

HAMILTON COUNTY
COURT OF DOMESTIC RELATIONS
REQUIRED FORMS
AND
PROCEDURES



**HAMILTON COUNTY
COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS**

**800 Broadway
Cincinnati, Ohio 45202
(513) 946-9000**

ADMINISTRATIVE JUDGE SUSAN LAKER TOLBERT

**Judge Jon H. Sieve
Judge Elizabeth B. Mattingly**

REQUIRED FORMS AND PROCEDURES HANDBOOK

- This booklet contains a listing of all forms which must be submitted in order to initiate a divorce, dissolution, legal separation, or annulment action, as well as the required forms for various pre- and post-decree motions, agreed entries, and final decrees. Also included are written procedures for the more common actions in our Court, and important phone numbers.
- As set forth in this Court's Local Rules (1.6), all pleadings, motions, and all other documents must be first presented to the Docket Office for review prior to filing with the Clerk of Courts.
- Be advised that this handbook is to be used in conjunction with this Court's Local Rules.

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for

HAMILTON COUNTY

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HAMILTON COUNTY
COURT OF DOMESTIC RELATIONS

REQUIRED FORMS AND PROCEDURES

**SECTION I -COMPLAINT FOR DIVORCE, LEGAL SEPARATION
OR ANNULMENT**

FILING FEE: \$275.00 (with or without children)

REQUIRED COPIES: If you are using **Certified Mail** service or **Regular Mail** service, you will need your original set of documents plus **5 copies of all documents**. If you are using **Sheriff's** service, or the **Publication** process (and not posting) you will need your original set of documents plus **6 copies of all documents**. If you are using the **Publication** process **and posting**, you will need your original set of documents plus **8 copies of all documents**.

FILING PROCESS:

- 1) DOCKET OFFICE - Room 3-46 for review before filing action.
- 2) CLERK OF COURTS - Room 3-47 to file case and pay costs.
- 3) DOCKET OFFICE - Room 3-46 to obtain hearing date for Scheduling Conference, any motions or final merit hearing.
- 4) CLERK OF COURTS - Room 3-47 (if appropriate) to return the original Property Statement and service copies indicating the newly acquired court date on all documents.

REQUIRED FORMS FOR FILING:

1.1 Complaint for Divorce, Legal Separation or Annulment - Children:

- Complaint.....Your Own
- Mandatory Disclosure Order.....Form No. 1.26
- Questionnaire.....Form No. 1.1
- Property Statement.....Form No. 4.1
- Copy of Plaintiff’s Drivers License or State I.D.
- 75(N) Packet (if appropriate) **OR**
- Affidavit of Income and Expense.....Form No. 7.3
- Affidavit in Compliance with ORC 3127.23.....Form No. 2.1
- Group Health Insurance Affidavit.....Form No. 7.16
- Administrative Restraining OrderForm No. 19.0
- IV-D Application.....Form ODHS 7076

If filing a Complaint along with a Separation Agreement, the following documents are required:

- Complaint.....Your Own
- Waiver of Service.....Form No. 9.3
- Separation Agreement.....Your Own
- Questionnaire.....Form No. 1.1
- Copy of both parties’ Drivers License or State I.D.
- Affidavit of Income and Expenses.....Form No. 7.3
- Affidavit in Compliance with ORC 3127.23.....Form No. 2.1
- Group Health Insurance Affidavit.....Form No. 7.16
- Administrative Restraining OrderForm No. 19.0
- IV-D Application.....Form ODHS 7076

Request For Merits Setting Entry.....Form No. 9.1

1.2 Complaint for Divorce, Legal Separation or Annulment - Spousal Support:

Complaint.....Your Own

Mandatory Disclosure Order.....Form No. 1.26

Questionnaire.....Form No. 1.1

Property Statement.....Form No. 4.1

Copy of Plaintiff’s Drivers License or State I.D.

75(N) Packet (if appropriate) **OR**
Affidavit of Income and Expenses.....Form No. 7.3

Administrative Restraining OrderForm No. 19.0

If filing a Complaint along with a Separation Agreement, the following documents are required:

Complaint.....Your Own

Separation Agreement.....Your Own

Waiver of Service of Summons.....Form No. 9.3

Questionnaire.....Form No. 1.1

Copy of both parties’ Drivers License or State I.D.

