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Ohio Revised Code

Section 2151.235 Transfer of jurisdiction.

Effective: October 17, 2019
Legislation: House Bill 166 - 133rd General Assembly

(A) Upon its own motion, the motion of a court with domestic relations jurisdiction, or the motion of any interested party, a juvenile court may transfer jurisdiction over an action or an order it has issued for child support or custody as follows:

(1) To the appropriate common pleas court with domestic relations jurisdiction, if the parents of the child subject to the action or order are married to each other and are not parties to a proceeding described in division (C) of this section;

(2) To the appropriate common pleas court with domestic relations jurisdiction, if the parents of that child were married to each other but no longer are married to each other and there is an existing order for custody or support regarding the child or another child of the same parents over which the juvenile court does not have jurisdiction;

(3) To the common pleas court exercising jurisdiction over a protection order issued under section 3113.31 of the Revised Code if that child or both parents of that child are subject to both a child support order and the protection order.

(B) Any transfer made pursuant to division (A) of this section shall require the consent of the appropriate court of common pleas with domestic relations jurisdiction.

(C) Upon its own motion, the motion of a court with domestic relations jurisdiction, or the motion of any interested party, a juvenile court shall transfer, and the domestic relations court shall accept, jurisdiction over an action or an order it has issued for child support or custody to the appropriate common pleas court exercising jurisdiction over a pending divorce, dissolution of marriage, legal separation, or annulment proceeding to which the parents of the child subject to the action or order are parties.

(D) In all cases transferred under division (A) or (C) of this section, all of the following apply:

(1) The juvenile court shall do all of the following:

(a) Issue an order granting the request to transfer;

(b) Certify the relevant part of the record in the action or related to the order to the court receiving jurisdiction, unless the authorizing statute for the domestic and juvenile courts has combined them into a domestic relations division of the same court or designated them as a family court and the transfer would be within the court of the same county.

(c) Notify and serve the county child support enforcement agency administering the case of all transfers in writing.

(2) The domestic relations court receiving jurisdiction shall do both of the following:

(a) Issue an order accepting or denying the transfer;

(b) Notify and serve the county child support enforcement agency that is receiving the case or that would have received the case, in writing, of the order accepting or denying the transfer.

(3) When a child support enforcement agency is notified of a transfer under division (D)(1) or (2) of this section, the agency shall take any appropriate action regarding the matter.

(E) When the juvenile court action or order being transferred is due to a pending divorce, dissolution, legal separation, or annulment proceeding in a common pleas court with domestic relations jurisdiction:

(1) The juvenile court and domestic relations court shall retain concurrent jurisdiction during the pendency of the action or order.

(2) The transfer shall be completed and included in final orders that are issued regarding child support or custody in the domestic relations action.

(3) If the domestic relations action is dismissed without final orders being issued regarding child support or custody, the transfer is not completed and the juvenile court action or order remains within the jurisdiction of the juvenile court. The domestic relations court shall notify the juvenile court, the child support enforcement agency in the county of the juvenile court, and the parties of the dismissed action.

(F) This section applies to all orders in effect prior to March 22, 2019, and all actions or proceedings initiated on or after March 22, 2019.