

Montgomery County Revised April 2016
(07/13)

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

(Name & Address)

CASE NO. _____
SETS NO. _____

Plaintiff
v.

JUDGE: _____

(Name & Address)

ORDER TO SHOW CAUSE

Defendant

This case is before the court upon plaintiff's/defendant's Motion to Show Cause filed _____ requiring plaintiff/defendant to appear before this court to show cause why plaintiff/defendant should not be held in civil or criminal contempt for failure to _____.

The motion demonstrates that there is probable cause to believe that plaintiff/defendant is in contempt of this court and ORDERS that plaintiff/defendant appear before Judge/Magistrate _____, at 301 West Third Street, Second Floor, Dayton, Ohio 45422, on _____, at _____, to show cause why defendant should not be punished for criminal and/or civil contempt of this court.

The attached NOTICE is provided for plaintiff's/defendant's benefit according to law. Plaintiff/Defendant is also advised that, in connection with this contempt proceeding, defendant has the following rights:

1. To be represented by an attorney;

2. Because the court may impose a sentence of indefinite confinement for civil contempt (to force compliance) and/or definite confinement for criminal contempt (to punish noncompliance), to have an attorney appointed for him/her at State expense if he/she cannot afford an attorney;
3. To compel plaintiff/ defendant to prove his/her case by clear and convincing evidence as to any civil contempt charges and by proof beyond a reasonable doubt as to any criminal contempt charges;
4. To obtain the presence of witnesses in plaintiff's/ defendant's own behalf by compulsory process if necessary; and
5. To cross-examine the witnesses against plaintiff/ defendant.

Failure to appear as ordered may result in a warrant issuing to the Montgomery County Sheriff's Office for plaintiff's/ defendant's immediate arrest. Failure to appear is a separate violation of court orders and may result in additional fines and jail sentence.

Costs of this action shall be continued for further order.

IT IS SO ORDERED:

JUDGE