

## **MOTIONS**

### **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.
8. Motion code and name of motion.

### **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.

### **Notice of Hearing [DR 29(A)]**

1. Name of the hearing officer.
2. Time, date, and place of hearing.

### **Certificate of Service**

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

### **Counsel Identification**

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

### **Signatures on Motion**

1. If the filing party is represented by counsel, the Motion was signed by counsel.
2. If the filing party is not represented by counsel, the Motion was signed by the filing party.

### **Number of Copies [DR13]**

1. Three (3) copies, plus the original.

### **Motion for Establishing or Modifying Parenting Allocation and Time**

1. The Motion must identify the child(ren) at issue by name and date of birth.
2. A statement of the order sought to be modified.
3. A statement of the specific change of circumstances justifying the modification.

4. If the Motion requests sole custody or a change in the parenting time, a current signed and notarized Information for Parenting Proceeding Affidavit (Form DR616) is required.

### **Motion for Child Support**

#### **Establishing or Modifying an Obligation of Support**

1. A statement of the order sought to be modified.
2. A statement of the nature of the modification sought.
3. A statement of the specific change in circumstances that justifies the modification.
4. Withholding Order/Qualified Medical Child Support Order Information Sheet (Form DR201).
5. An original Title IV-D Application (Form ODHS 7076).
6. A Health Insurance Affidavit or Supreme Court Affidavit 4.

#### **Motion for Arrears**

1. A Motion for arrears in support, which at any time has been paid through CSEA or OCSPC, shall contain a current CSEA affidavit for arrears or a statement that an affidavit for arrearage has been requested three (3) weeks prior to the hearing.

#### **Motion for Interest on Arrears**

1. A Motion for interest on arrears must be accompanied by a CSEA interest calculation or a statement of request to CSEA.

#### **Motion for Lump Sum Judgment**

1. A statement of the order upon which the Motion is based.
2. A statement of the total amount due under the order.
3. A Motion for lump sum judgment, which at any time has been paid through CSEA or OCSPC, shall contain a current CSEA affidavit for arrears or a statement that an affidavit for arrearage has been requested three (3) weeks prior to the hearing.

### **Motion for Health Care Expenses**

1. A statement regarding all amounts paid by insurance companies.
2. A statement regarding cash medical support paid, if known, and credited, if any.
3. A statement regarding the balance owed by the party(ies) for the medical bills after the insurance company payment and cash medical payments have been deducted from the outstanding balance.
4. A statement indicating the date the moving party sent his or her request to the opposing party for reimbursement.
5. A statement that copies of the health care bills and associated Explanation of Benefits, if in the moving party's possession, have been provided to the opposing party.
6. A statement that the respondent has not paid the amounts forwarded within thirty (30) days.

### **Motion for Contempt**

1. A statement of the order alleged to have been violated.
2. A statement of facts constituting the alleged violation.
3. A Summons and Order to Appear (Form DR821) is required.

### **Objection Motion**

1. A statement of the basis for objection.
2. A statement of whether a transcript is being requested.

### **Motion for Spousal Support**

#### **Establishing or Modifying an Obligation of Support**

1. A statement of the order sought to be modified.
2. A statement of the nature of the modification sought.
3. A statement of the specific change in circumstances that justifies the modification.

#### **Motion for Arrears**

1. A Motion for arrears in support, which at any time has been paid through CSEA or OCSPC, shall contain a current CSEA affidavit for arrears or a statement that an affidavit for arrearage has been requested three (3) weeks prior to the hearing.

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### **Motion for Withdrawal of Counsel [DR 35]**

1. The Motion shall state the reasons for withdrawal.
2. The Motion shall be accompanied by an entry for the hearing officer to sign.
3. The entry shall provide two (2) check boxes entitled “granted” and “denied”.
4. The entry shall also provide sufficient space for a hearing officer to set forth reasons for the decision.

### **Motion for Post Decree Ex Parte Relief [DR 37]**

1. The motion shall have supporting affidavits that clearly delineate the expected harm.
2. The motion shall be accompanied by an ex parte order for change in the residential parent status or restriction of parenting time.
3. The ex parte order shall include a provision for immediate notice of the ex parte order to the opposing party.
4. The ex parte order shall include the date of the scheduled hearing.
5. The ex parte order shall include a statement that the order shall expire on the scheduled hearing date.