

PLAIN-ENGLISH GUIDE

Family Law in Holmes County

A plain-English map to family court in Holmes County: which court to use, what to file, what it costs, and where to get help when you need it.

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- 01** Find the right court before you fill out a single form — the county's courts sit in one Millersburg courthouse.

 - 02** Tell a dissolution apart from a divorce, and married-parent custody apart from juvenile-court custody.

 - 03** See the forms, fees, deadlines, and local steps that most often slow Holmes County filings down.

 - 04** Pick a next step that fits your situation, your budget, and how much help you actually want.
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HOW TO USE THIS GUIDE

Start with the court, then the path, then the paperwork.

Most family-law problems get simpler once you can name three things: which court handles your issue, which path fits your situation, and what you need to file. This guide is built around those questions. Here is how Holmes County splits the work.

MARRIED OR FORMERLY MARRIED

General Division

Divorce, dissolution, legal separation, annulment, spousal support, and the property, support, and parenting issues inside those cases — plus civil protection orders. A Magistrate (Tiffany D. Bird) hears the domestic-relations docket under Judge Sean Warner. You file with the Clerk of Courts.

PARENTS NEVER MARRIED

Juvenile Court

Parentage, custody, parenting time, and child support when the parents were never married to each other, plus changes to those orders. Part of the combined Probate & Juvenile Court under Judge Thomas C. Lee.

ADOPTION

Probate Court

Stepparent and kinship adoption, name changes, and marriage licenses. Same judge as Juvenile Court (Judge Lee), same courthouse. Adoption permanently changes a child's legal parents.

READ THIS FIRST

This guide is information, not legal advice.

It explains how things generally work in Holmes 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.

YOUR COURTS AT A GLANCE

Three benches, one courthouse in Millersburg.

Holmes County's family-law courts sit at 1 East Jackson Street, Millersburg, OH 44654 — the Common Pleas Court and the Clerk of Courts on the main floors, and the combined Probate & Juvenile Court in Suite 201.

COURT / OFFICE	WHO & PHONE	ONLINE
Common Pleas, General & DR Division (divorce, dissolution, support, protection orders)	Judge Sean Warner · Magistrate Tiffany D. Bird hears the DR docket · (330) 674-5086	holmescourtofcommonpleas.org
Clerk of Courts (you file divorce and DR papers here)	Ronda P. Steimel · (330) 674-1876	courts.co.holmes.oh.us
Juvenile Court (unmarried-parent custody & support)	Hon. Thomas C. Lee · (330) 674-5841	co.holmes.oh.us
Probate Court (adoption, name change, marriage)	Hon. Thomas C. Lee · (330) 674-5881	co.holmes.oh.us
Child Support Enforcement Agency (CSEA)	Holmes County JFS · (330) 674-1111 · 85 N. Grant St.	holmescountydjfs.com

The one local thing to know first

Holmes County has no e-filing portal for divorce and DR cases — you file in person or by mail with the Clerk of Courts (fees can be paid online), and a Magistrate (Tiffany D. Bird) hears divorces, dissolutions, support, and protection orders under Judge Warner. The combined Probate & Juvenile Court accepts documents e-filed by email. One thing that sets Holmes apart: its Standard Parenting Order presumes equal (50/50) parenting time beginning at age 3 (Local Rule 25), not the alternating-weekend schedule most counties use.

PART ONE

Domestic Relations: divorce, dissolution & married-parent cases.

If you are married, ending the marriage runs through the General & Domestic Relations Division of Common Pleas, where a Magistrate (Tiffany D. Bird) hears the case under Judge Sean Warner. The first question is usually whether you and your spouse agree on everything.

QUICK PATHFINDER

Do you both agree on every term?

If yes, a dissolution may fit — you file together and ask the court to approve your signed agreement. If no, or if you need the case started before you negotiate, a divorce is the path that gives you deadlines, temporary orders, and a judge to decide what you can't.

IN THIS PART

- Dissolution (you agree) and divorce (you don't)
- Custody, parenting time, and child support
- Dividing property and spousal support
- Temporary orders and restraining orders
- Changing or enforcing an order; legal separation, annulment
- Protection orders and staying safe

PATH A · AGREEMENT

Dissolution: ending a marriage you both agree on.

