

PLAIN-ENGLISH GUIDE

Family Law in Montgomery County

A plain-English map for divorce, dissolution, custody, support, and adoption in Dayton and across Montgomery County: which court handles your case, what to file, what it costs, and when to get help.

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- 01** See how Montgomery County splits family law across three courts.

 - 02** Know the difference between dissolution, divorce, juvenile custody, and probate adoption.

 - 03** Find the right form, the deposit, and the local rules that trip people up.

 - 04** Pick a next step that fits your budget, your timeline, and how much conflict there is.

START HERE

Use this guide like a map, not a rulebook.

Family law gets easier once you name a few things: the court, the path, the paperwork, and your next step. This guide is built on those questions for Montgomery County.

01

Which court handles this?

Married couples file divorce or dissolution in the Domestic Relations Court. Unmarried parents file custody in the separate Juvenile Court. Adoptions go to the Probate Court, a third court.

02

Do we agree, or is there a fight?

Agreement changes everything. Dissolution and uncontested filings run on signed paperwork. If someone disagrees, misses deadlines, or safety is a worry, plan for a more protective path.

03

What should I gather first?

Gather any current orders and your income records. Add insurance details, the kids' birth certificates, school and parenting-time notes, and a short list of what you want the court to decide.

THIS GUIDE IS INFORMATION, NOT LEGAL ADVICE

It explains how things usually work in Montgomery County. It cannot cover the facts of your case. Reading it, downloading it, or contacting Gavvl Law does not make you a client. Only a signed engagement agreement does that. For advice about your own case, talk with a licensed Ohio attorney.

FILING WITHOUT A LAWYER

In the Domestic Relations Court, lawyers e-file. People without a lawyer cannot e-file. They submit their forms through the court's Compliance Office, which reviews them first. Plan for that step.

WHAT'S INSIDE

Four parts: Domestic Relations (divorce and dissolution), Juvenile (unmarried parents), Probate (adoption), and how Gavvl can help. The full contents are on the next page.

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QUESTION ONE

Which court is actually handling your case?

One family can touch more than one court. Montgomery County splits family law by whether the parents were married. Start with the relationship, and with what you need a judge to decide.

MARRIED OR FORMERLY MARRIED

Domestic Relations Court

Divorce, dissolution, legal separation, annulment, spousal support, and dividing property and debt.

WHERE

301 W. Third St., Dayton.

PARENTS NEVER MARRIED

Juvenile Court

Custody, parenting time, parentage, and child support for unmarried parents. Also abuse, neglect, and dependency.

WHERE

380 W. Second St., Dayton.

ADOPTION

Probate Court

Stepparent, kinship, and adult adoption, plus name changes and guardianships.

WHERE

The separate Montgomery County Probate Court.

Three separate courts in Dayton

In Montgomery County the Domestic Relations Court, the Juvenile Court, and the Probate Court are three different courts. Divorce goes to Domestic Relations at 301 W. Third Street; unmarried-parent custody goes to Juvenile Court at 380 W. Second Street. File with the right one for your case.

PART ONE

The Domestic Relations Court ends marriages.

If you are married, ending the marriage runs through the Domestic Relations Court. The first real question is simple: can both spouses sign a full agreement?

DIVORCE	DISSOLUTION	WHERE YOU FILE	RESIDENCY
\$375/\$475	\$300/\$400	Clerk, e-file	6 months in Ohio

QUICK PATHFINDER

Do you agree on everything?

If yes, dissolution may fit, and it costs less. If no, divorce is the safer or required path. Agreement means more than wanting the case over. It means signed terms on property, debt, support, and parenting.

Dissolution is built on agreement.

Both spouses file together. They ask the court to approve a signed Separation Agreement. The court holds a hearing 30 to 90 days later. Both spouses must appear and confirm the agreement.

Divorce is a lawsuit.

One spouse files against the other. Use it when you do not yet agree. Use it when you cannot find your spouse, or when you need the court to decide something.

THE DEPOSITS, PLUS SMALL SURCHARGES

A divorce costs \$375 without children and \$475 with. A dissolution costs \$300 without children and \$400 with. Small court surcharges are added, like \$10 for parent education and \$35 for e-filing. One spouse must have lived in Ohio six months.

DISSOLUTION

The dissolution packet, step by step.

