

**AMENDMENT TO THE LOCAL RULES OF THE CUYAHOGA COUNTY
COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
Published June 9, 2016**

In accordance with Rule 5 of the Rules of Superintendence for the Courts of Ohio, notice is hereby given of amended Local Rule 1 of the Local Rules of the Cuyahoga County Court of Common Pleas, Domestic Relations Division. The amendment, in red below, is effective June 9, 2016.

Comments regarding the rule amendment will be accepted through July 7, 2016. Comments should be directed to Serpil Ergun, Administrator for Judicial Operations/Chief Magistrate, Cuyahoga County Courthouse, 1 W. Lakeside Avenue, Cleveland, Ohio 44113.

RULE 1. PLEADINGS AND MOTIONS

(A) Form. All pleadings, motions, briefs and other papers shall be legibly typewritten or printed on paper of letter size (approximately 8 ½" x 11") and without backing or cover. The caption in every complaint or petition shall state the name, address, Social Security Number and date of birth, if known, of each party. The caption of subsequent pleadings, motions and other papers shall state the case number, the name of the Judge to whom the case is assigned, and the name of the first party plaintiff and the first party defendant. All captions shall briefly describe the general nature of the action. Every pleading, motion and other paper filed in the cause shall be identified by title and shall bear the name, address, telephone number and fax number of the Attorney or the party filing the same. If the filing is made by an Attorney, the Supreme Court registry number of the Attorney and the name of the firm with which the Attorney is affiliated, if any, must also be included. In all cases, a blank space of at least four (4) inches shall be left at the top of the first page for endorsements thereon.

(B) Case Designation Sheets. A case designation sheet shall be completed and filed with all original complaints and petitions.

(C) Time Limitations. Time limitations set forth in the Ohio Rules of Civil Procedure shall apply. However, parties may obtain an initial extension of time, not to exceed thirty (30) days, in which to answer, plead, or otherwise move, by filing with the Clerk of Courts a written stipulation approved by all counsel. The stipulation shall affirmatively state that no prior extension has been granted. If no such stipulation is obtained, or if an additional extension is requested, approval of the Court must be obtained.

(D) Amendments. Pleadings, motions and other papers may be amended as provided for in the Ohio Rules of Civil Procedure, but no amendment may be made by interlineation or obliteration, except with Court approval.

(E) Removal from Files. Nothing, including pleadings, motions, other papers, and any amendments thereto, shall be removed from any file without Court order. Further, no person shall remove a file from the possession of court personnel without the express permission of the assigned Judge.

(F) Parenting Proceeding Affidavit. All parties involved in a proceeding concerning the allocation of parental rights and responsibilities, companionship or visitation shall file a parenting proceeding affidavit pursuant to O.R.C. 3127.23(A). The affidavits shall be attached to, and filed with, each party's initial pleading or motion regarding parenting, companionship or visitation. A party who filed no pleading, motion or other paper regarding parenting, companionship or visitation, shall nonetheless file the affidavit. All Parenting Proceeding Affidavits shall be served upon the parties as provided under the civil rules.

(G) Security for Costs. Advance deposit to secure the payment of costs that may accrue in any action or proceeding in Domestic Relations Court shall be in accordance with the following schedule:

Divorce – with Children	\$300.00
Counterclaim – with Children	\$250.00
Divorce – No Children	\$200.00
Counterclaim – No Children	\$200.00
Dissolution – with Children	\$200.00
Dissolution – No Children	\$150.00
Legal Separation	\$200.00
Annulment	\$150.00
Foreign Decree	\$200.00
Service by Publication	\$200.00
Request for Parenting Modification, or Shared Parenting Modification	\$200.00
Motion to Convert From Dissolution to Divorce	\$50.00
Post Decree Motion; Motion to Modify; Motion for Relief from Judgment; Motion for Attorney Fees; Motion for Termination	\$50.00

~~The Clerk is further instructed not to accept post decree motions from a moving party with an unpaid balance due from that party in the instant case.~~

The Clerk is also authorized to charge \$1.00 per page for certified copies of pleadings, process, record or files including certificate and seal and to charge \$.25 per page for copies of pleadings, process, record or files without certificate and seal.

(H) Electronic transmission to the court, (FAX or E-MAIL), of pleadings, motions or other papers shall not constitute filing.

Effective 06/09/2016

Adopted by emergency vote