A dissolution is a no-fault way to end a marriage when you and your spouse agree on everything before you file — property, debts, spousal support, and (if you have children) custody, parenting time, and child support. You file together and both attend a short final hearing. A dissolution is not the same as an uncontested divorce.

COURT	FILING DEPOSIT	SERVICE	FINAL HEARING
General Division	\$200	Usually waived	30–90 days

This path may fit if...

- You and your spouse agree the marriage should end.
- You agree on property, debt, support, and (with kids) parenting and child support.
- Both of you can sign the agreement and attend the final hearing.

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

Core filing	Petition for Dissolution (SF 17)
Agreement	Separation Agreement (SF 19), signed by both
If minor children	Parenting plan, child-support worksheet, health-insurance details
Final step	A short hearing (about 15 minutes) where both spouses confirm the agreement

HOLMES NOTE
Both of you must show up.
 A dissolution is only valid if both spouses attend the final hearing and still want to dissolve the marriage; the hearing is held 30 to 90 days after filing. Holmes does not set a required parenting class — ask the court if one applies in your case.

DISSOLUTION · PAPERWORK

What you file, what it costs, and what happens next.

Holmes County uses the Ohio standardized dissolution forms (it posts its own copies for self-represented filers). File everything with the Clerk of Courts, with a New Case Designation Form; the Magistrate hears the case.

FORM	WHERE TO GET IT	WHAT IT'S FOR
Petition for Dissolution (SF 17) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form17.pdf	Supreme Court of Ohio	Starts the joint case and waives formal service.
Separation Agreement (SF 19) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form19.pdf	Supreme Court of Ohio	Your signed deal on property, debt, and support.
Parenting Proceeding Affidavit (Affidavit 3) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Affidavit3.pdf	Supreme Court of Ohio	Required when minor children are involved.
Shared Parenting Plan / Parenting Plan (SF 20 / SF 21) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form20.pdf	Supreme Court of Ohio	Your parenting plan, if you have minor children.

△ Heads up: With minor children you must also file the Parenting Proceeding Affidavit, the Health Insurance Affidavit, an Application for Child Support Services, and a child-support worksheet. A New Case Designation Form goes with every filing.

How filing works

1. Reach full agreement, then prepare your Separation Agreement (and parenting plan, if you have kids).
2. File the petition, agreement, and a New Case Designation Form with the Clerk and pay the \$200 deposit (or a poverty affidavit). Add the child-support paperwork if you have minor children.
3. Attend the final hearing 30 to 90 days later — both of you — and confirm the agreement. The judge then signs the decree.

Filing deposit	\$200
If you can't afford it	Poverty affidavit
Publication (if needed)	\$250
Paid to	Holmes County Clerk of Courts

PATH B · DISAGREEMENT

Divorce: when you don't agree, or need the court to act.

A divorce ends a marriage through a case one spouse files against the other. It doesn't have to mean a trial — most settle. Your first question: are you starting the case, or were you served?

01

You are starting the case

You file a Complaint for Divorce with the Clerk of Courts. With children, use Form 7; without, Form 6. The complaint opens the case and asks the court to have your spouse served.

02

You were served papers

You file an Answer within 28 days, and usually a Counterclaim so you can ask for your own relief. Do not wait for the hearing date — missing the answer deadline can cost you.

USE DIVORCE WHEN

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

Often the necessary path when a spouse won't sign, money is unclear, parenting time is disputed, or you need the court to act before a settlement.

UNCONTESTED ≠ DISSOLUTION

What "uncontested" means in Ohio

An uncontested (default) divorce is a regular divorce the court grants on your evidence when your spouse won't take part or can't be found (you serve by publication, a \$250 deposit). It is not a dissolution, which needs full agreement.

1

Complaint filed

One spouse files; the clerk issues service by certified mail, sheriff, or — if needed — publication.

2

Service & answer

The other spouse is served and has 28 days to answer and counterclaim.

