

## **Disclaimer**

Please be aware that these forms do not include instructions or legal advice regarding your rights, responsibilities, and legal options.

To be fully informed and get answers to your questions, you should seek the advice of an attorney.

## **Instructions**

Please read these Instructions in their entirety.

You must complete every form provided within the "Scenario" for your particular case.

Please print clearly or type the information on the forms. Do not leave any spaces blank. If you do not know the answer, state "unknown". If it is not applicable, state "N/A". **The Court will not accept incomplete forms for filing.**

A filing fee is required at the time of the filing of each case. This deposit will be used for court costs relating to your case. Court costs in your case may be more or less than the deposit. The court will decide who pays any remaining costs at the end of your case.

The filing fees are as follows:

Divorce - \$450

Answer to Divorce - \$0

Counterclaim for Divorce - \$250

Reply to Counterclaim for Divorce - \$0

Dissolution - \$450

Complaint for Parentage, Allocation of Parental Rights and Responsibilities and Parenting Time - \$450

Post Decree Motions - \$350

-Motion for Change of Parenting Time

-Motion for Change of Child/Medical Support, Tax Exemption, or Other Child-Related Expenses

-Motion for Contempt

-Motion for Change of Parental Rights

If you do not have funds to pay the filing fee, you must complete the "Financial Disclosure/Fee-Waiver Affidavit", found under "Individual Forms". Please note, it is possible that you may still have to pay the court costs in whole or in part, at the end of your case.

## **Request for Service**

You must complete the "Request for Service" in this packet and file with your other court documents. All necessary parties must be served with the court documents you are filing. It is **your** responsibility to make sure that the documents are served upon the other party(ies). You may choose to have the documents served by:

- 1) Certified Mail. If the Certified mail is returned *unclaimed*, you may attempt service by regular mail.
- 2) Personal Service (usually by the county sheriff where the person(s) resides).
- 3) Service by publication, as permitted by the Civil Rules.

***Costs for service will be added to the court costs at the end of your case.***

**YOU MUST PROVIDE THE CLERK OF COURTS THE ORIGINAL AND THREE (3) COPIES OF EACH DOCUMENT THAT YOU FILE IN YOUR CASE. *\*If your case involves children, you must provide Original and four (4) copies of each document.***

IN THE COURT OF COMMON PLEAS

DIVISION

COUNTY, OHIO

Name Case No.
Street Address Judge
City, State and Zip Code Magistrate

Plaintiff

vs.

Name
Street Address
City, State and Zip Code

Defendant

WARNING: This form is not a substitute for the benefit of the advice of legal counsel. It is highly recommended that you consult an attorney.
Instructions: This form is used to request a divorce if you and your spouse do not have (a) minor child(ren), adult child(ren) attending high school, or child(ren) with disabilities. Check to determine if you meet the residency requirement to file in this county. A Request for Service (Uniform Domestic Relations Form 31/Uniform Juvenile Form 10) must be filed with this form. The Court may require additional forms to accompany this document. You must check the requirements of the county in which you file. YOU MUST UPDATE THE CLERK OF COURTS IF ANY OF THE ABOVE CONTACT INFORMATION CHANGES.

COMPLAINT FOR DIVORCE WITHOUT CHILDREN

Now comes Plaintiff and states as follows:

- 1. Plaintiff has been a resident of the State of Ohio for at least six (6) months immediately before filing this Complaint.
2. Plaintiff has been a resident of County for at least ninety (90) days immediately before filing this Complaint; OR Defendant resides in County where this Complaint is filed.
3. Plaintiff and Defendant were married on (date of marriage) in (city or county, and state).

4.  Neither party is pregnant OR  a party is pregnant.
5. Any child(ren) born from or adopted during this marriage or relationship, is/are now adults and none are mentally or physically disabled and incapable of supporting or maintaining themselves.
6. Military Service:  
 Neither Plaintiff nor Defendant is an active-duty servicemember of the United States military.  
 Plaintiff and/or  Defendant is an active-duty servicemember of the United States military.
7. Plaintiff is entitled to a divorce from Defendant based upon the following grounds: *(check all that apply)*
- Plaintiff and Defendant are incompatible.
  - Plaintiff and Defendant have lived separate and apart without cohabitation and without interruption for one (1) year.
  - Plaintiff or Defendant had a Husband or Wife living at the time of the marriage.
  - Defendant has been willfully absent for one (1) year.
  - Defendant is guilty of adultery.
  - Defendant is guilty of extreme cruelty.
  - Defendant is guilty of fraudulent contract.
  - Defendant is guilty of gross neglect of duty.
  - Defendant is guilty of habitual drunkenness.
  - Defendant is imprisoned in a state or federal correctional institution at the time of filing this Complaint.
  - Defendant procured a divorce outside this state by virtue of which Defendant has been released from the obligations of the marriage, while those obligations remain binding on Plaintiff.
8. Plaintiff and Defendant are owners of real estate and/or personal property.

Plaintiff requests that a divorce be granted from Defendant. Plaintiff further requests that the Court determine an equitable division of property and debts and order the following: *(check all that apply)*

- Defendant pay spousal support;
  - Plaintiff be restored to the former name of: \_\_\_\_\_;
  - Defendant pay Plaintiff's attorney fees;
  - Defendant pay the Court costs of the proceeding;
- and any further relief deemed proper.

