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DOMESTIC RELATIONS



Jurisdiction:

The Highland County Domestic Relations Division handles cases involving divorce, dissolution, legal separation, annulment, the custody and support of children, visitation disputes and civil protection orders for victims of domestic violence.

Hours:

The Domestic Relations Division is open Monday through Friday from 8:30 a.m. through 4:00 p.m. It is closed for lunch from 12:00 p.m. to 1:00 p.m.

Contact Information:

You can contact the Domestic Relations Division at (937) 393-3676 during our business hours. If Court is in session, and no one is available to answer your call, please leave a message and your call will be returned.

Standard Parenting Schedule:

The Court encourages liberal parenting time between both parents and their children. Parents should always attempt to share time with their children by agreement. When parents are unable to agree on parenting time, the Court usually orders parents to follow the Court's standard parenting time schedule. A copy of that schedule is available to be viewed under the Court's Local Rules, Appendix G. at <http://hccpc.org/rules>

Frequently Asked Questions:

The Code of Judicial Conduct prohibits the Judge, Magistrate and court employees from answering questions about specific cases or discussing the merits of a case with any party or other person and from communicating privately with any party on a matter that may come before the Court. Further, the Judge, Magistrate, court staff and Clerk of Courts cannot give legal advice. For these reasons, the Court cannot accept phone calls or engage in conversations regarding these matters. E-mails, cards and letters regarding a case will not be read. Court staff may be able to answer procedural questions only, but these answers are not legal advice. Some frequently asked questions are listed below.

Q. What if I cannot afford an attorney?

A. You may call the Cincinnati Area Legal Aid Office (800) 582-2682. They will represent clients in Highland County if you qualify.

Q. Do I need an Attorney to come to court?

A. You may choose to come to court without an Attorney and represent yourself (pro se). You must, however, follow the same rules as an Attorney and prepare the proper forms and documents.

Q. Are there forms that can be used by parties who do not have an Attorney?

A. There are forms available on the internet. **You may use these forms at your own risk. The Court evaluates the use of these filings on a case by case basis. If the forms or the information provided do not substantially comply with the requirements of the Ohio Revised Code, the pleadings may be dismissed.**

The Ohio Supreme Court has adopted standard forms for use in all Ohio domestic relations courts. They are available on the Ohio Supreme Court website. **You may use these forms at your own risk. The Court evaluates whether the forms contain the information necessary to the proceeding is sufficient. If it is not, the Court may dismiss the pleading. Neither the Court staff nor the Clerk of Courts staff is permitted to assist you in completing any forms.**

If you are filing for dissolution, you may call for a Dissolution Packet at 800-552-9725. There is a cost associated with obtaining the Packet. **You may use these forms at your own risk. The Court evaluates the use of these filings on a case by case basis. If the forms do not substantially comply with the requirements of the Ohio Revised Code, the pleadings may be dismissed.**

Neither the Court staff nor the Clerk of Courts staff is permitted to assist you in completing the forms.

Q. What are the filing fees that must be paid to the Highland County Clerk of Courts for filing various actions with the court?

A. The Court's filing fees schedule is available by calling the Clerk of Courts Office at (937) 393-9957 or viewing Appendix A to the Court's Local Rules at <http://hccpc.org/rules>

Q. How long does a dissolution take?

A. A dissolution hearing must be conducted no sooner than thirty, nor later than ninety days after the petition is filed with the Court. A dissolution is not final until the Judge signs and files a final decree of dissolution. The attorneys for the parties or the parties if acting pro se must prepare the decree and submit it to the Court at the final hearing.

Q. What is the age when my children can decide who they want to live with?

A. There is no specific age at which a child can decide which parent he/she wants to live with. In determining custody for the first time or in modifying an existing order, the Court must consider the best interests of the child. In deciding what the child's best interests are, Ohio law requires the Court to consider all relevant factors, including factors specifically listed in the Ohio Revised Code. The child's wishes and concerns are just one of those listed factors.

Q. How can I find out my hearing date?

A. Go to www.hccpc.org and click on the "**Court View Public Records**" search button and find your case. Click on the highlighted case number then click the "**Event**" button. If the hearing date is not posted, contact the Domestic Relations office at (937)393-3676. If you already know the date and want to confirm

the time, there is a one week calendar listed on the website. Click on the "***Court Calendar***" button, click the domestic relations calendar link then scroll down the calendar to your case.

