

**IN THE COURT OF COMMON PLEAS
RICHLAND COUNTY, OHIO
DOMESTIC RELATIONS DIVISION**

Plaintiff/Petitioner,

Case No. _____

vs./and

Defendant/Petitioner.

SUMMONS AND ORDER TO APPEAR

TO: _____

This case is before the Court on the _____'s Motion to Show Cause requesting that you be required to appear before this Court to show cause why you should not be held in contempt for: _____.

The Court therefore ORDERS you to appear in this Court at 50 Park Avenue East, Third Floor, Mansfield, Ohio 44902 on _____ at _____ to show cause why you should not be punished for contempt of Court.

Pursuant to O.R.C. 2705.031, you are hereby advised as follows:

FAILURE TO APPEAR AT THE HEARING: Your failure to appear at this hearing may result in the issuance of an order for your arrest. Failure to appear is a separate violation of court orders and may result in additional fines and jail sentence.

APPOINTED COUNSEL: You may have a right to court-appointed counsel in this matter, if you are indigent. To request court-appointed counsel, you must contact the Court within three (3) business days after receipt of this summons and file certain documents with the Court. The address of the Court is 50 Park Avenue East, Third Floor, Mansfield, Ohio 44902 and the telephone number is (419) 774-5692.

CONTINUANCE: The Court may refuse to grant you a continuance at the time of hearing for the purpose of obtaining counsel if you fail to make a good faith effort to retain counsel or to obtain court-appointed counsel.

PENALTIES: In addition to any penalties permitted by law, the following potential penalties could be imposed upon you if you are found guilty of contempt for your failure to pay support, or for your failure to comply with, or your interference with, a parenting time/companionship/visitation order or decree:

- 1. STATUTORY PENALTIES:** For a first offense, you may be fined not more than \$250 and imprisoned for not more than thirty days, or both. For a second offense, you may be fined not more than \$500 and imprisoned for not more than sixty days, or both. For a third or subsequent offense, you may be fined not more than \$1,000 and imprisoned for not more than ninety days, or both. (O.R.C. 2705.05).

2. **IMPRISONMENT UNTIL COMPLIANCE:** If your contempt consists of the omission to do an act which the Court finds you can yet perform, you may be imprisoned until you perform it. (O.R.C. 2705.06).
3. **SUPPORT CONTEMPT:** If you are found in contempt for failure to make child support or spousal support payments as ordered, in addition to all other penalties, the Court must order you to pay all court costs and reasonable attorney fees to the other party. [O.R.C. 3105.21, 3105.18(G)]. In addition, if the Court finds your failure to pay child support was willful, it may require you to pay interest on your child support arrearages. (O.R.C. 3123.17). If this case involves alleged failure to pay support, the Court may also issue an order for the payment of support by withholding an amount from your personal earnings or by withholding or deducting an amount from some other asset of yours.
4. **HEALTH INSURANCE CONTEMPT:** If you are found in contempt for failure to comply with health insurance orders relating to minor children, you are liable for any medical expenses incurred as a result of your failure, and upon a second or subsequent offense, your child support obligation may be increased. (O.R.C. 3119.44, 3119.45, 3119.56).
5. **PARENTING TIME/COMPANIONSHIP/VISITATION CONTEMPT:** If you are found in contempt for failure to comply with or interference with any parenting time, companionship or visitation rights, in addition to all other penalties, the Court must order you to pay all court costs and reasonable attorney fees to the other party, and may also award compensatory parenting time, companionship, or visitation. [O.R.C. 3109.051(K)].

DRIVING PRIVILEGES: The Court may grant you limited driving privileges under O.R.C. 4510.021 pursuant to a request made by you, if your driver's license was suspended based on a notice issued pursuant to O.R.C. 3123.54 by the child support enforcement agency and if the request is accompanied by a recent non-certified copy of your driver's abstract from the registrar of motor vehicles.

It is further ORDERED that the Clerk of Courts shall cause a copy of this Summons and Order to Appear, together with the contempt motion and any other related pleadings, to be served upon the person named in this Summons by the following method of service: _____.

SO ORDERED.

Prepared By:

JUDGE BETH OWENS

Issued for Service By:

Deputy Clerk, Clerk of Courts, Richland County, Ohio

SHERIFF'S RETURN: I hereby certify that a copy of the foregoing Summons and Order to Appear, together with a contempt motion and any other related pleadings, were PERSONALLY served on the individual named above on _____, 20____ at _____ a.m./p.m. at this location: _____.

FEES: Service and Return: \$ _____

Mileage: \$ _____

TOTAL \$ _____

DEPUTY SHERIFF