Affidavit of Income and Expenses.....Form No. 7.3

Request For Merits Setting Entry.....Form No. 9.1

Administrative Restraining OrderForm No.19.0

1.3 Complaint for Divorce, Legal Separation or Annulment - No Children or Spousal Support:

Complaint.....Your Own

Mandatory Disclosure Order.....Form No. 1.26

Questionnaire.....Form No. 1.1

Property Statement.....Form No. 4.1

Affidavit of Income and ExpensesForm No. 7.3
75(N) Packet (if appropriate)

Administrative Restraining OrderForm No. 19.0

Copy of Plaintiff’s Driver’s License or State I.D.

If filing a Complaint along with a Separation Agreement, the following documents are required:

Complaint.....Your Own

Separation Agreement.....Your Own

Waiver of Service of Summons.....Form No. 9.3

Questionnaire.....Form No. 1.1

Copy of both parties’ Drivers License or State I.D.

Affidavit of Income and Expenses.....Form No. 7.3

Request For Merits Setting Entry.....Form No. 9.1

Administrative Restraining OrderForm No. 19.0

1.4 75 (N) Procedure - Motion and Affidavit for Temporary Parenting Orders, Support, Visitation, Spousal Support without Oral Hearing:

1) Motion and Affidavit for Temporary Order without Oral Hearing.....Form No. 3.2

2) Affidavit of Income, Expenses and Financial Disclosure.....Form No. 7.3

3) Affidavit in Compliance with ORC 3127.23.....Form No. 2.1

4) Group Health Insurance Affidavit.....Form No. 7.16

5) Support Worksheet.....Form No. 7.5A
or Form No. 7.6A

6) Data Form.....Form CDR 4905

7) Notice of Service Form.....Form No. 3.4

8) IV-D Application.....Form ODHS 7076

File the following (see above for numbers) initially:

All cases involving **minor children** requesting child support, health insurance, parenting allocation and/or household expenses: 75(N) Forms 1,2,3,4,5, and 8.

All cases involving **no minor children** requesting spousal support or household expenses: 75(N) Forms 1 and 2.

Instructions for Counter Affidavit:

The opposing party shall have 14 days from the date of service in which to file a counter motion and the appropriate affidavits. The originals shall be filed with the Clerk of Courts in Room 3-47 **AND** a time-stamped copy delivered to the Docket Office in Room 3-46. Service shall be obtained upon the other party/counsel as required by law.

Procedure For Activating 75(N) Order:

It is the responsibility of counsel to verify service on the opposing party. No order will be entered before 14 days have elapsed after completion of service. No sooner than 15 days after service, or upon filing of a Counter Affidavit, whichever occurs first, completed original Forms 6 and 7 must be submitted the Docket Office in Room 3-46. Either party may submit the forms. **Only the filing of these forms will activate the 75(N) Order.** The assigned Magistrate will then make the appropriate order (without oral hearing) which will be mailed to the parties/counsel as necessary. The Court will establish the support account, process the Wage Withholding Order and health care order (if minors).

SECTION II - PETITION FOR DISSOLUTION

FILING FEE: \$275.00 (with or without children)

REQUIRED COPIES: If filing a Waiver of Service with your Petition, you will need your original set of documents plus **4 copies of all documents**. If you are requesting service, you will need your original set of documents plus 5 copies of all documents.

FILING PROCESS:

- 1) DOCKET OFFICE - Room 3-46 for review before filing action.
- 2) CLERK OF COURTS - Room 3-47 to file case and pay costs.
- 3) DOCKET OFFICE - Room 3-46 to obtain final hearing date for Dissolution.

REQUIRED FORMS FOR FILING:

2.1 Petition for Dissolution - Children:

Petition.....	Your Own
Separation Agreement.....	Your Own
Waiver of Service Consent to Merits.....	Form No. 9.3A
Waiver of Representation (if appropriate).....	Form No. 9.2
Proof of Attendance at Parenting Education Class (both parties)	
Questionnaire.....	Form No. 1.1
Copy of both Petitioners' Driver's License	
Financial Disclosure Affidavit.....	Form No. 7.2
Group Health Insurance Affidavit.....	Form No. 7.16
Affidavit in Compliance with ORC 3127.23.....	Form No. 2.1
IV-D Application.....	Form ODHS 7076
Shared Parenting Plan (if appropriate).....	See Sample Form No. 2.2