Q. What should I wear to my court hearing?

A. Wear comfortable clothing that is appropriate for appearing in court. Shorts, tank tops, string tops, hats, culottes, sweat pants, flip flops and clothing with printing, pictures or symbols that are inappropriate or any other type of clothing that is disruptive to the court's proceedings are not permitted. If you appear wearing any of these items, you will be sent home to change or your hearing will be continued. Your assignment notice sets forth clothing that is not appropriate for the courtroom. This rule applies not only to parties, but also to witnesses and spectators.

Q. Where can I get copies of my Court papers?

A. From the Highland County Clerk of Courts Office, located on the first floor of the Highland County Courthouse at 105 N. High Street, Hillsboro, OH 45133. For more information, contact the Clerk's office (937) 393-9957.

Q. Where can I find the current balance owed on a support obligation or the date of the last payment made?

A. You can visit the Job and Family Services web site at www.jfs.ohio.gov/ocs and click on payment status on the left side. You will need a pin number that is available through the Highland County CSEA (937) 393-4278. You may also call the State of Ohio's Support Enforcement Tracking System (SETS) voice response unit toll free at (800) 860-2555. You must have your social security number and your pin number. You may also contact the Highland County Child Support Enforcement Agency at (937) 393-4278.

Disclaimer

Please be aware that this form does not include instructions or legal advice regarding your rights, responsibilities, and legal options. To be fully informed and get answers to your questions, you should seek the advice of an attorney.

SECTION V DOMESTIC RELATIONS CASES CASE MANAGEMENT PLAN

RULE 17

FILING OF DIVORCE, LEGAL SEPARATION OR DISSOLUTION CASE

17.1 The caption of all complaints and petitions shall include the full names, prior surnames, aliases, addresses, and dates of birth of all parties to the action. Pleadings shall also contain the phone number of any unrepresented party. The social security numbers of parties shall not be included on any filing, unless otherwise directed by statute. The case classification form shall be filed with all complaints or petitions.

17.2 A financial disclosure statement as prescribed by the Court, **Appendix C** signed by the **plaintiff**, shall be attached to every complaint for divorce, spousal support or legal separation. The defendant or respondent shall file a disclosure statement signed by the Defendant with a counterclaim or the answer to the complaint. Both parties to a dissolution proceeding shall sign Appendix C and attach it to the petition for dissolution.

Separation Agreement

The information contained in the disclosure shall be treated as though it was obtained in answer to questions propounded by the court and shall be subject to examination and cross-examination by the parties in any court proceedings in the case.

17.3 A waiver of attorney for an unrepresented petitioner in a dissolution shall be included in or filed with the petition.

17.4 A waiver of service of process on the parties shall be filed with a petition of dissolution.

17.5 In a case involving minor children, a UCCJA affidavit, **Appendix D** or similar form containing the same information must be attached to the pleadings.

Shared Parenting Plan

17.6 An application for services under Title IV-D of the Social Security Act shall be filed with all divorce complaints or petitions for dissolutions involving minor children in which child support or a medical support is requested.

OR

Parenting Plan

17.7 Upon the filing of an action for divorce or legal separation, a mutual temporary restraining order shall be issued as set forth in **Appendix E**. The Clerk shall include a copy of the temporary restraining order with the summons and complaint served on defendant and shall mail a copy of the temporary restraining order to both parties by ordinary mail.

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17.8 Any pleading tendered for filing that does not comply with this rule shall not be accepted for filing by the Clerk and shall be returned to the tendering party. Any pleading mistakenly accepted by the Clerk may be stricken by the court as a sanction for violation of this rule.

17.9 After service has been accomplished in a divorce or legal separation proceeding, Plaintiff's counsel or the Plaintiff if acting pro se shall immediately contact the Assistant Assignment Commissioner of the Domestic Relations Division to schedule a pre-trial/final hearing.

17.10 Upon filing of a petition for dissolution, counsel for one of the parties, or the parties if acting pro se shall immediately contact the Assistant Assignment Commissioner of the Domestic Relations Division to schedule a final hearing.

17.11 The Court will accept for filing any pleadings or other documents on forms that have been adopted by the Ohio Supreme Court for use in domestic relations cases in the courts of this state.

To obtain an entire set of the Local Rules log on to the Highland County Local Rules website at www.hccpc.org/rules

DOMESTIC FEES EFFECTIVE 1/1/2021	
Divorce with Children	\$ 450.00
Divorce without Children	\$ 350.00
Dissolution with Children	\$ 400.00
Dissolution without Children	\$ 300.00