Dissolution uses the Ohio Supreme Court forms. Sign the Separation Agreement in front of a notary first. Then build the rest of the packet around it.

BOTH OF YOU MUST SHOW UP

A dissolution is fully agreed. You file together, and the court sets a hearing 30 to 90 days out. Both spouses must appear and affirm the agreement. If you do not have a lawyer, the Compliance Office reviews your packet before it is filed.

FORM	WHERE TO GET IT	WHAT IT'S FOR
Petition for Dissolution https://www.supremecourt.ohio.gov/forms/all-forms/domestic-relations-and-juvenile-standardized/1	Ohio Supreme Court forms	Both spouses sign; opens the joint case
Separation Agreement https://www.supremecourt.ohio.gov/forms/all-forms/domestic-relations-and-juvenile-standardized/1	Ohio Supreme Court forms	Your signed terms; notarize this first
Affidavit of Financial Disclosure https://drcourt.mcoho.org	Montgomery DR Form 1	Each spouse files one
Parenting Proceeding Affidavit https://drcourt.mcoho.org	Montgomery DR Form 7	With children; the UCCJEA affidavit
Child support worksheet + IV-D https://drcourt.mcoho.org	Montgomery DR forms	With children; support math and setup
Decree of Dissolution https://www.supremecourt.ohio.gov/forms/all-forms/domestic-relations-and-juvenile-standardized/1	Ohio Supreme Court forms	The judgment the court signs

WITH CHILDREN**The parent class**

If you have minor children, both parents take the Helping Children Succeed After Divorce class before the final hearing. It runs about 3 hours at Sinclair Community College. Register early through the court.

MEDIATION AND CONCILIATION

The court offers mediation to help settle parenting issues. It also offers conciliation, a short counseling process that can pause a divorce for up to 90 days while you try to reconcile.

DIVORCE

Filing a divorce when you do not agree.

Divorce is e-filed with the Clerk by lawyers, or filed through the Compliance Office without one. Montgomery uses the Ohio Supreme Court forms plus local affidavits.

FORM	WHERE TO GET IT	WHAT IT'S FOR
Complaint for Divorce https://www.supremecourt.ohio.gov/forms/all-forms/domestic-relations-and-juvenile-standardized/1	Ohio Supreme Court forms	Starts the lawsuit; with or without children
Affidavit of Financial Disclosure https://drcourt.mcohoio.org	Montgomery DR Form 1	Filed within 14 days of service
Parenting Proceeding Affidavit https://drcourt.mcohoio.org	Montgomery DR Form 7	With children; the UCCJEA affidavit
Child support worksheet https://drcourt.mcohoio.org	Montgomery DR forms	With children; the support math
Request for temporary orders https://www.supremecourt.ohio.gov/forms/all-forms/domestic-relations-and-juvenile-standardized/1	Ohio Supreme Court forms	File if you want orders during the case

Restraining orders on filing

When a divorce is filed, a set of standard restraining orders takes effect automatically. They keep both spouses from hiding assets, removing the children, or dropping insurance while the case runs.

THE COMPLIANCE OFFICE

Montgomery is unusual: the Compliance Office reviews all self-represented filings and every decree with support before it reaches the Clerk. Build in time for that review. Reach it at (937) 225-4782.

TEMPORARY ORDERS

Getting orders while the case runs.

A divorce can take months. Temporary orders set the rules in the meantime — things like temporary support or a parenting schedule.

The 14-day rule

You ask for temporary orders by motion and affidavit. In Montgomery County, a temporary order takes effect 14 days after it is served on the other party. That gives each side a clear window to respond.

Emergency custody

If a child's safety is at risk, you can ask for an ex parte custody order. The court sets a hearing within 10 calendar days of filing, so both sides can be heard quickly.

DIVIDING PERSONAL PROPERTY

A Montgomery quirk: if spouses cannot agree on who keeps personal belongings, the default is a coin flip to decide who chooses first. Agreeing on the smaller items ahead of time saves time and stress. If anyone is in danger right now, call 911.

CHILDREN

Custody, the parent class, and child support.

Ohio uses specific words for custody. Montgomery County also has a required class and a detailed standard schedule.

SOLE CUSTODY

Residential parent and legal custodian

One parent is the residential parent and legal custodian. The other parent usually has parenting time. Ohio does not use the words “full” or “primary” custody.