\_\_\_\_\_  
 Attorney or Self Represented Party Signature

\_\_\_\_\_  
 Printed Name

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 City, State, Zip

\_\_\_\_\_  
 Phone Number

\_\_\_\_\_  
 Fax Number

\_\_\_\_\_  
 E-mail

\_\_\_\_\_  
 Supreme Court Reg No. (if any)

IN THE COURT OF COMMON PLEAS OF SENECA COUNTY, OHIO

\_\_\_\_\_ vs \_\_\_\_\_

Case No. \_\_\_\_\_

**CLASSIFICATION FORM**

Has this case been previously filed & dismissed? \_\_\_\_\_

If yes, list Case Number and

Judge: \_\_\_\_\_

List any case pending or related case filed in Seneca County Common Pleas Court: \_\_\_\_\_

INDICATE CLASSIFICATION INTO WHICH THIS CASE FALLS:

**A. PROFESSIONAL TORT**

- Personal Injury
- Wrongful Death
- Legal Malpractice
- Medical Malpractice
- Other Professional Tort

**B. PRODUCT LIABILITY**

- Personal Injury
- Wrongful Death

**C. OTHER TORT**

- Personal Injury
- Vehicle Accident
- Wrongful Death

**D. WORKER'S COMPENSATION**

- Non-Compliance Employer
- Appeal

**E. FORECLOSURE**

- Foreclosure
- Foreclosure (Taxes)

**F. ADMINISTRATIVE APPEAL**

- Appeal Civil Service
- Appeal Motor Vehicle
- Appeal Unemployment
- Appeal Liquor
- Appeal Taxes
- Appeal Zoning

**H. OTHER CIVIL**

- Accounting
- Appropriation
- Beyond Jurisdiction
- Breach of Contract
- Cancel Land Contract
- Change of Venue
- Class Action
- Consumer Sales Act
- Convey Declared Void
- Declaratory Judgment
- Discharge Mechanic's Lien
- Dissolve Partnership
- Habeas Corpus
- Mandamus
- Miscellaneous
- Sale of Real Estate
- Specific Performance
- Restraining Order
- Testimony
- Civil Stalking Protection Order

**I. DOMESTIC RELATIONS**

- A. Termination with Children
- B. Termination without Children
- C. Dissolution with Children
- D. Dissolution without Children
- E. Change of Residential Parent
- F. Parenting Time Enf./Modification
- G. Support Enf./Modification
- H. Domestic Violence
- I. URESA
- J. Parentage
- K. All Other

ATTORNEY'S NAME: \_\_\_\_\_

(PLEASE PRINT NAME)

**IN THE COURT OF COMMON PLEAS**  
**\_\_\_\_\_ DIVISION**  
**\_\_\_\_\_ COUNTY, OHIO**

\_\_\_\_\_  
 Plaintiff/Petitioner 1

vs./and

\_\_\_\_\_  
 Defendant/Petitioner 2

Case No. \_\_\_\_\_

Judge \_\_\_\_\_

Magistrate \_\_\_\_\_

**Instructions:** Check local court rules to determine when this form must be filed. This affidavit is used to make complete disclosure of income, expenses, and money owed. It is used to determine child and spousal support. Do not leave any category blank. For each item, if none, put "NONE." If you do not know exact figures for any item, give your best estimate, and put "EST." **If you need more space, add additional pages.**

**AFFIDAVIT OF BASIC INFORMATION, INCOME, AND EXPENSES**

Affidavit of \_\_\_\_\_

Date of marriage \_\_\_\_\_ Date of separation \_\_\_\_\_

**SECTION I – BASIC INFORMATION**

Plaintiff/Petitioner 1

Defendant/Petitioner 2

Date of Birth _____	Date of Birth _____
Social Security Number (Last 4 Digits) _____	Social Security Number (Last 4 Digits) _____
Phone Number _____	Phone Number _____
Health: <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor If health is not good, please explain:  	Health: <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor If health is not good, please explain:  

Education: ( <i>Check highest level achieved</i> ) <input type="checkbox"/> Grade School <input type="checkbox"/> High School <input type="checkbox"/> Associate <input type="checkbox"/> Bachelor's <input type="checkbox"/> Post Graduate	Education: ( <i>Check highest level achieved</i> ) <input type="checkbox"/> Grade School <input type="checkbox"/> High School <input type="checkbox"/> Associate <input type="checkbox"/> Bachelor's <input type="checkbox"/> Post Graduate
Other Technical Certifications:  Active Member of the U.S. Military <input type="checkbox"/> Yes <input type="checkbox"/> No	Other Technical Certifications:  Active Member of the U.S. Military <input type="checkbox"/> Yes <input type="checkbox"/> No

**SECTION II – INCOME**

	<u><b>Plaintiff/Petitioner 1</b></u>	<u><b>Defendant/Petitioner 2</b></u>
Employed	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Date of Employment	_____	_____
Name of Employer	_____	_____
Payroll Address	_____	_____
Payroll City, State, Zip	_____	_____
Scheduled Paychecks Per Year	12 <input type="checkbox"/> 24 <input type="checkbox"/> 26 <input type="checkbox"/> 52	<input type="checkbox"/> 12 <input type="checkbox"/> 24 <input type="checkbox"/> 26 <input type="checkbox"/> 52

**A. YEARLY INCOME, OVERTIME, COMMISSIONS, AND BONUSES FOR PAST THREE YEARS**

	<u><b>Plaintiff/Petitioner 1</b></u>	Year	<u><b>Defendant/Petitioner 2</b></u>
Base yearly income	\$ _____	3 years ago — 20__	\$ _____
	\$ _____	2 years ago — 20__	\$ _____
	\$ _____	Last year — 20__	\$ _____
Yearly overtime, commissions, and/or bonuses	\$ _____	3 years ago — 20__	\$ _____
	\$ _____	2 years ago — 20__	\$ _____
	\$ _____	Last year — 20__	\$ _____

**B. COMPUTATION OF CURRENT INCOME**

	<u><b>Plaintiff/Petitioner 1</b></u>	<u><b>Defendant/Petitioner 2</b></u>
Base Yearly Income	\$ _____	\$ _____
Average yearly overtime, commissions, and/or bonuses over last 3 years (from part A)	\$ _____	\$ _____

