

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

LOCAL RULES



**JUDGE TIM OLIVER
As Amended and Effective
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**LOCAL RULES
WARREN COUNTY COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS**

**PART ONE
Pleadings and General Provisions**

1.1 Compliance with the Ohio Rules of Civil Procedure, Statutory Requirements And Local Rules.

- A. All pleadings shall comply in form and content with Title III of the Ohio Rules of Civil Procedure, requirements of the Ohio Revised Code, and Local Rules, Warren County Court of Common Pleas, Division of Domestic Relations Court (“Local Rules” or “LR”).
- B. All initial and final pleadings shall contain the names, addresses, and dates of birth of both parties in the case caption. Initial filings and final decrees and/or entries shall contain the names and dates of birth of all minor children of the parties. Pleadings shall also contain the telephone number of any party who is not represented by counsel. All pleadings shall contain the signature, name, address and telephone number of the attorney preparing the pleading, along with the attorney’s registration number issued by the Supreme Court of Ohio.
- C. Social Security numbers (SSNs) shall not be included on any document that will be filed with the clerk. SSNs must still be provided on IV-D applications (DR Form 12) (required in cases with child and/or spousal support) and wage withholding information sheets (DR Form 11). These documents must be submitted to the Domestic Relations Office at the appropriate time (with initial pleadings for IV-D applications and with final documents for the wage withholding information forms). The Court will then transmit these documents to the CSEA. **NEITHER THE IV-D APPLICATION NOR THE WAGE WITHHOLDING INFORMATION SHEET SHOULD BE FILED WITH THE CLERK OF COURTS.** As to account numbers on the financial affidavit (DR Form 1), you may use the last four digits only in order to distinguish various accounts, but you need not give the entire account number. E.g., “OSU Platinum Visa, account no. xxxx-xxxx-2670.”
- D. Throughout these rules the designation of plaintiff, defendant, petitioner or respondent shall mean the party and his/her attorney, if represented, or the party if unrepresented.
- E. Failure to comply with the Local Rules is not a basis for extension of any time requirements mandated by Local Rule, state law or rules of procedure.

1.2 Style of Pleadings.

- A. All pleadings and forms required by the court shall be typewritten or printed legibly in ink.

- B. All filings with the Clerk of Courts must contain a top margin of at least two (2) inches.
- C. The court requires an original plus one copy of all filings, plus a sufficient number of copies for service. If an attorney or party wants file-stamped copies of any filing or pleading, he/she must provide additional copies as well as an envelope with postage for mailing.
- D. The court strongly encourages pleadings to refer to the parties as Husband/Wife or Mother/Father instead of Plaintiff/Defendant.
- E. In general, exhibits intended for use at trial should not be attached to pleadings.

1.3 Pre-approval.

A. Attorney Filings.

Prior to filing with the Clerk of Courts, all pleadings shall first be submitted to the Domestic Relations Office (hereinafter DR Office) for review to insure that all required documents are present and completed. If all required documents are present and completed, the documents may be taken to or will be forwarded to the Clerk of Courts. If documents are missing or incomplete, the person responsible for the preparation of the documents will be notified. It shall be that person's responsibility to retrieve the documents from the DR Office and to resubmit them when completed.

B. Pro Se Filings (Filings by Persons Unrepresented by Counsel).

Prior to filing with the Clerk of Courts, all pro se pleadings shall first be submitted to the DR Office for review. The purpose of review by the DR Office is to assist the public by assuring the quality of the documents processed by the court and to increase the efficiency of the court's operation. After approval, all pleadings must be filed with the Clerk of Courts by the pro se party. Submission to the DR Office is not a filing of the legal action.

C. Failure to Present Filings for Pre-approval.

Any filing which is filed directly with the Clerk of Courts without prior review by the DR Office shall thereafter be reviewed by the DR Office. If the filing fails to conform to the requirements of Local Rules, state law or the Ohio Rules of Civil Procedure, the court may dismiss the filing on its own motion.

1.4 Attorney Requirements.

Attorneys who practice in the DR Court must be admitted to the practice of law and registered with the Ohio Supreme Court. An attorney may be required to present his or her registration card to a Judge or Magistrate.

1.5 Attendance Policy.

Parties have a right to attend any conferences or hearings. If a party wishes to attend a conference that is scheduled to be held in chambers, that party shall communicate that fact to his or her attorney and the conference will be held in a courtroom. All conferences or hearings with a pro se party shall be held in the courtroom.

1.6 Documents Required for Divorce, Dissolution, Legal Separation and Motions.

See Documents Required for Filings attached as Appendix 1 to these Local Rules.

1.7 Electronic Transmission Filing (Fax Filings).

The Clerk of Courts shall accept fax filings of motions for continuances only. Motions for continuance and proposed orders granting the continuance may be faxed to the Assignment Commissioner for review. If approved by the Judge or Magistrate assigned to the case, the faxed motion and order will be filed by the Assignment Commissioner with the Clerk of Courts.

1.8 Process Servers.

A. One-time Appointment.

If a party desires personal service to be made by a special process server pursuant to Civil Rule 4.1, the party or counsel must submit a motion and a proposed entry appointing a special process server. The following must be stated in the motion and entry:

1. the name of the person to be appointed as process server;
2. that the person to be appointed as process server is eighteen (18) years of age or older; and
3. that the person to be appointed as process server is not a party to the action.

B. Continuing Appointment.

A person may apply to be designated as a “Standing Special Process Server” for cases filed in this court by filing an application supported by affidavit setting forth the following information:

1. the name, address and telephone number of the applicant;
2. that the applicant is eighteen (18) years of age or older;
3. that the applicant agrees not to attempt service of process in any case in which the applicant is a party; and

4. that the applicant agrees to follow the requirements of Civil Rules 4 through 6, and any applicable Local Rules and special instructions for service of process as ordered by the court in individual cases.

The applicant requesting designation shall also submit an entry captioned “In re The Appointment of (name of applicant) as Standing Special Process Server” and stating “applicant has complied with the provisions of LR 1.8; (name of applicant) is hereby designated as a Standing Special Process Server authorized to make service of process in all cases filed in this court, to serve until further order of the court.” The Clerk shall record such appointment on the court’s general docket, and shall retain the original applications and entries. In any case thereafter, the Clerk of Courts shall accept a copy of the time-stamped appointing entry as satisfying the requirements of Civil Rule 4.1 for designation by the court of a person to make service of process.

1.9 Court Costs.

A. Initial Filings.

The Clerk of Courts shall not accept a domestic relations action for filing unless it is accompanied by either a filing fee as established by the court or a court order waiving the filing fee based upon motion and affidavit of an indigent party (form available in Domestic Relations Office). If the court learns that a party who filed an affidavit of indigency is able to pay the costs, the court may order that party to pay the court costs within a reasonable period of time.

B. Final Entries.

All final entries must contain an order as to the party responsible for paying any outstanding court costs and that such costs shall be paid within thirty (30) days of the mailing of a cost statement by the Clerk of Courts. In the event a final entry is filed with the court that fails to provide for the payment of court costs, all court costs shall be paid by the plaintiff or moving party within thirty (30) days of the mailing of a cost statement by the Clerk of Courts.

1.10 Posting of Notice Where Party’s Address is Unknown for Indigent Cases.

In compliance with Civil Rule 4.4 (A)(2), the court hereby designates the Franklin Municipal Court and the Mason Municipal Court as places for the posting of notice for IN FORMA PAUPERIS service by publication where the residence of the party is unknown.

1.11 Failure to Comply with Part One.

If any person fails to properly file a form required by Part One of these rules, the court may continue the matter in progress and entertain a motion for attorney fees occasioned by the delay or impose other appropriate sanctions.

1.12 Notice of Subpoena Issuance.

Notice of issuance of subpoenas shall be given to all other parties in accordance with Civ. R. 45(A)(3).

1.13 Discovery

Discovery requests and responses, other than as specifically required by the Civil Rules, shall not be filed with the Court. You may file a notice of service of discovery requests or responses.

PART TWO
Temporary Orders – Divorce/Legal Separation Proceedings

2.01 Existing Orders.

At the time of filing, if there are any orders from another court that may affect the issuance of temporary orders in this Court, the orders should be referenced and a copy attached (i.e. juvenile, probate, domestic violence orders, etc.).

2.1 Temporary Residential Parent Status.

A. When both parties remain in the same home:

If both parties are living in the marital residence, the plaintiff shall file with the complaint an ex parte order which provides that the parents will share the rights and responsibilities regarding their children in accordance with the established practices of the household. The order shall further provide that, pending further order of the court, each parent shall be a residential parent of the children.

B. When the parties are separated:

If the parties live in separate households, the plaintiff shall file with the complaint an ex parte order granting temporary residential parent status to the person who had actual, physical custody of the children preceding the filing of the complaint.

C. When the parties separate after the filing of ex parte orders:

Ex parte orders shall only be issued at the time of, or prior to service of, the initial filings. If circumstances change after the filing of the ex parte orders and service has been perfected, the parties must seek a new order by motion and hearing or by the filing of an agreed entry.

D. When Juvenile Court has jurisdiction over the children:

When Juvenile Court has jurisdiction over all of the children of a marriage, the complaint or petition shall contain a statement to that effect. When Juvenile Court has jurisdiction of some, but not all, of the children of a marriage, the pleadings shall identify those children by name.

2.2 Temporary Child Support Order.

A. When both parties remain in the same home:

If both parties remain in the marital residence, the plaintiff shall file with the complaint an ex parte order which provides that each parent shall continue to provide support for the minor children in accordance with the established practices of the household. A child support worksheet is still required in connection with this type of order.

B. When the parties are separated:

1. If the parties live in separate households and one party has been designated the temporary residential parent of the children, the plaintiff shall file with the complaint an ex parte order which requires the non-residential parent to pay temporary child support.
2. The amount of the temporary child support order shall be calculated pursuant to O.R.C. §3119 and a child support worksheet shall be attached to each temporary order.
3. Temporary child support orders shall be effective on the date stated or, if none, on the date the order is filed. Temporary child support shall be payable directly to the payee or through the Child Support Enforcement Agency (CSEA). If paid through the CSEA, all required statutory language must be included in the order. (See Notifications attached as Appendix 2 to these Local Rules.) If Basic II parenting time is granted, the Court will consider a deviation in child support on a case-by-case basis. A party may submit any information by affidavit concerning whether a deviation is appropriate.

C. When the parties separate after the filing of ex parte orders:

Ex parte orders shall only be issued at the time of, or prior to service of, the initial filings. If circumstances change after the filing of the ex parte orders and service has been perfected, the parties must seek a new order by motion and hearing or by the filing of an agreed entry.

2.3 Temporary Parenting Time Orders.

If the parties are living in separate households, the plaintiff shall file with the complaint an ex parte order granting parenting time to the non-residential parent at a minimum in accordance with the Court's Basic Parenting Schedule (attached as Appendix 3 to these Local Rules). For children over age two, the ex parte order must designate Basic II parenting time as to paragraph C of the Basic Parenting Schedule unless plaintiff files an affidavit indicating why the non-residential parent should be restricted to Basic I or less (e.g.

work schedule or distance prohibiting transportation of children to school or any other reason). The court may require a hearing on a request to restrict or deny parenting time.

2.4 Temporary Order for Payment of Debts.

At the time of filing of the complaint, the plaintiff may submit an order providing that the parties shall continue to pay their marital debts and obligations in accordance with past practices of the household. Orders to the contrary shall be upon motion and hearing.

2.5 Temporary Spousal Support.

Ex parte spousal support may be awarded on a case-by-case basis and must be supported by a motion, affidavit and proposed entry. The court may deny ex parte relief and instead schedule a hearing.

2.6 Mutual Restraining Orders.

If an ex parte temporary restraining order is sought, it shall be mutual and shall be submitted at the commencement of a case. The court will approve use of DR Form 7 (included in Appendix 4 to these Local Rules), or language in substantial compliance therewith. Any other request for a restraining order shall be awarded on a case-by-case basis and only upon motion, supporting affidavit and proposed entry.

2.7 Insurance Policies.

Parties shall maintain all insurance coverage (medical, dental, optical, household, motor vehicle and life insurance) in effect at the time of filing of the complaint until further order of the court.

2.8 Exclusive Use of the Marital Residence.

A. Orders to Vacate.

Motions for an order requiring a spouse to move from the established home of the parties will not be granted without a hearing after notice to the opposing party, unless there is demonstrated to the Judge/Magistrate that there is urgent need for an immediate order to protect the physical well being of the movant or minor children of the movant. An ex parte order to remove will be granted only upon testimony of the person seeking an order of removal. A response hearing on an ex parte removal shall be held no later than seven (7) days after the ex parte order is granted. A notice of hearing shall be included in the order. Orders to remove a spouse from the marital residence shall designate in the caption "ORDER OF REMOVAL" for the benefit of the local police jurisdiction that will enforce the order.