3

Temporary orders

Either side can ask the Magistrate for temporary parenting time, support, or use of the home.

4

Settlement or decision

Many cases settle once documents are exchanged. If not, the Magistrate decides, and the judge signs the decree after the 14-day objection period.

DIVORCE · PAPERWORK & DEADLINES

Holmes posts its own copies of the state forms.

Holmes County uses the Ohio Uniform divorce forms (it provides its own copies).
File with the Clerk of Courts, with a New Case Designation Form.

FORM	WHERE TO GET IT	WHAT IT'S FOR
Complaint for Divorce, with / without children (SF 7 / SF 6) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form7.pdf	Supreme Court of Ohio	Starts your divorce case.
Answer / Counterclaim with children (SF 11 / SF 9) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form11.pdf	Supreme Court of Ohio	Your response and your own requests if you were served.
Parenting Proceeding Affidavit (Affidavit 3) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Affidavit3.pdf	Supreme Court of Ohio	Required when minor children are involved.

FILING DEPOSIT

\$275

Plus a \$25 special-project fee. A poverty affidavit is the low-income option.

COUNTERCLAIM

\$125

If you were served and respond.

PUBLICATION

\$250

Only if your spouse can't be found.

COMMON MISTAKES TO AVOID

What sends Holmes filings back

- Signing forms before you are in front of the notary.
- Forgetting the New Case Designation Form, or the child-related affidavits and worksheet when you have minor children.
- Forgetting the Property/Debt and Income/Expenses affidavits.

DEADLINES THAT MATTER

The clocks in a Holmes divorce

28 days to file your Answer after you are served (Civ.R. 12). Temporary orders can be decided on the affidavits without a hearing, though either party may request an oral hearing. After service, a case-management conference is set (Local Rule 25).

CUSTODY & PARENTING TIME

Learn the words Ohio actually uses.

Ohio does not use “joint custody,” “sole custody,” or “primary custody.” Learning the real terms matters, because the court and your paperwork will use them.

TWO ARRANGEMENTS

Shared parenting or one residential parent

The court either adopts shared parenting under a written plan, or names one parent the residential parent and legal custodian. Both parents can have a lot of time in either setup.

DECISIONS VS. ADDRESS

Legal custody vs. residential parent

Legal custody is the authority to make major decisions. The residential parent is mostly the address used for school and similar purposes. They are not the same thing.

THE SCHEDULE

Parenting time is separate

Parenting time is the schedule. It is set on the child’s best interest and is not decided by the custody label — parents can share time equally or unequally in either arrangement.

HOLMES SPECIFICS

Holmes presumes equal (50/50) time from age 3.

Holmes is unusual: its Standard Parenting Order (Local Rule 25) presumes equal, 50/50 parenting time once a child turns 3, unless clearly defined special circumstances apply. Younger children follow an age-tiered build-up, and teens keep the schedule but spend at least 10 waking hours a week with each parent. A separate Long-Distance order applies when parents live far apart: [the Standard Parenting Order](https://www.co.holmes.oh.us/document-library/common-pleas-court/733-local-rules-holmes-county-common-pleas/file) (<https://www.co.holmes.oh.us/document-library/common-pleas-court/733-local-rules-holmes-county-common-pleas/file>).

PARENTING CLASS

None required — confirm with the court

Holmes’s General & DR local rules don’t set a mandatory parenting-education seminar. The court can appoint Parenting Coordination (Local Rule 26) to help parents carry out a schedule, plus a guardian ad litem under Sup.R. 48. Ask the court ((330) 674-5086) whether a class applies in your case.

IF YOU ASK FOR SHARED PARENTING

You must file a plan

Asking for shared parenting is not enough on its own. The parent who wants it must submit a proposed shared parenting plan, or the court can’t consider it.

CHILD SUPPORT

How the number is set, paid, and changed.

Ohio uses an income-shares model: support is calculated from both parents' income, the cost of the child's health insurance, and work-related childcare. It is figured the same way whether you have shared parenting or one residential parent.

What drives the number

- Both parents' gross income (the court can impute income to a parent who is voluntarily unemployed or underemployed).
- The cost of the child's health insurance.
- Work-related childcare costs.
- Parenting time: 90 or more overnights a year usually triggers a 10% adjustment.