Unemployment Compensation	\$ _____	\$ _____
Disability Benefits		
Workers' Compensation		
Social Security		
Other: _____	\$ _____	\$ _____
Retirement Benefits		
Social Security		
Other: _____	\$ _____	\$ _____
Spousal Support Received	\$ _____	\$ _____
Interest and dividend income ( <i>source</i> ) _____	\$ _____	\$ _____
Other income ( <i>type and source</i> )	\$ _____	\$ _____
<b>TOTAL YEARLY INCOME</b>	<b>\$ 0</b> _____	<b>\$ 0</b> _____
Supplemental Security Income (SSI) or public assistance	\$ _____	\$ _____
Court-ordered child support that you receive for minor and/or dependent child(ren) not of the marriage or relationship	\$ _____	\$ _____

**SECTION III – CHILDREN AND HOUSEHOLD RESIDENTS**

Minor and/or dependent child(ren) who is/are adopted or born from this marriage or relationship:

Name	Date of birth	Living with
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

In addition to the above child(ren):

Plaintiff/Petitioner 1 has \_\_\_\_\_ other minor biological or adopted child(ren).

Defendant/Petitioner 2 has \_\_\_\_\_ other minor biological or adopted child(ren).

There is/are \_\_\_\_\_ adult(s) in your household.

## SECTION IV – EXPENSES

List monthly expenses below for your present household.

### A. MONTHLY HOUSING EXPENSES

Rent or first mortgage (including taxes and insurance)	\$ _____
Second mortgage/equity line of credit	\$ _____
Real estate taxes (if not included above)	\$ _____
Renter or homeowner's insurance (if not included above)	\$ _____
Homeowner or condominium association fee	\$ _____
Utilities	
◦ Electric	\$ _____
◦ Gas, fuel oil, propane	\$ _____
◦ Water and sewer	\$ _____
◦ Telephone and/or cell phone	\$ _____
◦ Trash collection	\$ _____
◦ Cable/satellite television	\$ _____
◦ Internet service	\$ _____
Cleaning	\$ _____
Lawn service and/or snow removal	\$ _____
Other: _____	\$ _____
_____	\$ _____
<b>TOTAL MONTHLY: \$ 0 _____</b>	

### B. OTHER MONTHLY LIVING EXPENSES

Food	
◦ Groceries (including food, paper, cleaning products, toiletries, and other)	\$ _____
◦ Restaurant	\$ _____
Transportation	
◦ Vehicle loan, lease	\$ _____
◦ Vehicle maintenance	\$ _____
◦ Gasoline	\$ _____
◦ Parking, public transportation	\$ _____
Clothing	
◦ Clothes (other than child(ren)'s)	\$ _____

◦ Dry cleaning and laundry	\$ _____
Personal grooming	
◦ Hair and nail care	\$ _____
◦ Other: _____	\$ _____
Other: _____	\$ _____
<b>TOTAL MONTHLY: \$ 0</b>	

**C. MONTHLY MINOR CHILD-RELATED EXPENSES**  
(for child(ren) of the marriage or relationship)

Work and/or education-related child care	\$ _____
Other child care	\$ _____
Extraordinary parenting time travel cost	\$ _____
School tuition	\$ _____
School lunches	\$ _____
School supplies	\$ _____
Extracurricular activities and lessons	\$ _____
Clothing	\$ _____
Child(ren)'s allowances	\$ _____
Special and extraordinary needs of child(ren) (not included elsewhere)	\$ _____
Other: _____	\$ _____
<b>TOTAL MONTHLY: \$ 0</b>	

**D. MONTHLY INSURANCE PREMIUMS**

Life	\$ _____
Auto	\$ _____
Health	\$ _____
Disability	\$ _____
Other: _____	\$ _____
<b>TOTAL MONTHLY: \$ 0</b>	

**E. MONTHLY WORK AND EDUCATION EXPENSES FOR SELF**

Mandatory work expenses (union dues, uniforms, or other)	\$ _____
Additional income taxes paid (not deducted from wages)	\$ _____

Tuition	\$ _____
Books, fees, and other	\$ _____
College loan	\$ _____
Other: _____	\$ _____
_____	\$ _____
<b>TOTAL MONTHLY: \$ 0</b>	

**F. MONTHLY HEALTH CARE EXPENSES**  
(not covered by insurance)

Physicians	\$ _____
Dentists and orthodontists	\$ _____
Optometrists and opticians	\$ _____
Prescriptions	\$ _____
Other: _____	\$ _____
<b>TOTAL MONTHLY: \$ 0</b>	

**G. MISCELLANEOUS MONTHLY EXPENSES**

Extraordinary obligations for other minor/handicapped child(ren) [for child(ren) who were not born of this marriage or relationship and were not adopted by these parties]	\$ _____
Child support for child(ren) who were not born of this marriage or relationship and were not adopted by these parties	\$ _____
Expenses paid for adult child(ren) or other dependent(s)	\$ _____
Spousal support paid to former spouse(s)	\$ _____
Subscriptions and books	\$ _____
Charitable contributions	\$ _____
Memberships (associations and clubs)	\$ _____
Travel and vacations	\$ _____
Pets	\$ _____
Gifts	\$ _____
Attorney fees	\$ _____
Other: _____	\$ _____
_____	\$ _____
<b>TOTAL MONTHLY: \$ 0</b>	



**IN THE COURT OF COMMON PLEAS**  
**\_\_\_\_\_ DIVISION**  
**\_\_\_\_\_ COUNTY, OHIO**

\_\_\_\_\_  
 Plaintiff/Petitioner 1  
  
 vs./and  
  
 \_\_\_\_\_  
 Defendant/Petitioner 2

Case No. \_\_\_\_\_  
 Judge \_\_\_\_\_  
 Magistrate \_\_\_\_\_

**Instructions:** Check local court rules to determine when this form must be filed. List ALL OF YOUR PROPERTY AND DEBTS, THE PROPERTY AND DEBTS OF YOUR SPOUSE, AND ANY JOINT PROPERTY OR DEBTS. You must provide the most recent value for each asset and balance owed for each debt. Do not leave any category blank. For each item, if none, put "NONE." If you do not know exact figures for any item, give your best estimate, and put "EST." **If more space is needed, add additional pages.**

