

NOTICE

These instructions will help you start your case. You need to make sure your papers follow the Ohio Revised Code Title 31, the Ohio Rules of Civil Procedure and the Montgomery County Domestic Relations Court Local Rules.

READ ALL INSTRUCTIONS

*USE THIS PACKET FOR **AGREED ENTRIES MODIFYING ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES, SUPPORT, PARENTING TIME OR A SHARED PARENTING PLAN.***

Click on the form name to open the form. Click in the top of the form to return to the instruction page.

ATTENTION: Court employees CANNOT give legal advice. If you need legal advice, please contact a lawyer of your choosing.



COURT OF COMMON PLEAS, MONTGOMERY COUNTY
DOMESTIC RELATIONS DIVISION

DENISE L. CROSS, ADMINISTRATIVE JUDGE

JUDITH A. KING, JUDGE

REQUIRED DOCUMENTS WITH NUMBER OF COPIES NEEDED FOR ALL AGREED ENTRIES:

1. Agreed Entry **Submit original & 4 copies**
NOT PROVIDED
Use the appropriate guidelines on pages 3, 4 & 5 to create this document.

***If filing an Agreed Entry modifying allocation of parental rights and responsibilities or shared parenting plans documents 1 - 7 must be submitted:**

2. Child Support Computation Worksheet **Submit original & 4 copies**
ATTACHED (Use the computer program that the Court provides located on the 2nd floor in Domestic Relations Court, or complete the attached forms)
3. Montgomery County Support Enforcement Agency Work Sheet **Submit the original only**
ATTACHED
4. Application for Child Support Services **Submit original & 3 copies**
ATTACHED
5. Standard Order of Parenting Time **Submit original & 4 copies**
ATTACHED
6. Obligee's Rights and Remedies **Submit original & 4 copies**
ATTACHED
7. Standard Order of Dependant Health Care **Submit original & 4 copies**
ATTACHED

***If filing an Agreed Entry modifying Child Support documents 1, 8-11 must be submitted:**

8. Child Support Computation Worksheet **Submit original & 4 copies**
ATTACHED (Use the computer program that the Court provides located on the second floor in Domestic Relations Court.)
9. Obligee's Rights and Remedies **Submit original & 4 copies**
ATTACHED

10. Standard Order of Dependant Health Care **Submit original & 4 copies**
ATTACHED
11. Montgomery County Support Enforcement Agency Work Sheet
ATTACHED **Submit the original only**

***If filing an Agreed Entry modifying the Health Care items 1 & 12 must be submitted:**

12. Standard Order of Dependant Health Care **Submit original & 4 copies**
ATTACHED

***If filing an Agreed Entry modifying the Parenting Time items 1 & 13 must be submitted:**

13. Standard Order of Parenting Time (if applicable) **Submit original & 4 copies**
ATTACHED

FILING PROCEDURES

When all paperwork is properly completed, signed and notarized, bring or send your documents to the **Public Legal Specialist located at the Domestic Relations Court, 301 West Third Street, Second Floor, Dayton, Ohio 45422**. The court will review the documents. If there are corrections, you will be notified by phone what corrections are needed. You must leave a valid daytime phone number.

When your paperwork is correct, you will receive a phone call informing you to come pick up your paperwork and take to file the case with the Domestic Relations Clerk's Office at 41 North Perry Street, Room 104. Your filing fee will be due at that time. Call the Clerk of Court's Office at 937-225-4562 to obtain fee amounts.

GUIDELINES

USE THE FOLLOWING GUIDELINES IN PREPARING AN AGREED ENTRY. DOCUMENTS **MUST** FOLLOW THESE GUIDELINES.

All documents must be typed and must be set up in the same format as the Final Decree of Divorce or Dissolution including case caption, signature block pursuant to Mont. D.R. Rule 4.08. **DO NOT REVERSE THE ORDER OF THE PARTIES**. The 1st Party who files the motion is known as the Movant and the other party is known as the Respondent.

