

APPENDIX H

Court Orders

COURT ORDER #1

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO

vs.

Case No. _____

Plaintiff

Defendant

PRELIMINARY INJUNCTIONS

IT IS ORDERED, PURSUANT TO LOCAL RULE 10.01, EFFECTIVE ON THE DATE A COMPLAINT IS FILED THAT EACH SPOUSE IS ENJOINED FROM COMMITTING ANY OF THE FOLLOWING ACTS:

1. Removing, or causing to be removed, the child(ren) born or adopted by the parties and/or the child(ren) of either or both spouses, if any, from the Court's jurisdiction without leave of Court; and
2. Causing physical abuse, annoying, inflicting bodily injury, attempting to cause or recklessly cause bodily injury, threatening the use of force or imminent physical harm, stalking, harassing, interfering with or imposing any restraint on the personal liberty of the other spouse, committing any act with respect to a child in violation of the Revised Code of Ohio; and
3. Incurring debt in the name of the other spouse except for necessary food, housing, utilities, medical care, and necessary transportation; and
4. Selling, removing, transferring, encumbering, pledging, hypothecating, damaging, hiding, concealing, assigning or disposing of any and all property, real or personal, owned by both or either spouse or a child (including household goods, vehicles, financial accounts, and the personal property of each), without the prior written consent of the spouse or the Court. Excluded is any account now used for the payment of living costs; and
5. Voluntarily changing the terms of, or beneficiary of, terminating coverage of, cashing in, borrowing against, encumbering, transferring, canceling or failing to renew any type of insurance, including health, automobile, life, home, liability, disability, or fire insurance that provides coverage for a spouse or child(ren) born or adopted by the parties; and
6. Voluntarily liquidating, encumbering, borrowing against, cashing in, changing the beneficiary of, terms, or conditions of any retirement or pension plan or program that provides any benefit to a spouse or a child(ren) born or adopted by the parties and/or of either or both spouses; and
7. Voluntarily interrupting or terminating any utility service to the marital residence without prior written consent of the other spouse or the Court.

Nothing in the above restraining orders precludes a spouse from using their property to pay necessary and reasonable attorney fees, litigation and court costs in this action.

Judge

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 it; (2) a judgment for divorce or legal separation is filed with the Clerk of Court specifically dismissing each injunction.

COURT ORDER #2

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO

the matter of:

JUDGE _____

PLAINTIFF, PETITIONER

ORDER APPOINTING GUARDIAN

AD LITEM

DEFENDANT, PETITIONER, RESPONDENT

CASE NUMBER: _____

* * * * *

_____ having moved for the appointment of a guardian ad litem, and it appearing that appointment of a guardian ad litem is essential to protect the interests of the minor child(ren); it is hereby

ORDERED, that _____; be and hereby is appointed guardian ad litem for the minor child(ren) _____; it is further

ORDERED, that upon presentation of a copy of this order to any agency, hospital, physician, chiropractor, optometrist, dentist, nurse or other medical, dental or optical practitioner, psychologist, psychiatrist, or other mental health practitioner, organization, school, person, or office including, but not limited to, the Clerk of this Court, human services agencies, public children services agencies, private child placing agencies, health departments, juvenile courts, and juvenile probation departments, the guardian ad litem shall be permitted to inspect and copy any records relating to the child(ren)/parent and/or to confer with any and all professionals who may provide information relative to said minor child(ren)/parent with respect to issues pending before this Court without the consent of the child(ren) or parent(s); it is further

ORDERED, that the guardian ad litem appointed to this cause shall maintain any information received from any such source as confidential, and will not disclose the same except to report to the Court or as the Court directs or law permits; it is further

ORDERED, that the guardian ad litem shall be given notice of and shall appear at all hearings or proceedings scheduled in this cause and assure proper representation of the child(ren) at said hearings; unless excused or otherwise indicated by the Court; it is further

ORDERED, that the guardian ad litem shall be notified of any hearings, reviews, investigations, depositions, or other proceedings concerning the child(ren) and shall be entitled to attend the same; it is further

ORDERED that the guardian ad litem shall be notified prior to any change being made in the child(ren)'s residential placement and/or case plan by any party, except those actions taken to prevent immediate or threatened physical or emotional harm to the child(ren) as provided in 2151.41.2, in which case the guardian ad litem must be notified before the end of the next business day after the change is made; it is

ORDERED that the GAL shall charge at the rate of _____ per hour for his/her services.