ESTIMATE IT

Run your own numbers with Gavvl's Ohio child support calculator:

gavvl.com/child-support-calculator

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

Who administers it	Holmes County CSEA / JFS, (330) 674-1111
How it's paid	Through Ohio Child Support Payment Central (CSPC)
When it can change	A substantial change — often a 10%+ change in the guideline amount — or 36 months after the order (administrative review)
When it ends	When the child turns 18 and graduates high school, or turns 19, whichever comes first (longer by agreement or for a child with special needs)

GOOD TO KNOW

Agreeing to less doesn't bind the court.

If both parents agree to a lower amount, the court still orders what it finds is in the child's best interest. It does not have to approve a lower number.

DIVIDING PROPERTY & SPOUSAL SUPPORT

Equitable does not mean equal.

Ohio courts divide marital property and debt fairly — which is not always 50/50.

What counts as marital usually turns on when something was acquired, not whose name is on it.

MARITAL VS. SEPARATE

When, not whose name
Property and debt built up during the marriage are usually marital. Inheritances and gifts are usually separate — if you can trace them. Mixing separate money into joint accounts can change that.

THE HARD ASSETS

Homes, retirement, business
Home equity and retirement are often part marital, part separate. Retirement is divided by a QDRO; some Ohio public pensions use a DOPO; military retirement has its own rules. A house, a business, or disputed values may need an appraisal or valuation.

STANDARD ORDERS

A mutual restraining order on filing
As a matter of court policy, a mutual order against harassment and against transferring or encumbering assets may issue when a DR case is filed (Local Rule 25(C)(2)(c)). It is not a finding that either spouse did anything wrong.

SPOUSAL SUPPORT**Can it be changed later?**

A court can order spousal support in a divorce or legal separation. After the decree, it can be modified only if the decree reserved that power and circumstances have changed (R.C. 3105.18). If support matters in your case, file the Affidavit of Basic Income and Expenses.

A note on fault

It is usually wise to include no-fault grounds. Courts will not punish a spouse for bad behavior by itself — but behavior that drained marital money or affected the children's safety can matter to the result. Ohio does not recognize common-law marriage; the date of marriage, and the date of separation, are what count.

TEMPORARY ORDERS & RESTRAINING ORDERS

Rules for money, the house, and the kids while the case is open.

While a divorce, legal separation, or annulment is pending, either spouse can ask the Magistrate for temporary orders, and in urgent situations for emergency (ex parte) orders. For violence, see the protection-order section.

The mutual restraining order (Local Rule 25(C))
 As a matter of court policy, on the filing of any divorce, dissolution, legal separation, or annulment a mutual order may issue (Local Rule 25(C)(2)(c)) forbidding harassment and barring both spouses from transferring or encumbering assets. It restrains both parties, not just one.

EMERGENCY (EX PARTE) ORDERS
 When there is a real, immediate danger. The court can grant an ex parte order on a motion supported by affidavit where exigent circumstances exist. It can give a spouse exclusive possession of the marital residence on a detailed affidavit (with the sheriff directed on removal) and sets a review hearing within 10 days for the excluded party (Local Rule 25(C)).

TEMPORARY SUPPORT & CUSTODY
 While you wait for the final order
 The Magistrate can set temporary custody, parenting time, child support, and spousal support under Civ.R. 75(N). Use the Motion and Affidavit for Temporary Order without Oral Hearing, with an Affidavit of Basic Income and Expenses; either party may request an oral hearing.

<p>ANSWER A COMPLAINT</p> <p>28 days</p>	<p>EX PARTE REVIEW HEARING</p> <p>~10 days</p>	<p>OBJECT TO A MAGISTRATE’S DECISION</p> <p>14 days</p>
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CHANGING OR ENFORCING AN ORDER

After the decree, you go back to the same case.

Changes and enforcement happen by motion in your original General Division case, heard by the Magistrate. A post-judgment motion deposit is \$150.

