

## **PETITION FOR CONSENT TO AN ABORTION OR FOR JUDICIAL CONSENT TO AN ABORTION (R.C. 2919.121)**

### **INSTRUCTIONS FOR FILING A PETITION**

If you are pregnant, unmarried, under 18 years old and unemancipated; and want to have an abortion without the consent of your parents, you may ask a juvenile court for permission. The court will then decide whether you are sufficiently mature and well enough informed to decide intelligently to have an abortion or whether an abortion is in your best interests. The attached form, called a Petition, should be used to ask a court to let you have an abortion without the consent of your parents.

If you are under 18 and not married, you are “unemancipated” if any of the following apply:

1. You have not entered the armed services of the United States;
2. You do not have a job and support yourself;
3. You are under the care and control of your parent, guardian or custodian.

By law, you do not have to pay a filing fee or any court costs. If you do not have a lawyer, the court will appoint one for you free of charge. The court also will appoint a guardian *ad litem*, who is a person responsible for protecting your interests. The court may appoint your lawyer to be your guardian *ad litem*.

The court is not allowed to tell your parent, guardian or custodian that you are pregnant or that you want to have an abortion. The court must keep the petition and all other papers in your case confidential.

The petition must be filed in a juvenile court in the county where you reside or have a legal settlement, or in any county that borders the county where you reside or have a legal settlement.

### **HOW TO FILL OUT THE FORM**

**Completing Statement #5:** Check one or both of the statements. If you check the first statement, the court will consider if you are mature enough and well enough informed to intelligently decide whether to have an abortion. If the court does not find that you are sufficiently mature and well enough informed to make the decision, and you have checked the second statement, the court will then consider whether the abortion is in your best interest. If you are not sure which statement to check, you may check both and then discuss this with your lawyer.

**Completing Statement #6:** Check the statement that applies to you. If you have a lawyer, fill in the name, address and telephone number of your lawyer.

**Completing the Top of Page #2:** The law requires that the statements in the Petition be made under oath. This part of the form must be completed by you or someone who is assisting you (called a “next friend”) in the presence of a person who is allowed to administer oaths, such as a notary public. After you or the person assisting you signs the Petition, the person who administers oaths should sign the form.

**Completing the Bottom of Page #2:** Fill out the bottom of page #2 only if you do not have a lawyer. Provide any address and phone number where you may be contacted about this matter. When the court appoints a lawyer for you, the lawyer will reach you at the address or phone number you provide. You do not have to complete the bottom of page #2 until after the notary public signs on page #2.

# In the Court of Common Pleas, Lucas County, Ohio

## Juvenile Division

IN THE MATTER OF:

Case Number: \_\_\_\_\_

Jane Doe # \_\_\_\_\_

### **PETITION FOR AUTHORIZATION TO CONSENT TO AN ABORTION OR FOR JUDICIAL CONSENT TO AN ABORTION**

*(Promulgated by the Supreme Court of Ohio  
Pursuant to R.C. 2919.121)*

#### **I SWEAR OR AFFIRM THAT:**

1. I am pregnant.
2. I am \_\_\_\_\_ years of age, and emancipated. ("emancipated" as defined in R.C. §2919.121\*)
3. I wish to have an abortion and have been fully informed of the risks and consequences of an abortion.
4. This Petition is being filed in the juvenile court of the county where I reside or have a legal settlement, or in a county bordering the county where I reside or have a legal settlement.

#### **[CHECK ONE OR BOTH OF THE FOLLOWING STATEMENTS.]**

5.  I am sufficiently mature and well enough informed to intelligently decide whether to have an abortion.  
 The Court should find by clear and convincing evidence that an abortion is in my best interests and give judicial consent to the abortion.

#### **[CHECK ONE OF THE FOLLOWING STATEMENTS.]**

6.  I do not have a lawyer and ask that the Court appoint a lawyer free of charge.  
 I have a lawyer. The name, address and telephone number of my lawyer are:

Lawyer's Name: \_\_\_\_\_

Lawyer's Address: \_\_\_\_\_

Lawyer's Phone No: \_\_\_\_\_

\* For the purpose of this section, a minor shall be considered "emancipated" if the minor has married, entered the armed services of the United States, become employed and self-subsisting, or has otherwise become independent from the care and control of her parent, guardian, or custodian.

Case Number: \_\_\_\_\_

**THIS PAGE OF THE ORIGINAL MUST BE REMOVED AND PLACED UNDER SEAL IN A SAFE OR OTHER SECURE PLACE AS REQUIRED BY RULE 23.1(B)(2) OF THE RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO**

7. The following is/are the name(s) and address(es) of my parent(s), guardian(s), custodian(s) or, if my parents are deceased and no guardian(s) is/are appointed, any person standing in place of my parent(s), guardian(s) or custodian(s).

Name(s): \_\_\_\_\_  
Address(es): \_\_\_\_\_

THEREFORE, I request that this Court appoint a lawyer, if I do not already have one, appoint a guardian *ad litem* to represent my best interest, and issue an order authorizing me to consent or granting judicial consent to an abortion without the consent of my parent, guardian or custodian.

I swear or affirm that the information in the attached Petition is true and accurate to the best of my knowledge and belief.

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Petitioner's Signature (minor or next friend)

If this Petition is being filed by a Next Friend on behalf of a minor, the minor's initials are: \_\_\_\_\_.

Sworn to and subscribed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_.

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Notary Public

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**PLEASE NOTE:**

If you do NOT have a lawyer, please provide in the spaces below any address and phone number where the Court may contact you until a lawyer is appointed to represent you. You do NOT need to use your home address and phone number.

Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_