**AFFIDAVIT OF PROPERTY AND DEBT**  
 Affidavit of \_\_\_\_\_

**I. REAL ESTATE INTERESTS**

	<u>Address</u>	<u>Present Fair Market Value</u>	<u>Titled To</u>	<u>Mortgage Balance</u>	<u>Equity</u>
1.	_____	\$ _____	_____	\$ _____	\$ <u>0</u>
2.	_____	\$ _____	_____	\$ _____	\$ _____
<b>TOTAL SECTION I: REAL ESTATE INTERESTS</b>					<b>\$ <u>0</u></b>

**II. OTHER ASSETS**

	<u>Category</u>	<u>Description</u>	<u>Titled To</u>	<u>Value</u>
	<b>A. Vehicles and Other Certificate of Title Property</b>	(Include model and year of automobiles, trucks, motorcycles, boats, motors, motor homes, trailers, ATVs, snowmobiles, jet skis, etc.)		
1.	_____	_____	_____	\$ _____
2.	_____	_____	_____	\$ _____

<u>Category</u>	<u>Description</u>	<u>Titled To</u>	<u>Value</u>
3.			\$
4.			\$
5.			\$
6.			\$
<b>B. Financial Accounts</b>	(Include checking, savings, CDs, POD accounts, money market accounts, etc.)		
1.			\$
2.			\$
3.			\$
4.			\$
<b>C. Pensions &amp; Retirement Plans</b>	(Include profit-sharing, IRAs, 401(k) plans, etc. Describe each type of plan)		
1.			\$
2.			\$
3.			\$
4.			\$
<b>D. Publicly Held Stocks, Bonds, Securities &amp; Mutual Funds</b>	(Name of company and number of shares)		
1.			\$
2.			\$
3.			\$
4.			\$

<u>Category</u>	<u>Description</u>	<u>Titled To</u>	<u>Value</u>
<b>E. Closely Held Stocks &amp; Other Business Interests and Name of Company</b> (Type of ownership and number of shares)			
1.	_____	_____	\$ _____
2.	_____	_____	\$ _____
<b>F. Life Insurance (Company Name and Term or Whole Life)</b> (Insured Life) Cash Value and Loan Balance, if any			
1.	_____	_____	\$ _____
2.	_____	_____	\$ _____
3.	_____	_____	\$ _____
4.	_____	_____	\$ _____
<b>G. Furniture &amp; Household Goods, Furnishings, and Appliances</b>			
1.	_____	_____	\$ _____
2.	_____	_____	\$ _____
3.	_____	_____	\$ _____
4.	_____	_____	\$ _____
<b>H. Safe Deposit Box</b> (Give location and contents)			
1.	_____	_____	\$ _____
2.	_____	_____	\$ _____
<b>I. All Other Assets Not Listed Above</b> (including jewelry, art, tools, firearms, and other collectables) (If necessary, attach additional pages)			
1.	_____	_____	\$ _____
2.	_____	_____	\$ _____
<b>TOTAL SECTION II: OTHER ASSETS</b>			<b>\$ _____</b>

**III. SEPARATE PROPERTY CLAIMS**

Separate property includes, but is not limited to, property owned before marriage and gifts or inheritances to only one spouse.

Description	Why do you claim this as separate property?	Present Fair Market Value
1. _____	_____	\$ _____
2. _____	_____	\$ _____
3. _____	_____	\$ _____
4. _____	_____	\$ _____
5. _____	_____	\$ _____

**TOTAL SECTION III: SEPARATE PROPERTY CLAIMS: \$ \_\_\_\_\_**

**IV. DEBT**

List ALL OF YOUR DEBTS, your spouse’s debts, and any joint debts. Do not leave any category blank. For each item, if none, put “NONE.” If you don’t know exact figures for any item, give your best estimate, and put “EST.” **If more space is needed to explain, please attach an additional page with the explanation and identify which question you are answering.**

Type	Name of Creditor	Name on Account	Total Debt Due	Monthly Payment
<b>A. Secured Debt (Mortgages, Car, etc.)</b>				
1. _____	_____	_____	\$ _____	\$ _____
2. _____	_____	_____	\$ _____	\$ _____
3. _____	_____	_____	\$ _____	\$ _____
4. _____	_____	_____	\$ _____	\$ _____
5. _____	_____	_____	\$ _____	\$ _____
<b>B. Unsecured Debt (Credit cards, medical bills, other debts)</b>				
1. _____	_____	_____	\$ _____	\$ _____
2. _____	_____	_____	\$ _____	\$ _____

Type	Name of Creditor	Name on Account	Total Debt Due	Monthly Payment
3.			\$	\$
4.			\$	\$
5.			\$	\$
<b>TOTAL SECTION IV: DEBT</b>			\$	\$

**V. BANKRUPTCY**

Filed by	Date of Filing	Date of Discharge or Relief from Stay	Type of Case (Ch. 7, 11, 12, 13)	Current Monthly Payments
1.				\$
2.				\$
<b>TOTAL SECTION V: BANKRUPTCY</b>				\$

**OATH OR AFFIRMATION**

*(Do not sign until Notary Public is present)*

I, (print name) \_\_\_\_\_, swear or affirm that I have read this Affidavit and, to the best of my knowledge and belief, the facts and information stated in this Affidavit are true, accurate, and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

\_\_\_\_\_  
Your Signature

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

Sworn to or affirmed before me by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary Public

Commission Expiration Date: \_\_\_\_\_

(Affix seal here)

Supreme Court of Ohio

**IN THE COURT OF COMMON PLEAS**  
\_\_\_\_\_  
**DIVISION**  
\_\_\_\_\_  
**COUNTY, OHIO**

\_\_\_\_\_  
Plaintiff

vs.