2.2 Petition for Dissolution - Spousal Support:

- Petition.....Your Own
- Separation Agreement.....Your Own
- Waiver of Service Consent to Merits.....Form No. 9.3A
- Waiver of Representation (if appropriate).....Form No. 9.2
- Questionnaire.....Form No. 1.1
- Copy of both Petitioners' Driver's License
- Financial Disclosure Affidavit.....Form No. 7.2

2.3 Petition for Dissolution - No Children and No Spousal Support:

- Petition.....Your Own
- Separation Agreement.....Your Own
- Waiver of Service Consent to Merits.....Form No. 9.3A
- Waiver of Representation (if appropriate).....Form No. 9.2
- Questionnaire.....Form No. 1.1
- Copy of both Petitioners' Driver's License
- Waiver of Financial Disclosure Affidavit.....Form No. 7.1

SECTION III - DECREE FOR DIVORCE OR DISSOLUTION:

REQUIRED COPIES: If there are minor children involved or spousal support is involved, the Court of Domestic Relations will need to retain **two** full copies of the Decree. In all other cases, the Court will only need to keep **one** copy of the Decree for our file. Please note that this does not include any certified copies you may request.

FILING PROCESS:

- 1) CLERK OF COURTS - Room 3-47 to “Cost Out” Decree **before** Merit hearing.
- 2) DECREE SPECIALISTS - Room 2-29 to submit original Decree, Court copies and your certified copies (**include addressed stamped envelopes if certified copies are to be sent**). All Decrees are checked for accuracy, then submitted to the assigned Judge for signature.
- 3) CLERK OF COURTS - Room 3-47 to pick up certified copies once Decree has been journalized.

3.1 DECREE OF DIVORCE, LEGAL SEPARATION OR ANNULMENT CHILDREN WITH SUPPORT:

Decree.....	Your Own (see sample DR 901)
Separation Agreement (optional).....	Your Own
Appropriate Withholding Order.....	Form HCDHS 4047, or Form ODHS 4048, or Form No. 7.10
Data Form.....	Form CDR 4905
IV-D Application (or copy).....	Form ODHS 7076
Appropriate Health Care Order.....	Form No. 7.17 or Form No. 7.20
Health Care Verification Form (if possible).....	Form No. 7.21
Appropriate Support Worksheet.....	Form No. 7.5A or Form No. 7.6A
Cash Medical Support Order.....	Form No. 7.24
Standard Parenting Order.....	Form No. 2.7
Shared Parenting Plan (if appropriate).....	See Sample Form No. 2.2
Decree of Shared Parenting (if appropriate).....	Form No. 2.3

3.2 DECREE OF DIVORCE, LEGAL SEPARATION OR ANNULMENT – CHILDREN NO SUPPORT:

- Decree.....Your Own (see sample DR 901)
- Separation Agreement (optional).....Your Own
- IV-D Application (or copy).....Form ODHS 7076
- Appropriate Health Care Order.....Form No. 7.17
or Form No. 7.20
- Health Care Verification Form (if possible).....Form No. 7.21
- Appropriate Support Worksheet.....Form No. 7.5A
or Form No. 7.6A
- Cash Medical Support Order.....Form No. 7.24
- Data Form.....Form CDR 4905
- Standard Parenting OrderForm No. 2.7
- Shared Parenting Plan (if appropriate).....See Sample Form No. 2.2
- Decree of Shared Parenting (if appropriate).....Form No. 2.3

3.3 DECREE OF DIVORCE, LEGAL SEPARATION OR ANNULMENT – SPOUSAL SUPPORT:

- Decree.....Your Own (see sample DR 901)
- Separation Agreement (optional).....Your Own
- Appropriate Withholding Order.....Form HCDHS 4047,
or Form ODHS 4048,
or Form No. 7.10
- Data Form.....Form CDR 4905

3.4 DECREE OF DIVORCE, LEGAL SEPARATION OR ANNULMENT - NO CHILDREN OR SPOUSAL SUPPORT:

- Decree..... Your Own (see sample DR 901)