ORDERED that fees for said guardian ad litem shall be taxed as follows: _____

Date Approved: _____

Judge/Magistrate _____

CERTIFICATION:

A copy of this order was hand-delivered or mailed to counsel of the parties or to the parties without counsel and to the guardian ad litem this _____ day of _____, 20 _____. [Receipt of a copy of this order was waived by the parties and/or counsel.]

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO
DOMESTIC RELATIONS DIVISION
JUVENILE DIVISION

CASE NUMBER: _____

JUDGE _____

QUALIFIED MEDICAL SUPPORT ORDER

* * * * *

1. It is intended that this Order constitute a Qualified Medical Support Order as defined in Section 609 of the Employee Retirement and Income Security Act of 1974, as amended, and R.C.3113.217.

2. This Order applies to the _____ (the "Plan") which the court has determined to be the only group health insurance and health care policy, contract, or plan that is available to _____ (hereinafter referred to as the "Obligor") and _____ (hereinafter referred to as the "Obligee"), at reasonable cost. (You would substitute the name of the plan for each instance).

3. The Obligor is a participant in the Plan. The last-known mailing address and telephone number of the Obligor is _____, phone # _____.

4. Pursuant to the terms of a Judgment Entry filed _____, 20____, the Obligor was ordered to maintain his/her minor child(ren) on Obligor's health insurance plan.

5. The minor child(ren) referred to in Section 4, above, hereinafter designated the "Alternate Recipient(s)", is/are _____ (name, address, SS#, DOB). The Obligor is hereby ordered to secure coverage for the Alternate Recipient(s) from the Plan, or, in the event the Obligor is no longer eligible to participate in the Plan, from a health insurance policy, contract, or plan that provides coverage similar to that provided by the Plan. The Obligor shall, within thirty (30) days of the date of the Order, furnish written proof to the Child Support Enforcement Agency that the coverage has been obtained. The Obligor is directed to execute the necessary documents or comply with any directions or instructions issued by the Plan Administrator to facilitate the provision of coverage to the Alternate Recipients.

6. The Obligor shall supply the other parent with the information regarding the benefits, limitations, and exclusions of the health insurance coverage, copies of any insurance forms necessary to receive reimbursement, payment or other benefits under the health insurance coverage, and a copy of any necessary insurance cards. In addition, the Obligor shall submit a copy of this Order to the insurer at the time the Obligor make application to enroll the Alternate Recipient(s) for coverage. The Obligor shall furnish written proof, within thirty (30) days of the issuance of this Order that he has complied with the requirements of this paragraph.

7. The Plan Administrator is directed to provide coverage to the Alternate Recipient(s) as soon as is administratively feasible after it has been determined that the Order satisfies the requirements of Section 609 of ERISA and R.C. § 3113.217.

8. It is the intent of this Order that medical plan coverage for the Alternate Recipient(s) is subject to all terms and conditions of the Plan in the same manner as if the Alternate Recipient(s) qualified as (a) dependent(s) under the terms of the Plan.

9. The Obligor, _____ (name, address, SS# and phone #), shall be reimbursed for out-of-pocket medical, optical, hospital, dental or prescription expenses paid for each child who is subject of the Order. The Plan, or any successor plan, may continue making payment for medical, optical, hospital, dental or prescription expenses paid for each child who is the subject of the Order. The Plan, or any successor plan, may continue making payment for medical, optical, hospital, dental or prescription services directly to any health care provider in accordance with the applicable provisions of the Plan.

10. The Obligor and Obligee shall designate the child(ren) who are the subject of this Order as covered dependents under any health insurance or health care policy, contract or plan for which they contract no later than thirty (30) days after the issuance of the Order.

11. **OPTIONAL PARAGRAPH** – The Obligor and Obligee shall be responsible for any co-payment or deductible costs required under the applicable provisions of the Plan in accordance with the following formula: Obligor _____%; Obligee _____%.

