

INSTRUCTIONS FOR SUBMITTING A COMPLAINT FOR DIVORCE

BUTLER COUNTY DOMESTIC RELATIONS COURT

DISCLAIMER: This form has been provided to you as a public service of the Butler County Domestic Relations Court. If you choose to represent yourself and use this form, please understand that state law prohibits the staff of the Domestic Relations Court to provide legal advice. Local Rules of Court are available online at www.butlercountyohio.org/drCourt and from the Clerk of Courts' Office for \$10.00. If you have questions regarding your legal rights, or your responsibilities, you must contact an attorney. You can call Legal Aid at 241-9400 or the Butler County Bar Association at 896-6671.

DEFINITION: A Divorce is a legal end to the marriage between spouses.

STEPS FOR FILING A COMPLAINT FOR DIVORCE

1. Before filing a Complaint for Divorce, all pleadings **must** be completed and submitted to the Butler County Domestic Relations Case Management Office for review. The Case Management Office will determine if your complaint complies with the Ohio Revised Code, Ohio Rules of Civil Procedure and local rule of court.
2. If you are filing for a complaint for divorce and there are **no minor children involved**, you must prepare and complete a Complaint for Divorce. The original complaint plus three (3) copies must be submitted.

The Court will provide you with the following forms to be completed:

- a. A Family Information Sheet (Form DR729);
 - b. An Affidavit of Property (Form DR602-B) to be exchanged between the parties;
3. If you are filing for a complaint for divorce and there **are minor children involved**, you must prepare and complete a Complaint for Divorce. The original complaint plus three (3) copies must be submitted.

The Court will provide you with the following forms to be completed:

- a. A Family Information Sheet (Form DR729);
- b. An Affidavit of Property (Form DR602-B) to be exchanged between the parties;
- c. If child support is ordered, an Affidavit of Income (Form DR602-A) to be exchanged between the parties, a Child Support Calculation Sheet and Guidelines (Form DR626), a IV-D Form (ODHS 7076), a Withholding Order Information Sheet (Form DR201), a Child Support Language Form (Appendix A), and an Affidavit of Available Health Care Coverage (Appendix B);
- d. If spousal support is ordered, an Affidavit of Income (Form DR602-A) to be exchanged between the parties, an Affidavit of Expenses (Form

DR602-C) to be exchanged between the parties, a Withholding Order Information Sheet (Form DR201) and an Addendum to Separation Agreement-Division of Personal Property (Form DR634);

- e. An Addendum to Separation Agreement (Form C-15), if a Separation Agreement is being filed;
 - f. A Notice to Attend Mandatory Education Class (Form DR628);
 - g. An Information for Parenting Proceeding Affidavit (Form DR616)
 - h. A Health Insurance Information Form (Form DR 617);
 - i. A Guidelines for Parents Living in Different Homes (Form DR803);
4. Once your complaint and forms are completed, you must submit them to the Case Management Office for review and approval. The Case Management Office will determine if your complaint and forms comply with the Ohio Revised Code, Ohio Rules of Civil Procedure and Local Rules of Court.
 5. After your complaint and forms are approved, you will need to file it with the Clerk of Courts' Office and pay the filing fee. Please contact the Clerk of Courts at 887-3278 if you have any questions about methods of payment for filing fees.

If there are minor children born of the marriage	\$334.00
If you there are no minor children born of the marriage	\$222.00

6. Once your case is filed and service has been perfected, a thirty (30) day waiting period must occur to allow the defendant to file an Answer if they choose.
7. Parties must also register and complete the mandatory Parent Education Class. You can register by calling Forensic and Mental Health Services, Inc. at (513) 867-5866, ext. 100.
8. If no Answer is filed at the end of the waiting period and you have scheduled your mandatory Parent Education Class, your case will automatically be set by the Court for a Final Non-Contested Hearing.
9. **You must also prepare a Decree of Divorce to be approved by the Case Management Office and mailed to the other party.**
 - a. **If the location of the other party is known, the Decree shall be served on the other party by ordinary mail through the Clerk of Court fourteen (14) days prior to the hearing date if any of these conditions apply:**
 - **The parties have minor children;**
 - **The parties own real estate;**
 - **The parties own personal property in which there is equity of \$5,000.00 or more;**
 - **There is an award of spousal support.**
 - b. **You must file a certificate of mailing with the Clerk of Court.**
10. If an Answer is filed before the end of the waiting period, your case will automatically be set by the Court for a Scheduling Conference. You will need to prepare a Decree following your Final Hearing.
11. If one or both parties cannot be present, the parties must notify the Judicial Case Manager at least seven (7) days before the scheduled hearing date by dialing

(513) 887-3100 ext. 2 (Hamilton) or (513) 424-5351 ext. 3100 (Middletown).