Separation Agreement (optional).....Your Own

3.5 DECREE OF DISSOLUTION - CHILDREN -WITH SUPPORT:

Decree.....	Your Own (see sample DR 900)
Separation Agreement.....	Your Own
Data Form.....	Form CDR 4905
Appropriate Withholding Order.....	Form HCDHS 4047, or Form ODHS 4048, or Form No. 7.10
Cash Medical Support Order.....	Form No. 7.24
Appropriate Support Worksheet.....	Form No. 7.5A or Form No. 7.6A
Appropriate Health Care Order.....	Form No. 7.17 or Form No. 7.20
Health Care Verification Form.....	Form No. 7.21
IV-D Application.....	Form ODHS 7076
Standard Parenting Order.....	Form No. 2.7
Shared Parenting Plan (if appropriate).....	See Sample Form No. 2.2
Decree of Shared Parenting.....	Form No. 2.3

3.6 DECREE OF DISSOLUTION - CHILDREN - NO SUPPORT:

Decree.....	Your Own (see sample DR 900)
Separation Agreement.....	Your Own
Appropriate Support Worksheet.....	Form No. 7.5A or Form No. 7.6A
Cash Medical Support Order.....	Form No. 7.24
Appropriate Health Care Order.....	Form No. 7.17 or Form No. 7.20
Health Care Verification Form.....	Form No. 7.21
IV-D Application.....	Form ODHS 7076

- Data Form.....Form CDR 4905
- Standard Parenting Order.....Form No. 2.7
- Shared Parenting Plan (if appropriate).....See Sample Form No. 2.2
- Decree of Shared Parenting.....Form No. 2.3

3.7 DECREE OF DISSOLUTION - SPOUSAL SUPPORT:

- Decree.....Your Own (see sample DR 900)
- Separation Agreement.....Your Own
- Data Form.....Form CDR 4905
- Appropriate Withholding Order.....Form HCDHS 4047,
or Form ODHS 4048,
or Form No. 7.10

3.8 DECREE OF DISSOLUTION - NO CHILDREN OR SPOUSAL SUPPORT:

- Decree.....Your Own (see sample DR 900)
- Separation Agreement.....Your Own

SECTION IV - MOTIONS - PRE-DECREE

All motions are first presented to the Docket Office in Room 3-46 for review of documents and to receive hearing date. Motion then taken to the Clerk of Courts Room 3-47 for filing and service request.

COST: None.

REQUIRED COPIES: You will need your original Motion and at least **3 copies of all documents** (Court’s copy, service copy and your copy).

4.1 CONTESTED CUSTODY - PRE DECREE:

If parents are unable to agree regarding the permanent allocation of parental rights and responsibilities of their children, an investigation is required. The investigation may be initiated by: 1) a Decision or Order of the Magistrate, 2) an Order by the Judge or, 3) an Agreed Entry between the parties.

A Modified Investigation costing \$100.00 is required in all cases where all children involved are over 12 years of age. A Full Investigation costing \$350.00 is required in all cases where one or all of the children involved are under 12 years of age.

To initiate the investigation, the parties or their attorneys must deposit the appropriate fee (see above) with the Clerk of Courts in Room 3-47 at 800 Broadway. The parties or their attorneys must then present proof of required payment to the Department of Parenting Services in Room 2-68.

Parties will receive letters as to their first appointment. Questions regarding this process may be directed to the Department of Parenting Services at 946-9079.

All cases in which the allocation of parental rights and responsibilities are contested will be set for Pre-Trial before the assigned Judge. If after the Pre-Trial the case remains contested, the case will then be scheduled for Custody Trial before the assigned Judge.

SECTION V - MOTIONS - POST DECREE

All motions are first presented to the Court of Domestic Relations Docket Office in Room 3-46 for review of documents and to receive hearing date. Motion then to be taken to the Clerk of Courts in Room 3-47 for filing and service request.

COST: \$125.00 for all issues.

REQUIRED COPIES: For matters involving **child support**, you will need your original Motion and at least **4 copies of all documents**. For all other issues, you will need your original Motion and at least **3 copies of all documents**.

5.1 POST DECREE MOTION TO MODIFY SUPPORT AND/OR HEALTH CARE:

Motion.....	Your Own
Affidavit of Income, Expenses and Financial Disclosure.....	Form No. 7.3
Group Health Insurance Affidavit.....	Form No. 7.16
IV-D Application (or copy).....	Form ODHS 7076
Support Worksheet.....	Form No. 7.5A or Form No. 7.6A
Cash Medical Support Order.....	Form No. 7.24
Data Form.....	Form CDR 4905

Documents needed for modification or establishment of a Child Support Order pursuant to O.R.C. § 3119.05

In order for the Judge or Magistrate to accurately set a child support order, you are required to bring the following documents to verify your income and obligations to pay child or spousal support.

