

ANSWER AND COUNTERCLAIM CHECKLIST

Case Caption [DR 1(B)]

Parties' names

Parties' addresses (**An Answer and Counterclaim is not rejected if either party's address is listed as confidential or unknown.**)

Parties' telephone numbers (**An Answer and Counterclaim is not rejected if either party's telephone numbers are confidential, unlisted, or unknown.**)

Jurisdiction and Venue - §3105.62 ORC

1. Jurisdiction – A statement that the parties have been residents of the State of Ohio six (6) months preceding the filing of the Counterclaim.
2. Venue – A statement that the parties have been residents of Butler County ninety (90) days preceding the filing of the Counterclaim.

Statement of Marriage - §3105.63 ORC

A statement of the date the parties were married.

Statement of Children

1. If there are no children born issue of the marriage, an affirmative statement that there are no children born issue of the marriage.
2. If there are children born issue of the marriage, a statement of the name(s) and date(s) of birth of all children born issue of the marriage.

Jurisdiction of Child(ren): Juvenile Court or another Court

1. If Juvenile Court or another Court has jurisdiction over all of the children of the marriage, then the Answer and Counterclaim contains a statement that all of the children are under the jurisdiction of the Juvenile Court or another Court. **[DR 21(D)]**
2. If Juvenile Court or another Court has jurisdiction over some of the children, the Answer and Counterclaim shall identify that child or those children by name. **[DR 21(D)]**
3. If Juvenile Court has jurisdiction over all or some of the children, a statement that the allocation of parental rights and responsibilities, including parenting allocation and time, child support, tax exemptions and health insurance are pursuant to the Juvenile Court order and the juvenile case number is provided.

Grounds for Divorce

A statement of the grounds the parties rely upon for divorce.

Statement of Military Service [DR 1(D)]

A statement of whether or not the defendant is in the military service. (**A statement in the body of the Answer and Counterclaim meets this requirement. An affidavit is not necessary. However, a signed and notarized affidavit complies with the rule.**)

Counsel Identification

Counsel for Defendant provided their name, Supreme Court Registration Number, address and telephone number.

Signatures on Answer and Counterclaim

1. If Defendant is represented by counsel, the Answer and Counterclaim was signed by counsel.

2. If Defendant is not represented by counsel, the Answer and Counterclaim was signed by the Defendant.

Restraining Order [DR 26]

1. If a Restraining Order is requested, a signed and notarized affidavit setting forth the reasons for the request was provided.
2. The restraining order complies with the mandatory language.

MANDATORY LANGUAGE IS DEFICIENT BECAUSE: _____

Number of Copies [DR 14]

Two copies, plus the original, of the Answer and Counterclaim were provided.