CHANGE CUSTODY**Change in circumstances**

To change the residential parent or legal custodian, you show a change in circumstances and that the change serves the child's best interest (R.C. 3109.04). The court can revisit the schedule under its Standard Parenting Order.

CHANGE PARENTING TIME**Best interest**

Changing the schedule uses the best-interest standard (R.C. 3109.051). Use the DR Motion for Change in Parenting Time.

CHANGE SUPPORT**Substantial change**

Ask for a review on a substantial change — often 10%+ — through the court or an administrative review at the CSEA. Spousal support changes only if the decree reserved jurisdiction.

ENFORCEMENT**When the other side won't follow the order**

File a Motion for Contempt (the Ohio form includes the affidavit and service instructions). The court can order make-up parenting time, a payment purge order (specific conditions to fix the violation and avoid the penalty), attorney fees, and — for willful violations — jail.

OUT-OF-STATE ORDERS**Registering a foreign order**

To enforce or change an out-of-state order here, you register it: custody under the UCCJEA (R.C. Chapter 3127), support under UIFSA (R.C. Chapter 3115, usually through the CSEA). Ask the Clerk about registering a foreign order.

Moving with the children

A mutual order can bar moving the children's home out of Holmes County without consent or court permission. A residential parent who plans to move must give notice so the court can revisit parenting time (R.C. 3109.051(G)).

LEGAL SEPARATION & ANNULMENT

Two narrower paths — and what they are not.

Both are filed with the Clerk of Courts and heard by the Magistrate. Keep them separate from divorce and dissolution, and from each other.

LEGAL SEPARATION (R.C. 3105.17)**Divides things, but you stay married**

A legal separation can divide property and set support, custody, and parenting time without ending the marriage. People choose it for religious or insurance reasons, or when they don't yet meet divorce residency. It is filed and processed like a divorce (a \$275 deposit, plus a \$25 special-project fee). It does not free either spouse to remarry, and either spouse can later seek a divorce.

ANNULMENT (R.C. 3105.31)**Treats the marriage as never valid**

An annulment is a court declaration that a marriage was void or voidable — not a divorce, and not available just because a marriage was short. Grounds are specific (for example bigamy, fraud or force, being under the age of consent, or a marriage never consummated) and carry strict time limits and proof requirements. Because it turns on those grounds, get legal advice.

Always confirm with the court

Counties handle annulment details differently, and Holmes County publishes little on it — the standard Ohio forms and process apply. Confirm with the Clerk of Courts before you rely on a specific procedure. Military and international divorces also have their own rules and usually need experienced handling.

PROTECTION ORDERS

A court order to stop threats, abuse, or stalking.

In Holmes County, civil protection orders are filed with the Clerk of Courts and heard in the General Division by the Magistrate (under Judge Warner). There is no filing fee for the person asking for protection.

PETITION	WHERE TO GET IT	WHEN TO USE IT
Domestic Violence CPO (Form 10.01-D) https://www.supremecourt.ohio.gov/docs/JCS/domesticViolence/protection_forms/DVForms/10.01D.pdf	Supreme Court of Ohio	Abuse or threats by a family or household member.
Dating Violence CPO (Form 10.01-P) https://www.supremecourt.ohio.gov/docs/JCS/domesticViolence/protection_forms/DVForms/10.01P.pdf	Supreme Court of Ohio	Abuse by someone you are or were dating.
Civil Stalking / SOOPO (Form 10.03-D) https://www.supremecourt.ohio.gov/docs/JCS/domesticViolence/protection_forms/stalkingForms/10.03D.pdf	Supreme Court of Ohio	Stalking or a sexual offense by anyone.

1

File — no fee

Bring the petition to the Clerk of Courts; there is no cost to you.

2

Same-day ex parte order

The court holds an ex parte hearing and can issue a same-day order if the petition shows an immediate risk.

3

Full hearing

A full hearing follows (often within about 7 to 10 days), where the court can issue an order lasting up to 5 years. Law enforcement serves the respondent.

IF AN ORDER IS VIOLATED

Call 911.

Violating a protection order is a crime, and you can also pursue contempt. (A criminal temporary protection order is different — the prosecutor files it in a criminal case.)