B. Orders Not to Return to Residence.

An ex parte temporary restraining order can be obtained, preventing a party from returning to the marital residence, if such party has been absent for more than thirty (30) continuous days immediately preceding the filing of the motion. Absence from the residence means that the party is no longer residing at the residence.

The motion seeking an ex parte temporary restraining order preventing a party from returning to the residence must be accompanied by an affidavit setting forth the approximate date on which the absent party left the residence, the number of days (months) of continuous absence immediately preceding the filing of the motion and any reason for the absence that is known to the movant. Any motion to dissolve an ex parte temporary restraining order granted pursuant to this Local Rule shall be heard within fourteen (14) days of the date the motion to dissolve is filed.

2.9 Relief From Ex Parte Orders.

- A. Any party who believes that an ex parte order filed in accordance with these rules is incorrect or inappropriate may file a motion for relief. The filing party shall obtain a hearing date from the Assignment Commissioner. All motions shall contain a notice of the date and time of hearing and shall be served in accordance with the Ohio Rules of Civil Procedure.
- B. Motions for relief from ex parte temporary orders shall be given priority on the court's docket. In the event an ex parte order is found to be incorrect or inappropriate, any modification may be made retroactive to the effective date of the ex parte order.

PART THREE

Case Management and Procedure

3.1 Magistrates.

Pursuant to Civil Rule 53, the court may refer matters to a Magistrate.

3.2 Scheduling of Non-contested Cases.

A. Dissolutions.

In all dissolutions, the attorney(s) or, if unrepresented, the petitioners, shall contact the Assignment Commissioner to schedule the final hearing.

B. Non-Contested Divorces and Actions for Legal Separation.

In all non-contested divorces and actions for legal separation, if a timely answer is not filed by the defendant, the attorney for plaintiff (or plaintiff if unrepresented) shall contact the Assignment Commissioner to schedule the final hearing.

3.3 Scheduling of Contested Divorces and Legal Separations.

A. Scheduling Conferences.

1. When an answer to a complaint is filed, the court will set the case for a scheduling conference and notify counsel of the date and time. The purpose of the scheduling conference is to identify the issues in controversy, establish a timetable for discovery, and set appropriate pretrial conference dates if warranted or, if not, trial dates. At the conclusion of the scheduling conference, a scheduling order may be issued. The court may conduct a scheduling conference in conjunction with any hearing on a temporary motion in order to expedite the case.
2. At the scheduling conference, the court will also determine whether there are disputed issues regarding the allocation of parental rights and responsibilities. If parenting issues are disputed, the parties will be referred to mediation in accordance with Part Five of these Local Rules, in which event the matter will be set for another scheduling conference after mediation.
3. At any scheduling conference, the court may schedule a pretrial and may require the parties to file pretrial statements.

B. Pretrial Conferences.

1. Attorneys shall complete all discovery before the pretrial.
2. If so ordered in a scheduling order, each party shall file a pretrial statement on or before the date of the pretrial. The pretrial statement shall contain all of the following information:
 - a. a list of all property believed to be the separate property of each spouse;
 - b. a list of all property believed to be marital in nature, the value of that property, the valuation date used in determining the value, the NADA trade-in value of any vehicles (if available), and an account of all debts owing upon each item of property;
 - c. a list of all other debts of the marriage;
 - d. a statement of the contested issues of fact and law;
 - e. a list of all witnesses;
 - f. a list of all exhibits;
 - g. a statement as to whether shared parenting is being requested.

If a pretrial statement is not filed in accordance with this rule, the court may continue the pretrial in progress and entertain a motion for attorney fees against the non-complying party.

3. Unless excused by the Court, trial counsel must attend the pretrial. Failure to abide by this rule may result in a second pretrial with opposing counsel's attorney fees paid by the non-complying attorney.

C. Settlement Conferences.

No matter will be set for trial until the parties have held a settlement conference after discovery has been completed. The court may waive such conference for good cause shown.

D. Scheduling of Final Hearings.

No final hearings shall be scheduled until discovery is completed.

E. Emergency Hearings.

If a substantial emergency exists which requires prompt court intervention, counsel may request an emergency hearing. A motion for an emergency hearing, accompanied by an affidavit setting out the nature of the emergency and the relief sought, shall be presented to the Domestic Relations Office. The Judge will approve or reject the request for an emergency hearing. If approved, the Assignment Commissioner will set the motion for the first available hearing date, at least seven days after service.

3.4 Motion Practice [see also Appendix 1 (Documents Required for Filings)].

A. Scheduling of Hearing.

1. The party filing a motion shall first obtain a hearing date from the Assignment Commissioner.
2. All motions shall contain a notice of the time, date and place of the hearing.
3. Any responsive motion shall be filed at least seven (7) days prior to the scheduled hearing. If such motion is filed, the originally-scheduled hearing may be used as a pretrial and scheduling conference rather than a hearing on the merits. Clients must be present.
4. The initial hearing on a motion to modify custody (including significant modification of a shared parenting plan) may be conducted as a pretrial and the issue may be referred to mediation under LR 5.2. In such cases, a scheduling conference after mediation will also be set.

B. Content of Motions.

1. All pleadings shall be in conformity with 1.1 B. of these Local Rules.
2. All motions to modify prior orders of the court shall contain a statement of the order sought to be modified, the date of such order, the nature of the modification sought, and the specific change in circumstances which justifies modification.
3. An entry of appearance should be filed by counsel, if new to the case, to insure that court mailings are sent to the appropriate counsel and address.
4. Exhibits that will be used at trial shall be submitted at trial and not attached to any pleadings filed with the Court without special permission from the DR Court.
5. Tax returns, credit card statements, phone bills, medical bills and similar personal financial information shall not be attached to any motions filed with the Court without special permission from the DR Court.

C. Motions Regarding Health Care Expenses.

Any motion seeking reimbursement for health care expenses shall contain a statement that the movant has previously forwarded the medical bills and a calculation of the amount due to the respondent and that timely payment has not been made. Absent unusual circumstances, or court order to the contrary, a request for reimbursement of health care expenses should be made within thirty (30) days of the date when payment is made or due. Reimbursement should be made within thirty (30) days of the request.

D. Motions for Contempt.

All motions requesting a contempt finding shall contain a statement of the court order alleged to have been violated, the date of the court order, and the facts constituting the violation. At the hearing on a motion for contempt of a support order, a CSEA payment history (i.e. a computer printout from the CSEA) must be presented by the moving party. An audit may be submitted, if available, but is not required. Upon a finding of contempt, the court may award a standard attorney fee of up to \$500.00. If a higher award is sought, the attorney must request fees as a part of the motion and comply with LR 3.7.

Whenever a motion for contempt is filed, the caption must so indicate so that the Clerk of Courts may issue a summons.

E. Settlement of Contested Matters.

Whenever the parties or counsel inform the Assignment Commissioner that an agreement has been reached on an issue previously in controversy, they must submit written proof of the agreement (by fax, mail or hand delivery) in order to avoid appearing at the hearing. If no written agreement is submitted, counsel must appear with the parties to read the

agreement into the record. If the submitted written agreement is not in a form suitable for filing or if an agreement is read into the record, the attorneys must thereafter submit an agreed entry in accordance with LR 6.2.

F. Failure to Comply.

The court may dismiss any motion that does not comply with the requirements of these Local Rules.

3.5 Exhibits.

A. Exhibits for Trial.

Before a hearing begins, each party shall provide the court with the following:

1. an index of exhibits; and
2. an original and three sets of photocopies of all exhibits, premarked, with the plaintiff identifying exhibits by number and the defendant identifying exhibits by letter.

B. Retention/Destruction of Exhibits.

Exhibits shall be held and shall be subject to destruction in accordance with Rule 26 of the Rules of Superintendence for the Courts of Ohio. Parties desiring return of exhibits should make application to the court following completion of the case and all applicable appeal time periods.

3.6 Expert Witnesses.

A party may not call an expert witness to testify unless a written report has been procured from the expert and forwarded to opposing counsel. It is counsel's responsibility to take reasonable measures, including the procurement of supplemental reports, to insure that each report adequately sets forth the expert's opinion. Unless good cause is shown, all reports must be supplied to opposing counsel no later than thirty (30) days prior to trial. The report of an expert must reflect his or her opinions as to each issue on which the expert will testify. An expert will not be permitted to testify or provide opinions on issues not raised in his or her report.

Absent extraordinary circumstances, all experts must submit reports. If a party is unable to obtain a written report from an expert, counsel for the party must demonstrate that a good faith effort was made to obtain the report and must advise the court and opposing counsel of the name and address of the expert, the subject of the expert's expertise, together with his or her qualifications, and a detailed summary of his or her testimony. The court shall have the power to nonetheless exclude testimony of the expert if good cause is not determined for the absence of a report.

3.7 Attorney Fees.

- A. As an alternative to retaining an expert to testify at the final hearing on the issue of reasonableness and necessity of legal services, the party requesting fees may submit an affidavit to opposing counsel setting forth qualifications of the requesting party's attorney, the hourly rate of the attorney, and an itemized statement of the services rendered, with an estimate of the remaining preparation time and time required for attendance to the final hearing. The affidavit must be submitted to opposing counsel at least two days (2) before the final hearing.
- B. The affidavit should be offered as an exhibit at the final hearing. The responding party may then indicate at the final hearing whether he or she will stipulate to the reasonableness and necessity of the requesting party's attorney fees. If there is no such stipulation, the court, upon request, will schedule a follow-up hearing at which time the issue of attorney fees will be litigated and the requesting party may present expert testimony on the issue of reasonableness and necessity of fees, including those fees incurred in preparing for and attending the follow-up hearing.

3.8 Court Appointed Counsel.

- A. Eligibility.

Court appointed counsel is available only for cases in which a contempt motion is pending and a jail sentence is a possible sanction.

- B. List of Appointees.

A master list of eligible attorneys will be maintained by the court.

- C. Qualifications for Appointees.

Attorneys must be admitted to practice law in the state of Ohio and be in good standing.

- D. Procedure for Selecting Appointees.

Appointees shall be assigned cases on a rotating basis from an alphabetical master list. The court will mail to appointed counsel a copy of the order appointing counsel as well as copies of notices of any hearings already scheduled on the court's docket.

- E. Emergency Procedure.

Should an emergency situation arise wherein the services of a court appointed attorney are needed immediately or within a period of time substantially less than is normally required to fill a court appointment, it will be within the discretion of the court to deviate from the regular procedure as is necessary to ensure that justice is served.

F. Removal From List.

All appointees are subject to removal from the master list at the discretion of the court.

3.9 Continuances.

A. Policy.

No case in which a date has been set for a hearing shall be continued without the written authorization of the assigned Judge or Magistrate. Requests for continuances shall be granted only in compliance with Rule 41 of the Rules of Superintendence for the Courts of Ohio.

B. Contents of Motion.

Requests for continuances must be made by written motion and accompanied by a proposed order. The motion must contain:

1. filing date of the original motion;
2. subject matter of the motion;
3. the scheduled hearing date;
4. number of previous continuances granted and at whose request;
5. reason for the continuance;
6. copy of conflicting trial assignment notice attached, if appropriate; and
7. statement as to whether or not opposing counsel/party agrees to the continuance.

If opposing counsel/party does not agree to a continuance, the motion for continuance may be set for telephone conference or for a hearing.

C. Contents of Order.

The proposed order shall include a blank for the new hearing date; or, in the alternative, a hearing date may be obtained by telephone from the Assignment Commissioner and inserted into the order before submission to the court.

3.10 Bankruptcy.

If a bankruptcy petition is filed by either or both parties, that party or parties shall file a Notice of Filing of Bankruptcy in the domestic relations case. If relief from stay is granted or at the conclusion of the bankruptcy case, the party or parties shall file a Motion to

Reactivate Case in this court, with a copy of the relief order attached, and shall schedule the matter for further hearing with the Assignment Commissioner.

3.11 Objections to Magistrate's Decision.

A. Hearing Date.

Persons filing objections to a Magistrate's decision shall obtain a date from the Assignment Commissioner for Submission of Objections for Decision (with no appearances required). No oral hearing will be held except on motion filed by a party and granted by the Court. Any motion must provide specific grounds for the necessity of an oral hearing and must be accompanied by a proposed entry granting same. The Court may, upon its own notice, set the matter for oral hearing without a motion from either party. Supplemental written memoranda may be filed no later than the day before the submission or hearing date.

