

## Marion County Supplemental Forms

### FILING A DIVORCE WITHOUT CHILDREN

This packet is for married couples with no shared children who are filing in Marion County, Ohio. We suggest you read these instruction pages completely before starting to complete the included forms.

Most commonly, people file for divorce in Marion County when they have resided in Ohio for at least six months and Marion County for at least 90 days. There are other situations where you can file for divorce in Marion County, but you would need to consult an attorney to determine if those situations apply to you.

You are receiving a packet of documents to file in Court, pro se, for divorce from your spouse. Pro se means you will complete these documents on your own, file them, and represent yourself. Please note that this packet is intended to help you comply with the local rule requirements of the Marion County Family Court at the time this packet was created. The Local Rules may change and you may want to check the local rules, at <http://www.co.marion.oh.us/familycourt/> before you file. You will need another packet with Ohio Supreme Court Forms, in addition to this packet of forms, to file for divorce. Please make sure you have both packets of forms before you file.

When you have completed the forms in this packet and the Ohio Supreme Court forms you are ready to file at the Clerk of Courts. You will file at Family Court, located in the County Administrative Building, 222 W. Center St., Marion, Ohio. The Clerk of Court is located downstairs. We suggest you bring copies when you file. Copies should be made after you have the documents fully completed and notarized. You should bring three (3) copies of every filing. If you do not have copies made, the Clerk will make copies at a charge to you. We do not know what this charge will be. We suggest you keep a copy of everything you file, and everything your spouse files, with your important papers.

**CAUTION: Divorce and custody affect important rights and involve difficult legal concepts. If you can afford an attorney, it would be reckless to proceed without one. Even licensed attorneys often refer the division of certain assets, such as retirement accounts and real estate, to specialists.**

Remember, your spouse's attorney does not represent you and you should not rely upon them for advice or explanations.

By providing these forms, the Legal Aid Society of Columbus and the attorneys who are on its staff have **NOT** agreed to represent you and **WILL NOT** be available to answer your questions regarding these forms.

Forms & Information Needed to File For Divorce in Marion County	
Form Name	Purpose
<b>Case Designation Form</b>	This form is required. Provide the requested information to the best of your ability. If you do not know something, write "unknown." In most cases you will place an "X" by "B- Divorce without Children."
<b>Duty to Keep Court Advised of Address Form</b>	This form is required. Complete the blank sections and attach a copy to your Complaint (Uniform Domestic Relations Form 7), found in the Ohio Supreme Court Packet. Read this Notice carefully. It outlines your duty to keep the Court informed of your address during the case.
<b>Restraining Order</b>	This Order is required. Attach a copy of this Order to your Complaint (Uniform Domestic Relations Form 7), found in the Ohio Supreme Court Packet. Please read this Order carefully because local rule 13 states that this Temporary Mutual Restraining Order will be issued without notice upon the filing of a divorce complaint. This Restraining Order will remain in effect until the case is over or otherwise modified by the Court.
<b>Notice of Hearing</b>	This form is required. You cannot complete it until the Clerk of Court gives you a hearing date in your case. Complete what you can and take this when you file and ask the Clerk of Court for a hearing date. You may also be asked to leave it at the Court and pick it up later.
<b>Going It Alone: A Guide To Pro Se Filings</b>	<b><i>Do NOT file this with your other paperwork.</i></b> This is an informational brochure put together by the Marion Family Court about filing a case pro se, meaning without an attorney. It provides helpful information about the classes required, court processes, etc.
<b>Marion Family Court Letter</b>	<b><i>Do NOT file this with your other paperwork.</i></b> This is an informational letter put together by the Marion Family Court about filing a case pro se, meaning without an attorney.
<b>List of Local Attorneys</b>	<b><i>Do NOT file this with your other paperwork.</i></b> This is a list of local attorneys, their addresses, and phone number. It was up to date at the time it was created. We cannot guarantee that these attorneys still practice law or currently accept cases. New attorneys may have also started to practice law in the area. We encourage you to research carefully for the best attorney for you.

IN THE COURT OF COMMON PLEAS FOR MARION COUNTY, OHIO  
FAMILY DIVISION

IN RE: \_\_\_\_\_ : CASE NO:  
CHILD: \_\_\_\_\_  
D.O.B. \_\_\_\_\_ :  
SSN: \_\_\_\_\_ JUDGE  
\_\_\_\_\_  
MAGISTRATE  
\_\_\_\_\_  
Plaintiff/Petitioner/Movant \_\_\_\_\_  
Address \_\_\_\_\_ :  
City, State, Zip \_\_\_\_\_  
D.O.B. \_\_\_\_\_ : **CASE DESIGNATION FORM**  
SSN \_\_\_\_\_  
\_\_\_\_\_  
Defendant/Petitioner \_\_\_\_\_  
Address \_\_\_\_\_ :  
City, State, Zip \_\_\_\_\_  
D.O.B. \_\_\_\_\_ :  
SSN \_\_\_\_\_

Please check the appropriate line.