- 1) Pay stubs, employer statements, receipts and expense vouchers related to self-generated income, tax returns, and all supporting documentation and schedules for the tax returns;
- 2) Supporting documentation outlining pre-existing child support or spousal support obligations and verification that payments are being made. A CSEA payment record is an example of an acceptable method of documentation;
- 3) Documentation of overtime, commissions, and bonuses received during the three years immediately prior to the time when the person’s child support obligation is being computed. A statement from an employer is an acceptable method of documentation, if a pay stub does not specify overtime, commissions or bonuses separately from wages.

5.2 POST DECREE MOTION TO MODIFY SPOUSAL SUPPORT:

- Motion.....Your Own
- Affidavit of Income, Expenses and Financial Disclosure.....Form No. 7.3
- Data Form.....Form CDR 4905

5.3 POST DECREE MOTION FOR CONTEMPT OF SUPPORT &/OR VISITATION:

- Motion.....Your Own
- Affidavit for Citation.....Form No. 13.1
- Summons.....Form No. 13.2

5.4 CONTESTED CUSTODY - POST DECREE:

When there is no agreement, a **Motion To Reallocate the Parental Rights and Responsibilities** of a child or children will require a Determination Hearing before the assigned Judge. **Initially, the motion, the Affidavit in Compliance with § 3127.23 and an affidavit in support of the motion signed by the moving party must be filed.** If it appears there may be a change of circumstance that may affect the best interests of the child, the Judge will order the appropriate investigation. If the child or children involved are under 12 years of age, a Full Investigation (\$350.00) is necessary. If the child or all children involved are over 12 years of age, a Modified Investigation (\$100.00) is necessary. **In order to initiate the investigation following the court order,** the parties or their attorneys must deposit the appropriate fee (see above) with the Clerk of Courts in Room 3-47 at 800 Broadway. The parties or their attorneys must then present proof of required payment to the Department of Parenting Services in Room 2-68.

Parties will receive the letters as to their first appointment. Questions regarding this process may be directed to the Department of Parenting Services at 946-9079.

SECTION VI - AGREED ENTRIES PRE-DECREE

All Agreed Entries not requiring a hearing may be submitted to the assigned Magistrate or Judge, whichever is appropriate. For Post Decree Agreed Entries, there is a \$3.00 per page charge for any Agreed Entry that is five (5) pages or more. This is to be paid to the Clerk of Courts in Room 3-47 after the Magistrate or Judge approves the agreement.

6.1 PRE-DECREE AGREED ENTRY WITH CHILD SUPPORT:

Agreed Entry.....	Your Own
Data Form.....	Form CDR 4905
IV-D Application (or copy).....	Form ODHS 7076
Appropriate Support Worksheet.(or copy).....	Form No. 7.5A or Form No. 7.6A
Cash Medical Support Order.....	Form No. 7.24
Affidavit of Income and Expenses (or copy).....	Form No. 7.3

6.2 PRE-DECREE AGREED ENTRY - SPOUSAL SUPPORT:

Agreed Entry.....	Your Own
Data Form.....	Form CDR 4905
Affidavit of Income and Expenses (or copy).....	Form No. 7.3

6.3 PRE-DECREE AGREED ENTRY - HEALTH CARE:

Agreed Entry.....	Your Own
Health Care Verification Form.....	Form No. 7.21
IV-D Application (or copy).....	Form ODHS 7076
Group Health Insurance Affidavit (or copy).....	Form No. 7.16

Cash Medical Support Order.....Form No. 7.24

Appropriate Support Worksheet.....Form No. 7.5A
or Form No. 7.6A

Data Form.....Form CDR 4905

SECTION VII – AGREED ENTRIES – POST-DECREE

7.1 POST DECREE - AGREED ENTRY - CHANGE OF RESIDENTIAL PARENT:

Required Forms:

- Joint Motion Requesting Change of Residential Parent.....Your Own
or Form No. 3.8A
- Service and Notice of Hearing.....Form No. 14.A
- Waiver of Service.....Form No. 9.3
- Affidavit in Compliance with 3127.23.....Form No. 2.1
- Health Care Verification.....Form No. 7.21
- Agreed Entry.....Your Own
or Form No. 2.16
- Standard Parenting Order.....Form No. 2.7
- Appropriate Support Worksheet.....Form No. 7.5a
or Form No. 7.6a
- Cash Medical Support Order.....Form No. 7.24
- IV-D Application.....Form ODHS 7076
- Data Form.....Form CDR 4905

Please refer to Local Rule 1.13 for further information.