B. Ordering Transcripts.

If a party intends to object to a Magistrate's decision pursuant to Civ.R.53 on the basis that a finding or conclusion is unsupported by the evidence or is contrary to the evidence, that party shall provide a transcript of all evidence relevant to such findings or conclusions. See LR 3.12, Transcripts.

3.12 Transcripts.

A. Ordering Transcripts.

At the time of filing objections to a Magistrate's decision, or if a party otherwise requests a transcript for any other purpose, the party shall also file a praecipe (DR Form 5) with the Clerk of Courts, requesting a transcript. The party filing the praecipe shall also mail a copy of the praecipe to the opposing party and submit a copy to the Domestic Relations Office. The Domestic Relations clerk shall deliver the praecipe to the appropriate transcriptionist who shall then notify the requesting party or attorney of the estimated cost of the transcript. The entire cost estimate of the transcript shall be paid to the transcriptionist within seven (7) days of the filing of the praecipe. Transcripts will not be prepared without payment of the cost estimate. If objections are filed and if no payment is received within that seven-day period, the transcriptionist shall notify the Judge who may then proceed to rule upon the objections. Any balance or refund due shall be payable to or by the appropriate party upon the completion of the transcript.

B. Filing of Transcript.

1. If a transcript is ordered due to an objection being filed, the transcriptionist shall file the completed transcript with the Clerk of Courts at least fourteen (14) days prior to the objection hearing/submission date so long as any balance due has been paid. In cases where the transcript of the proceedings before the Magistrate exceeds fifty pages in length, the parties shall, by the day before the hearing/submission date, file

written memoranda with references to the transcript and record that support their respective positions. Failure to file transcript references shall be considered a waiver to objections to findings of fact.

2. If a transcript is ordered due to any reason other than objection to a Magistrate's decision, the transcriptionist shall file the transcript upon completion and upon payment of any outstanding balance.

C. Cost.

The cost of a typed transcript requested under this rule is \$3.50 per page for the original (filed with the Clerk of Courts) and one copy. Additional copies may be purchased for \$1.75 per page. Copies shall be purchased from the transcriptionist and may not be duplicated from the original or opposing counsel's copy. This rule does not prohibit a party who has paid for a copy from duplicating the same for his or her own use, so long as the copy is not provided to the opposing party.

3.13 Withdrawal of Counsel.

A. Filing Requirements.

An attorney seeking to withdraw as counsel in a pending case shall present a filed motion and proposed entry to the assigned Judge or Magistrate. The motion shall contain the following:

1. date and time of any scheduled hearings;
2. reasons for withdrawal;
3. statement that the client must promptly obtain new counsel unless new counsel is already in the case;
4. statement that no continuances of pending hearings will be granted solely for the reason of change of counsel.

If the client has agreed to the withdrawal and signed the entry, the court may consider the motion forthwith. If the client has not signed the entry, the motion shall also state that the court may sign the entry unless the client requests a hearing within seven (7) days after the motion is served. In order to request a hearing, the client shall contact the Assignment Commissioner. The certificate of service on the motion must include the withdrawing counsel's client as well as the opposing counsel or party.

B. Time Limitations.

In the absence of extraordinary circumstances, the court will not grant an attorney permission to withdraw less than thirty (30) days prior to a scheduled hearing. Attorneys may not withdraw prior to completion of any assigned entries.

C. Substitution of Counsel.

As an alternative to the foregoing procedure, counsel may file a Notice of Substitution of Counsel.

3.14 Timely Disposition of Cases.

This court shall strive to comply with all Ohio Supreme Court guidelines regarding the timely disposition of cases.

3.15 Dismissal of Civil Protection Orders.

Any petitioner seeking to dismiss a civil protection order must personally appear before the court and state on the record the reason for seeking the dismissal. This process ensures that the petitioner understands the effect of the dismissal. Moreover, the court will notify all necessary agencies of the dismissal.

3.16 Modifications of Civil Protection Orders.

Any entry or order modifying a civil protection order must be submitted to compliance before filing so that agencies may be notified. A divorce decree or filing in the parties' divorce case is not sufficient to modify a civil protection order.

PART FOUR Parenting Provisions

4.1 Supervision of Children.

In the event that children must be brought to court, adequate supervision must be provided for them. The court cannot be responsible for the care of children during their parents' hearing or mediation.

4.2 Seminar for Separating Parents.

All parents in divorce, legal separation or dissolution actions in which there are any minor children under sixteen years of age shall register for an educational seminar for separating parents sponsored by the court within thirty (30) days after the filing of the action or service of process. No action may proceed to final hearing until the custodial parent has attended the seminar. No dissolution may proceed to final hearing unless both parties have attended the seminar. However, non-compliance by a parent who enters no appearance and does not contest the action shall not delay the final hearing. This requirement may be waived by the court for good cause shown.

Failure of a non-residential parent to attend the educational seminar by the final hearing date may result in suspension of parenting time.

Each parent shall be responsible for registering at least one week prior to the seminar to be attended. Fees shall be paid from the deposit for court costs paid to the Clerk of Courts with the initial complaint.

An information brochure shall be included by the Clerk of Courts with service of process in each action for divorce or legal separation in which there are any minor children. Plaintiff's counsel shall deliver a copy of the brochure to the plaintiff.

Counsel filing dissolution of marriage actions shall provide a copy of the information brochure to both parties to the action.

Seminar attendance may also be required by order of the court in connection with motions for post-decree relief concerning custody or parenting time issues.

4.3 Basic Parenting Schedule.

This court has adopted a Basic Parenting Schedule. (See Appendix 3 to these Local Rules.)

4.4 Interview of Child by Court.

All interviews of children will be scheduled at the discretion of the court and conducted in accordance with Ohio Revised Code §3109.04(B)(2). The interviews will be recorded and shall remain confidential.

4.5 Appointment of Guardian Ad Litem (GAL).

A. Appointment.

In any case in which the allocation of parental rights and responsibilities is to be determined, the court in its discretion may, and upon motion of either party shall, appoint a guardian ad litem for the child or children. The guardian ad litem shall be selected from the list of approved guardians ad litem maintained by the court. The GAL shall serve until the court enters a final order in the case.

B. Scope.

The guardian ad litem shall perform any functions necessary to protect the best interests of the child or children, including those duties set forth in the Order Appointing Guardian Ad Litem (GAL Form 1).

C. Procedure.

A party requesting appointment of a GAL must file a motion, set the matter for hearing, and serve the other party pursuant to the Ohio Rules of Civil Procedure. The court may also appoint a GAL sua sponte. In either case, if the court appoints a GAL, the court shall file GAL Form 1.

D. Fees.

1. If the court appoints a GAL sua sponte or as a result of a party's motion, the entry appointing the GAL may order a party or the parties to deposit funds with the Clerk of Courts. The court shall have discretion concerning the amount of the initial deposit.

The appointment of the GAL does not take effect, nor does it bind the proposed GAL to any duty or legal obligation, until the full deposit is paid to the Clerk of Courts.

2. In the event the GAL determines that the work required will exceed the fee deposit, the GAL shall seek court approval, with notice to counsel and/or unrepresented parties, before incurring any fees that exceed the deposit.
3. Upon completion of the GAL's duties, the GAL shall submit an affidavit of fees to the court for approval and a proposed order directing the clerk to release the approved amount.

E. Qualifications.

Guardians ad litem shall be approved by the court upon request. GALs must comply with all state-mandated training requirements (see Ohio Rule of Superintendence 48). All prospective GALs must submit an application (see GAL Form 2), submit to a background check (civil and criminal) and annually provide proof of compliance with Rule 48.

F. Reports.

Guardian ad litem reports shall be submitted to the Domestic Relations Office [**not filed with the Clerk of Courts**] and served upon the parties' attorneys at least fourteen (14) days prior to trial. The GAL report shall be accepted into evidence as the GAL's direct testimony, and he or she may be subject to cross examination by either party. If either party intends to call the GAL as a witness, such party shall subpoena the GAL at least seven (7) days prior to trial. Unless subpoenaed, the GAL need not appear at trial. The party issuing a subpoena to the GAL is responsible for paying the fee for the GAL's appearance, unless otherwise ordered by the court. If both parties issue a subpoena, the parties shall divide the GAL's appearance fee.

G. Comments/Complaints.

Any comments or complaints regarding the performance of a guardian ad litem appointed pursuant to this rule shall be in writing and shall be directed to the Court Administrator.

A copy of comments or complaints submitted to the court shall be provided to the guardian ad litem who is the subject of the complaint or comment. The Court Administrator may forward any comments or complaints to the Domestic Relations Judge for consideration and appropriate action. The Court Administrator shall maintain a written record in the guardian ad litem's file regarding the nature and disposition of any comment or complaint and shall notify the person making the comment or complaint and the subject guardian ad litem of the disposition.

Motions to remove a guardian ad litem shall be scheduled for hearing before the judge or magistrate assigned to adjudicate the allocation of parental rights and responsibilities.

H. Annual Certification.

The court shall annually conduct a review of its GAL list to determine that all individuals are in compliance with the training and education requirements of Rule 48, that they have performed satisfactorily on all assigned cases during the preceding calendar year and are otherwise qualified to serve.

All individuals on the guardian ad litem list shall certify annually that they are unaware of any circumstances that would disqualify them from serving, and shall report in writing the training they have attended to comply with Rule 48 (see GAL Form 3).

4.6 Psychological or Psychiatric Examinations.

A. Appointment.

The court may appoint a psychologist or psychiatrist to conduct an evaluation on the issues of custody and/or parenting time in order to assist the court in allocating parental rights. The court will allocate the costs of the evaluation between the parties. The psychologist or psychiatrist will be the court's witness and neither attorney shall provide any documents to such person, other than a trial notice, or communicate, or cause any third party to communicate, with the psychologist or psychiatrist.

B. Report.

The psychologist or psychiatrist will provide the court with the original written report and recommendations (including case name and number, the date of hearing and the name of the assigned Judge or Magistrate) no less than seven (7) days prior to the hearing unless otherwise ordered, with copies mailed to counsel for each party, or to a party if unrepresented. The report shall be accepted into evidence as the psychologist's or psychiatrist's direct testimony, and he or she may be subject to cross examination by either party. A party desiring to cross examine shall arrange for the psychologist's or psychiatrist's appearance at the hearing and is responsible for paying the fee for that appearance.

4.7 Residence of Minor Children.

All final decrees or entries designating parental rights and responsibilities must order the custodial parent not to remove the children from the state of Ohio for the purpose of establishing residency for them in another state without either (1) a court order approving such change and establishing a parenting schedule or (2) an agreement signed by the parties.

4.8 Notice of Intent to Relocate.

A. Filing of Notice.

If a parent of a minor child or children intends to relocate, that party must file a Notice of Intent to Relocate with the Clerk of Courts and mail a copy to the other party, in addition to notifying the CSEA. Copies of the Notice of Intent to Relocate (DR Form 8) are available in the Domestic Relations Office. A copy is also included in Appendix 4 to these Local Rules. Notice must be sent within the following timeframes:

1. If relocating within Warren County – at least thirty (30) days in advance of the move.
2. If relocating outside Warren County – at least sixty (60) days in advance of the move.

B. Motions.

If either party seeks a change in parenting orders as a result of relocation, that party shall file a motion with the court and schedule a hearing.

4.9 Transfer of Juvenile Court Support Cases to Domestic Relations Court.

If at the time of the filing of a complaint for divorce or petition for dissolution there is a Warren County Juvenile Court child support order for the benefit of one or more of the parties' children, and if the orders should be consolidated in Domestic Relations Court, motions must be filed in both courts.

The Juvenile Court motion should request transfer of the case to Domestic Relations Court. The transfer can be accomplished by an agreed entry or a court order following a hearing, if the matter is contested.

The Domestic Relations Court motion should request the court to accept transfer. The transfer into Domestic Relations Court can be accomplished by an agreed entry or a court order following a hearing, if the matter is contested.

PART FIVE

Dispute Resolution

5.1 Conciliation.

- A. A motion for conciliation must be filed in accordance with O.R.C. 3105.091. (Note that O.R.C. 3117 does not apply to this court.) The motion shall contain the following:
 - 1. name of the counselor;
 - 2. statement of required type of counseling;
 - 3. the time length for counseling;
 - 4. any other conditions requested.
- B. The entry granting conciliation shall stay the case for up to ninety (90) days and shall include a notice of hearing for a status conference at the end of the conciliation period.
- C. At the end of the conciliation period and before the status conference, the attorney must file a notice of dismissal or notification of intent to proceed.