National Domestic Violence Hotline
 1-800-799-7233 · Holmes County JFS (330)
 674-1111 · 855-OH-CHILD.

PROTECTING YOURSELF & YOUR KIDS

A few habits that help more than they seem to.

Family-law cases are stressful, and small choices can have big effects. None of this is about “winning” — it’s about protecting your children and yourself.

DO**Keep a clear record**

- Move important conversations to writing, and save texts, emails, and account information.
- Keep a simple timeline of missed visits or incidents.
- Follow every existing order, even an imperfect one.

DON'T**Avoid the backfires**

- Don't post about your case or your spouse on social media.
- Don't use the children as messengers or pull them into the conflict.
- Don't lock a spouse out, cancel their insurance, or destroy property — it violates the standard orders and hurts your case.

Kids' safety comes first — and so does yours.

If you are dealing with violence, financial pressure, or instability, help exists. Holmes County JFS (330) 674-1111; statewide 855-OH-CHILD; National Domestic Violence Hotline 1-800-799-7233; or 911 in an emergency. Reach out — prioritizing well-being is not a sign of weakness.

NOT SURE WHERE TO START?**A 2-minute quiz can point you to the right path.**

Holmes County's courts and forms can feel like a lot. If you're not sure whether you need a dissolution, a divorce, or something else, take Gavvl's free Find My Service quiz — it asks a few questions and points you to the right next step. gavvl.com/find-my-service (<https://gavvl.com/find-my-service>) · Or call (844) 694-2885.

PART TWO

Juvenile Court: custody when parents were never married.

When parents were never married to each other, the Holmes County Juvenile Court (Judge Thomas C. Lee) handles parentage, custody, parenting time, and child support. The first question is whether there is already a court order.

QUICK PATHFINDER

Is there already an order?

Setting up a first order is different from changing one that already exists. And for an unmarried father, establishing parentage comes before — and separately from — any custody or parenting-time rights.

IN THIS PART

- Establishing parentage and first custody orders
- Parenting time and grandparent companionship
- Legal custody to a grandparent or other relative
- Changing or enforcing a juvenile order
- When Children Services is involved (CPS cases)

PARENTAGE & CUSTODY FOR UNMARRIED PARENTS

Two separate steps, in the right order.

Until a court orders otherwise, an unmarried mother is the sole residential parent and legal custodian by law (R.C. 3109.042). An unmarried father has to take two separate steps — and the order is the part people most often get wrong.

01

Establish parentage first

By a signed Acknowledgment of Paternity, an administrative order through the CSEA (it can order a DNA test), or a parentage case in Juvenile Court. This triggers child support — but by itself it does not give custody or parenting time.

02

Then ask for custody / parenting time

Separately file in the Juvenile Court to be named residential parent or to set up shared parenting and a schedule. An at-home DNA test won't establish legal parentage — the court orders the test.

FORM

WHERE TO GET IT

WHAT IT'S FOR

[Complaint for Parentage / Allocation \(SF 23 / JF 2\)](#)

<https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form23.pdf>

Supreme Court of Ohio

Establishes parentage and asks for custody & parenting time.

[Holmes Juvenile Court forms](#)

<https://www.co.holmes.oh.us/juvenile-court-overview>

Holmes County

Custody, visitation, and parentage packets.

CHILD SUPPORT

Set the same way

The Juvenile Court (with the CSEA) sets support under the Ohio guidelines (R.C. Chapter 3119) and it is paid through Ohio Child Support Payment Central. Estimate it at

gavvl.com/child-support-calculator

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

WHAT IT COSTS

In the Juvenile Court, the cost deposit is \$63 for a custody, visitation, or parentage case and \$48 for child support (March 2024 schedule). Card payments are accepted with a processing fee. Confirm current amounts at (330) 674-5841.

PARENTING TIME, COMPANIONSHIP & NON-PARENT CUSTODY

Time with a child — for parents and for relatives.

The words matter here. Parenting time is time a parent spends with a child; companionship (sometimes called visitation) is time a non-parent, like a grandparent, spends with a child.

