

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.

Click on the form name to open the form. Click in the top of the form to return to the instruction page. You must have an updated version of Adobe Reader.

READ ALL INSTRUCTIONS

Use this packet for a

MOTION TO SHOW CAUSE.

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 FILINGS:

1. Motion to Show Cause **Submit original & 4 copies**
NOT PROVIDED
Use the guidelines on page 3 to create this document.

With Affidavit in Support of Motion **Submit original & 4 copies**
NOT PROVIDED
Use the guidelines on page 3 to create this document.
2. Order to Show Cause **Submit original & 4 copies**
See Mont. D.R. Rule's Appendix
Retype this document using your own case information.
3. Notice of Rights **Submit original & 4 copies**
See Mont. D.R. Rule's Appendix
Attach this Notice to the back of your Order to Show Cause
4. Instructions for Service **Submit original & 3 copies**
ATTACHED
Complete this form. Initial service shall be personal service upon the other party.

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 letter what corrections are needed. Please include a phone number where you may be reached regarding your paperwork.

When your paperwork is correct, it will be mailed back to you with an approval letter informing you 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

FORMAT: All documents must be typed and must be set up in the same format as the Complaint for Divorce/Legal Separation/Annulment or Petition for Dissolution, including case caption, signature block, etc. **DO NOT REVERSE THE ORDER OF THE PARTIES.** If your initial case was a Dissolution, the 1st Party who filed the motion is known as the Movant and the other party is known as the Respondent.

CONTENT OF MOTION: Any motion to show cause why a party should be held in contempt of court shall state in detail each section of the prior court order with which a party allegedly has failed to comply, the date of such order, and the facts constituting the noncompliance. The motion shall be supported by an Affidavit signed by the party.

Motions for Nonsupport. If the motion pertains to nonpayment of child support or spousal support, the motion shall clearly set forth the following: date of the last order of support; amount of said order; amount which should have been paid; amount which was actually paid during that period; and the amount of arrearages existing to the date of filing.

Medical Bills or Other Support Obligations. When the motion alleges nonpayment of medical/dental bills refer to Mont. D.R. Rule 4.42 and complete the Health Care Reimbursement Form found in the Mont. D.R. Rules Appendix.

AFFIDAVIT IN SUPPORT OF MOTION: The affidavit in support of the motion must include facts verifying the reasons for the request to show cause. This document must be signed in front of a Notary Public.

FORM

AFTER READING ALL INSTRUCTIONS –
FULLY COMPLETE THE ATTACHED FORM.