SHARED PARENTING

A shared parenting plan

Both parents share rights and duties under a written plan. Shared parenting is not the same as equal time. The schedule is whatever the plan or order says.

The standard schedule

When parents cannot agree, the court's Standard Order of Parenting Time applies. The current version took effect January 1, 2026 and uses 90 overnights for the support math. It sets weekends, weeknights, holidays, and summer time.

CHILD SUPPORT RUNS THROUGH THE CSEA

The Montgomery County child support agency handles support. Reach it at (937) 225-4600. Cash medical support is set at \$510.21 per child per year, on top of the base support amount.

THE REST OF A DIVORCE

Spousal support, property, and other paths.

Beyond custody and child support, a divorce sorts out spousal support and divides what you own and owe.

Spousal support

The court can order one spouse to support the other for a set time. Ohio weighs income, the length of the marriage, health, and other factors. There is no fixed formula.

Property and debt

Ohio divides marital property and debt fairly. Fair does not always mean a 50-50 split. Property you brought into the marriage may count as separate.

Legal separation and annulment

Both are filed in the Domestic Relations Court. Legal separation costs \$300, or \$400 with children. Annulment is rare and has narrow grounds.

A note on retirement and your name

If a divorce divides a pension or retirement account, a separate order, a QDRO, must be filed within 90 days of the decree. If you want your former name back, you can ask for that in the decree or within 12 months after it. A lawyer can help get the wording right.

AFTER THE DECREE

Changing or enforcing a Montgomery County order.

Life changes after a case ends. Post-decree motions stay in the same Domestic Relations case that issued your decree.

POST-DECREE MOTION**\$200**

To modify or enforce an order after the decree

SERVICE BY PUBLICATION**\$200**

When the other party cannot be found

ANSWER OR COUNTERCLAIM**\$0**

No deposit to respond in a case

Modifying and enforcing

To change custody or support, or to enforce an order, you file a post-decree motion for \$200. Support changes can also start through the child support agency at (937) 225-4600.

HELP IF YOU DO NOT HAVE A LAWYER

Montgomery County offers a free legal clinic and a Court Navigator to help self-represented parties understand the process. The Navigator's office is in Room 222, (937) 496-7766.

HELP ALONG THE WAY

Mediation, GALs, and the parent class.

Montgomery County offers ways to settle disputes. It also offers ways to give the court good information about the children.

Mediation

The court offers mediation, in person or online, to help parents agree on a parenting plan. It is never used for a domestic violence case or to decide a protection order.

Guardians ad litem

The court can appoint a guardian ad litem to look into the children's needs. The GAL fee is capped at \$2,000 unless the court approves more. A deeper investigation costs more.

The parent class

The Helping Children Succeed After Divorce class is required for parents with minor children. It teaches how separation affects children and how to lower the stress on them.

NOT SURE WHERE TO START?

Two minutes to a clear next step.

Gavvl's Find My Service quiz gives you a recommendation and your payment options. Or talk with our team about full or limited-scope help in Montgomery County.

Find My Service · gavvl.com/find-my-service

Get started · gavvl.com/start

Call · (844) 694-2885

Email · support@gavvl.com

PROTECTION ORDERS

When safety comes first.

A domestic violence civil protection order (DVCPO) can order someone to stay away. It can also set temporary custody and support. Your safety drives the timeline.

FILING FEE	FILE BY	EX PARTE ORDER	FINAL ORDER
\$0 to petitioner	3:30 p.m.	Same day	Up to 5 years

How it works here

A protection order is filed at the Domestic Relations Court under R.C. 3113.31. There is no fee. File by 3:30 p.m. for a same-day ex parte hearing. Bring a photo ID and the other person's name, address, and birth date.

How long it lasts

An ex parte order lasts one year or until further order. A full order can last up to five years. A protection order cannot be dismissed without an in-person hearing, even if both sides agree.

HELP AND EMERGENCIES

The Artemis Center DV hotline is (937) 461-4357, and the court's DV coordinator is at (937) 496-6859. If you or your children are in danger right now, call 911. A protection order is a civil court process, not an emergency response.

PART TWO

The Juvenile Court is for parents who were never married.

Were the parents never married? Then custody, parenting time, and child support are decided in the separate Juvenile Court on West Second Street.

Parentage comes first

In Ohio, the mother of a child born outside marriage is the only legal custodian until a court says otherwise. So a father usually has to prove he is the father first. You can do that by a signed form, through the child support agency, or by a court case.