_____ A - Delinquency	_____ A - Divorce with Children
_____ B - Traffic	_____ A - Divorce with Children, Juvenile Jurisdiction
_____ C - Dependency, Neglect, or Abuse	_____ B - Divorce without Children
_____ D - Unruly	_____ C - Dissolution with Children
_____ E - Adult Cases	_____ C - Dissolution with Children Juvenile Jurisdiction
_____ F - Motion for Permanent Custody	_____ D - Dissolution without Children
_____ G - Custody, Change of Custody visitation (Juv)	_____ E - Change of custody (DR)
_____ H - Support Enforcement or modification	_____ F - Visitation Enforcement/Modification
_____ I - Parentage	_____ G - Support Enforcement or Modification
_____ J - U.I.F.S.A.	_____ H - Domestic Violence
	_____ I - URESA
_____ K - All Others	_____ K - All Other Domestic



## DUTY TO KEEP COURT ADVISED OF ADDRESS

During the pendency of any case or Motion, all Notices directed to a Party to the case will be sent to the address the Party has listed upon the Complaint, Petition or Motion. All Parties to a case not represented by an attorney, must, during the pendency of the case advise the Court, in writing, of his or her address if the address is different than that listed upon the Complaint, Petition or Motion or if the address otherwise changes during the pendency of the case. Failure to do so may result in Hearings being had and relief granted in default of a Party's appearance.

A copy of this Rule shall be served with all Complaints, Petitions and Motion filed on or after May 1, 2003.

The Form contained herein may be used to comply with this Rule and should be sent or delivered to the Marion County Court of Common Pleas, Family Division, 222 West Center St., Marion, Ohio 43302. Additional copies of this Form may be obtained from the Court.

TO THE COURT OF COMMON PLEAS OF MARION COUNTY, FAMILY DIVISION:

REGARDING CASE NAME:\_\_\_\_\_ CASE NUMBER:\_\_\_\_\_

Now comes\_\_\_\_\_, the

Plaintiff/Petitioner/Defendant/Respondent (please circle)

herein, and advises the Court that my addresses are as follows:

Residence address:

Mailing address, if different

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

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

IN THE COURT OF COMMON PLEAS OF MARION COUNTY, OHIO  
FAMILY DIVISION  
RESTRAINING ORDERS

Pursuant to Local Court Rule 13, it is **ORDERED** that effective on the date a complaint is filed each spouse is enjoined from committing any of the following acts:

1. Removing, or causing to be removed, the child (ren) born or adopted by the parties and/or the child (ren) of either or both spouses, if any, from the Court's jurisdiction; and
2. Causing physical abuse, annoying, inflicting bodily injury, attempting to cause or recklessly cause bodily injury, threatening the use of force or imminent physical harm, stalking, harassing, interfering with or imposing any restraint of the personal liberty of the other spouse, committing any act with respect to a child in violation of the Revised Code of Ohio; and
3. Incurring debt in the name of the other spouse except for necessary food, housing, utilities, medical care, and necessary transportation; and
4. Selling, removing, transferring, encumbering, pledging, hypothecating, damaging, hiding, concealing, assigning or disposing of any and all property, real or personal, owned by both or either spouse or a child (including household goods, vehicles, financial accounts, and the personal property of each) without the prior written consent of the spouse or the Court. Excluded is any account now used for the payment of living costs; and
5. Voluntarily changing the term of, or beneficiary of, terminating coverage of, cashing in, borrowing against, encumbering, transferring, canceling or failing to renew any type of insurance, including health, automobile, life, home, liability, disability, or fire insurance that provides coverage for a spouse or child (ren) born or adopted by the parties; and
6. Voluntarily liquidating, cashing in, changing the beneficiary of, terms, or conditions of any retirement or pension plan or program that provides any benefit to a spouse or child (ren) born or adopted by the parties and/or of either or both spouses; and
7. Voluntarily interrupting or terminating any utility service to the marital residence without prior written consent of the other spouse or the Court.

Nothing in the above restraining orders precludes either spouse from using his/her property to pay necessary and reasonable attorney fees, litigation and court costs in this action.