5.2 Mediation.

A. Mediation Order.

At any time after service of summons in any action for divorce, legal separation or annulment, or at any time after the filing of a post-decree motion, the court may order both parties into mediation in accordance with O.R.C. 3109.052. Mediation may be provided by a court-employed mediator. That mediator may not sit as a Magistrate on that case. All private mediators must be approved by the court as set forth below.

B. Scope.

The court may order mediation of parenting issues pursuant to RC 3109.052. The parties may agree to mediate any other pending issues with a private mediator.

C. Criteria.

- 1. In considering whether to order a case to mediation or whether to continue with mediation once it is ordered, the court and/or mediator will consider relevant factors, including the following:
 - a. whether either party has been convicted of or pled guilty to a violation of O.R.C. 2919.25, or whether either party has committed an act resulting in a child being

adjudicated to have been abused; in either case, mediation will be ordered only if the court determines that it is in the best interests of the parties for mediation to proceed and supports that determination with specific written findings of fact;

b. whether one party is genuinely in fear of the other where domestic violence is alleged, regardless of whether there is a conviction;

c. whether one or both parties are alleged to have a significant drug and/or alcohol dependency;

d. whether one of the parties is mentally ill or has significant psychological problems that might interfere with mediation; and

e. whether the physical distance between the parties is so great that it is not feasible for them to maintain a consistent mediation schedule.

2. Mediation will not be used:

a. as an alternative to the prosecution or adjudication of domestic violence;

b. in determining whether to grant, modify or terminate a protection order;

c. in determining the terms and conditions of a protection order; and

d. in determining the penalty for violation of a protection order.

However, nothing in this rule shall prohibit the use of mediation in a subsequent divorce or custody case, even though that case may result in the termination of the provisions of a protection order.

3. When violence and/or fear of violence is alleged, suspected or present, mediation may only occur if the mediator has specialized training as set forth in the Ohio Rule of Superintendence 16(C)(2) and all of the conditions contained in Ohio Rule of Superintendence 16(B)(2) are met.

D. Procedure.

1. When the court orders mediation, a mediation order shall be filed. Both parties shall complete a mediation intake form. The mediation intake form will include information to facilitate screening for domestic violence.

2. If a court-employed mediator is to be used, the mediation coordinator shall schedule the first mediation session. If a private mediator is to be used, the parties or, if represented, the attorneys, shall advise the mediation coordinator within seven (7) days of the identity of the private mediator.

3. An order to mediate will not stay the implementation of any temporary orders issued by this court nor any scheduling order/discovery matter or hearing.
4. At the conclusion of mediation, the mediator shall submit a mediation report to the court (which shall not be filed in the court's case file) and provide copies to the parties and their attorneys if represented. A mediation report shall indicate whether agreement has been reached on any of the issues that were the subject of the mediation.
5. Any written agreements shall be forwarded to counsel and a copy given to the parties. Mediation agreements shall not be filed with the court.
6. Any agreement reached during mediation shall not be binding upon the parties until approved by the parties' attorneys, if any, and by the court, which shall consider the best interests of the children when allocating parental rights and responsibilities and/or establishing a parenting schedule.
7. Pursuant to Ohio Rule of Superintendence 16, parties are permitted to have their attorneys and other individuals they designate accompany them and participate in mediation. Attorney attendance, or attendance by anyone other than the parties, although not expected or encouraged, will be allowed only if sufficient advance notice is given so that opposing counsel may be notified and given an opportunity to attend.
8. Children shall not be brought to the mediation session.
9. Where appropriate, the mediator will provide appropriate referrals to legal counsel and other support services for all parties.

E. Cost of Mediation.

Court-connected mediation is provided at no cost to the parties. The Court shall apportion the cost of private mediation after considering the parties' respective incomes. The court shall retain the right to reconsider the cost allocation upon request by either party and for good cause shown.

F. Mediator Qualifications.

Private mediators shall have minimum qualifications as set forth in Rule 16 of the Rules of Superintendence for the Courts of Ohio. See also paragraph C. 3. of this rule. All mediators are encouraged to comply with the Model Standards of Practice for Family and Divorce Mediation.

G. Confidentiality.

Statements made during the course of mediation assessment or the mediation sessions are privileged and shall not be admissible as evidence in any subsequent proceeding in this court except as required by law. O.R.C. §2317.02 and §2710.01 et seq. This rule does not require

the exclusion of any evidence which is otherwise discoverable merely because it is presented in the course of mediation.

PART SIX

Decrees/Entries/Magistrate's Decisions/Orders

6.1 Decrees and Judgment Entries in Contested Matters.

A. General Preparation of Decrees/Entries.

After the court has announced its decision on any matter requiring an entry, order, decision or decree, counsel for the prevailing party shall prepare the appropriate document and forward it to opposing counsel within ten (10) days. Opposing counsel shall sign and return the document within ten (10) days of receipt. The document shall be submitted to the court within thirty (30) days after the court announces its decision.

B. Disagreement Concerning Documents Prepared by Counsel.

If the prevailing party prepares the necessary document as noted above but opposing counsel objects to the document as to form or because it does not accurately embody the court's decision, counsel shall indicate objections by affixing the words "subject to objection" under counsel's signature. Counsel shall then prepare his or her own entry, sign it and mail the original to the prevailing attorney along with the entry previously mailed to him or her by the prevailing attorney. Either or both counsel shall then set the matter for a hearing on the entry as soon as possible. Each attorney must present a draft entry to the Judge/Magistrate at such hearing. The Judge/Magistrate shall approve and file one or the other of the submitted entries or shall prepare and file his/her own entry or decision.

C. Failure to Respond to Draft Documents.

If the prevailing party prepares the necessary document(s) as noted above but opposing counsel fails to respond with approval or objections, or if the prevailing party fails to timely prepare the necessary document(s) as noted above, counsel may file a "Notice of Presentation of Entry" with the court in substantial compliance with DR Form 9 (included in Appendix 4). Such notice shall include the following:

1. Notice to the opposing counsel that the proposed entry will be presented to the court for approval after the expiration of fourteen (14) days from the date of mailing unless the other attorney, within the fourteen days, files a written objection stating the grounds with particularity, attaches his/her own proposed entry and sets the matter for hearing.
2. Failure to file written objections and/or to set a hearing will be construed as acquiescence to the filing of the proponent's entry.

3. The proposed entry shall be attached to the notice.

If, after the expiration of the fourteen (14) day period, opposing counsel has not filed a written objection, the counsel who drafted the document shall present both the file-stamped Notice of Presentation of Entry and the actual proposed entry to the assigned Judge/Magistrate for consideration.

D. Nothing in this rule precludes the Judge/Magistrate from preparing and filing his or her own entry/decision at any time.

6.2 Decrees and Judgment Entries in Agreed Matters.

When a matter scheduled for hearing is settled by agreement, the attorneys shall present an agreed entry endorsed by both counsel, or parties if not represented, within thirty (30) days of the hearing. If counsel (or a party) cannot agree on the entry, they shall schedule a conference with the court. If the agreement was recorded, a transcript must be obtained and presented at the conference.

6.3 Failure to Timely Submit Entries.

Attorneys who fail to timely submit entries will be given notice to appear to present entry or face attorney contempt and/or dismissal of the pending matter. Attorney attendance is compulsory unless excused by the court.

6.4 Compliance and Procedure for Filing Decrees, Entries, Magistrate's Decisions, Orders.

A. Compliance.

All final decrees/entries/Magistrate's decisions that include children's issues must be submitted to the DR Office for compliance review prior to filing. The documents will be reviewed to determine compliance with Local Rules, mandatory statutory language and completion of all required court forms. If the documents are approved by the DR Office, they will be filed with the Clerk of Courts. If the documents are not approved, the person responsible for their preparation will be contacted and required to pick up the documents, make necessary changes, and resubmit the documents to the DR Office.

B. Other Filings.

All court filings (other than those requiring compliance review) requiring a Judge or Magistrate's signature shall be dropped off in the Domestic Relations Office. Court personnel will present the documents to the appropriate Judge or Magistrate for signature. The signed documents will be filed with the Clerk of Courts unless other instructions are given.

C. Notifications.

All decrees, entries and decisions that address child support and/or health insurance shall adopt the Notifications (see Appendix 2) and they shall be attached thereto.

6.5 Agreed Modification of Parental Rights.

Parties who agree to a modification of parental rights and responsibilities shall submit an agreed entry with the appropriate attachments to the DR Office for compliance review.

6.6 Waiver of Support Arrearages.

An obligee seeking to waive support arrearages must file a written request, schedule a hearing and appear in person before the court. The court may waive appearance for good cause shown. If both parties are represented by counsel, an agreed entry may be filed in lieu of a hearing. Any waiver of arrearages has no effect on money that may be owed to any governmental agency.

6.7 Personal Property.

If personal property has been divided and exchanged before the divorce decree is filed, the decree shall include the following language: “All personal property has been divided and exchanged.”

If personal property has not been divided and exchanged before the divorce decree is filed, the decree shall include the following language: “The parties shall exchange and divide all personal property no later than 30 days after the filing date of the final decree. If the parties cannot agree upon a date to conduct this division and exchange, the date for the division and exchange of personal property shall be at 12:00 noon on the 30th day following the filing of the decree. If either party fails to abide by the terms of the final decree regarding the division and exchange of personal property, the court shall entertain a motion for contempt or a motion to compel the division or exchange of personal property. The court will only entertain these motions if filed by a party on or before the 30th day after the expiration of the 30-day period.”

6.8 Legal Description Approval.

Any legal description of Warren County real estate that is incorporated into an entry for recording purposes must be reviewed by the Warren County Tax Map Department as to content and legibility and by the Auditor’s Office to ensure that ownership names are consistent with the County Auditor’s records. These legal descriptions will be mailed with a verification stamp upon approval of the Auditor’s Office and Tax Map Department.

6.9 Qualified Domestic Relations Court Orders (QDRO).

A. Preparation.

1. Unless otherwise agreed, counsel for the alternate payee entitled to a portion of the other spouse's pension or retirement plan shall prepare the QDRO for submission to the court. The pension participant shall sign any releases necessary to facilitate drafting of the QDRO.
2. Whenever the parties agree to divide a pension or retirement program by a QDRO, they and their counsel shall sign and approve the original of a QDRO submitted to the court, and shall sign and approve any subsequent QDRO submitted to the court, unless waived by the court.
3. The QDRO shall be prepared and submitted to the court with the final decree, or as soon as possible thereafter.

B. Assumptions.

1. Unless otherwise agreed, a QDRO for a defined benefit plan shall contain the following provisions or shall be governed by the following assumptions:
 - a. The QDRO will be a separate interest QDRO, meaning the alternate payee's benefits shall be independent of those of the participant.
 - b. The division of benefits shall be based on the language of the case of **Hoyt v. Hoyt**, 53 Ohio St. 3d 177 (1999) and its progeny.
 - c. The benefits assigned to the alternate payee shall include any and all temporary and supplemental benefits. Further, the benefits assigned to the alternate payee shall include all early retirement subsidies and, should the alternate payee commence receipt of benefits prior to participant's retirement, the alternate payee's benefits will be recalculated to reflect the subsidy.
 - d. The alternate payee will be deemed to be the surviving spouse of the participant to the extent of benefits assigned for the purpose of a pre-retirement survivor annuity.
 - e. The division of the benefits will be the date of the final hearing of the case.
2. Unless otherwise agreed, a QDRO for a defined contribution plan shall contain the following provisions or be governed by these assumptions:
 - a. The division of benefits will be the date of the final hearing of the case.
 - b. The alternate payee's share of the benefits shall be credited with investment earnings and/or losses from the date of division until distribution.
 - c. The QDRO will allow an immediate lump sum distribution of the alternate payee's benefits.

d. Any loans from the plan shall be charged to the participant's benefits and will remain the obligation of the participant.

e. The alternate payee's share of the benefits will reflect credit for sums deposited into the plan after the date of division which are based on service for periods prior to the date of division.

C. **Mandatory Language.**

In all cases in which a QDRO is to be issued, the final judgment entry shall contain the following language:

1. "The court retains jurisdiction with respect to the Qualified Domestic Relations Order to the extent required to maintain its qualified status and the original intent of the parties. The court also retains jurisdiction to enter further orders as are necessary to enforce the assignment of benefits to the non-participant as set forth herein, including the recharacterization thereof as a division of benefits under another plan, as applicable, or to make an award of spousal support, if applicable, in the event that the participant fails to comply with the provisions of this order."
2. "The participant shall not take actions, affirmative or otherwise, that can circumvent the terms and provisions of the Qualified Domestic Relations Order, or that may diminish or extinguish the rights and entitlements of the participant."