Filing for custody as an unmarried parent

FORM	WHERE TO GET IT	WHAT IT'S FOR
Complaint for Custody https://www.supremecourt.ohio.gov/forms/all-forms/domes-tic-relations-and-juvenile-standardized/1	Ohio Supreme Court forms	Sets custody and parenting time
Complaint for Parentage https://www.supremecourt.ohio.gov/forms/all-forms/domes-tic-relations-and-juvenile-standardized/1	Ohio Supreme Court forms	When fatherhood is not yet established
Parenting Proceeding Affidavit https://www.supremecourt.ohio.gov/forms/all-forms/domes-tic-relations-and-juvenile-standardized/1	Ohio Supreme Court forms	Required with a custody filing
Application for Child Support https://www.supremecourt.ohio.gov/forms/all-forms/domes-tic-relations-and-juvenile-standardized/1	Juvenile Court or CSEA	Sets up the support case with the agency

WHERE AND HOW TO FILE

The Juvenile Court is at 380 W. Second Street, (937) 496-7908. It set up a packet system to cut down on dismissals from incomplete filings. Confirm the current filing fee with Citizen Services at (937) 224-3977.

AFTER A JUVENILE ORDER

Changing orders and CPS cases.

Juvenile orders can change as children grow. Some cases move fast.

Modifying a juvenile order

To change custody, parenting time, or support, you file a motion in the existing case. Use the court's filing packet to be sure you include everything. Support changes can also start through the agency at (937) 225-4600.

Abuse, neglect, and dependency

These CPS cases are heard in the Juvenile Court. The court can appoint a guardian ad litem to speak for the child. To report concerns about a child's safety, contact county children services. For immediate danger, call 911.

A NOTE ON COMPLETE FILINGS

The Juvenile Court built its packet system to reduce dismissals caused by incomplete or inaccurate paperwork. Filing a complete packet the first time keeps your case from being delayed or thrown out at the start.

PART THREE

Adoption is handled by the Probate Court.

Stepparent and kinship adoptions go to the separate Montgomery County Probate Court. Here is the basic shape.

CONFIRM THE PROBATE DETAILS

Adoption is handled by the Montgomery County Probate Court, a different court from the other two. Check its current address, forms, and fee with that court before you file.

1

File the petition in Probate

File the Ohio Petition for Adoption of a Minor. Add the child's birth certificate. For a stepparent, add the marriage certificate too. Ohio uses the same forms in every county.

2

Address consent

The other parent's consent is usually needed. So is the child's, if they are 12 or older. A court can waive a parent's consent for a year of no contact or support.

3

Complete the home study

Ohio law usually asks for a home study. A stepparent case can be simpler. Ask the Probate Court what your case needs.

4

Attend the hearing

If the court says yes, it signs a final decree of adoption. A new birth record can follow.

PART FOUR

How Gavvl Law can help in Montgomery County.

Gavvl is a modern Ohio family-law firm serving all 88 counties. We pair skilled lawyers with easy-to-use tech and clear pricing. You choose how much help you need.

FULL REPRESENTATION

An attorney handles the whole case

From the first consult through final orders: strategy, every filing, all court dates, and negotiating. Best for contested, complex, or high-conflict cases. Billed as a retainer plus hourly fees.

LIMITED-SCOPE (FLAT FEE)

Hire us for specific tasks

Pay a flat fee per service — drafting and filing, one hearing, advice, or document review. Best for uncontested cases and tighter budgets. Not built for high-conflict cases that need steady advocacy.

Ways to pay

Your options depend on the service model. Limited-scope work has the widest range: pay in full, Affirm, Klarna, or PayPal Pay Later. Gavvl Direct is an in-house plan with no credit check. Financed amounts carry 19% annual interest, compounded monthly. We work out your exact payment when you enroll.

START IN TWO MINUTES

Take the Find My Service quiz at gavvl.com/find-my-service. You get a recommendation and your payment options. Or call (844) 694-2885. Consultations are low-cost.

BEFORE YOU GO

Important disclosures.

Please read these notes about how to use this guide.

INFORMATION, NOT LEGAL ADVICE

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FEES AND PROCEDURES CHANGE

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

AWARDS AND REVIEWS

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

JURISDICTION AND RESPONSIBILITY

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