I. Agreed Entry Modifying Allocation of Parental Rights and Responsibilities and/or Shared Parenting Plan:

1. State that parties waive a hearing on the matter and waive a Magistrate Decision and Permanent Order, if the matter was set for a Magistrate hearing.

2. Give details of the agreement to change the residential parent and legal custodian or primary residence of named child with date of birth to a specified party, effective as of a specific date.
3. Provide for parenting time of child with non-residential parent, if applicable. Attach Standard Order of Parenting Time [DR-21], if applicable.
4. Provide for suspension (not termination) of support for named child as of specific date, and correction of SEA records accordingly. Attach a completed and signed Child Support Guidelines Computation Worksheet (sole/shared or split) for the new support order. Support shall be paid on a per month per child basis and rounded to the nearest dollar with an effective date. State any reasons for deviation from the guidelines on line 27 of the sole/shared computation worksheet. Provision establishing support should follow language set out in Mont. D.R. Rule 4.24, including Cash Medical.
5. Arrearage: THIS MUST BE ADDRESSED IN YOUR ENTRY. State if there is an arrearage on the existing account. If no arrearage, state that none exists. Provide for payment of arrearage, by wage withholding in a specific amount per month, or by total payment of arrearage as of a specific date, through OCSPC, plus 2% Administrative fee. NOTE: A Department of Human Services (Welfare) arrearage cannot be waived and must be addressed.
6. If support is retroactively set, provide for payment of any arrearage that arises for this reason, either in a lump sum or monthly payments plus the 2% Administrative processing fee through the OCSPC.
7. Indicate who will be claiming minor child/children for tax purposes. This would include the language when IRS Form 8332 ***Release/Revocation of Release of Claim to Exemption for Child by Custodial Parent***, IRS Form 8332 is required if the non-residential parent is allocated the child tax dependency exemption, the residential parent shall execute and provide the form to the non-residential parent.
8. Health Care Order: State whether Health Insurance is to be provided by Obligor, Obligee, both or neither, using the appropriate language in Mont. D.R. Rule 4.24. Attach the Standard Order of Health Care Needs for Dependent Children [DR-32].
9. Include a provision for payment of any administrative clerk fees.
10. Make a signature line for the Judge.
11. The entry must be signed by **both** parties with their typewritten names, address and daytime phone number. The party's signatures must be notarized.
12. Include the Notice of Final Appealable Order pursuant to Mont. D.R. Rule 4.24(J).

II. Agreed Entry Modifying Support (child and/or spousal)

If completing an Agreed Entry modifying the **Child Support** include items 1, 3-12 located in the Allocation of Parental Rights and Responsibilities and/or Shared Parenting modification, above.

If completing an Agreed Entry modifying **Spousal Support** include items 1, 5-6 and 9-12 in the Allocation of Parental Rights and Responsibilities and/or Shared Parenting modification, above. State the modified amount of spousal support and if the Court retains jurisdiction to modify the support and the terms of termination. See Mont. D.R. Rule 4.24(B)(2)&(3).

III. Agreed Entry Modifying Health Care

Include items 1, 8-12 from the Allocation of Parental Rights and Responsibilities and/or Shared Parenting modification, above.

IV. Agreed Entry Modifying Parenting Time

1. State that parties waive a hearing on the matter and waive a Magistrate Decision and Permanent Order, if the matter was set for a Magistrate hearing.
2. Detail the agreement to change the parenting time of named child and date of birth effective as of a specific providing for parenting time with the non-residential parenting, if applicable. Attach Standard Order of Parenting Time [DR-21], if applicable.
3. Add a general statement that all other provisions shall stay the same if nothing else is changing, such as Health Care and Child Support.
4. Include items 9-12 from the Allocation of Parental Rights and Responsibilities and/or Shared Parenting modification, above.

FORMS

AFTER READING ALL INSTRUCTIONS –
FULLY COMPLETE THE FORMS
NECESSARY FOR YOUR CASE.