darkeprobatejuvenile.org/pdf/grandparentPOA-20250220.pdf	Darke County Probate/Juvenile Court	Gives a grandparent caregiving authority without a custody case
Grandparent Power of Attorney (statewide form) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/powerAtty.pdf	Supreme Court of Ohio	The state's standard POA form

JUVENILE COURT

Changing an order, enforcing one, or an emergency.

After a juvenile order, the same three tools apply as in Domestic Relations — modify, enforce, register an out-of-state order — plus the separate track for a true emergency.

CHANGE IT**Modification**

Changing custody usually requires a change in circumstances and that the change serve the child's best interest. Changing parenting time uses the lighter best-interest standard.

ENFORCE IT**Contempt**

If the other parent ignores the order, file a motion to show cause in the juvenile case. Contempt enforces the order; modification changes it going forward.

OUT-OF-STATE ORDER**Registration**

An out-of-state custody order registers under the UCCJEA, and a support order under UIFSA, before Ohio can enforce or change it. If the county hasn't published the local detail, confirm with the court.

EMERGENCY CUSTODY – TWO FILINGS**The bar is high, and you file twice.**

A true emergency takes two filings: an ex parte motion and an underlying motion for custody or modification. What qualifies is an immediate risk of harm to the child. The court may hold an ex parte hearing the same day, then a full hearing — and the underlying motion moves on its own track regardless.

A note on parenting classes here

The Juvenile Division does not routinely require a parenting class for private custody cases. It may be ordered only in high-conflict situations by a case-specific order of the judge or magistrate.

JUVENILE COURT

Child support: how the number is built.

Ohio uses an income-shares model — firm-approved statewide framing that Darke County applies. Support is administered through the Darke County CSEA at 631 Wagner Avenue.

BASED ON	90+ OVERNIGHTS	REVIEW RIGHT	CSEA
Both parents' income	10% adjustment	After 36 months	(937) 548-4132 · Opt. 4

What goes into the calculation

- Both parents' income
- The cost of the children's health insurance
- Work-related child-care costs
- A 10% adjustment when a parent has 90+ overnights a year

Run your own estimate

Gavvl's free Ohio child support calculator gives you a ballpark before you ever talk to anyone.

[Child support calculator](https://gavvl.com/child-support-calculator)

(<https://gavvl.com/child-support-calculator>)

Changing and ending support

Modification: 36 months after the order, you can ask the CSEA for an administrative review. Earlier than that, a substantial change in circumstances can support a review or a motion.

Termination: support generally ends when the child turns 18 and graduates high school, or turns 19 — whichever comes first. It can last longer by agreement or for a child with special needs.

A common myth

If both parents agree to a lower number, does the court have to approve it? No. The court orders what it finds is in the child's best interest.

JUVENILE COURT

When Children Services is involved.

When a child may be abused, neglected, or dependent, Darke County Job and Family Services investigates and, when necessary, files a case in the Juvenile Division. The court's goal is the child's safety, permanency, and well-being — supporting families where it can.

HOW TO REPORT**If a child may be in danger**

- Darke County JFS, Child Protective Services: (937) 548-4132, Option 5
- After-hours emergency: (937) 548-2020
- Statewide hotline: 1-855-642-4453 (1-855-OH-CHILD)
- Immediate danger: call 911

WHAT THE PROCESS LOOKS LIKE**The stages**

1. Report and screening by Darke County CPS
2. Investigation and safety assessment
3. Emergency/shelter-care hearing if the child is removed
4. Adjudication — whether the child is abused, neglected, or dependent
5. Disposition and a case plan
6. Reviews of progress, then permanency

You have the right to counsel.

Parents in a dependency case have the right to a lawyer. The Application for Counsel fee is \$28.00, and a legal-aid application is available from the court.

JUVENILE CASES GET DOCUMENT-HEAVY FAST.

Even a “simple” custody question often isn't.

Bring every prior order, agency letter, and school or medical record to your first conversation. Not sure where your issue belongs? [Take the 2-minute quiz](https://gavvl.com/find-my-service) (https://gavvl.com/find-my-service) · (844) 694-2885.

PART THREE

Probate Court: stepparent and kinship adoption.

Adoption is always a Probate matter under R.C. Chapter 3107. In Darke County it is filed in the Probate Division of the Probate/Juvenile Court (Judge Jason R. Aslinger), at 300 Garst Ave; Probate line (937) 547-7345.

THE FIRST QUESTION

Whose consent do you need?

A stepparent or relative adoption usually rises or falls on consent. If the other legal parent will consent, the path is more direct. If consent is missing or contested, the case gets more complex and needs careful legal review before you file.

Where	Probate Division, 300 Garst Ave
Stepparent adoption	\$480 deposit
Adult adoption	\$250
Pay with	Cash or check only
Forms	Supreme Court Sup.R. 51/52 standard forms

Adoption is permanent.

A finalized adoption permanently ends the legal parent-child relationship with the replaced parent and creates a new one. Courts take consent and notice seriously — a mistake can delay or derail the case.