GRANDPARENT / RELATIVE COMPANIONSHIP

Court-ordered time, in some situations

Ohio lets grandparents and certain relatives ask for companionship in defined situations — for example after a parent's death (R.C. 3109.11), or when parents are unmarried or divorcing (R.C. 3109.12). The court decides on the child's best interest.

LEGAL CUSTODY TO A NON-PARENT

When a relative is raising the child

A grandparent or other adult can ask the Juvenile Court for legal custody (R.C. 2151.23). Because parents have a protected interest, a non-parent generally must first show the parents are unsuitable. Legal custody leaves the parents' residual rights intact — it is less permanent than adoption.

SHORT OF FULL CUSTODY

Grandparent Power of Attorney

For school and medical decisions short of full custody, a relative caregiver can use Ohio's Power of Attorney or Caretaker Authorization Affidavit (R.C. 3109.51–3109.80). The combined Probate & Juvenile Court accepts the Supreme Court Power of Attorney form: [the Power of Attorney form](https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/powerAtty.pdf) (<https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/powerAtty.pdf>).

HOLMES SPECIFICS

The same equal-time order can apply.

Holmes's Standard Parenting Order (Local Rule 25) — which presumes equal, 50/50 time from age 3, with age-tiered steps for younger children and a Long-Distance version — guides parenting time in DR cases. Confirm whether the Juvenile Court applies it in an unmarried-parent case at (330) 674-5841. See [the local rules](https://www.co.holmes.oh.us/document-library/common-pleas-court/733-local-rules-holmes-county-common-pleas/file) (<https://www.co.holmes.oh.us/document-library/common-pleas-court/733-local-rules-holmes-county-common-pleas/file>).

CHANGING A JUVENILE ORDER · WHEN CHILDREN SERVICES IS INVOLVED

Two very different situations.

Changes to a juvenile order happen in the same Juvenile case. A child-protection (CPS) case is something else entirely — it is brought by the county to keep a child safe, not a custody fight between two parents.

MODIFY OR ENFORCE

Back to the same Juvenile case

To change custody, show a change in circumstances plus best interest (R.C. 3109.04).

To change parenting time, show best interest (R.C. 3109.051). To change support, show a substantial change, often 10%+ (R.C. 3119.79).

To enforce an order, file a Motion for Contempt in the Juvenile case — not the General Division.

REPORTING ABUSE OR NEGLECT

Who to call in Holmes County.

Holmes County Job & Family Services: (330) 674-1111 during business hours. Any time, call the statewide hotline 1-855-OH-CHILD (855-642-4453), or 911 in an emergency. Ohio law protects good-faith reports.

FORM	WHERE TO GET IT	WHAT IT'S FOR
Motion for Change of Custody (SF 27 / JF 6) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form27.pdf	Supreme Court of Ohio	Asks to change the custody order.
Motion for Contempt (SF 24 / JF 3) https://www.supremecourt.ohio.gov/docs/JCS/CFC/DRForms/Form24.pdf	Supreme Court of Ohio	Enforces a juvenile order; the Ohio form includes the affidavit and service instructions.

IF A CPS CASE IS OPENED

What to expect — and your rights

Children Services assesses risk and usually tries to keep children safely at home with services, looking first to a relative if placement is needed. A court case can lead to protective supervision, temporary custody, a reunification case plan, or — in the most serious cases — termination of parental rights. You have the right to an attorney, including an appointed one if you qualify, and the court appoints a guardian ad litem for the child.

PART THREE

Probate Court: stepparent & kinship adoption.

Adoptions go through the Holmes County Probate Court (Judge Thomas C. Lee), 1 East Jackson Street, Suite 201, Millersburg — (330) 674-5881. It permanently changes a child's legal parents.

CONSENT**Whose yes you need**

Usually both birth parents must consent. Consent may not be required if a parent failed, without justifiable cause, to support or contact the child for a year (R.C. 3107.07) — common in stepparent cases. A child 12+ usually consents too.

HOME STUDY**Usually required — not scary**

The court can order a home study or assessment (background checks, a home visit, references), though stepparent adoptions are often eligible for a reduced or waived study. A standard step, not a test you “pass.”

