

INSTRUCTIONS FOR COMPLETING AND FILING MOTION TO SHOW CAUSE

Failure to comply with an order of court may be contempt of court. A motion to show cause is used to bring one party's failure to comply with a Court order to the Court's attention. The motion to show cause must be completely filled out and must be supported by an Affidavit.

Caption: On the line labeled "Plaintiff/Petitioner-01" write the name of the same person who was the original Plaintiff or Petitioner-01 when the case was first filed.

On the line labeled "Defendant/Petitioner-02/Respondent write the name of the person who was the original Defendant, Petitioner-02 or Respondent when the case was first filed.

Use the same case number that was assigned by the Clerk of Court when the case was first filed. Write the name of the same Judge also.

Paragraph 1: Write your name and whether you are "Plaintiff", "Defendant", etc. on the first line, your former spouse's name and whether he/she is "Plaintiff" or "Defendant" etc. on the second line. On the third line identify by date the Court order which you believe your former spouse has not obeyed. (This date is on the order in the stamp marked "Received for Filing" close to the Judge's signature.)

Signature: Print your name on the first line, sign it on the second line, and print your address and daytime telephone number where indicated.

Affidavit: You must prepare and attach a Notarized Affidavit (last page of this packet) explaining how you believe your former spouse failed to comply with the court order.

FILING THE MOTION TO SHOW CAUSE

You must file the motion with the [Clerk of Court](#) located in Room 35 on the ground floor of the Cuyahoga County Courthouse, 1 W. Lakeside Avenue, Cleveland, Ohio 44113. You will be required to pay a "filing fee" to the Clerk of Court at the time you file the motion. Please refer to [Local Rule 1](#) of this Court's Rules for the correct amount.

SERVICE

The Court cannot consider your motion unless it has been "served" on the other party in your case. The motion you file must be "served" by the Clerk of Court by "certified mail". You must instruct the Clerk to do this by filing ["Instructions for Service"](#) (found on this website), and you must provide the Clerk with a copy of the motion.

If the mail is returned to the Clerk from the Postal Service as "unclaimed" or "refused", that information is posted on the ["docket"](#) in your case, and you will be notified by post card. You must then instruct the Clerk to send a copy of your motion by "ordinary mail". To do this, you must file a new "Instructions for Service" form requesting that service be made by "ordinary mail", and give the Clerk another copy of the motion.

PLEASE NOTE: IT IS YOUR RESPONSIBILITY TO MAKE SURE SERVICE IS COMPLETED. THIS WEBSITE DOES NOT EXPLAIN OTHER LEGAL METHODS OF SERVICE. FOR FURTHER INFORMATION REFER TO RULES 4 THROUGH 4.6 OF THE [OHIO RULES OF CIVIL PROCEDURE](#).



**COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
CUYAHOGA COUNTY, OHIO**

PLAINTIFF/PETITIONER-01 : CASE NO. DR: _____

ADDRESS: :

CITY/STATE/ZIP :
 :
vs. : JUDGE _____
 :

DEFENDANT/PETITIONER-02 : **MOTION TO SHOW CAUSE**
RESPONDENT :

ADDRESS :

CITY/STATE/ZIP :

Now comes _____, and moves this Honorable Court for an order requiring _____ to appear and show cause why **he/she** should not be held in contempt of this Court's order dated _____.

The reasons in support of this motion are stated in the attached affidavit.

Respectfully submitted,

PRINT NAME

SIGNATURE

ADDRESS

CITY, STATE, ZIP CODE

DAYTIME TELEPHONE NUMBER

STATE OF OHIO)
)
CUYAHOGA COUNTY)

SS: AFFIDAVIT

I, _____, having been first duly sworn according to law, hereby state and depose that:

1. _____

2. _____

3. _____

4. _____

FURTHER, AFFIANT SAYETH NAUGHT.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____.



NOTARY PUBLIC