\_\_\_\_\_  
Defendant

Case No. \_\_\_\_\_  
Judge \_\_\_\_\_  
Magistrate \_\_\_\_\_

**WARNING: This form is not a substitute for the benefit of the advice of legal counsel. It is highly recommended that you consult an attorney.**

**Instructions:** Check local court rules to determine when this form must be filed. This form is used to request temporary orders in your divorce or legal separation case. After a party serves a Motion and Affidavit, the other party has 14 days to file a Counter Affidavit and serve it on the party who filed the Motion. The Court may require additional forms to accompany this document. You must check the requirements of the county in which you file. **If more space is needed, add additional pages.**

**MOTION AND AFFIDAVIT OR COUNTER AFFIDAVIT  
FOR TEMPORARY ORDERS  
WITHOUT ORAL HEARING**

Check one box below to show whether you are filing a (A) Motion and Affidavit or (B) Counter Affidavit.

**(A) Motion and Affidavit**

\_\_\_\_\_ (name), the Movant, files this Motion and Affidavit under Civ.R. 75(N) and/or under R.C. 3109.043 to request the temporary orders checked here.

- Check only those that apply.
- \_\_\_\_\_ Residential parenting rights (custody)
  - \_\_\_\_\_ Parenting time (companionship or visitation)
  - \_\_\_\_\_ Child support
  - \_\_\_\_\_ Spousal support (if married)
  - \_\_\_\_\_ Payment of debts and/or expenses

THE OTHER PARTY HAS FOURTEEN (14) DAYS FROM THE DATE ON WHICH THIS MOTION IS SERVED TO FILE A COUNTER AFFIDAVIT AND SERVE IT UPON THE PARTY WHO FILED THE MOTION. (See below)

**(B) Counter Affidavit**

Movant files this Counter Affidavit in response to a Motion and Affidavit.

**Complete the following information, whether filing Motion and Affidavit or Counter Affidavit.  
(Check all that apply)**

1.  The parties are living separately.  
Date of separation is \_\_\_\_\_.
- The parties are living together.
- The parties have no minor children. *(Skip to number 6)*
- The parties have (a) minor child(ren) who was/were born from or adopted during this relationship.  
*(List child(ren) here)*

Name	Date of birth	Living with
_____	_____	_____
_____	_____	_____
_____	_____	_____

- In addition to the above child(ren),  
 Movant has \_\_\_\_\_ other biological or adopted minor child(ren).  
 Other party has \_\_\_\_\_ other biological or adopted minor child(ren).  
 There is/are \_\_\_\_\_ adult(s) in Movant's household.

2. Movant's child(ren) attend(s) school in:
- \_\_\_\_\_ public school district
- Other: *(Explain)* \_\_\_\_\_
- All children do not attend school in the same district. *(Explain)*
- \_\_\_\_\_
- \_\_\_\_\_

3.  Movant requests to be named the temporary residential parent and/or legal custodian of the child(ren): *(Specify child(ren) if request is not for all child(ren))*
- \_\_\_\_\_
- \_\_\_\_\_
- Movant does not object to the other parent or party being named the temporary residential parent and/or legal custodian of the child(ren): *(Specify child(ren) if request is not for all child(ren))*
- \_\_\_\_\_
- \_\_\_\_\_

4.  Movant has reached an agreement regarding parenting time (companionship or visitation) with the other parent or party as follows:
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Movant wishes to exercise the following parenting time (companionship or visitation):

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Movant wishes for the other parent or party to exercise the following parenting time (companionship or visitation):

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Movant requests that the other parent or party's parenting time (companionship or visitation) be supervised: *(Explain the reason for request.)*

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Name of an appropriate supervisor \_\_\_\_\_

5.  A Court or agency has made a child support order concerning the child(ren).

Name of Court/Agency \_\_\_\_\_

Date of Order \_\_\_\_\_

SETS No. \_\_\_\_\_

6. Movant requests the Court to order the other parent or party to pay:

\$ \_\_\_\_\_ child support per month

\$ \_\_\_\_\_ spousal support per month (only if married)

\$ \_\_\_\_\_ attorney fees, expert fees, Court costs

The following debts and/or expenses:

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---

Other: \_\_\_\_\_

---

---

7.  Movant is willing to attend mediation.

Movant is not willing to attend mediation.



**NOTICE OF HEARING**

*(Check with local Court to obtain a hearing date and time and for scheduling procedure)*

You are hereby given notice that this Motion for Temporary Orders will come before the Court for consideration on Affidavits only, without oral testimony, before Judge/Magistrate \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_, 20\_\_\_\_\_.

**CERTIFICATE OF SERVICE**

*(Check the boxes that apply)*

I delivered a copy of the:  Motion and Affidavit or  Counter Affidavit

On: (Date) \_\_\_\_\_, 20 \_\_\_\_\_

To: (Print name of other party’s attorney or, if there is no attorney, print name of the party)  
\_\_\_\_\_

At: (Print address or fax number) \_\_\_\_\_  
\_\_\_\_\_

- By:
- As instructed in the Request for Service (Uniform Domestic Relations Form 31/Uniform Juvenile Form 10) filed with the Clerk of Courts
  - Regular U.S. Mail
  - Fax
  - Hand Delivery
  - Other: \_\_\_\_\_

\_\_\_\_\_  
Signature

**IN THE COURT OF COMMON PLEAS OF SENECA COUNTY, OHIO**

Plaintiff/Petitioner,	:	CASE NO. _____
	:	
-vs/and-	:	JUDGE _____
	:	
Defendant/Respondent/Petitioner.	:	<b>NOTICE OF FILING IN</b>
	:	<b>FAMILY FILE</b>

NOTICE is hereby given that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, the undersigned has filed the following document(s) to be placed in the family file of the above-referenced case:

