

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

IN RE: _____	*	J.C. No. _____
	*	
	*	JUDGE _____
	*	
_____,	*	MAGISTRATE _____
Plaintiff	*	
vs	*	ORDER TO SHOW CAUSE & APPEAR
	*	
_____,	*	
Defendant	*	
	* * * * *	

\_\_\_\_\_ is ordered to appear before \_\_\_\_\_,  
on \_\_\_\_\_ at \_\_\_\_\_ am / pm. Said hearing will be held in the  
Montgomery County Juvenile Justice Center, Courtroom# \_\_\_\_\_, 380 West Second Street,  
Dayton, Ohio. Please check in with the Information Desk upon your arrival.

IT IS SO ORDERED.

\_\_\_\_\_  
JUDGE

ENDORSEMENT: The Clerk of Courts is hereby directed to serve upon all parties not in default for failure to appear, notice of the judgment and its date of entry upon the journal.

**NOTICE OF FINAL APPEALABLE ORDER**

Copies of the foregoing Entry and Order, which may be a Final Appealable Order, were entered upon the journal and mailed to the parties indicated below, via regular mail, on or within three (3) days of the time stamped date on this Order.

JUDGE NICK KUNTZ, \_\_\_\_\_ By: J. Petrella, Deputy Clerk \_\_\_\_\_, Juvenile Division

CC: Plaintiff  
Defendant  
CMS

## NOTICE

TO THE PERSON SERVED WITH THIS NOTICE. YOU ARE ACCUSED OF CONTEMPT OF A COURT ORDER - YOU SHOULD READ THIS NOTICE.

- (1) A notice of a hearing date is attached. Your failure to appear at this hearing may result in the issuance of an order for your arrest. 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.
- (2) You have a right to be represented by legal counsel in this matter. If you believe that you are indigent, you must apply for a public defender or court appointed counsel within three (3) business days after receipt of the attached summons. THE ADDRESS OF THE MONTGOMERY COUNTY PUBLIC DEFENDER'S OFFICE IS 117 S. MAIN STREET, SUITE 400, DAYTON, OHIO 45422 THIS IS LOCATED IN THE REIBOLD BUILDING.
- (3) The court may refuse to grant you a continuance at the time of the hearing for the purpose of obtaining counsel, if you fail to make a good faith effort to retain counsel or to obtain a public defender.

STATUTORY PENALTIES: FOR A FIRST OFFENSE, YOU MAY BE FINED NOT MORE THAN \$250.00 AND IMPRISONED NOT MORE THAN THIRTY DAYS OR BOTH. FOR A SECOND OFFENSE, YOU MAY BE FINED NOT MORE THAN \$500.00 AND IMPRISONED NOT MORE THAN SIXTY DAYS, OR BOTH. FOR A THIRD OFFENSE, YOU MAY BE FINED NOT MORE THAN \$1,000.00 AND IMPRISONED NOT MORE THAN 90 DAYS, OR BOTH (R.C.§2705.05)

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. (R.C.§2705.06)

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 COURT COSTS AND REASONABLE ATTORNEY FEES TO THE OTHER PARTY. (R.C.§3105.21; §3113.31(K); & §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. (R.C.§3123.17)

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 (R.C. §3119.56)

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 COMPENSATORY VISITATION TIME: (R.C. §2705.031).

ADDITIONAL PENALTIES: IN ADDITION TO ALL PENALTIES IMPOSED BY STATUTE, THE COURT HAS THE INHERENT POWER TO IMPOSE ADDITIONAL SANCTIONS FOR CONTEMPT OF COURT. (Hale v. State, 55 Ohio St. 210 (1896); Zakany v. Zakany, 9 Ohio St. 3d 192 (1984)).