WARNING

This is an official Court Order. If you disobey any order of Court, you may be found in contempt of Court, sentenced to jail, fined, and ordered to pay costs and attorney fees in addition to any other legal remedy available to the spouse, child (ren) or other dependent(s) affected. This order is in effect until (1) the Court issues an order, which modifies or terminates it or (2) a judgment for divorce or legal separation is filed with the Clerk of Courts.

IN THE COURT OF COMMON PLEAS OF MARION COUNTY, OHIO  
FAMILY DIVISION

CASE NO:

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

vs/and

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

and

\_\_\_\_\_  
Third Party Defendant

NOTICE OF HEARING

JUDGE *Larry Heiser*  
JUDGE ROBERT D. FRAGALE

MAGISTRATE DAVID T. REED

The above captioned case is assigned for Initial Case Management

Conference/Pretrial/Final Hearing on \_\_\_\_\_ at \_\_\_\_\_ m. at Family Court, 222

West Center Street, Marion, Ohio.

\_\_\_\_\_  
Movant

\_\_\_\_\_  
Address

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

\_\_\_\_\_  
Phone #

Management Conference. The Court cannot, however, give you legal advice on how to proceed or how your decisions may affect the outcome of your case.

**Dissolution** — If you and your spouse have minor children, you both must attend the P.E.A.C.E. program.

Depending on the age of your children, you may be asked to sign the children up for the K.I.D.S. program.

A final hearing must be set no sooner than 30 days and no later than 90 days from the date you file your action. The hearing cannot be set until you **BOTH** have completed the P.E.A.C.E. program so we encourage you both to attend before you file your action.

Please use the Notice of Hearing form to get your hearing date. It is your responsibility to notify your spouse of the hearing date. The Court will **NOT** send out any notification. Under Ohio law both parties (husband and wife) must appear at the final hearing. Five days prior to your final hearing you must bring your Decree, Separation Agreement, and if there are minor children, Shared Parenting or Parenting Time Plan, and Child Support Calculation Worksheet.

**Post Decree Motions**— A pretrial must be set at the time of filing. Please use the same procedure for setting a hearing as listed under the Divorce section. At that pretrial, the Court will explain to you the steps you need to take procedurally regarding your action, but as previously stated, cannot give you legal advice.

## SERVICES FOR FAMILIES

During the course of your case, you may have the opportunity to utilize one of the programs or services listed below. All of them are designed to minimize conflict that often occurs in court actions which may result in harm not only to you and the other party involved but to your families and especially your children.

**P.E.A.C.E., K.I.D.S., S.U.C.C.E.S.S.** — The State of Ohio mandates that all parents with minor children who are terminating their marriage must attend a parent education program about how children are often affected by the break up of their family. The

Marion County Family Court has additionally developed programs for children and unmarried parents.

**Mediation** — An alternative to ugly custody battles, mediation is a program where the parties in conflict sit down with a trained mediator who helps the parties communicate and problem-solve. This allows you to hold the power in determining what is best for your children. Prior to the filing of a Motion to Re-allocate Parental Rights and Responsibilities or a Motion for Contempt of Court, the Court strongly encourages you to take advantage of this less expensive option. A Motion for Mediation form is available at the Clerk's Office. If you have any questions regarding these programs, please ask a staff member.



# GOING IT ALONE!

## A GUIDE TO PRO SE FILINGS

Marion County Court of Common Pleas  
Family Division

Judge Robert D. Fragale  
Judge Larry N. Heiser



## Representing Yourself

Individuals who represent themselves in court actions are referred to as Pro Se Litigants. Pro Se is a Latin term roughly translated as "On one's own behalf".

Representing oneself in the legal process can be a difficult task. The legal system can be extremely complex with the smallest detail causing far-reaching consequences. While the Marion County Family Court understands the difficulties many individuals have in today's economic environment, we urge you to consider the possible consequences of representing yourself.

Although the cost of an attorney may seem expensive, they have normally completed at least 7 years of school after graduating high school; they have been tested and licensed by the State of Ohio; and they are required to continue to take continuing educational courses to maintain that license. In addition attorneys carry liability insurance for damages caused by their errors and any misbehavior can result in disciplinary action including loss of their license.

It is important for you to understand that if you choose to represent yourself, neither the Court

nor its employees are allowed by law to give you legal advice on how to get through the legal process. You are held to the same standard as a licensed attorney. This applies both in the courtroom and with your paperwork. Errors may require you to make changes, incur additional costs, or result in a dismissal of your case. Unfortunately, many times an attorney is needed later to correct errors resulting in a greater cost than if they had been hired at the onset.