- |                                                           |                                                             |
|-----------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Affidavit of Income and Expenses | <input type="checkbox"/> Guardian ad Litem Report           |
| <input type="checkbox"/> Affidavit of Property            | <input type="checkbox"/> Home Investigation Report          |
| <input type="checkbox"/> Health Insurance Affidavit       | <input type="checkbox"/> Psychological Evaluation           |
| <input type="checkbox"/> Health Care Documents            | <input type="checkbox"/> Drug/Alcohol Screens or Assessment |
| <input type="checkbox"/> Asset Appraisal/Evaluation       | <input type="checkbox"/> Juvenile Court Records             |
| <input type="checkbox"/> Patchworks House Reports         | <input type="checkbox"/> Genetic Testing Results            |
| <input type="checkbox"/> Other: _____                     |                                                             |

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
TITLE

Copies to:

- Plaintiff/Petitioner or Counsel of Record
  - Defendant/Respondent/Petitioner or Counsel of Record
  - Guardian ad Litem
  - Other: \_\_\_\_\_
- \_\_\_\_\_

IN THE COURT OF COMMON PLEAS

Division  
COUNTY, OHIO

IN THE MATTER OF:

A Minor

Name : Case No. \_\_\_\_\_

Street Address : Judge \_\_\_\_\_

City, State and Zip Code :  
Plaintiff/Petitioner : Magistrate \_\_\_\_\_

vs./and :

Name :

Street Address :

City, State and Zip Code :  
Defendant/Petitioner :

**Instructions:** This form is used when you want to request documents to be served on the other party. You must indicate the requested method of service by marking the appropriate box.

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Please serve the following documents on the following parties as I have indicated below:

\_\_\_\_\_

- Defendant/Petitioner at the address shown above.
  - Certified Mail, Return Receipt Requested
  - Issuance to Sheriff of \_\_\_\_\_ County, Ohio for  Personal or  Residence service
  - Other (specify) \_\_\_\_\_

- Plaintiff/Petitioner at the address shown above.
  - Certified Mail, Return Receipt Requested
  - Issuance to Sheriff of \_\_\_\_\_ County, Ohio for  Personal or  Residence service
  - Other (specify) \_\_\_\_\_

- \_\_\_\_\_ County Child Support Enforcement Agency (provide address below):  
\_\_\_\_\_
  - Certified Mail, Return Receipt Requested
  - Issuance to Sheriff of \_\_\_\_\_ County, Ohio for  Personal or  Residence service
  - Other (specify) \_\_\_\_\_

- Other (address): \_\_\_\_\_
  - Certified Mail, Return Receipt Requested
  - Issuance to Sheriff of \_\_\_\_\_ County, Ohio for  Personal or  Residence service
  - Other (specify) \_\_\_\_\_

SPECIAL INSTRUCTIONS TO SHERIFF:

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\_\_\_\_\_  
Your Signature

**IN THE COURT OF COMMON PLEAS**  
\_\_\_\_\_  
**DIVISION**  
\_\_\_\_\_  
**COUNTY, OHIO**

\_\_\_\_\_  
Name Case No. \_\_\_\_\_  
\_\_\_\_\_  
Street Address Judge \_\_\_\_\_  
\_\_\_\_\_  
City, State and Zip Code Magistrate \_\_\_\_\_

Plaintiff

vs.

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Street Address  
\_\_\_\_\_  
City, State and Zip Code

Defendant

**JUDGMENT ENTRY – DECREE OF DIVORCE WITHOUT CHILDREN**

This matter came on for final hearing on \_\_\_\_\_ before  Judge  Magistrate  
\_\_\_\_\_ upon Plaintiff's Complaint for Divorce without Children filed on  
\_\_\_\_\_ and/or Defendant's Counterclaim filed on \_\_\_\_\_ and upon  
the following: \_\_\_\_\_.

**FINDINGS**

Upon a review of the record, testimony, and evidence presented, the Court makes the following findings:

- A. Check all that apply:
- Defendant was properly served with Summons, a copy of the Complaint, and both parties received Notice of Hearing.
  - Defendant filed a Waiver of Service.
  - Defendant filed an Answer to Plaintiff's Complaint.
  - Defendant failed to file an Answer to Plaintiff's Complaint or plead, despite being properly served with Summons, a copy of the Complaint.

- Defendant filed a Counterclaim.
  - Plaintiff filed a Reply to Defendant's Counterclaim.
  - Plaintiff failed to file a Reply to Defendant's Counterclaim.
- B.  Plaintiff was present at the Hearing.
- \_\_\_\_\_ appeared as counsel for Plaintiff.
  - Plaintiff failed to appear.
  - Defendant was present at the Hearing.
  - \_\_\_\_\_ appeared as counsel for Defendant.
  - Defendant failed to appear.
- C. Plaintiff was a resident of the State of Ohio for at least six (6) months immediately before the Complaint and/or Counterclaim was/were filed.
- D. At the time the Complaint and/or Counterclaim was/were filed:
- Plaintiff was a resident of this county for at least ninety (90) days immediately before the filing.
  - Defendant was a resident of this county.
  - Venue is proper based upon: \_\_\_\_\_
- E. This Court has jurisdiction and venue is proper to determine all of the issues raised by the pleadings and motions.
- F. Plaintiff and Defendant were married on \_\_\_\_\_ (date of marriage)  
in \_\_\_\_\_ (city or county, and state).
- G. The termination of marriage is  the date of Final Hearing or  the date specified:  
\_\_\_\_\_
- H. Children:
- Neither party is pregnant OR  a party is pregnant.
- Any child(ren) born from or adopted during this marriage or relationship, is/are now adults and none are mentally or physically disabled and incapable of supporting or maintaining themselves.
- I. Military Service:
- Neither Plaintiff nor Defendant is an active-duty servicemember of the United States military.
  - Plaintiff and/or  Defendant is an active-duty servicemember of the United States military; however, active-duty service did not impact the member's ability to prosecute or defend this action.
- J. The divorce should be granted on the following ground(s):
- Plaintiff and Defendant are incompatible.
  - Plaintiff and Defendant have lived separate and apart without cohabitation and without interruption for one (1) year.
  - Plaintiff or  Defendant had a Husband or Wife living at the time of the marriage.
  - Plaintiff or  Defendant has been willfully absent for one (1) year.