6.10 Division of Pension Orders (DOPO).

The division of retirement benefits for members of the Ohio Public Employees Retirement System (OPERS), State Teachers Retirement System (STRS), School Employees Retirement System (SERS), Ohio Police and Fire Pension Fund (OP&F), and Ohio Highway Patrol Retirement System (HPRS) shall conform with the requirements of each agency's respective administrative rules. The terms of LR 6.9 apply to DOPOs to the extent such terms are not in conflict with the statutory requirements of DOPOs.

Specific retirement information may be found for the respective agencies on the Internet at www.opers.org; www.strsoh.org; www.ohsers.org; www.op-f.org and www.ohprs.org.

PART SEVEN

Special Accommodations

7.1 Disabled Persons.

Any person who requires special accommodations because of a handicap or disability shall notify the court of his or her special requirements at least ten (10) days before a scheduled court appearance. The court shall comply with all reasonable requests for assistance, including providing interpreters without additional cost, except as described in LR 7.2.

7.2 Interpretive Services.

When interpretive services are needed, the attorney or party requesting an interpreter shall make a request to the Domestic Relations Office at least ten (10) days before the scheduled hearing. The court will arrange for an objective interpreter to be present for the hearing. The requesting party's failure to appear at the hearing may result in that party being held responsible for payment of the interpreter's fee.

APPENDICES

1. **Documents Required for Filings**
2. **Notifications**
3. **Basic Parenting Schedule**
4. **D.R. Forms**

- D.R. Form 1. Affidavit of Income, Expenses and Property**
- D.R. Form 2. Personal History of Parties to Divorce, Dissolution or Legal Separation**
- D.R. Form 3. Number reserved for future use**
- D.R. Form 4. Information for Parenting Proceeding**
- D.R. Form 5. Praecipe for Transcript**
- D.R. Form 6. Number reserved for future use**
- D.R. Form 7. Mutual Restraining Order**
- D.R. Form 8. Notice of Intent to Relocate**
- D.R. Form 9. Notice of Presentation of Entry**
- D.R. Form 10. Health Insurance Information Form**
- D.R. Form 11. Information Sheet for Notice to Income Provider**
- D.R. Form 12. Application for Child Support Services (IV-D)**

5. GAL Forms

GAL Form 1. Order Appointing Guardian Ad Litem

GAL Form 2. Application for Guardian Ad Litem

GAL Form 3. Background Disclosure Statement

REVISED 05/18/11

**WARREN COUNTY COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
DOCUMENTS REQUIRED FOR FILINGS
DR Forms are included in Appendix 4 to the
Warren County Rules of Court.**

DISSOLUTION WITH CHILDREN

Initial Filings

Petition
Separation Agreement
Waiver of Service
Waiver of Representation (unless both parties are represented)
Income/Expense Affidavit (completed by each party/signatures notarized) (DR Form 1)
Personal History (completed by one of the parties) (DR Form 2)
Information for Parenting Proceeding (custody affidavit) (DR Form 4)
Shared Parenting Plan (if applicable)
Child Support Computation Worksheet
IV-D Application (DR Form 12)

Final (approved by Domestic Relations Compliance Officer)

Decree of Dissolution
Decree approving Shared Parenting Plan, if applicable
Health Insurance Information Form (DR Form 10)
Information Sheet for Notice to Income Provider (DR Form 11)
Child Support Computation Worksheet (or copy of previously filed worksheet if still applicable)

Parenting class to be completed before final hearing; contact Mental Health at 513-695-1357.

DISSOLUTION WITHOUT CHILDREN

Initial Filings

Petition
Separation Agreement
Waiver of Service
Waiver of Representation (unless both parties are represented)
Income/Expense Affidavit (completed by each party/signatures notarized) (DR Form 1)
Personal History (completed by one of the parties) (DR Form 2)

Final

Decree of Dissolution
Information Sheet for Notice to Income Provider (if spousal support is ordered)(DR Form 11)

DIVORCE/LEGAL SEPARATION WITH CHILDREN

Initial Filings

Complaint for Divorce or Legal Separation
Motion for Temporary Orders, with supporting affidavits
Entry granting temporary orders
Income/Expense Affidavit (signature notarized) (DR Form 1)
Personal History (DR Form 2)
Information for Parenting Proceeding (custody affidavit) (DR Form 4)

Shared Parenting Plan (if applicable)
Child Support Computation Worksheet
IV-D Application (DR Form 12)

Responsive Pleadings

Answer, and if applicable, counterclaim
Income/Expense Affidavit (signature Notarized)(DR Form 1)

Final (approved by Domestic Relations Compliance Officer)

Decree of Divorce or Legal Separation
Decree approving Shared Parenting Plan, if applicable
Child Support Computation Worksheet (or copy of previously filed worksheet if still applicable)
Health Insurance Information Form (DR Form 10)
Information Sheet for Notice to Income Provider (DR Form 11)

Parenting class to be completed before final hearing; contact Mental Health at 513-695-1357.

DIVORCE/LEGAL SEPARATION WITHOUT CHILDREN

Initial Filings

Complaint for Divorce or Legal Separation
Motion for Temporary Orders, if requested, with supporting affidavit
Entry granting temporary orders
Income/Expense Affidavit (signature notarized) (DR Form 1) (excluding those sections specifically related to children)
Personal History (DR Form 2)

Responsive Pleadings

Answer, and if applicable, counterclaim
Income/Expense Affidavit (signature Notarized)(DR Form 1)

Final

Decree of Divorce or Legal Separation
Information Sheet for Notice to Income Provider (if spousal support is ordered)

Note: Qualified Domestic Relations Orders may be required in any of the foregoing actions if retirement assets are being divided in kind.

POST-DECREE CHANGE OF CUSTODY/SUPPORT

Initial Filings

Motion
Income/Expense Affidavit (DR Form 1) (not required if information/order has not changed and is already in file)
Information for Parenting Proceeding (custody affidavit -- not required unless custody is at issue) (DR Form 4)

Final (approved by Domestic Relations Compliance Officer)

Entry
Child Support Computation Worksheet
Health Insurance Information Form (DR Form 10) (not required if information/order has not changed and is already in file)
Information Sheet for Notice to Income Provider (DR Form 11)

NOTIFICATIONS
Revised 01-01-09

SUPPORT

IT IS ORDERED that the obligor is hereby restrained from making any payments directly to obligee. All current support payments and arrearage payments must be made through the Warren County Child Support Enforcement Agency ("CSEA") or the Ohio Child Support Payment Central ("OCSPC"). Any payments not made in this manner shall be deemed a gift.

All child support and spousal support under this order shall be withheld or deducted from the wages or assets of the obligor pursuant to a withholding or deduction notice or appropriate court order issued in accordance with Chapters 3119, 3121, 3123 and 3125 of the Ohio Revised Code ("ORC") and shall be forwarded to the obligee in accordance with Chapter 3121 of the ORC.

All child support and spousal support paid under this order shall include a two percent (2%) processing charge.

If child support arrearages are determined by the Court or the CSEA, repayment shall be at the rate of twenty percent (20%) of the current order, plus two percent (2%) processing charge, absent any Court ruling as to a different repayment schedule.

Any income provider who receives a Notice to Income Provider to Withhold Obligor/Income/Assets from the CSEA must immediately commence withholding in the amount and manner directed in the notice. Any income provider who fails to comply with the notice is subject to a finding of contempt of Court.

Support payments shall be forwarded to the OCSPC, P.O. Box 182372, Columbus, Ohio 43218. Until such time as the Notice to Income Provider To Withhold Income/Assets becomes effective, the obligor shall be responsible to make the appropriate payments directly to the OCSPC by certified check, cashier's check, or money order only. Cash payments may be made to the Warren County CSEA, 500 Justice Drive, Lebanon, Ohio 45036.

Child support for each child shall continue until that child reaches the age of eighteen and pursuant to ORC §3103.03 no longer continuously attends on a full-time basis any recognized and accredited high school, is otherwise emancipated, or unless otherwise ordered by the Court. Notwithstanding the foregoing, except in cases in which a child support order requires the duty of support to continue for any period after the child reaches age nineteen, the order shall not remain in effect after the child reaches age nineteen.

The Court retains jurisdiction to address the issue of support and to enter an order at any time in the future upon motion of either party based on changed circumstances. The Court also retains jurisdiction to enter a support order in the future at any time as either party may request and receive any public assistance for a child or children herein.

The obligee shall notify the Warren County CSEA, 500 Justice Drive, P.O. Box 440, Lebanon, Ohio 45036-0440, in writing, of any change in the status of the minor children of the parties which would terminate the duty of the obligor to pay any portion of the child support order. In the event of a reconciliation or remarriage of the parties, both parties are also required to notify the Warren County CSEA in writing of such a change. The parties are hereby ordered to notify the Warren County CSEA in writing of any change of his or her current mailing or residence address, or change of name. Willful failure to provide a change of address to the CSEA is contempt of Court. The obligor shall notify the Warren County CSEA in writing immediately upon any change of employment. This duty to notify shall continue until further order of the Court.

EACH PARTY TO THIS SUPPORT ORDER MUST NOTIFY THE CHILD SUPPORT ENFORCEMENT AGENCY IN WRITING OF HIS OR HER CURRENT MAILING ADDRESS, CURRENT RESIDENCE ADDRESS, CURRENT RESIDENCE TELEPHONE NUMBER, CURRENT DRIVER'S LICENSE NUMBER, AND OF ANY CHANGES IN THAT INFORMATION. EACH PARTY MUST NOTIFY THE AGENCY OF ALL CHANGES UNTIL FURTHER NOTICE FROM THE COURT OR AGENCY, WHICHEVER ISSUED THE SUPPORT ORDER. IF YOU ARE THE OBLIGOR UNDER A CHILD SUPPORT ORDER AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY BE FINED UP TO \$50 FOR A FIRST OFFENSE, \$100 FOR A SECOND OFFENSE, AND \$500 FOR EACH SUBSEQUENT OFFENSE. IF YOU ARE AN OBLIGOR OR OBLIGEE UNDER ANY SUPPORT ORDER ISSUED BY A COURT AND YOU WILLFULLY FAIL TO GIVE THE REQUIRED NOTICES, YOU MAY BE FOUND IN CONTEMPT OF COURT AND BE SUBJECT TO FINES UP TO \$1,000 AND IMPRISONMENT FOR NOT MORE THAN 90 DAYS.

IF YOU ARE AN OBLIGOR AND YOU FAIL TO GIVE THE REQUIRED NOTICES, YOU MAY NOT RECEIVE NOTICE OF THE FOLLOWING ENFORCEMENT ACTIONS AGAINST YOU: IMPOSITION OF LIENS AGAINST YOUR PROPERTY; LOSS OF YOUR PROFESSIONAL OR OCCUPATIONAL LICENSE, DRIVER'S LICENSE, OR RECREATIONAL LICENSE; WITHHOLDING FROM YOUR INCOME; ACCESS RESTRICTION AND DEDUCTION FROM YOUR ACCOUNTS IN FINANCIAL INSTITUTIONS; AND ANY OTHER ACTION PERMITTED BY LAW TO OBTAIN MONEY FROM YOU TO SATISFY YOUR SUPPORT OBLIGATION.

If you are a residential parent, or if you participate in a shared parenting plan, and intend to move, you MUST file a "Notice of Intent to Relocate" (DR Form 8) with the Court. DR Form 8 must be filed at least 30 days prior to a move within Warren County and 60 days prior to a move out of Warren County. A copy of this notice shall be mailed to the non-moving party. Any party receiving such a notice may request that a hearing be conducted to readjust the allocation of parental rights and responsibilities.

A residential parent shall not remove the children from the state of Ohio for the purpose of establishing residency for them in another state without either (1) a court order approving such change and establishing a parenting schedule or (2) an agreement signed by the parties.

If the court determines that the parent who is not the residential parent and legal custodian may claim the children as dependents for federal income tax purposes, the residential parent is ordered to take whatever action is necessary pursuant to §152 of

the “Internal Revenue Code of 1986,” 100 Stat. 2085, 26 U.S.C. 1, as amended, to enable the parent who is not the residential parent and legal custodian to claim the children as dependents for federal income tax purposes. Any willful failure of the residential parent to comply with the order of the court is contempt of court.

HEALTH INSURANCE AND EXPENSES

The person required to provide health insurance coverage shall designate the parties’ minor children as covered dependents under any health insurance policy, contract, or plan for which that party contracts no later than 30 days after issuance of this order. Written verification of compliance with this order must be provided to the Warren County CSEA at P.O. Box 440, 500 Justice Drive, Lebanon OH 45036 immediately, but no later than 30 days after complying with this order.

