

## INSTRUCTIONS FOR COMPLETING AND FILING THE MOTION TO MODIFY PARENTING ORDER

See General Information concerning [Allocation of Parental Rights and Responsibilities](#) for details about modifying the allocation of parental rights and responsibilities before completing this form.

- Caption: On the line labeled "Plaintiff/Petitioner-01" fill in the name of the same person who was the original Plaintiff or Petitioner-01 when the case was first filed.
- On the line labeled "Defendant/Petitioner-02/Respondent fill in the name of the person who was the original Defendant, Petitioner-02 or Respondent when the case was first filed.
- Fill in the same case number and judge assigned by the Clerk of Courts when the case was first filed.
- Check the first box if you are seeking an order changing the residential parent.
  - Check the second box if you are seeking an order changing parenting time only
  - Check the third box if the last order was for shared parenting
  - Check the last box if you are requesting shared parenting, and the last order was not for shared parenting.
- Paragraph 1: Fill in your name and whether you are "Plaintiff", "Defendant", etc. on the line in the first paragraph; check the boxes that correspond to the ones you checked in the "Caption" and, fill in the name and birth date of each child.
- Paragraph 2: Fill in the date the last parenting order was issued. (This date is on the stamp marked "Received for Filing" close to the Judge's signature.)
- Paragraph 3: Fill in your name and state the reason(s) for requesting the change. Complete and attach the Affidavit included in this packet. The affidavit must include facts on which your request for change is based.
- Paragraph 4: Check the box and fill in your name if you are requesting shared parenting. Attach a proposed shared parenting to the motion.
- Signature: Print your name on the first line, sign it on the second line, and print your address and daytime telephone number.

### FILING THE MOTION TO MODIFY PARENTING ORDER

File the Motion to Modify Parenting Order with the [Clerk of Court](#) located in Room 35 on the ground floor of the Cuyahoga County Courthouse, 1 W. Lakeside Avenue, Cleveland, Ohio 44113. You must also file a [Parenting Proceeding Affidavit](#). If you are not receiving public assistance and have not already done so, you may wish to complete a IV-D Application, authorizing CJFS-OCSS to provide a broader range of services related to the administration of your child support order. Attach the IV-D Application to the Parenting Proceeding Application. You will be required to pay a "filing fee" with the Clerk of Court when you file your Motion. Please refer to [Rule 1](#) of this Court's Local Rules for the correct amount.

### SERVICE

The Court cannot consider your motion unless it has been "served" on your spouse. The motion you file must be "served" by the Clerk of Court (not by you). A commonly used method of service is by certified mail. You must instruct the Clerk to do this by filing ["Instructions for Service"](#).

If the mail is returned to the Clerk from the Postal Service as unclaimed or refused, that information is posted on the ["docket"](#) in your case, and you will be notified by postcard. You must then instruct the Clerk to send service by ordinary mail. To do this, you must file a new "Instructions for Service" form, with a copy of the motion attached, requesting that service be made by regular mail.

**PLEASE NOTE: IT IS YOUR RESPONSIBILITY TO MAKE SURE SERVICE IS COMPLETED. THIS WEBSITE DOES NOT EXPLAIN OTHER LEGAL METHODS OF SERVICE. FOR FURTHER INFORMATION REFER TO RULES 4 THROUGH 4.6 OF THE [OHIO RULES OF CIVIL PROCEDURE](#).**

**COURT OF COMMON PLEAS  
DIVISION OF DOMESTIC RELATIONS  
CUYAHOGA COUNTY, OHIO**

\_\_\_\_\_  
PLAINTIFF/PETITIONER-01 : CASE NO. DR: \_\_\_\_\_  
\_\_\_\_\_  
ADDRESS :  
\_\_\_\_\_  
CITY/STATE/ZIP :

vs.

JUDGE \_\_\_\_\_

\_\_\_\_\_  
DEFENDANT/PETITIONER-02 : **MOTION TO MODIFY PARENTING ORDER AS**  
\_\_\_\_\_  
ADDRESS : **TO:**  
\_\_\_\_\_  
CITY/STATE/ZIP :  Allocation of Parental Rights and  
Responsibilities (Custody)  
 Parenting Time (Visitation)  
 Shared Parenting Plan

**REQUEST FOR SHARED PARENTING**

Now comes \_\_\_\_\_, and respectfully moves this Honorable Court  
for an order modifying the prior order as to  Allocation of Parental Rights and Responsibilities  
 Parenting Time  
 Shared Parenting Plan  
regarding the following minor children: \_\_\_\_\_ (DOB \_\_\_\_\_)  
\_\_\_\_\_ (DOB \_\_\_\_\_)  
\_\_\_\_\_ (DOB \_\_\_\_\_)

The prior parenting order was issued on \_\_\_\_\_.

\_\_\_\_\_ states that a change of circumstances has occurred in  
that \_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_ request that this Honorable Court issue an Order for  
Shared Parenting.

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY, STATE, ZIP CODE

\_\_\_\_\_  
MOBILE TELEPHONE NUMBER

\_\_\_\_\_  
EMAIL ADDRESS

STATE OF OHIO )  
 )  
CUYAHOGA COUNTY )

SS: AFFIDAVIT

I, \_\_\_\_\_, having been first duly sworn according to law, hereby state and affirm that:

1. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FURTHER, AFFIANT SAYETH NAUGHT.**

\_\_\_\_\_  
**SIGNATURE**

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



\_\_\_\_\_  
**NOTARY PUBLIC**