

	<b>“I want custody because...”</b>	<b>Where does complaint/petition go?</b>	<b>Type of Case?</b>	<b>Legal Authority</b>	<b>General Filing Fee</b>	<b>Charge Code</b>
1	Child is abused or neglected.	Juvenile court intake office	JU	12-15-102(8)a.1.; 12-15-114(a)	\$90	JEME
2	Child has no parent or guardian able and willing to care for the child.	Juvenile court intake office	JU	12-15-102(8)a.2.; 12-15-114(a)	\$90	JWOP
3	Child’s parent, etc. neglects or refuses to provide medical care for child when able to do so.	Juvenile court intake office	JU	12-15-102(8)a.3.; 12-15-114(a)	\$90	JEMO
4	Child’s parent, etc. fails to send child to school.	Juvenile court intake office	JU	12-15-102(8)a.4.; 12-15-114(a)	\$90	DSCL
5	Child is abandoned by parent, guardian.	Juvenile court intake office	JU	12-15-102(8)a.5.; 12-15-114(a)	\$90	JABD
6	Child’s parent, etc. unable or unwilling to discharge responsibilities to and for child.	Juvenile court intake office	JU	12-15-102(8)a.6.; 12-15-114(a)	\$90	JPUN
7	Child placed for care or adoption in violation of law.	Juvenile court intake office	JU	12-15-102(8)a.7.; 12-15-114(a)	\$90	JIMP
8	Child is in need of care and protection of the state.	Juvenile court intake office	JU	12-15-102(8)a.8.; 12-15-114(a)	\$90	JDRV
9	I think I am the father of the child and need this fact determined, and I am not married to the mother (NO DEPENDENCY ALLEGED).*	Clerk’s office	CS	12-15-115(a)(6); 26-17-104; 38-10-7	\$92	CSPT (paternity complaint in which custody is requested); or CSPC (separate petition for custody after paternity complaint filed and before adjudication).

**\*This example relates to paternity cases filed in CS court only. A court may also determine paternity in pending divorce (DR) and juvenile (JU) cases if this issue is raised.**

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10	Child support was previously ordered to mother through paternity case and now, as the legal father, I want custody of the child (NO DEPENDENCY ALLEGED).	Clerk's office	DR	12-11-31(1); 12-15-114(a); <u>Ex parte Handley</u> , 460 So.2d 167 (Ala. 1984) (Circuit court has equity jurisdiction in child custody proceedings.); <u>Ex parte L.N.K.</u> , [MS. 2090965] 2010 WL 4910853 (Ala. Civ. App. 12/3/2010)	\$147	DRPC
11	I have an executed acknowledgement of paternity (NO DEPENDENCY ALLEGED).	Clerk's office	DR	12-11-31(1); 12-15-114(a); <u>Ex parte Handley</u> , 460 So.2d 167 (Ala. 1984) (Circuit court has equity jurisdiction in child custody proceedings.)	\$147	DRPC
12	I need to enroll the child in school (NO DEPENDENCY ALLEGED).	Clerk's office	DR	12-11-31(1); 12-15-114(a); <u>Ex parte Handley</u> , 460 So.2d 167 (Ala. 1984) (Circuit court has equity jurisdiction in child custody proceedings.)	\$147	DRPC
13	We are disputing who should have custody of the child (NO DEPENDENCY ALLEGED).	Clerk's office	DR	12-11-31(1); 12-15-114(a); <u>Ex parte Handley</u> , 460 So.2d 167 (Ala. 1984) (Circuit court has equity jurisdiction in child custody proceedings.)	\$147	DRPC

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14 There is a previous custody order in a JU dependency, delinquency, or CHINS case, and now I want custody (NO NEW DEPENDENCY ALLEGED and, if it arises from a previous dependency action, at least one party to the original case still resides in the county).	Clerk's office	JU	12-15-117(a); <u>Ex parte L.N.K.</u> , [MS. 2090965], 2010 WL 4910853 (Ala. Civ. App. 12/3/2010); 12-15-302(b) (dependency only)	\$90	PETM
15 There is a previous custody order in a JU dependency case, and now I want custody (NO NEW DEPENDENCY ALLEGED but all the parties to the original case have left the county in which the original order was issued).	Clerk's office in the county in which the child resides at the time the petition is filed	JU	12-15-117(a); <u>Ex parte L.N.K.</u> , [MS. 2090965], 2010 WL 4910853 (Ala. Civ. App. 12/3/2010); 12-15-302(c)	\$90	PETM
16 There is a previous custody order in a CS paternity case, and now I want custody (NO DEPENDENCY ALLEGED).	Clerk's office	DR	<u>In re T.C. v. C.E.</u> , [MS. 2090433], 2010 WL 2465465 (Ala Civ. App. 6/18/2010); <u>Ex parte L.N.K.</u> , [MS. 2090965], 2010 WL 4910853 (Ala. Civ. App. 12/3/2010)	\$147	DRPC

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17 The Respondent was awarded custody through a previous divorce case in circuit court, and I want custody now because the child is "dependent" (regardless of whether the situation is an "emergency" or who files it).	Juvenile court intake office	JU	P.S.R. v. C.L.P. [Ms. 2091118 and 2091119], 2010 WL 260671 (Ala.Civ.App. 1/28/2011)	\$90	Depends on what allegation of dependency is made (See page 1).
18 Parties are in agreement to change custody (for whatever reason) and there is no dependency allegation.	Clerk's office	DR	12-11-31(1); 12-15-114(a); <u>Ex parte Handley</u> , 460 So.2d 167 (Ala. 1984) (Circuit court has equity jurisdiction in child custody proceedings.)	\$147	DRPC