- Plaintiff or  Defendant is guilty of adultery.
  - Plaintiff or  Defendant is guilty of extreme cruelty.
  - Plaintiff or  Defendant is guilty of fraudulent contract.
  - Plaintiff or  Defendant is guilty of gross neglect of duty.
  - Plaintiff or  Defendant is guilty of habitual drunkenness.
  - Plaintiff or  Defendant was imprisoned in a state or federal correctional institution at the time the Complaint was filed.
  - Plaintiff or  Defendant procured a divorce outside this state by virtue of which  Plaintiff or  Defendant has been released from the obligations of the marriage, while those obligations remain binding on  Plaintiff or  Defendant.
- K.  Plaintiff and/or  Defendant through testimony or affidavit made full and complete disclosure of all marital property, separate property, and any other assets, debts, income, and expenses.
- L. The Court finds that:
- the parties presented the Court with a written Separation Agreement or read a settlement of all issues into the record. The written Separation Agreement is attached hereto as Exhibit A. The Court finds the agreement to be a fair and equitable division of property and debts and an appropriate resolution of all issues, knowingly and voluntarily entered into by the parties.
  - a Magistrate's Decision was filed on: \_\_\_\_\_.  
    - no objections having been filed, the Court accepts the Magistrate's findings of fact and adopts the recommendations, making them the order of the Court.
    - the Court ruled upon all objections to the Magistrate's Decision by a separate Judgment Entry.
  - the parties did not present the Court with a written Separation Agreement or read a settlement of all issues into the record. Based upon the evidence presented by the parties who appeared, the Court makes the findings set forth herein upon which it makes a fair and equitable division of property and debts and an appropriate resolution of all issues of the parties.

The parties have the following separate assets:

Party	Asset	Value

The parties have the following separate debts:

Party	Debt	Balance



Defendant pay all or part of Plaintiff's attorney fees and litigation expenses as follows:

\_\_\_\_\_

N. The Court further finds that: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### JUDGMENT

Based upon the findings set forth above, it is, therefore, **ORDERED, ADJUDGED and DECREED** that:

#### FIRST: DIVORCE GRANTED

Plaintiff  Defendant is/are granted a divorce on the grounds set forth above. Both parties are released from the obligations of their marriage except for those obligations listed below or as set forth in the attached  Separation Agreement  Magistrate's Decision which is incorporated in this Judgment Entry as if fully rewritten and/or  as is set forth herein.

#### SECOND: PROPERTY

The parties' property shall be divided as follows:

A. Plaintiff is awarded the following separate property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

B. Defendant is awarded the following separate property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

C. Each party is awarded all of the household goods, furniture, furnishings, and other personal property currently in their respective possession, free and clear of any claim of the other party, except as specifically set forth in Sections D, E, and F below.

D. Plaintiff is awarded the following real estate and items of personal property, free and clear from all claims of Defendant:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

E. Defendant is awarded the following real estate and items of personal property, free and clear from all claims of Plaintiff:

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F. Other orders regarding property: \_\_\_\_\_

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G. The parties shall take all necessary steps to transfer legal title and possession of property and take appropriate actions to implement and effectuate the division of retirement accounts within thirty (30) days of this Judgment Entry. The Court reserves jurisdiction over the completion, filing, qualification and/or approval of any document necessary to transfer assets.

H. Other orders regarding transfers: \_\_\_\_\_

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**THIRD: DEBT**

The parties' debts shall be divided as follows:

A. Plaintiff shall pay the following debts and hold Defendant harmless from all claims:

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B. Defendant shall pay the following debts and hold Plaintiff harmless from all claims:

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- C. Bankruptcy  
The Court has continuing jurisdiction to determine whether a debt assigned to a party qualifies as an exception to discharge in bankruptcy according to federal law.
- D. Neither party shall incur liabilities against the other party in the future.

**FOURTH: SPOUSAL SUPPORT**

- A. Spousal Support Not Awarded  
 Neither Plaintiff nor Defendant shall pay spousal support to the other, subject to any jurisdiction reserved in Section E below.
- B. Spousal Support Awarded  
 Plaintiff  Defendant shall pay spousal support to  Plaintiff  Defendant in the amount of \$\_\_\_\_\_ per month commencing on \_\_\_\_\_. Spousal support shall continue  for a period of \_\_\_\_\_ months OR  until further order of this Court.
- C. Method of Payment of Spousal Support  
 Spousal support payments shall be made directly to  Plaintiff  Defendant.  
 Spousal support payments, plus two percent (2%) processing charge, shall be made to the Ohio Child Support Payment Central, P. O. Box 182372, Columbus, Ohio 43218-2372, as administered through the \_\_\_\_\_ County Child Support Enforcement Agency by:  income withholding or  other \_\_\_\_\_.
- D. Termination of Spousal Support  
Spousal support shall terminate earlier than the above stated date upon Plaintiff's or Defendant's death or in the event of the following:  
 The cohabitation of the person receiving support in a relationship comparable to marriage.  
 The remarriage of the person receiving support.  
 Other: (specify) \_\_\_\_\_
- E. Reservation of Jurisdiction  
Under all circumstances, the Court shall retain jurisdiction over the issue of spousal support to hear and determine a Motion for Relief from Judgment pursuant to Civ.R. 60(B).  
On other matters involving spousal support: (check all that apply)  
 The Court shall retain jurisdiction to modify the amount of the spousal support order.  
 The Court shall NOT retain jurisdiction to modify the amount of the spousal support order.  
 The Court shall retain jurisdiction to modify the duration of the spousal support order.  
 The Court shall NOT retain jurisdiction to modify the duration of the spousal support order.  
 The Court shall retain jurisdiction to establish or modify the amount and/or duration of spousal support in the event either party files bankruptcy.
- F. Other orders regarding spousal support: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

G. Arrearage or Overpayment

- Any temporary spousal support arrearage or overpayment shall survive this Judgment Entry.
- Any temporary spousal support arrearage or overpayment shall not survive this Judgment Entry.
- Other: \_\_\_\_\_

**FIFTH: NAME**

\_\_\_\_\_ is restored to the former name of \_\_\_\_\_

**SIXTH: OTHER ORDERS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SEVENTH: TEMPORARY ORDERS**

All temporary orders in this case are terminated.

