

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

Case No. _____

Plaintiff/Petitioner,

vs./and

Defendant/Petitioner.

SUMMONS AND ORDER TO APPEAR ON CONTEMPT

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 142 W. Second Street, Ashland, Ohio 44805, on _____ , 20 ____ at _____ , to show cause why you should not be punished for contempt of Court.

Pursuant to O.R.C. Section 2705.031, you are hereby advised that:

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 142 W. Second St, Ashland, OH 44805 and the telephone number is (419) 282-4290.

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 visitation/companionship order or decree:

- 1. STATUTORY PENALTIES:** For a first offense, you may be fined not more than \$250 and imprisoned 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 offense, you may be fined not more than \$1,000 and imprisoned 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 must 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 offense, your child support obligation may be increased. (O.R.C. 3119.56; 3119.57 & 3119.58).
5. **VISITATION CONTEMPT:** If you are found in contempt for failure to comply with or interference with any 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 that the missed visitation be made up. (O.R.C. 3109.051(K)).

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/Magistrate

Issued for Service By:

Deputy Clerk, Clerk of Courts, Ashland 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 _____ am/pm at this location: _____

FEES:	Service and Return:	\$ _____
	Mileage	\$ _____
	Total	\$ _____

Deputy Sheriff