7.2 POST DECREE - AGREED ENTRY - SHARED PARENTING:

- Shared Parenting Plan.....See Sample Form No. 2.2
- Decree of Shared Parenting.....Form No. 2.3
- Support Worksheet.....Form No. 7.5A
- Cash Medical Support Order... ..Form No. 7.24
- Affidavit in Compliance with 3127.23.....Form No. 2.1
- IV-D Application.....Form ODHS 7076
- Data Form.....Form CDR 4905
- Standard Parenting Order.....Form No. 2.7

and the following if appropriate:

- Health Care Verification.....Form No. 7.21

(if health care status unchanged, please note on entry)

Please refer to Local Rule 1.13 for further information.

7.3 POST DECREE - AGREED ENTRY - CHILD SUPPORT:

- Agreed Entry.....Your Own
- Data Form.....Form CDR 4905
- IV-D Application.....Form ODHS 7076
- Support Worksheet.....Form No. 7.5A or

7.6A

- Cash Medical Support Order.....Form No. 7.24
- Health Care Verification Form.....Form No. 7.21

*Regarding the health care documents, the Agreed Entry may include a statement that these forms have been previously submitted and remain in full force and effect.

Please refer to Local Rule 1.13 for further information.

7.4 AGREED ENTRY - POST DECREE - SPOUSAL SUPPORT:

- Agreed Entry.....Your Own
- Data Form.....Form CDR 4905

Please refer to Local Rule 1.13 for further information.

7.5 POST DECREE - AGREED ENTRY - HEALTH CARE:

- Agreed Entry.....Your Own
- Health Care Verification Form.....Form No. 7.21
- IV-D Application.....Form ODHS 7076
- Group Health Insurance Affidavit.....Form No. 7.16
- Cash Medical Support Order.....Form No. 7.24
- Appropriate Support Worksheet.....Form No. 7.5A
or Form No. 7.6A
- Data Form.....Form CDR 4905

Please refer to Local Rule 1.13 for further information.

All Agreed Entries not requiring a hearing may be submitted to the assigned Magistrate or Judge, whichever is appropriate. For Post Decree Agreed Entries, there is a \$3.00 per

page charge for any Agreed Entry that is five (5) pages or more. This is to be paid to the Clerk of Courts in Room 3-47 after the Magistrate or Judge approves the agreement.

SECTION VIII – MISC. FILINGS AND PROCEDURES

8.1 OBJECTIONS TO MAGISTRATE’S DECISION AND MOTION TO SET ASIDE MAGISTRATE’S ORDER:

All Objections to Magistrate’s Decision (Form 8.9) shall first be presented to the Docket Office in Room 3-46. If requested, the date and time for a hearing before the assigned Judge will be scheduled at this time. The Docket Office will retain one copy of the Objection. The original Objection is then taken to the Clerk of Court’s Office in Room 3-47 for filing. It is counsel/party’s responsibility to serve the opposing side a copy of the Objections including the hearing date and time, if appropriate, according to local procedure.

Motions To Set Aside Magistrate’s Order must first be presented to the Docket Office. If requested, a hearing date will be scheduled before the assigned Judge. The motion is then taken to the Clerk of Court’s Office in Room 3-47 for filing and service process.

8.2 FINAL MERITS HEARING:

A Final Merits Hearing will not be scheduled until all issues concerning property division, allocation of parental rights and responsibilities and support have been resolved either by agreement or court order. A “**Request for Merit Setting**” (Form No. 9.1) must be submitted to the Court of Domestic Relations Docket Office in Room 3-46 before a final hearing will be set.

8.3 ENTRY OF DISMISSAL:

If you are dismissing the entire case (Complaint, Answer and Counterclaim- if applicable or Petition) you must first go to the Clerk of Courts Room 3-47 to “Cost Out” the case. You then must submit the original Entry of Dismissal with the “Cost Paid” stamp to the Decree Specialists in Room 2-29.. Remember to incorporate the appropriate language where child support, spousal support or any arrearage is involved.

