

Child Support for Your Grandchildren



You have the right to seek a paternity (fatherhood) determination and child support for your grandchild if:

1. You are the parent of an unmarried minor (under the age of 18) who has her/his own children.

AND

2. Your minor child and grandchildren are living with you and being supported by you.

How to do this:

1. Request that your local child support enforcement agency bring a paternity/child support action on your behalf.

OR

2. File a request for a paternity determination and child support order in Juvenile Court.

NOTE: The child support you request may come from the child's other set of grandparents.

This pamphlet was developed from information provided by Northeast Ohio Legal Services' "Grandparent Visitation"

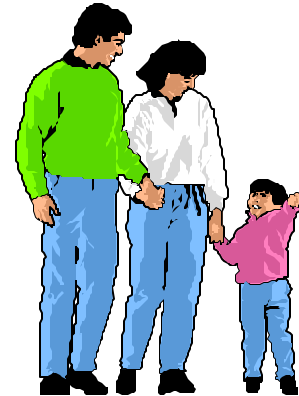


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Grandparent's Rights With Regard to Grandchildren

Obtaining Child Support and Visitation Rights With Your Grandchildren



When Can Grandparents Collect Child Support or Get Visitation With Grandchildren?

In Ohio, grandparents can receive court orders for visitation with grandchildren, but only in certain instances.

You, as the grandparent, can petition the court for visitation if you can prove:

- 1) visitation is being denied,
- 2) such visitation will be in the best interest of your grandchild,
- 3) AND one the following:
 - the child's parents are or have been involved in a divorce, dissolution of marriage, legal separation, annulment, or child support proceeding;
 - the parent of the child has died;
 - the child was born to an unmarried woman, **her** parents may request visitation rights; or
 - the child was born to an unmarried woman, **his** parents may request visitation only if paternity has been legally established.

NOTE:

If the father dies or disappears before paternity is legally established, paternal grandparents will have a difficult time seeking visitation.

If the child lives with his/her natural married parents who are not divorcing, yet are denying you the right to visit with your grandchildren - there is nothing you can do. In this situation, the law respects the parents' right to decide who the child may see and the Court will be hesitant to grant you the right to visit.



How Do I Go About Requesting Visitation?

You must file a Motion to Establish Visitation with the Court. Which court you file this motion with depends on the circumstances involved:

- If there is a prior case involving the child (divorce, support action, paternity), you must file in the Court where the prior case was filed.
- If the parents of the child are unmarried and there is no prior case, then the grandparents Motion has to be filed in the Court of Common Pleas in the county where the child lives.



What if the Court Grants Me a Visitation Order and the Child's Parent Still Refuses to Let Me Visit?

You can enforce a visitation order by filing a Contempt action with the same court that granted you the original order.