

Instructions for Filing a Motion to Waive Arrearage

- 1.) Please make sure you specify what you are requesting the Court to consider and support your request with your reasons for the request in your filing. Be specific.
- 2.) Use the existing support case number when filing your motion. If there is no open support case for this child, then use an open custody case number.
- 3.) Please use blue or black ink and type or neatly print.
- 4.) Be certain that the Office of Child Support Services (OCSS), formerly known as Cuyahoga Support Enforcement Agency (CSEA), complete administrative order, *including the Child Support Guideline Worksheet*, is attached to the motion, as well as complete copies of any modifications and/or termination orders.
- 5.) The Petitioner must bring an original and at least one copy of the latest Journal Entry to the Clerk's Office to be filed along with this packet.
- 6.) The filing fee is \$20.00 and can be paid in cash, check, money order, or credit card. There will be a 2.5% non-refundable convenience fee for credit card payments. Checks and money orders should be for the exact amount of the filing fee and be made payable to the Cuyahoga County Juvenile Court.
- 7.) The Office of Child Support Services is a party to all support actions and must be listed on the service page in order to be served copies of any filings related to child support.
- 8.) An **Obligee** is any person, including a state or political subdivision, to whom a duty of support is owed. The obligee is the person who receives the support.
- 9.) An **Obligor** is any person owing a duty of support or against whom proceedings for enforcement of a duty of support or a registration of support orders is commenced. The person ordered to pay support is an obligor.

**COURT OF COMMON PLEAS
JUVENILE DIVISION
CUYAHOGA COUNTY, OHIO**

In the matter of:

(Child's Name)

Case Number: _____

(One Case Number Only)

Judge: _____

Office of Child Support Services
Plaintiff

Plaintiff: Obligor Obligee

V.

Defendant: Obligor Obligee

**MOTION TO WAIVE ARREARAGE
DUE OBLIGEE, ALONE**

Now comes _____, the obligor obligee, pro se, and
(Your Name)

Moves this Honorable Court to waive the arrearage due to the obligee, alone.

Movant states that the reason for this request is more fully explained in the attached Affidavit made a part hereof.

Respectfully submitted,

Movant Signature

Print Name

Address

City

State

Zip Code

1.

Phone Number

**COURT OF COMMON PLEAS
JUVENILE DIVISION
CUYAHOGA COUNTY, OHIO**

AFFIDAVIT

I, _____, being duly sworn depose and state the following:
(Your Name)

1. I was ordered to pay arrearages in the amount of \$ _____
per week month other _____ in Case Number
_____ Administrative Order _____.

2. I request the arrearage due to the obligee, alone, be waived because: (be specific)

Affiant, further sayeth naught.

Applicant/Movant Signature

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

Notary Public

INSTRUCTIONS AND INFORMATION FOR WRITTEN REQUESTS FOR SERVICE

The Court cannot consider a complaint (a document that initiates a legal action) or a motion (written request), unless it has been “served” (sent to all persons related to the case). When a complaint has been filed, the Clerk’s Office will send a summons (a document informing a defendant that a legal action has been filed against them) to all parties on the case.

If you are attempting to change or modify a court order, the motion you file must be “served” by the Clerk’s Office, **NOT BY YOU**. You **MUST** instruct the Clerk to serve all parties (persons related to the case) by using the form on the next page titled “Instructions for Service.” You will find the types of service available listed below. You must also provide the Clerk with a copy of the document (motion) that you wish to be served. Upon your direction, the Clerk’s Office will send a summons with the attached document (motion) to all the parties you wish to serve using the type of service you select.

Please do not serve yourself, as you already have notice of your filing. It is YOUR responsibility to provide a complete and full address for all legal parties involved (this includes a street address, apartment numbers, city, state, and zip code).

Unless service is quickly and properly executed in a timely fashion, the legal proceedings could be disrupted, delayed, or even dismissed. To ensure that all parties are properly served, you are charged with the responsibility of using all resources to obtain an accurate and complete address.

The following are guidelines for determining the most appropriate type of service. **You may want to consult your attorney or read Civil Rule 4 for guidance.**

CERTIFIED MAIL: is mail that requires proof of receipt with a signature, and a complete and accurate address. If the certified mail is returned as refused or unclaimed the court will automatically send out ordinary mail to the same address. **Certified mail is a required method of service on all first-time filings.**

ORDINARY MAIL – is mail that requires an accurate and complete address, but does not require a signature or proof of receipt. If the mail is unable to be delivered by the U.S. Postal Service, it will be returned and marked with the reason it could not be delivered.

THIS SHEET IS INFORMATIVE ONLY AND SHOULD BE REMOVED PRIOR TO FILING.

**COURT OF COMMON PLEAS
JUVENILE DIVISION
CUYAHOGA COUNTY, OHIO**

In the Matter of: _____ Case Number: _____
(Child's name)
 Pending Court Date (if applicable): _____ Judge: _____

INSTRUCTIONS FOR SERVICE

Pursuant to Juvenile Rule 16 and Civil Rule 4.1, for all first requests for service, the Clerk of Court will serve a copy of your filing to the parties listed by certified mail, unless an alternate service method is selected from the options provided. Service requests by other methods, or additional service requests on parties, may incur further fees. Upon subsequent requests for service the Clerk of Court will only serve by the method selected below.

Choose ONE service type per name and address:

Certified Mail (Check box if primary address) Name: _____
 Ordinary Mail Address: _____
 Personal Service _____
 Residential Service (City) (State) (Zip Code)
 Publication (affidavit required)

Certified Mail (Check box if primary address) Name: _____
 Ordinary Mail Address: _____
 Personal Service _____
 Residential Service (City) (State) (Zip Code)
 Publication (affidavit required)

Certified Mail (Check box if primary address) Name: _____
 Ordinary Mail Address: _____
 Personal Service _____
 Residential Service (City) (State) (Zip Code)
 Publication (affidavit required)

Certified Mail (Check box if primary address) Name: _____
 Ordinary Mail Address: _____
 Personal Service _____
 Residential Service (City) (State) (Zip Code)
 Publication (affidavit required)

PLEASE BE ADVISED THAT IF YOU INCLUDE MULTIPLE ADDRESSES FOR THE SAME PERSON, THE ADDRESS WILL NOT BE UPDATED IN OUR SYSTEM. YOU MUST COMPLETE A CHANGE OF ADDRESS FORM, WHICH CAN BE FOUND IN THE CLERK'S OFFICE OR ON THE COURT'S WEBSITE: www.juvenile.cuyahogacounty.us

PLEASE IDENTIFY THE COMPLAINT OR MOTION THAT YOU WISH TO HAVE SERVED IN THE SPACE BELOW OR ATTACH A COPY TO THIS FORM.



Petitioner Name-Printed

Attorney Name-Printed

Signature Date

Signature Date

Address

Address

City State Zip Code

City State Zip Code

Phone Number

Phone Number

E-mail address

E-mail address