12. If the Obligor fails to comply with the requirements of this Order, the Child Support Enforcement Agency shall comply with the procedures specified in R.C. § 3113.217(F) to obtain a court order requiring the Obligor to obtain the health insurance coverage required under the terms of this Order.

13. During the time that this Order is in effect, the employer of the Obligor is required to release to the other parent or the Child Support Enforcement Agency, upon request, any necessary information on the health insurance coverage, including, but not limited to, the name and address of the insurer and any policy, contract, or plan number, and to otherwise comply with this Order and any Court Order issued under this section.

14. If the person required to obtain health insurance coverage for the child(ren) subject to this child support order obtains new employment and the health insurance coverage for the child(ren) is provided through the previous employer, the Child Support Enforcement Agency shall comply with the requirements of division (E) of R.C. §3113.217 which may result in the issuance of a notice requiring the new employer to take whatever action is necessary to enroll the children in health insurance coverage provided by the new employer.

15. The Obligor and the Obligee shall comply with any requirements set forth in this Order no later than thirty (30) days after the issuance of this Order.

16. The Order shall be binding upon the Obligor and the Obligee, their employers, and any insurer that provides health insurance coverage for either of them or their child(ren).

17. Any employer who receives a copy of this Order shall notify the Child Support Enforcement Agency of any change or the termination of the Obligor's health insurance coverage that is maintained pursuant to this Order.

18. Coverage for the Alternate Recipient(s) shall continue until such times as the Alternate Recipient(s) would no longer be entitled to coverage as dependents under the terms of the Plan, had their parents not divorced.

19. This Medical Child Support Order is not intended to require the Plan to provide any type or form of benefit, or any option, not otherwise provided under the Plan.

20. To the extent necessary, this Court retains jurisdiction to modify this Order for the purpose of satisfying the provisions of Section 609 ERISA and R.C. §3113.217.

IT IS SO ORDERED.

Judge

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO

In the matter of:

PLAINTIFF, PETITIONER,

DEFENDANT, PETITIONER, RESPONDENT.

JUDGE _____

ORDER

CASE NUMBER: _____

The parties, _____, are hereby ORDERED to attend the six-week program "How to Raise the Best Children Possible," commencing Monday, _____, 2_____, and continuing on the next five Mondays (or at such other time as may be indicated), and to each pay the \$30.00 registration fee required. Each party shall contact the Center for Child and Family Advocacy at (419)592-0540 to register for "How to Raise the Best Children Possible" classes at least forty-eight hours prior to the first class.

Failure to register for, pay for and attend the "How to Raise the Best Children Possible" classes may be used as a factor in determining the allocation of parental rights and responsibilities for the child(ren) who is/are the subject of this case, including designation of residential parent and legal custodian for the child(ren) and allocation of parenting time with the child(ren), and/or may result in a contempt of court finding.

Judge/Magistrate

Certification

The undersigned hereby certifies that on this _____ day of _____, 2_____, copies of this order and the "How to Raise the Best Children Possible" brochure were (hand-delivered) (mailed by ordinary United States mail) to each party.

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO

the matter of:

PLAINTIFF, PETITIONER,

DEFENDANT, PETITIONER, RESPONDENT.

JUDGE _____

ORDER FOR INVESTIGATION
(HOME STUDY)

CASE NUMBER: _____

Upon motion of the _____ and for good cause shown, it is hereby ORDERED that _____ shall complete an investigation as to the character, family relations, past conduct, earning ability and financial worth of the parties to this action and that a report shall be made of said investigation providing recommendations relative to the allocation of parental rights and responsibilities and parenting time for the children, _____.

Upon completion, said report shall be provided by _____ to this Court not less than seven days before trial and the Court will forward copies thereof to counsel of record. Counsel shall not provide a copy of the report to his or her client or allow the client to read the portions thereof pertaining to anyone but the client specifically; however, counsel may discuss the contents of the report with the client.

In order to facilitate the completion of the investigation and the report thereof, the parties shall immediately schedule appointments with _____ for themselves and the children and shall keep all appointments scheduled. In addition, the parties shall sign and deliver any requested releases for information presented to them by _____ and shall cooperate with _____ in order to ensure that the investigation and report are completed expeditiously.