PROBATE COURT

What a Darke County adoption involves.

The Probate Division generally does not supply pro-se forms; law offices use the Supreme Court of Ohio standard adoption forms. Here is what to expect.

Custody and adoption are not the same thing.

Custody arranges care and decisions; it can be changed. Adoption permanently severs one legal parent relationship and creates another. Also note: in Ohio, unmarried people cannot adopt together.

When consent is the sticking point

If the other parent won't consent, whether consent is legally required turns on specific statutory facts. Don't improvise this — it's worth legal advice before filing.

1

File the Petition for Adoption

Use the Supreme Court standard probate (adoption) forms under Sup.R. 51/52.

2

Consent or its exceptions

Every living parent is notified and consent is obtained, unless consent is waived or not required under R.C. 3107.07 — for example, a parent who, without justifiable cause, failed to support or communicate with the child for at least one year.

3

Notice to an unwed father (R.C. 3107.11)

Where a putative father hasn't consented, he is served and has 14 days after proof of service to object, and must appear to contest — or a final decree may be entered.

4

Home study

A home study is required for stepparent adoptions in Darke County. It covers background checks, a home visit, and references.

5

Hearing and final decree

The Probate Judge holds a hearing and, if granted, issues the final decree; a new birth record is issued.

PART FOUR

How Gavvl Law can help.

This guide gave you the map. If you'd like company on the road, here is what working with the firm looks like — and an honest read on when you do and don't need it.

LIMITED-SCOPE (FLAT FEE)

Hire a lawyer for the part you actually need.

A flat fee per task: drafting and filing documents, a limited court appearance, advice and consultation, or a document review. Good for uncontested matters, simple modifications, and tight budgets. Not recommended for complex or high-conflict cases that need ongoing advocacy.

FULL REPRESENTATION

Have an attorney handle the whole case.

A retainer plus hourly fees, with an attorney managing strategy, every filing, and every court appearance from first consultation through final orders. Good when the case is contested, high-conflict, or may go to trial. A limited-scope matter can often switch to full representation if it becomes contested.

Divorce and dissolution

Strategy, settlement terms, filing packets, temporary orders, negotiation, and final hearings.

Custody and parenting

Parenting schedules, shared parenting plans, modifications, evidence, and hearing preparation.

Child support

Calculations, income documentation, deviations, modifications, and enforcement.

Adoption

Stepparent and kinship adoption planning, consent review, packet preparation, and finalization.

PART FOUR

Ways to pay, and how to start.

The options depend on the service model, because Ohio trust-accounting rules treat retainers differently from flat fees. Exact amounts are calculated when you enroll.

FULL REPRESENTATION**Retainer + hourly**

- Pay in full by secure card (Confido Legal)
- Affirm financing — monthly payments, soft credit check that doesn't affect your score

LIMITED-SCOPE (FLAT FEE)**The widest range**

- Pay in full by card (Confido Legal)
- Affirm, Klarna, or PayPal Pay Later
- Gavvl Direct — an in-house plan with no credit check

NO CREDIT CHECK**Gavvl Direct**

Start now with 60% down and finance the rest, or finance the full fee with services beginning once 60% is paid. Schedules of 18 weekly, 8 bi-weekly, or 4 monthly payments. The financed amount carries 19% annual interest, compounded monthly.

NOT SURE WHICH PATH FITS?

The 2-minute quiz gives a personalized recommendation.

Find My Service asks a few questions and suggests a service and financing options. [Take the quiz](#)

(<https://gavvl.com/find-my-service>) · [Start here](#) (<https://gavvl.com/start>) · (844) 694-2885 · support@gavvl.com.

Consultations are low-cost.

WHY FAMILIES CHOOSE GAVVL

A 4.8+ average across 90+ verified Google reviews, recognized by Best Lawyers as a “Firm to Watch” (2026), with 50+ years of combined family-law experience across all 88 Ohio counties. (See the disclosures page — awards and ratings are not a prediction about your case.)

IMPORTANT DISCLOSURES

The fine print, in plain English.

Please read this before relying on anything in this guide.

Information, not legal advice.

This guide explains how things generally work in Darke County, but it can't account for the facts of your situation. Reading it, downloading it, or contacting Gavvl Law does not make you a client or create an attorney-client relationship. Only a signed engagement agreement does that. For advice about your own case, talk with a licensed Ohio attorney.

About awards and reviews.

Awards, ratings, and reviews reflect the experiences of other clients and the opinions of the rating organizations. They are not a guarantee or prediction of the outcome of your case. Every case is different.

Fees and procedures change.

Court fees, forms, and procedures change. The information in this guide was verified as of June 17, 2026 from official court sources. Always confirm current fees and requirements with the Darke County Clerk of Courts before you file.

Jurisdiction and responsibility.

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READY WHEN YOU ARE .

Take the 2-minute quiz or talk with our team.

We'll help you identify the right Darke County court, the likely path, and the level of help that fits the moment.

(844) 694-2885

support@gavvl.com

gavvl.com/find-my-service

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