

OHIO

SCIOTO COUNTY COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION

JUDGE DAVID E. SPEARS

MAGISTRATE JAY S. WILLIS

Rules of Court

(Cite as: Scioto D.R. Rule ____)

Effective Date: January 2, 2004

financial issue. The only exception to this requirement is the filing of a Motion for Contempt for non-payment of support when that is the only issue to be determined.

- (2) The party responding to the motion shall file a completed Financial Disclosure Form at least three (3) days prior to the hearing date.
 - (3) All Financial Disclosure Forms shall be signed and notarized.
- (C) **Character and Effect of Financial Disclosure Form Information**
- (1) The information contained in the Financial Disclosure Forms shall be treated as though it was obtained in answer to questions propounded by the Court and shall be subject to cross examination.

ARTICLE 2: GENERAL PROCEDURES

Rule 2.01 Mandatory Disclosure

- (A) Within sixty (60) days of the filing of an answer to a Complaint for Divorce each party shall disclose to the other all of the following:
 - (1) The identity of all pension, profit sharing, and retirement benefits, including IRA's.
 - (2) All COBRA benefits to which the other party may be entitled.
 - (3) Copies of all real estate deeds and vehicle titles.
 - (4) Copies of the last three (3) years income tax returns.
 - (5) Documentary proof of current income from all sources.
 - (6) Copies of the most recent statements on all bank accounts, mortgages, credit card accounts and other debts.
- (B) Failure to comply with this rule may result in sanctions pursuant to Civil Rule 37, including a contempt citation, dismissal of claims, and restrictions upon the submission of evidence.

Rule 2.02 Mutual Restraining Order

- (A) In all divorce cases, at the time the initial Complaint is filed, the Court shall issue an order restraining both parties from:
 - (1) Threatening, abusing, annoying, or interfering with the other party or the parties' child(ren);

- (2) Creating or incurring debt (such as a credit card) in the name of the other party or in the parties' joint names or cause a lien or loan to be placed against any of their real or personal property;
- (3) Selling, disposing of, or dissipating any asset, real or personal property, including without limitation: bank accounts, tax refunds, and money (other than regular income) of either party or a child;
- (4) Removing household goods and furniture from the marital residence without approval of the court or other party;
- (5) Changing or failing to renew the present health, life, home, automobile or other insurance coverage; remove the other party as beneficiary on any life, health, or retirement benefits without further order of this court;
- (6) Changing or establishing a new residence for the parties' minor children without the written consent of the other party or permission of the Court;
- (7) Claiming the children as dependents on any income tax return without approval of the court or other party.

(B) The above restraining order shall not prevent the payment of ordinary and necessary business and living expenses. These restraints shall be imposed by the Court's standard Mutual Restraining Order Form 6 which shall be accepted by Plaintiff upon filing the complaint and shall be served upon Defendant along with summons. Upon Plaintiff's filing of a complaint, Plaintiff is deemed to have notice of the Mutual Restraining Order.

Rule 2.03 Admissibility of Documents

Objection to the admissibility of any document will be deemed to be waived at any Court hearing under the following circumstances:

- (A) If that document was provided to opposing counsel at least fourteen (14) days before the hearing, and
- (B) The party opposing introduction of the document into evidence has not filed a written objection to the introduction of the document at least seven (7) days before the hearing, setting forth the particular objection raised.

Rule 2.05 Evidence in Support of Attorneys Fees

- (A) A bill for attorney fees will be deemed fair and reasonable so long as: