

**“COURT INDEX PRESS”**

**NOTICE TO ALL DOMESTIC RELATIONS ATTORNEYS**

Ohio H.B. 535 became effective on January 1, 2002. One of the provisions in this legislation pertains to the issuance of Property Division Orders in Domestic Relations cases that include a benefit or lump sum payment from a public retirement program, such as but not limited to P.E.R.S., S.E.R.S., S.T.R.S. or O.P.&F. Pursuant to O.R.C. §3105.88, the Clerk of Courts shall transmit a certified copy of any such Order to the public retirement program named in the Order. (Note that the statutorily mandated contents of such Orders is set forth under O.R.C. §3105.82 and that some sort of official form will be developed by the Court.) Since the Clerk of Courts' office has no way to identify which Property Division Orders require notification by the Clerk under O.R.C. §3105.88, the burden of triggering such notifications will fall on the parties and/or their legal counsel. To facilitate matters, we are providing at our Domestic Relations Court branch office (3rd floor, 800 Broadway) and on our Web site ( [www.courtclerk.org](http://www.courtclerk.org)) a standard notice form ([download](#)) to use whenever a Property Division Order requires the Clerk of Courts to transmit a copy of the Order to a public retirement program or agency. These forms must be used to activate a §3105.88 notification, which will be sent by the Clerk via Certified Mail, and for the benefit of the Clerk as well as legal counsel, we will docket the filing of such notifications to the Clerk as part of the case history. Please direct any questions to the undersigned Administrator at 513-946-5616. This new procedure takes effect immediately.

Thomas M. Gould, Administrator  
Hamilton County Clerk of Courts