The requirement to obtain health insurance for the parties’ minor children under this order cannot be fulfilled through enrollment in the Medicaid system and such enrollment may require the Warren County CSEA to take action to modify your child support and/or health insurance orders.

If health insurance coverage for the parties’ minor children is not presently available at a reasonable cost through a group policy, contract, or plan offered by either party’s employer or through any other group policy, contract, or plan available to either party, and if health insurance coverage for the parties’ minor children becomes available later at a reasonable cost, the person to whom the coverage becomes available shall obtain health insurance and inform the CSEA in writing within 30 days. “Reasonable cost” for these purposes is defined as 5% or less of a parent’s annual gross income as identified on the most recently filed child support computation worksheet.

The person required to provide health insurance coverage shall provide the other party with all information regarding the benefits, limitations, and exclusions of the coverage, copies of any insurance forms necessary to receive reimbursement, payment, or other benefits under the coverage, and a copy of any necessary insurance cards no later than 30 days after the issuance of this order.

The individual who is to be reimbursed for out-of-pocket medical, optical, hospital, dental, or prescription expenses paid for the parties’ minor children is the person who incurred the expense. Absent unusual circumstances, or court order to the contrary, request for reimbursement of health care expenses should be made within 30 days of the date when payment is made or due. Reimbursement should be made within 30 days of the request.

Nothing contained in this order prevents the health plan administrator that provides the health insurance coverage for the children from continuing to make payment for medical, optical, hospital, dental, or prescription services directly to any health care provider in accordance with the applicable health insurance policy, contract, or plan.

Pursuant to ORC §3119.56, an obligor or obligee who fails to comply with a child support order issued in accordance with §3119.30 of the ORC is liable to the other for any medical expenses incurred as a result of the failure to comply with the order.

Upon written request, an employer of any person required to obtain health insurance coverage is required to release to the other parent, any person subject to an order issued under §3109.19 of the ORC, or the CSEA, any necessary information on the health insurance coverage, including the name and address of the health plan administrator and any policy, contract, or plan number, and to otherwise comply with §3119.32 of the ORC and any order or notice issued under this section.

If the person required to obtain health insurance coverage for the children subject to this child support order obtains new employment, the agency shall comply with the requirements of §3119.34 of the ORC, which may result in the issuance of a notice requiring the new employer to take whatever action is necessary to enroll the parties’ minor children in health insurance coverage provided by the new employer.

HEALTH INSURANCE & CASH MEDICAL SUPPORT

If private health insurance is accessible and reasonable, in accordance with ORC §3119.30, it is hereby ORDERED that, no later than 30 days after the issuance of this support order, such parent shall obtain and maintain private health insurance for the children covered by this order and that parent shall hereafter be referred to as the Health Insurance Obligor.

If private health insurance is not accessible and/or not reasonable in cost or becomes inaccessible or unreasonable in cost, in accordance with ORC §3119.30(C), the parent ordered to pay child support shall also pay Cash Medical Support during the period in which the children covered by this order are not covered by private health insurance.

The Cash Medical Support Order becomes effective on the first day of the month immediately following the month in which private health insurance coverage that had been in effect for the children becomes unavailable or terminates. The obligation to pay the Cash Medical Support Order shall stop on the last day of the month immediately preceding the month in which private health insurance coverage begins or resumes.

If private health insurance coverage for the children covered by this order becomes available to either parent through any group policy, contract or plan, that parent shall immediately inform the CSEA of the available coverage.

If the CSEA determines that private health insurance coverage is accessible and reasonable in cost, the CSEA shall notify both parties that the person to whom the coverage is available is now the Health Insurance Obligor and is ordered to obtain and maintain private health insurance for the children covered by this order and to meet the requirements identified under the “Notice to the Health Insurance Obligor,” to be issued by the CSEA, without an additional order or hearing.

**BASIC PARENTING SCHEDULES
WARREN COUNTY COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION**

This Court encourages parents who are divorcing or divorced to create parenting schedules tailored to the specific needs of their child(ren), taking into account their respective work schedules and the individual needs of the child(ren).

If parents have no specific written parenting schedule, the parents shall follow one of the schedules set forth below. The Court-imposed schedules are intended to further two goals: (1) preservation of or development of a close relationship between child(ren) and each parent; and (2) consideration of the changing developmental needs of the child(ren).

Note: For purposes of interpreting this order and if a shared parenting plan refers to this order, the party with whom the child(ren) spend the majority of time shall be referred to as the residential parent and the other parent as the non-residential parent provided that the shared parenting plan does not contain any provisions to the contrary.

A. INFANTS: BIRTH TO 6 MONTHS

The non-residential parent may have parenting time on Tuesdays and Thursdays from 5:30 p.m. to 8:30 p.m. and every Saturday from 10:00 a.m. to Sunday at 6 p.m.

B. CHILDREN 6 MONTHS THROUGH 12 YEARS:

The non-residential parent shall spend time with the children according to one of the following schedules as designated in the current court order:

Basic I:

1. **Weekends:** Alternate weekends beginning Friday at 6:00 p.m. and ending Sunday at 6:00 p.m.
2. **Weekdays:** Every Wednesday (or other day by agreement) from 5:30 p.m. to 8:30 p.m.

Basic II:

1. **Weekends:** Alternate weekends beginning Friday at 6:00 p.m. and ending Monday morning at school or 9:00 a.m. if no school.

2. **Weekdays:** Every Wednesday (or other day by agreement) from 5:30 p.m. to the following morning at school or 9:00 a.m. if no school.

C. TEENAGERS - AGE 13 THROUGH 15:

Weekends and Weekdays: It is recommended that the above schedule for children age six months through twelve years be continued through age fifteen if possible. However, parents should respect a teenager's need to spend time with peers and in organized activities, and less time with each parent, especially during weekends and summer holidays. Quality of time is more important than a rigid schedule. Flexibility in scheduling is necessary. When possible, it is preferable to consider the teenager's wishes as long as the parents agree. At a minimum, the non-residential parent may spend time with children in this age bracket every Wednesday from 5:30 p.m. to 8:30 p.m. and at least one overnight and day on alternating weekends.

D. TEENAGERS - AGE 16 UNTIL 18:

Parenting time for children in this age bracket shall be fixed between the child and the non-residential parent. Parenting time shall not be limited other than as the child and the non-residential parent choose.

E. HOLIDAYS:

1. In **odd** numbered years, **Mother** will have the child(ren) and in **even** numbered years **Father** will have the children on:

Martin Luther King Day: from Friday at 6:00 p.m. to Monday at 7:00 p.m.
July 4th: from 9:00 a.m. to 11:00 p.m.
Labor Day: from Friday at 6:00 p.m. to Monday at 7:00 p.m.
Beggar's Night: from 30 minutes prior to and 30 minutes after the conclusion of the community's scheduled hours. In the event Beggar's Night occurs on different days in Mother's and Father's communities, each parent shall have parenting time during their respective community's activities.

Christmas/Winter Break: from December 24th at 9:00 p.m. to January 1st at 6:00 p.m.

2. In **odd** numbered years, **Father** will have the child(ren) and in **even** numbered years **Mother** will have the children on:

President's Day: from Friday at 6:00 p.m. to Monday at 7:00 p.m.
Memorial Day: from Friday at 6:00 p.m. to Monday at 7:00 p.m.
Thanksgiving: from Wednesday night at 6:00 p.m. to Thursday at 7:00 p.m. unless the following weekend is that parent's regularly scheduled weekend, in which case the parenting time shall continue until Sunday at 6:00 p.m., or Monday morning if Basic II applies.

Christmas/Winter Break: from December 21st or the last day of school, whichever is later, at 6:00 p.m. to December 24th at 9:00 p.m.

Spring Break: commencing at 9:00 a.m. the day after school recesses to 6:00 p.m. the day before school resumes. (Only applies to school age children and their younger siblings over six months of age.)

3. Other important days:

Mother's Day: With the mother from 9:00 a.m. to 7:00 p.m.

Father's Day: With the father from 9:00 a.m. to 7:00 p.m.

Birthdays: No special provision is made for the children's birthdays unless otherwise agreed.

Other Cultural Holidays: Any other religious holidays, cultural holidays or days of significance not referenced herein shall be addressed by agreement of the parties or court order.

If any of the above holidays falls on a Monday following that parent's regular weekend, then the parenting time will be continuous through the holiday.

F. EXTENDED PARENTING TIME, SUMMER VACATIONS AND TRAVEL:

The non-residential parent shall have extended parenting time with the child(ren) to coincide with his or her work vacation if possible. The parenting time may extend to two weeks (non-consecutive) for ages six months to four years; it may extend to two consecutive weeks for ages four and five years; and it may extend for up to four weeks (with no more than two weeks being consecutive) for ages six and above. The residential parent may also have an extended vacation with the child(ren) not to exceed two weeks. All parenting/vacation time taken under this section must be taken in blocks of time of at least seven days. Each parent must give the other parent thirty days prior written notice of the dates he or she intends to have extended parenting time or vacation with the child or children. In the case of conflict, the schedule of the parent who first gives written notice to the other parent shall prevail. For any vacation or holiday travel, each parent must provide the other parent with destination, times of arrival and departure, and methods of travel. If there are children in different age brackets, the provisions set forth for the oldest age bracket shall govern as to all children, except that there shall be no extended parenting time/vacation for children under six months of age. NOTE: Child support will not be reduced during summer vacation periods specified in this provision.

G. RULES REGARDING PARENTING TIME:

1. **Conflicting Schedules:** In the event of any conflict between parenting time schedules, the following is the order of precedence:

- a. Holidays
- b. Vacation periods or extended parenting times
- c. Weekends and mid-week days

For example, one parent may not schedule his or her summer vacation to include July 4th if July 4th is the other parent's holiday that year.

2. **Illness:** Parenting time shall be provided to the non-residential parent even if the child is ill unless the child is hospitalized or a physician has recommended that the child not be removed from the residential parent's home, in which event immediate notice shall be given to the non-residential parent. Any weekend parenting time that is missed under this provision shall be made up the following weekend.
3. **Telephone and Mail:** Both parents may have reasonable telephone contact with the child(ren) not to exceed once a day between the hours of 7:00 a.m. and 9:00 p.m. If the children are not available, the child(ren) should return the telephone call. Both parents shall encourage free communications between the child(ren) and the other parent and shall not do anything to impede or restrict reasonable communications by telephone or mail between the child(ren) and the other parent, whether initiated by the child(ren) or the other parent. Any mail between the child(ren) and either parent shall be strictly confidential and shall not be opened or read by the other parent.
4. **Cooperation:** Both parents shall refrain from criticizing the other parent or arguing with the other parent in the presence of the child(ren).
5. **Exchange of Phone Numbers:** Unless this Court orders otherwise, each parent must keep the other parent informed of his or her current telephone number and a telephone number where the child(ren) may be reached.
6. **Transportation:** In the event that the parents are unable to reach an agreement regarding transportation, the parent receiving the child(ren) shall arrange transportation. For example, if the parents are following the Basic I Order of this Court, the non-residential parent will pick up the children from the residential parent's home on Friday evenings; on Sunday evenings the residential parent will pick up the children from the non-residential parent's home. In the event that either party moves and thereby increases the distance that existed between the parties at the time of the last court order by more than 25 miles, that party must provide all of the transportation or file a motion to have the transportation duties reviewed. Until such hearing, the moving parent shall provide all the transportation.
7. **Grace Period:** The transporting parent for parenting time shall have a grace period of fifteen minutes for pick up and delivery if both parties live within thirty miles of each other. If the one way distance to be traveled is more than thirty miles, the grace period shall be thirty minutes. In the event the non-residential parent exceeds the grace period, that period of parenting time is forfeited unless prior notification and arrangements have been made and excepting cases where the

non-residential parent lives in excess of thirty miles away and suffers an unavoidable breakdown, or delay en route and the non-residential parent promptly notifies the residential parent by telephone of the delay. Repeated violations by either parent shall be cause for granting a modification of the parenting order.

8. **Clothing and Supplies for Children:** The residential parent shall send with the child(ren) on parenting time sufficient clothing and outerwear appropriate for the season and for any known, planned activities. For the weekend, this shall consist of a minimum of a coat and shoes appropriate for the weather, two extra sets of play clothes, one dress outfit and underwear, in addition to the clothes the children are wearing at the start of the weekend. In the case of infants, the residential parent shall send with the child(ren) sufficient bottles, formula and diapers and shall inform the non-residential parent of the child's sleeping and eating schedules. The non-residential parent shall return all items that are sent with the child(ren) at the end of his or her parenting time.
9. **Child(ren)'s Activities:** Scheduled periods of parenting time shall not be delayed or denied because a child has other activities (with friends, work, lessons, sports, etc.). It is the responsibility of the parents to discuss extracurricular activities of the child(ren) in advance, including time, dates and transportation needs, so that the child(ren) are not deprived of activities and maintaining friends. Each parent shall provide the other with copies of any written material (i.e. activity schedules, maps, instructions) that are distributed in connection with the child(ren)'s activities. The parent who has the child(ren) during the time of scheduled activities is responsible for transportation, attendance and/or other arrangements. Both parents are encouraged to attend all of their child(ren)'s activities.

