

# memo

To: Judge Quinn, Judge Dezso, Magistrates  
From: Julie Toth  
Date: 1/5/2016  
Re: December 2015 Case Law Update

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**M.H. v. J.H., 2015-Ohio-5178**

The Court of Appeals reversed the trial court's decision in granting a CPO. The Court concluded that there was insufficient evidence from which trial court could have found that there was a recent threat of domestic violence upon which Petitioner could reasonably premise fear of imminent harm to herself or her child.

**Wuscher v. Wuscher, 2015-Ohio-5377**

The Court of Appeals affirmed the trial court's judgment modifying spousal and child support obligations.

**Miller v. Miller, 2015-Ohio-5447**

The Court of Appeals affirmed the trial court's judgment modifying spousal and child support obligations. Father argued that the trial court issued a wage withholding order that violated federal statute, where only 55% of a person's disposable earnings can be attached via a wage withholding order to satisfy a support order. The Court of Appeals previously held that to the extent that the trial court's order exceeds the maximum withholding limitations under federal statute, the withholding employer bears the responsibility to see that no more of the employee's wages are withheld than permitted by federal statute.