Finally, the costs and the fees for the investigation and the report thereof shall be paid as follows:

Judge/Magistrate

Approved: _____

CERTIFICATION

A copy of this Order was hand-delivered or mailed to _____, to counsel of the parties or to the parties without counsel this _____ day of _____, 20____.

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO

the matter of:

JUDGE _____

PLAINTIFF, PETITIONER

vs./and

ORDER

For Evaluations as to the Allocation of Parental Rights and Responsibilities and Parenting Time

DEFENDANT, PETITIONER, RESPONDENT

CASE NUMBER: _____

Upon motion of the _____ and for good cause shown, it is hereby ORDERED that the parties, _____, and the minor children, _____, submit to psychological evaluations to be conducted by _____, and

that a report be made of said evaluations providing recommendations relative to the allocation of parental rights and responsibilities and parenting time for the children.

Upon completion, said report shall be provided by Dr. _____ to this Court and the Court will forward copies thereof to counsel of record. Counsel shall not provide a copy of the report to his or her client or allow the client to read the portions thereof pertaining to anyone but the client specifically; however, counsel may discuss the contents of the report with the client.

In order to facilitate the completion of the evaluations and the report thereof, the parties shall immediately schedule appointments with Dr. _____ for themselves and the children and shall keep all appointments scheduled. In addition, the parties shall sign and deliver any requested releases for information presented to them by Dr. _____ and shall cooperate with Dr. _____ in order to ensure that the evaluations and report are completed expeditiously.

Finally, the costs and the fees for the evaluations and the report thereof shall be paid as follows:

Judge / Magistrate

Approved: _____

CERTIFICATION

A copy of this Order was hand-delivered or mailed to Dr. _____, to counsel of the parties or to the parties without counsel this _____ day of _____, 20_____.

COURT ORDER #7

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO

In the matter of:

JUDGE _____

PLAINTIFF, PETITIONER

vs./and

MOTION TO REVIEW FAMILY FILE

DEFENDANT, PETITIONER, RESPONDENT

CASE NUMBER: _____

The undersigned does hereby request an order that will allow inspection and review of the family file in this case. The undersigned does hereby acknowledge that he/she is either a party in the proceeding, attorney, or a county CSEA representative and a proper person to review the family file in accord with Court Rule 10.03(F).

Signature

Print Signature

Title (Circle) Party/Attorney/CSEA

ORDER

The motion of _____ to review the family file in this case came on for consideration by the court. The court finds that the movant is a proper party to review the family file as set forth in Court Rule 10.03(F).

It is therefore ORDERED that the Clerk of Court shall permit _____ upon proper identification to review the family file in this proceeding, subject to the following:

Judge / Magistrate

COURT ORDER #8

IN THE COURT OF COMMON PLEAS OF _____ COUNTY, OHIO

In the matter of:

JUDGE _____

PLAINTIFF, PETITIONER

ORDER REQUIRING MEDIATION
SERVICES

vs./and

DEFENDANT, PETITIONER, RESPONDENT

CASE NUMBER: _____

* * * * *

Upon the request of the (parties, or at the Courts discretion) this matter be and hereby is referred for mediation.

It is therefore ORDERED that all parties shall forthwith submit the issues in this matter to the Northwest Ohio Court Mediation Services forthwith.

It is therefore ORDERED that any party who intentionally fails to appear for a mediation session as ordered by the Court shall be subject to sanctions, including those for Contempt of Court.

It is further ORDERED that the Northwest Ohio Court Mediation Services will notify the following parties of their scheduled mediation.

It is further ORDERED that at the conclusion of the mediation services or prior to that completion, at the discretion of the mediator, the mediator shall file with the Court and make available to counsel for all parties appropriate mediation reports concerning the progress of the mediation.

Judge/ Magistrate

Plaintiff/Petitioner _____ residing at

Telephone: _____

Attorney: _____ Address: _____

Telephone: _____

Defendant/Petitioner/Respondent _____ residing at

Telephone: _____

Attorney: _____ Address: _____

Telephone: _____