CUSTODY IS NOT ADOPTION**A permanent change**

Legal custody can change later and leaves a parent's rights intact. Adoption permanently ends them and is final. In Ohio, unmarried people can't adopt together.

1**File the petition**

File the petition and consents using the Ohio standard probate forms; the deposit is \$109 (\$168 with a name change), plus a separate home-study/assessment fee. Confirm at (330) 674-5881.

2**Home study & hearing**

Complete the home study; notice goes to those entitled to it; the court hears consent and best interest.

3**Decree & new certificate**

The court enters the decree; a new birth certificate issues. Files are sealed by law.

IS ADOPTION THE RIGHT STEP?

Adoption questions are worth a conversation.

Consent and notice rules are where adoptions get complicated. The 2-minute quiz can help you sort out where you stand.

gavvl.com/find-my-service

(<https://gavvl.com/find-my-service>) · (844) 694-2885.

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 our firm looks like. You don't always need the same kind of help — and we'll tell you when you don't.

FULL REPRESENTATION

A lawyer manages the whole case with you.

From first consultation through final orders: strategy, every filing, negotiation, and every court appearance. Best for complex, contested, or high-conflict cases, and anything that may go to trial. Billed as a retainer plus hourly fees.

LIMITED-SCOPE (FLAT FEE)

Hire us for the specific part you need.

Document drafting and filing, a single hearing, advice, or a document review — at a flat fee per task. Best for uncontested matters, simple modifications, and tight budgets. Not recommended for complex or high-conflict cases that need ongoing advocacy. A limited-scope matter can move to full representation if it becomes contested.

Divorce & dissolution

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

Custody & parenting

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

Child & spousal support

Support calculations, deviations, modifications, and enforcement.

Adoption

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

WAYS TO PAY**Options that fit different budgets**

The available options depend on the service model. For limited-scope flat-fee work, you can pay in full or use Affirm, Klarna, or PayPal financing — or Gavvl Direct, an in-house plan with no credit check (a financed balance carries 19% annual interest, compounded monthly). For full-representation retainers, you can pay in full or use Affirm. Exact payment amounts are calculated when you enroll. Financing questions: financing@gavvl.com.

TAKE THE NEXT STEP

Three easy ways to get started.

Whichever path fits, the first move is small. Start with the quiz if you're not sure, or reach out directly.

START HERE

Find My Service quiz

About 2 minutes. Answer a few questions and get a personalized recommendation and financing options.

gavvl.com/find-my-service

(<https://gavvl.com/find-my-service>)

TALK TO US

Low-cost consultation

Schedule a low-cost consultation by phone or video.

(844) 694-2885

support@gavvl.com

ONLINE

Get started page

Begin online whenever it's convenient.

gavvl.com/start

(<https://gavvl.com/start>)

Why families choose Gavvl Law

A modern Ohio family-law firm serving all 88 counties, with 4.8+ stars across 90+ verified Google reviews and more than 50 years of combined family-law experience. Recognized by Best Lawyers as a 2026 "Firm to Watch." Co-founded by attorneys who have personally been through divorce and custody. (Awards and ratings reflect others' experiences and aren't a prediction about your case.)

READY WHEN YOU ARE

Not sure which path fits your situation?

Take the 2-minute quiz or reach out directly. We'll help you name the court, the likely path, and the level of help that fits the moment — no pressure.

(844) 694-2885

support@gavvl.com

gavvl.com/find-my-service

1677 Old Henderson Road, Columbus, OH 43220

IMPORTANT DISCLOSURES

The fine print, in plain language.

Please read these before relying on anything in this guide.

Information, not legal advice

This guide explains how things generally work in Holmes 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.

Fees and procedures change

Court fees, forms, and procedures change. The information here was verified as of June 18, 2026 from official Holmes County court sources. Always confirm current fees and requirements with the Holmes County Clerk of Courts before you file.

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.

Jurisdiction & privacy

Gavvl Law attorneys are licensed to practice law in Ohio. This guide describes Ohio law and Holmes County procedure only. Our privacy policy is at gavvl.com/privacy-policy.

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