CONCLUSION

Parents are encouraged to allow for flexibility in the foregoing schedule to best suit the changing needs of the child(ren) and the employment schedules of the parents. HOWEVER, absent an order of this Court, the foregoing schedule shall be followed absent a clear, mutual understanding between the parents to deviate. Any modification shall be in writing if feasible.

Experts uniformly agree that the absence of conflict between parents is more critical to a child's welfare than the amount of time either parent spends with the child.

APPENDIX 4

D.R. FORMS

**IN THE COMMON PLEAS COURT OF WARREN COUNTY, OHIO
DIVISION OF DOMESTIC RELATIONS**

Case No. _____

Plaintiff/Petitioner
____ Husband ____ Wife

JUDGE TIM OLIVER

-vs- / -and-

**Affidavit of __ Husband __ Wife
Income & Expenses
and Financial Disclosure**

Defendant/Petitioner
____ Husband ____ Wife

Date of Marriage: _____
Date of Separation: _____

State of Ohio, County of _____ SS:

I, _____, (Name) being first duly cautioned and sworn state as follows (attach additional sheets if necessary):

I. Minor Children of this Marriage: _____ (number of children)

_____ Name	_____ DOB	_____ lives with
_____ Name	_____ DOB	_____ lives with
_____ Name	_____ DOB	_____ lives with
_____ Name	_____ DOB	_____ lives with

II. Wages, Earnings and Income

A. Gross Yearly Income from employment (includes self employment, overtime & bonuses)

<u>Husband</u>	<u>Wife</u>
Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
.....Employed?.....Employed?.....
\$ _____	\$ _____
.....Yearly Income.....Yearly Income.....
.....Name of employer?.....Name of employer?.....

B. Other Yearly Income (interest divided income, unemployment, worker's compensation, social security, other disability income, pension income, etc.)

<u>Husband</u>		<u>Wife</u>	
Source of Income	Yearly Amount	Source of Income	Yearly Amount
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

C. Last 3 Year's Total Income

<u>Husband</u>		<u>Wife</u>	
Year	Amount	Year	Amount
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

III. Assets and Liabilities – attach additional sheets if necessary

A. Real Estate:

Address	Name on Deed	Present Value	Balance of Mortgage
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

B. Vehicles: List cars, trucks, boats, motor homes, motorcycle, etc.

Make & Model	Primary Driver	Present Value	Balance Due
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

C. Retirement Benefits:

Name & Type of Plan (401K, IRA, Pension, etc.)	Husband, Wife or Joint	Present Value
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

D. Financial Accounts: List all bank, savings and loan, credit union, investment account, mutual funds, bonds, securities, stocks, certificate of deposit, etc.

Financial Institution	Husband, Wife or Joint	Present Value
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

E. **Businesses:** List any businesses you own or in which you have any type of interest.

Name of Business	Ownership Type	Present Value
_____	_____	\$ _____
_____	_____	\$ _____

F. **Liabilities/Debts:** List all monthly installment payments, credit cards, car payments, loans etc.

Creditor	Husband, Wife or Joint	Total Balance	Payment
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

IV. Separate Property Claims:

Describe Property	How Acquired (inheritance, gift, premarital, other)	Present Value
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

V. Bankruptcy:

Have you or your spouse ever filed for bankruptcy protection? Yes No

If so, who filed? Husband Wife Joint

When: _____ Chapter 7 Chapter 13

Date of Discharge _____

VI. Monthly Expenses: List actual expenses for your household only.

Household: Number of Adults _____; Number of children _____

Rent or Mortgage (including taxes and insurance)	\$ _____
Real Estate Taxes & Real Estate Insurance if not included above	\$ _____
Gas or Propane (level billing or average per month)	\$ _____
Electric (level billing or average per month)	\$ _____
Water & Sewer	\$ _____
Telephone: landline (excluding long distance)	\$ _____
cell phone	\$ _____
Cable	\$ _____
Groceries	\$ _____

Restaurants\$ _____
 Gas & Oil for car/truck\$ _____
 Insurance (auto, life, home if not included above)\$ _____
 Medical (not covered by insurance).....\$ _____
 Union dues\$ _____
 Uniform Fees\$ _____
 Daycare\$ _____
 Court ordered support for children not of this marriage.....\$ _____
 Clothing.....\$ _____
 Entertainment.....\$ _____
 Other (specify)\$ _____
TOTAL:\$ _____

VII. Health Insurance

Husband

Wife

Yes No

Available through employment

Yes No

Yes No

Other Group Plan

Yes No

Name of Insurance Company
 Employee Cost/Individual Plan
 Employee Cost/Family Plan

VIII. Signature & Notary:

I state that the information contained above is complete and accurate to the best of my knowledge and belief under penalty of law.

 Signature

Sworn to and subscribed in my presence this _____ day of _____, 20_____.

 Notary

My commission expires on _____

CERTIFICATE OF SERVICE

(unless filed with initial Complaint for divorce or initial post-decree motion)

I certify that a copy of the foregoing was served upon _____ (name) by
 _____ (ordinary mail or hand delivered) on this _____ day of _____, 20_____.

 Attorney or Unrepresented Party

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

CASE NO. _____

Plaintiff/Petitioner

vs.

**PERSONAL HISTORY OF PARTIES
TO DIVORCE, DISSOLUTION
OR LEGAL SEPARATION**

Defendant/Petitioner

Date of Marriage _____ Date _____ of
Separation _____

Place of Marriage _____ Which Party remains in home _____

Type of Marriage ___ Ceremonial ___ Common Law

The number of this marriage Husband 1 2 3 4 5 Wife 1 2 3 4 5

Have there been actions previously filed to end this marriage?

___ No ___ Yes If so, where? _____ When? _____

By Whom? _____ Disposition _____

Has either party to this action been convicted of a criminal offense while an adult?

Husband: ___ No ___ Yes If so, state
particulars: _____

Wife: ___ No ___ Yes If so, state particulars _____

Is either party in the Military Service? Husband _____ Wife _____

Signature

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

_____))
Plaintiff/Petitioner (1)

DOB _____))

_____))
Address

_____))

-vs-

_____))
Defendant/Petitioner (2)

DOB _____))

_____))
Address

_____))

Case No. _____

**INFORMATION FOR PARENTING
PROCEEDING AFFIDAVIT (O.R.C. 3127.23)**

By law, this affidavit must be filed and served with the first pleading filed **by each party** in every parenting [custody/visitation (now known as parenting time)] proceeding in this court. Each party has a continuing duty while this case is pending to inform the court of any parenting proceeding concerning the child(ren) in any other court in this or any other state. If more space is needed, attach an additional page.

I, _____, state as follows:
(name)

1. List all minor children of the parties:

Name _____ Date of Birth _____

Name _____ Date of Birth _____

Name _____ Date of Birth _____

Name _____ Date of Birth _____

2. Children listed in #1 above are currently living at what address?

Since when? _____

3. Complete the following information for each adult living at the address in #2 above.

Name _____ Relationship to Child(ren) _____
 Name _____ Relationship to Child(ren) _____
 Name _____ Relationship to Child(ren) _____

4. Children listed in #1 above have been enrolled in the _____ school district since _____ (month and year of enrollment).

5. List all addresses for the children in #1 for the last 5 years.

From (date) to (date)	Address	Name of Adults in Household

6. List the name and address of any person who is not a party to this proceeding: (A) who has physical custody of the child(ren); or (B) who claims to be a parent of the child(ren) and who is designated the residential parent and legal custodian; (C) claims to have parenting time rights with the child(ren); or (D) who is a person other than a parent of the child(ren) who has custody or visitation rights with the child(ren).

Name	Address

7. Have you ever been a party, witness or otherwise involved in any case involving the custody, parenting time rights, or visitation of any child listed in #1? Yes _____ No _____ If yes, complete the following:

Court or Agency	Address of Court or Agency	Case Number	Date(s) of custody determination, if any

8. Do you know of any proceedings that could affect the current proceeding, including proceedings for enforcement of child custody determinations, proceedings relating to domestic violence or protection orders, proceedings to adjudicate the child as an abused, neglected, or dependent child, proceedings

seeking termination of parental rights, and adoptions, and, if so, the court, the case number, and the nature of the proceeding.

Court	Case Number	Nature of Proceeding

9. Complete the following information for any civil or criminal case or investigation concerning child abuse, or child neglect to which you have ever been a party.

Court or Agency Name	Case Number	Outcome of Case or Investigation

10. List all of the criminal convictions including guilty pleas for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

Name	Case Number	Court/State/County	Charge

11. Do you have any domestic violence protection orders or any other restraining orders issued against you, or on your behalf against any other person? If so, complete the following:

Name of Court	Name of Case/Case Number	Date of Filing	Nature & Outcome of Case

STATE OF _____

SS:

COUNTY OF _____

I hereby swear or affirm that the answers above are true, complete and accurate. I understand that falsification of this document may result in a contempt of court finding against me which could result in a jail sentence and

fine, and that falsification of this document may also subject me to criminal penalties for perjury. (ORC 2921.11)

Signature

Sworn to and subscribed in my presence this _____ day of _____, 20_____.

Notary Public

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

_____))
Plaintiff/Petitioner 1

-vs-

_____))
Defendant/Petitioner 2/Respondent

Case No. _____

PRAECIPE FOR TRANSCRIPT

TO THE CLERK:

The undersigned herewith requests that a transcript of the hearing before Magistrate/Judge _____ held on _____ be prepared.

Signature

Print Name

Address

Address

Phone No.

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

PLAINTIFF)	CASE NO. _____
vs.)	MUTUAL RESTRAINING ORDER
DEFENDANT)	

IT IS ORDERED PURSUANT TO LOCAL RULE, EFFECTIVE ON THE DATE A COMPLAINT IS FILED, THAT EACH SPOUSE IS ENJOINED FROM COMMITTING ANY OF THE FOLLOWING ACTS:

1. Threatening, abusing, stalking, annoying, or interfering with the other party or the parties' child(ren);
2. Incurring credit in the name of the other party or in the parties' joint names, except for necessary food, housing, utilities, medical care and necessary transportation, or allowing a lien or loan to be placed against their real or personal property;
3. Selling, disposing of, or dissipating any of their real or personal property, including money (other than regular income), of either party, or removing household goods and furniture from the marital residence;
4. Changing or failing to renew the present health, life, home, automobile, or other insurance coverage; removing the other party as a beneficiary on any life insurance or retirement benefits without further order of this Court;
5. Removing the minor children of the parties from Ohio except for holidays or vacations (not to exceed ten days);
6. Claiming the children as dependents on any income tax return without prior Court order.

Nothing in the above restraining order prevents a spouse from using his or her property to pay necessary and reasonable attorney fees, litigation and court costs in this action.

DATE _____

JUDGE/MAGISTRATE

WARNING

This is an official Court Order. If you disobey any order of Court, you may be found in contempt of Court, sentenced to jail, fined, and ordered to pay costs and attorney fees, in addition to any other legal remedy available to the spouse, child or other dependent affected. This order is in effect until (1) the Court issues an order which modifies or terminates the same; or (2) a judgment for divorce or legal separation is filed with the Clerk of Courts.

IF YOU ARE IN DISAGREEMENT WITH ANY OF THE ABOVE ORDERS,
you or your attorney must file a written motion with the:

Clerk of Courts
Warren County Courthouse
P.O. Box 238
Lebanon OH 45036-0238

A hearing date must be obtained from this Court's Assignment Commissioner prior to filing any motion.

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

Plaintiff/Petitioner DOB

CASE NO. _____

vs/and

Defendant/Petitioner DOB

**NOTICE OF INTENT
TO RELOCATE**

If you are a residential parent or participate in a shared parenting plan and intend to move, you **MUST** file this notice of your intent to relocate with the Clerk of Courts, P.O. Box 238, Lebanon, OH 45036 at least **30 days** prior to a move within Warren County and **60 days** prior to a move out of Warren County.

