

Ohio Revised Code Section 3109.042 Custody Rights of Unmarried Mother

“An unmarried female who gives birth to a child is the sole residential parent and legal custodian of the child until a court of competent jurisdiction issues an order designating another person as the residential parent and legal custodian. A court designating the residential parent and legal custodian of a child described in this section shall treat the mother and father as standing upon an equality when making the designation.”

IF THE FOLLOWING APPLY TO YOU:

1. You are a woman who gave birth to a child while you were unmarried; and
2. No court has ever granted custody of that child to another person.

THE FOLLOWING IS TRUE:

1. You have legal custody of that child and you are the residential parent (meaning you have the right to have your child live with you).
2. You have the legal right to control all aspects of your child’s life, including visitation by your child with any person, including the father or a man you believe to be the father.
3. It is not necessary to file a Custody Complaint in Juvenile Court to obtain legal custody of your child. You already have legal custody pursuant to Ohio Revised Code Section 3109.042.