**EIGHTH: PAYMENT OF ATTORNEY FEES AND LITIGATION EXPENSES (select one)**

- Each party shall pay his/her own attorney fees and litigation expenses, if any.
- Plaintiff shall pay \_\_\_\_\_ of attorney fees and litigation expenses incurred by Defendant. The same shall be paid as follows: \_\_\_\_\_
- Defendant shall pay \_\_\_\_\_ of attorney fees and litigation expenses incurred by Plaintiff. The same shall be paid as follows: \_\_\_\_\_

**NINTH: COURT COSTS**

Court costs are:

- Taxed to the deposit. Court costs due above the deposit shall be paid as follows: \_\_\_\_\_
- Other: (specify) \_\_\_\_\_

**TENTH: CLERK OF COURTS**

The Clerk of Courts shall provide:

a certified copy to: \_\_\_\_\_

a file stamped copy to: \_\_\_\_\_

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
Plaintiff Signature

\_\_\_\_\_  
Defendant Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Plaintiff's Attorney Signature

\_\_\_\_\_  
Defendant's Attorney Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Supreme Court Reg No.

\_\_\_\_\_  
Supreme Court Reg No.

**NOTICE.** This is a final appealable order. The Clerk is directed to serve upon all parties notice of this Judgment Entry and its date of entry upon the journal in accordance with Civ.R. 5(B), in the manner provided in Civ.R. 58(B).

**IN THE COURT OF COMMON PLEAS**  
\_\_\_\_\_  
\_\_\_\_\_  
**DIVISION**  
**COUNTY, OHIO**

\_\_\_\_\_  
Name Case No. \_\_\_\_\_  
\_\_\_\_\_  
Street Address Judge \_\_\_\_\_  
\_\_\_\_\_  
City, State and Zip Code Magistrate \_\_\_\_\_

Plaintiff/Petitioner 1

vs./and

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Street Address  
\_\_\_\_\_  
City, State and Zip Code

Defendant/Petitioner 2

**JUDGMENT ENTRY CONVERTING INTEREST IN REAL ESTATE**

The parties' marriage was terminated in a Judgment Entry filed on \_\_\_\_\_. Pursuant to said Judgment Entry, it is ORDERED that \_\_\_\_\_ is divested of all rights, title, and interest in the real estate as set forth in the legal description, including deed reference and Permanent Parcel Number, attached hereto as Exhibit A and made a part hereof.

It is further ORDERED that \_\_\_\_\_ is vested with all rights, title, and interest of the real estate described in Exhibit A attached hereto and made a part hereof. The Auditor and Recorder of \_\_\_\_\_ County are ORDERED to accept this Judgment Entry as transfer of such interest and reflect the same on their books and records. The filing of this Judgment Entry with the Recorder and Auditor shall effectuate the conveyance of the real estate interest.

Court costs shall be:

Taxed to the deposit. Court costs due above the deposit shall be paid as follows: \_\_\_\_\_

Other: (specify) \_\_\_\_\_

\_\_\_\_\_  
JUDGE

**IN THE COURT OF COMMON PLEAS**  
 \_\_\_\_\_ **Division**  
 \_\_\_\_\_ **COUNTY, OHIO**

**IN THE MATTER OF:**

\_\_\_\_\_   
 A Minor

\_\_\_\_\_   
 Plaintiff/Petitioner

Case No. \_\_\_\_\_

\_\_\_\_\_   
 Street Address

Judge \_\_\_\_\_

\_\_\_\_\_   
 City, State and Zip

vs.

Magistrate \_\_\_\_\_

\_\_\_\_\_   
 Defendant/Respondent/Petitioner

\_\_\_\_\_   
 Street Address

\_\_\_\_\_   
 City, State and Zip Code

**WAIVER OF SERVICE OF SUMMONS**

I, \_\_\_\_\_ (name), acknowledge that I am the  Petitioner  Plaintiff  Defendant  Respondent (select one) and that I have received a copy of the following documents filed or to be filed by the other party:

- Complaint for Parentage
- Complaint  Motion (select one) for Allocation of Parental Rights and Responsibilities (Custody)
- Complaint  Motion (select one) for Parenting Time (Companionship and Visitation)
- Complaint  Motion (select one) for Establishment or Change of Child Support
- Journal Entry and Findings of Fact Supporting Child Support Deviation
- Health Insurance Affidavit
- Complaint for Divorce with Children
- Complaint for Divorce without Children
- Separation Agreement
- Shared Parenting Plan
- Parenting Plan
- Petition for Dissolution
- Agreed Judgment Entry, Magistrate's Decision, Order, and/or Magistrate's Order
- Affidavit of Income and Expenses

- Affidavit of Property
- Parenting Proceeding Affidavit
- Motion for Contempt and Affidavit
- Motion and Affidavit or Counter Affidavit for Temporary Orders with Oral Hearing
- Other (specify): \_\_\_\_\_

I waive service of summons of said document by the Clerk of Court.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Your Signature

\_\_\_\_\_  
Telephone number at which the Court may reach you  
or at which messages may be left for you