ADDRESS CHANGE

My name is: _____
New Address: _____

Other Parent's Name: _____
Other Parent's Address: _____

I intend to move on or about _____ (Date)

Fill out this section to request a hearing **only** if you do not want the other parent to know where you are moving. You may ask for a hearing **only** if domestic violence against you or abuse of a child is involved.

I request a hearing and an Order that the non-residential parent **not** be given a copy of the notice of relocation because the other parent has been convicted of or pled guilty to:

Check the applicable section:

- _____ 1. A violation of §2919.25 O.R.C. (domestic violence) involving a victim who at the time of the commission of the offense was a member of this family or household;
- _____ 2. Any other offense involving a household member which resulted in physical harm to the household member, or;
- _____ 3. A Juvenile Court has found a child/children to be an abused child/children because of something the other parent did.

Provide:

Name of Court: _____ Location of Court: _____
Date of conviction: _____ Case Number: _____

Signature: _____
Parent Telephone No.

TO THE CLERK: Please deliver a copy of this notice upon the Warren County CSEA.

TO THE CSEA: Please serve a copy of this notice upon the non-moving party by ordinary mail.

WARREN COUNTY COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION

Plaintiff,)
)
) CASE NO.
)
)
-vs-)
) NOTICE OF PRESENTATION
) OF ENTRY
)
Defendant.)

Now comes _____ by and through counsel, and respectfully requests that this Court sign the attached entry as it accurately reflects this Court's decision. The undersigned prepared the attached entry and forwarded it to opposing counsel on _____. On _____ and _____, the undersigned attempted to contact opposing counsel to determine if there were any objections to the attached entry. To date, no response has been received. Therefore, _____ requests that if _____ does not file objections or provide this Court with his/her draft entry within fourteen (14) days of the filing of this notice, that this Court sign the attached entry and file with the Court. In the event that _____ does file an objection or prepare his/her own entry, _____ requests that this matter be set for hearing immediately.

Respectfully submitted,

Attorney for _____

PROOF OF SERVICE

I hereby certify that I have served a copy of the foregoing upon _____, Attorney for _____, at _____ (address), by regular U.S. mail on this _____ day of _____ 20____.

Attorney

HEALTH INSURANCE INFORMATION FORM

Case No. _____

NAME OF PERSON PROVIDING INSURANCE: _____

PROVIDER OF INSURANCE IS: ___ Obligor ___ Obligor's Spouse ___ Other

NAME OF INSURANCE COMPANY: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

POLICY EFFECTIVE DATE: _____ ___ GROUP PLAN ___ PRIVATE PLAN

POLICY AND/OR GROUP NUMBER: _____

EMPLOYER: _____

EMPLOYER ADDRESS: _____

EMPLOYER PHONE: _____

NAME OF PERSON PROVIDING INSURANCE: _____

PROVIDER OF INSURANCE IS: ___ Obligee ___ Obligee's Spouse ___ Other

NAME OF INSURANCE COMPANY: _____

ADDRESS: _____

CITY, STATE, ZIP CODE: _____

POLICY EFFECTIVE DATE: _____ ___ GROUP PLAN ___ PRIVATE PLAN

POLICY AND/OR GROUP NUMBER: _____

EMPLOYER: _____

EMPLOYER ADDRESS: _____

EMPLOYER PHONE: _____

THE FIRST \$100 PER CHILD PER YEAR OF MEDICAL EXPENSES WHICH ARE NOT COVERED BY INSURANCE SHALL BE PAID BY _____. ANY ADDITIONAL EXPENSES NOT COVERED BY INSURANCE SHALL BE PAID _____% BY OBLIGOR AND _____% BY OBLIGEE

ATTACH COPY OF FRONT AND BACK OF INSURANCE CARD

**INFORMATION SHEET FOR
NOTICE TO INCOME PROVIDER
TO WITHHOLD INCOME/ASSETS**

NAME OF OBLIGOR

EMPLOYER/WITHHOLDER/FINANCIAL INSTITUTION

ADDRESS

ADDRESS

CITY/STATE/ZIP

CITY/STATE/ZIP

SSN

BANK ACCOUNT NUMBER (IF APPLICABLE)

DOB

NAME OF OBLIGEE

ADDRESS

CITY/STATE/ZIP

CASE NO. _____

SSN

DOB

\$ _____

**MONTHLY SUPPORT AMOUNT INCLUDING CURRENT
SUPPORT, SPOUSAL SUPPORT, MONTHLY ARREARAGE
PAYMENT, PLUS 2% PROCESSING CHARGE**

TO: WARREN COUNTY CSEA

**APPLICATION FOR CHILD SUPPORT SERVICES
NON-PUBLIC ASSISTANCE APPLICANT**

IMPORTANT: If you are receiving ADC or Medicaid, do **not** complete this application, because you became eligible for child support services when you became eligible to receive ADC or Medicaid.

I the undersigned, _____ requests Child Support Services from the _____ County Child Support Enforcement Agency. I understand and agree to the following conditions:

- A. I am a resident of the County in which services are requested.
- B. Recipients of child support services shall cooperate to the best of their ability with the CSEA. (*See attached right and responsibility information*).

The Child Support Enforcement Agency can assist you in providing the following services:

1. Location of Absent Parents.
The agency can assist in finding where an absent parent is currently living, in what city, town or state. The applicant can request "Location Services Only", if the sole need is to find the whereabouts of the absent parent.
 2. Establishment or Modification of Child Support and Medical Support.
The CSEA can assist you to obtain an order for support if you are separated, have been deserted or need to establish paternity (*fatherhood*). The CSEA can also assist you in changing the amount of support orders (*modification*), and to establish a medical support order.
 3. Enforcement of Existing Orders.
The CSEA can help you collect current and back child support.
 4. Federal and State Income Tax Refund Offset Submittals for the Collection of Child Support Arrearages.
The agency can assist in collecting back support (*arrears*) by intercepting a non-payor's federal and state income tax refunds on some cases.
 5. Withholding of Wages and Unearned Income for the Payment of Court Ordered Support.
The agency can help you get payroll deductions for current and back child support and can intercept unemployment compensation to collect child support.
 6. Establishment of Paternity.
The agency can obtain an order for the establishment of paternity (*fatherhood*), if you were not married to the father of the child. An absent parent may request paternity services.
 7. Collection and Disbursement of Payments.
The CSEA can collect the child support for you, and send you a check for the amount of the payments received. Back support collected will be paid to you until all of the back support you are owed is paid.
If you received ADC in the past and support was assigned to the state, back support collected will be paid to the state after you receive back support owed to you.
 8. Interstate Collection of Child Support.
The agency can assist you in collecting support if the payor is living in another state or in some foreign countries.
- C. The only fee you can be charged for services is a one dollar application fee. Some counties pay this fee for the applicants.
 - D. In providing IV-D services, the CSEA and any of its contracted agents (e.g., prosecutors, attorneys, hearing officers, etc.) represent the best interest of the children of the state of Ohio and do not represent any IV-D recipient or the IV-D recipient's personal interest.

APPLICANT INFORMATION (<i>INFORMATION ABOUT YOU</i>)	
Name	Date of Birth
Social Security Number (SSN)	Current Marital Status (<i>Check One</i>) <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Deserted <input type="checkbox"/> Widowed

Type(s) of Service(s) Requested: All services listed _____ Location of absent parent only _____

Other (*please explain*) _____

I understand that the Child Support Agency – within 20 days of receiving this application will contact me by a written notice to inform me if my case has been accepted for child support service (IV-D Services).

Signature of Applicant	Date
------------------------	------

Applicants Name (Last, First, Middle)	Telephone Number (Home)
Address (Street/Route, P.O. Box)	(Work)
City, State, and Zip Code	

INFORMATION ON CHILDREN

	Child 1	Child 2	Child 3	Child 4
a. Name				
b. Sex				
c. SSN				
d. Date of Birth (DOB)				
e. Name(s) of Absent Parent				
f. Has Paternity (Fatherhood) Been Established?				
g. Is There An Order For Support (Yes or No)				

ABSENT PARENT INFORMATION OR PARENT TO PAY CHILD SUPPORT

	Absent Parent #1	Absent Parent #2	Absent Parent #3
Name			
Address-City, State, Zip Code			
SSN			
Date of Birth (DOB)			
Name of Employer			
Address of Employer (City, State, Zip Code)			
Amount of Support Ordered-(Wk, Bi-Wk, Mo)			
Case Number on Support Order			
Date of Support Order			
Location Where Order Was Issued (City, County, State)			
Military Service – Give Date & Branch Entered			
Arrest Record: Give Date & Place of Arrest			
If the absent parent has been on the Public Assistance: Give Date & Place			
Give Name and Address of Current Spouse of Absent Parent			

Have you ever been on public assistance? Yes No

When _____ Date Where _____ City and State _____ County

(Do Not Write In this Space) FOR AGENCY USE ONLY		
Case Name	Date Requested	Date Mailed or Provided
Case Number	Date Returned or File Date	

**IN THE COURT OF COMMON PLEAS
COUNTY OF WARREN, STATE OF OHIO
DOMESTIC RELATIONS DIVISION**

_____) Case No. _____
Plaintiff/Petitioner)
) **ORDER APPOINTING**
-vs-) **GUARDIAN AD LITEM**
)
_____)
Defendant/Petitioner)

Finding it advisable to appoint a Guardian Ad Litem (GAL) to protect and act in the best interest of the parties' child/children, the Court appoints the following person to serve as GAL but not as attorney for the child/children.

Name: _____
Address: _____
Telephone: _____

The GAL shall conduct an investigation, including interviewing the parties, children and others whom the GAL deems necessary and appropriate. The GAL shall prepare and submit a report to the Court and counsel for both parties (or directly to the parties if unrepresented) by _____. Upon request, the Court will consider granting the GAL a broader scope of appointment and will adjust the costs accordingly.

The GAL shall appear at hearings upon subpoena, order of the Court, or at the request of the GAL. The GAL may request copies of hearing notices from the Assignment Commissioner. The Court will provide copies of pleadings to the GAL upon request.

Mother shall deposit \$ _____ and Father shall deposit \$ _____ by _____. The GAL shall not commence the investigation until the deposit is paid in full. The Court shall reserve final allocation of such costs.

JUDGE / MAGISTRATE

c: GAL
Mother or her attorney (hand delivered/mailed)
Father or his attorney (hand delivered/mailed)

BACKGROUND DISCLOSURE STATEMENT
WARREN COUNTY DOMESTIC RELATIONS COURT

NAME: _____
 FIRST (M.I.) LAST

DATE OF BIRTH: _____

OFFICE ADDRESS: _____

 CITY COUNTY STATE ZIP CODE

OHIO DRIVER'S LICENSE NUMBER: _____

- | DRIVING HISTORY | YES | NO |
|--|--------------------------|--------------------------|
| 1. Have you ever been arrested for, or convicted of, any moving traffic violation in the past? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Have you ever had any traffic violations involving drugs or alcohol in the past 10 years? | <input type="checkbox"/> | <input type="checkbox"/> |

If so, describe the circumstances and the outcome.

- | BACKGROUND | YES | NO |
|---|--------------------------|--------------------------|
| 3. Have you ever been charged with a crime involving a minor? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Have you ever committed an act that resulted in a child being adjudicated, abused or neglected? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Do you have any condition or impairment which may affect your ability to serve as a Guardian Ad Litem? | <input type="checkbox"/> | <input type="checkbox"/> |

If so, describe.

CONDUCT

YES NO

6. Have you ever been suspended, censured, or otherwise reprimanded or disqualified as a member of the legal profession or another profession, or as a holder of public office?
7. Have you ever had any complaints filed against you with any Bar Association?

If so, describe the circumstances and the outcome.

8. Has any surety on any bond which you were the principal been required to pay any money on your behalf?
9. Have sanctions ever been entered against you as a result of participating in any case?

If you answered yes to any of the questions above, furnish a thorough explanation.

YES NO

10. Have you ever had a complaint filed against you in any administrative forum?

If so, please provide the following information:

<u>Plaintiff:</u>	<u>Case Number:</u>
<u>Defendant:</u>	<u>Jurisdiction:</u>
<u>File Date:</u>	<u>Case Type:</u>
<u>Disposition Date:</u>	<u>Disposition:</u>
<u>Brief description of the case:</u>	

11. Are currently being sued?

If so, please provide the following information:

<u>Plaintiff:</u>	<u>Case Number:</u>
<u>Defendant:</u>	<u>Jurisdiction:</u>
<u>File Date:</u>	<u>Case Type:</u>
<u>Disposition Date:</u>	<u>Disposition:</u>
<u>Brief description of the case:</u>	

I, the undersigned applicant, have read the foregoing background disclosure statement and have answered all questions truthfully and completely. I understand that failure to answer any question completely and honestly will