8.4 AGREED ENTRY APPOINTING COURT APPRAISER:

Procedure:

1. Present the **Agreed Entry Appointing Appraiser** (Form 11.1) to the DOCKET OFFICE-Room 3-46
2. Go to the CLERK OF COURTS-Room 3-47 to present Entry and to pay cost of \$300.00 (for single family residence).
3. Go back to the DOCKET OFFICE-Room 3-46 to submit Entry with “Cost Paid” stamp.

The Docket Office will appoint an appraiser. Once the appraisal has been completed, the appraiser will send the Court the original appraisal and the attorneys or parties (if unrepresented) their copy.

SECTION IX – PETITION TO REGISTER, ENFORCE OR MODIFY FOREIGN ORDER

9.1 REGISTRATION AND ENFORCEMENT OF FOREIGN SUPPORT ORDER PURSUANT TO ORC 3115.39:

To register a Foreign Support Order:

- A) A support order or income withholding order of another state may be registered in this state by sending all of the following documents and information to the appropriate tribunal in this state:
1. A letter of transmittal to the tribunal requesting registration and enforcement;
 2. Two copies, including one certified copy, of all orders to be registered, including any modification of an order
 3. A sworn statement by the party seeking registration or a certified statement by the custodian of the records showing the amount of any arrearage;
 4. The name of the obligor and all of the following, if known:
 - a) The obligor's address and social security number;
 - b) The name and address of the obligor's employer and any other source of income of the obligor;
 - c) A description and the location of property of the obligor in this state not exempt from execution ;
 5. The name and address of the obligee and, if applicable, the agency or person to whom support payments are to be remitted.
- B) On receipt of a request for a registration, the registering tribunal shall cause the order to be filed, together with one copy of the documents and information, regardless of their form and a Petition To Register Foreign Support Order. The cost is this action is \$75.00.
- C) A complaint or comparable pleading seeking a remedy that must be affirmatively sought under other law of this state may be filed at the same time as the request for registration or at a later time. The pleading must specify the grounds for the remedy sought.
- D) A IV-D Application for child support collection purposes.

FILING PROCESS:

- 1) DOCKET OFFICE-Room 3-46 to present copy of all above listed documents.
- 2) CLERK OF COURTS-Room 3-47 to file case and pay cost of \$75.00.
- 3) DOCKET OFFICE-Room 3-46 to obtain hearing date.
- 4) CLERK OF COURTS-Room 3-47 to indicate hearing date on service copy.

If enforcement or modification of the foreign support order is being sought (see ORC 3115.48), follow the above procedure PLUS prepare a Motion and requisite accompanying documents setting forth the relief sought . A copy of the Motion must be provided to the Docket Office and the original Motion (after review by the Docket Office) is to be filed with the Clerk of Court. In addition to the \$75.00 fee indicated above, there will be an additional \$50.00 cost for the Motion.

9.2 ENFORCEMENT OF FOREIGN SUPPORT ORDER PURSUANT TO UNIFORM INTERSTATE FAMILY SUPPORT ACT (UIFSA), ESTABLISHMENT OF PATERNITY AND/OR SUPPORT ORDER:

Contents of the Complaint/UIFSA Petition are set forth in ORC 3115.22 as follows:

A) The complaint shall be verified and shall state, so far as known, the name, residential address, and social security numbers of the obligor and the obligee, and the name sex, residential address, social security number, and date of birth of each child for whom support is sought. The complaint must be accompanied by a certified copy of any support order in effect.

You may include in or attach to the complaint any information that may help in locating or identifying the defendant including, but without limitation by enumeration:

1. A photograph of the defendant
2. A description of any distinguishing marks of his/her person
3. Other names and aliases by which he/she has been or is known
4. The name of employer
5. Fingerprints
6. Social Security Number

B) Specify with particularity the relief sought by the Court, i.e., establishment of paternity and support or if parties are married but separated, support only.

FILING PROCESS:

- 1) DOCKET OFFICE-Room 3-46 to present copy of verified complaint/petition and support documents.
- 2) CLERK OF COURTS-Room 3-47 to file case and pay costs.
- 3) DOCKET OFFICE-Room 3-46 to obtain hearing date.
- 4) CLERK OF COURTS-Room 3-47 to indicate hearing date on service copy.