

**BUTLER COUNTY COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
GOVERNMENT SERVICES CENTER
315 HIGH STREET, 2ND FLOOR
HAMILTON, OHIO 45011
(513) 887-3100**

Mary Sue Smith
1st Petitioner

Case No. 12345432

John Thomas Smith
2nd Petitioner

**COMPLIANCE CHECKLIST
FOR PETITION FOR DISSOLUTION/
SEPARATION AGREEMENT AND/OR
SHARED PARENTING PLAN/SPP**

The attached petition for dissolution and separation agreement is being returned because it is not in compliance with state law and/or local rule of court. The documents submitted are defective for the reason(s) checked below, all of which are required by the Ohio Revised Code, Ohio Rules of Civil Procedure, and/or local rule of court:

SECTION I: GENERAL

- 1. The petition/SPP must include the names, addresses, social security numbers and dates of birth of both parties and all children of the marriage. The petition must also contain the telephone numbers of all parties. DR1(B) pg. 1.
- 2. The petition must include the date of marriage DR44(A)(4), **pg. 40.**
- 3. The petition must contain both attorneys' signatures, addresses, phone numbers, and Supreme Court Registration Numbers or both parties' signatures - if pro se (Civil Rule 11.)
- 4. The separation agreement must include a statement regarding division and exchange of personal property and VIN #'s of all vehicles divided DR44(A)(6), **pg. 40.**
- 5. The petition must be accompanied by a decree if self represented.
- 6. The petition must be accompanied by the correct number of copies (original and 1) DR11(A), **pg. 4.**

SECTION II: PARENTING SCHEDULE - (if applicable)

- 1. The separation agreement/SPP must contain the physical living arrangements for the child(ren) and a designation of which parent is the residential parent. In cases involving shared parenting, there must be a separate decree of shared parenting (if applicable) and a shared parenting plan which includes a statement that each parent shall be the residential parent when the children are in his or her care DR44(B)(1), **pg. 43.**
- 2. The SPP accompanying the petition must contain a provision for decisions regarding school placement, and if it is necessary for school or public assistance purposes, a designation of legal custodian DR44(B)(2) **pg. 43.**
- 3. The separation agreement/SPP must include a specific schedule of parenting time DR44(B)(3) **pg. 43.**
- 4. The separation agreement/SPP which incorporates the court's standard parenting time schedule must be accompanied by a copy of the schedule DR44(B)(3)(b), **pg. 43.**
- 5. The separation agreement/SPP must allocate the rights of parents to claim tax exemptions for the child(ren) DR44(B)(10) **pg. 49.**
- 6. The separation agreement/SPP must include an order that any person who is the residential parent of a child, including any party to a shared parenting decree and any other legal custodian shall send a notice of intent to relocate to the Domestic Relations Court compliance Office DR44(B)(11) **pg. 49 & 50.**
- 7. The separation agreement/SPP must include language regarding equal access to the child(ren)s' school or medical records or agreement of limited access and a notice to records keepers regarding failure to comply DR44(B)(11)(f) **pg. 50.**

SECTION III: CHILD SUPPORT - (if applicable)

- 1. The separation agreement/SPP must include a statement of child obligation stated in dollars per month, a statement as to whether or not the support order conforms to the schedule of support contained in ORC 3119.021, and a state that such support, plus a 2% processing charge, is to be paid through the Butler County Child Support enforcement Agency or the Ohio Child Support Payment Center. All payments must be made payable in increments that coincide with the payor's pay periods DR44(B)(4) pg. 44.
- 2. The separation agreement/SPP must include an effective date for child support to commence and/or terminate.
- 3. The separation agreement/SPP which deviates from guideline support must state the amount pursuant to the child support schedule DR44(B)(4)(a) **pg.44.**
- 4. The separation agreement/SPP must contain specific reasons for deviation from the child support schedule DR44(B)(4)(b)(c) **pg 44.**
- 5. The separation agreement/SPP which deviates from guideline support must include a notice to compliance form (C-16) signed by a judge or magistrate DR44(B)(5) **pg. 44.**
- 6. The separation agreement/SPP must include the mandatory language requiring the withholding or deduction from income or assets, etc. DR44(B)(6)(a) **pg. 44.**
- 7. The separation agreement/SPP must include the mandatory language requiring payment through the CSEA directly until withholding or deduction order goes into effect DR44(B)(6)(b) **pg. 44 .**
- 8. The separation agreement/SPP must include mandatory language regarding gifts DR44(B)(6)(c) pg. 45
- 9. The separation agreement/SPP must include mandatory language regarding House Bill 352 DR44(B)(6)(d) pg 45.
- 10. The separation agreement/SPP must include statutory language directing the parties to notify the CSEA in writing in the event of a change in the obligor's income source, etc. DR44(B)(6)(e) pg 45.
- 11. The separation agreement/SPP must include language directing the parties to notify the CSEA in writing of any change in the status of the child which would terminate or modify the duty of support DR44(B)(6)(f) pg 46.
- 12. The separation agreement/SPP must state acceptable methods of payment through the Butler County Child Support Enforcement Agency and the Ohio Child Support Payment Central DR44(B)(6)(g) and (h) pg. 46.
- 13. The separation agreement/SPP must indicate the method of payment to the CSEA DR44(B)(7) pg 46.
- 14. The separation agreement/SPP must include an order to seek work and a \$20.00 per week child support order for the unemployed obligor DR44(B)(7) pg 46.
- 15. The separation agreement/SPP must include a statement of the amount of arrears due the obligee and/or the State of Ohio and the date owed through, if applicable.
- 16. The separation agreement/SPP must address the support and/or income withholding orders issued under case #: 12345432

SECTION IV: HEALTH INSURANCE - (if applicable)

- 1. The separation agreement/SPP must include required language regarding health insurance DR44(B)(8) 46.
- 2. The separation agreement/SPP must indicate the insurance order to be issued DR44(B)(8)(b) pg. 48
- 3. The separation agreement/SPP must include a statement regarding compliance with health insurance coverage DR44(B)(8)(c) pg 48.
- 4. The separation agreement/SPP must include a statement regarding failure to provide health insurance DR44(B)(8)(d) pg 48 & 49.
- 5. The separation agreement/SPP must include mandatory QMCSO language if a QMCSO is ordered DR44(B)(9) pg. 49.

SECTION V: SPOUSAL SUPPORT - (if applicable)

- 1. The separation agreement must include a statement as to whether spousal support is ordered and whether the court will retain jurisdiction to modify the award DR44(A)(7) pg 40..
- 2. The separation agreement must contain an effective date for the spousal support order, the length of time support is to be paid and a statement of arrears, if applicable DR44(A)(7) & (8) pg. 40.
- 3. The separation agreement must contain a clear statement whether payment is to be made directly, or through the Butler County Child support Enforcement Agency (CSEA) or the Ohio child Support Payment Center (OCSPC) DR44(A)(8) pg. 40.
- 4. If support is to be paid through the Butler County Child Support Enforcement Agency or the Ohio Child Support

