

## **ANSWER AND COUNTERCLAIM CHECKLIST**

### **Case Caption [DR1(B), DR12]**

1. Parties' names.
2. Parties' addresses. The filing party may request that their address be confidential through the filing of a motion.
3. Parties' telephone numbers.
4. Parties' date of birth.
5. The name of the assigned judge.
6. Case number.
7. The caption of each pleading shall contain the identification: Court of Common Pleas, Butler County, Ohio, Domestic Relations Division and further identification of the type of pleading.

### **Style of Pleading [DR12]**

1. All pleadings and forms required by the Court shall be typewritten or printed legibly in ink.
2. All pleadings and forms shall be printed on white letter size paper (approximately 8 ½" by 11").
3. All pleadings and forms shall be printed on one side only, with 1" margins, and each page shall be numbered.

### **Venue - §3105.03 ORC**

1. A statement regarding jurisdiction.
2. A statement regarding venue.

### **Statement of Marriage - §3105.03 ORC**

1. A statement of the date the parties were married.

### **Grounds for Divorce**

1. A statement of the grounds the parties rely upon for divorce.

### **Statement of Children**

1. If there are no minor children born issue of the marriage, an affirmative statement that there are no minor children born issue of the marriage.
2. If there are children born issue of the marriage, a statement of the name(s) and date(s) of birth of all children born issue of the marriage.

### **Jurisdiction of Child(ren): Juvenile Court or another Court [DR49(C)]**

1. If Juvenile Court or another Court has jurisdiction over any of the children of the marriage, or any of the children are subject to a parenting order through a "DS" case from this Court pursuant to O.R.C. 2301(K) then:
  - a. The Answer and Counterclaim identifies those children by name.
  - b. The Answer and Counterclaim states the case numbers for the Juvenile Court, another Court or DS case that has jurisdiction over the children.
  - c. The Answer and Counterclaim states which allocation of parenting rights and

- responsibilities (including parenting allocation of parenting time, child support, tax exemptions, and health insurance) are included in the order from Juvenile Court, another Court or this Court pursuant to a parenting order.
- d. A copy of the order shall be attached.

**Mutual Temporary Restraining Order [DR 24]**

1. If a restraining order is requested, a motion for temporary restraining order is required.
2. A signed and notarized affidavit setting forth the reasons for the request is required.
3. The restraining order complies with the mandatory language.

**Certificate of Service**

1. A statement of instructions or request for service signed by the party or counsel.

**Counsel Identification**

1. Counsel for defendant provided their name, Supreme Court Registration Number, address and telephone number.

**Signatures on Answer and Counterclaim**

1. If defendant is represented by counsel, the Answer and Counterclaim was signed by counsel.
2. If defendant is not represented by counsel, the Answer and Counterclaim was signed by the defendant.

**Number of Copies [DR13]**

1. Two copies, plus the original.