Please consider the complexity and the level of conflict in your individual case when deciding whether or not to proceed "Pro Se".

If you do decide to proceed "Pro Se", we have provided this pamphlet and an accompanying letter to assist in alerting you to basic requirements for filing actions in the Marion County Family Court.

### FILING IN FAMILY COURT

The first step a Pro se litigant should take is to check out the Ohio State Bar Association (<https://www.ohioabar.org>) and click public for information and the Supreme Court of Ohio ([www.sconet.state.oh.us](http://www.sconet.state.oh.us)) for standard forms for most types of filings. You will also need some

local forms which are available from the Clerk's office (Notice of Hearing and if applicable a Poverty Affidavit). The Local Law Library can also be a good resource. Procedures in these types of actions can differ from county to county so it is important to understand the procedure for the county in which you file your action.

In Marion please be aware of the requirements in the case filing listed below.

**Divorce** — All Divorce cases will be set for an Initial Case Management Conference. Please use the Notice of Hearing form. Once you complete the form, a clerk will get you a hearing date from the Court Scheduler. If the Court Scheduler is unavailable, you may be asked to leave the form at the front desk with a contact number and the scheduler will call you when it is ready. You will then need to pick it up and file it at the Clerk's office.

If there are minor children of the marriage, you are required to attend the P.E.A.C.E. program and your children may be required to attend the K.I.D.S. program. The Court will explain to you the steps you need to take procedurally regarding



***Marion County Court of Common Pleas***  
***Family Division***

**Judge Robert D. Fragale**

**Judge Larry N. Heiser**

222 West Center Street

Marion, Ohio 43302

Telephone: 740.223.4060

Fax: 740.382.3798

[www.co.marion.oh.us/familycourt](http://www.co.marion.oh.us/familycourt)

Magistrates:

David T. Reed

Rhonda Burggraf

Administrative Director:

James Landon

If you need to file paperwork with Family Court, please be advised that the Family Court staff is not permitted to give legal advice or assist you with the preparation of your paperwork or case.

You may wish to contact or hire an attorney to assist you with your case. You may also wish to contact Legal Aid. The Court makes no representation about Legal Aid's or any attorney's willingness to represent you.

You can locate some forms on the Supreme Court of Ohio's website at [www.supremecourtsohio.gov](http://www.supremecourtsohio.gov). On the right hand side is a link that says "Domestic & Juvenile Standardized Forms". Attached is a list of those forms you can find.

We strongly recommend that you read and follow the instructions in completing the forms. Failure to follow the instructions may result in your case being dismissed.

An advocate from Turning Point is able to help you with the preparation of a Petition for Domestic Violence Civil Protection Order. Petitions for Domestic Violence Civil Protection Orders are heard by the Court at 1:00 p.m.

You may also use the books at the law library to assist you in preparing your case or paperwork. The law library is in our building. The entrance is located on the corner of the building closest to the Palace Theatre. The Law Librarian is not permitted to assist you with preparation of your paperwork or give legal advice.

Marion County Law Library

222 West Center Street

Marion, Ohio 43302

740.223.4170

Legal Aid Society

150 Oak Street

Marion, Ohio 43302

740.383.2161

Turning Point

P.O. Box 875

Marion, Ohio 43301

Business Phone: 740.382.8988

Crisis Line: 800.232.6505

Ohio Legal Help

[www.ohiolegalthelp.org](http://www.ohiolegalthelp.org)

Ohio State Bar Association

[www.ohiobar.org/legalhelp](http://www.ohiobar.org/legalhelp)

A	B	C	D	E
ATTORNEY NAME	OFFICE ADDRESS	CITY	ZIP CODE	OFFICE PHONE
1 Anderson, Todd	127 E Center Street	Marion	43302	740-382-5221
2 Bartem, John C	355 E Center St, Suite 020	Marion	43302	740-387-6000
3 Bateman-Crothers, Sheena	284 S State Street	Marion	43302	614-392-8344
4 Carson, Caleb III	144 E Center Street	Marion	43302	740-383-3928
5 Chaffin, Steven E	233 W Center Street	Marion	43302	740-387-2020
6 Collins, Kevin P	125 S Main Street	Marion	43302	740-223-1211
7 Coulter, Ted I	198 E Center Street	Marion	43302	740-382-4444
8 Garner, Ronald D (retiring)	116 S Main Street	Marion	43302	740-387-9093
9 Crawford, Carlos	165 W Center St, Suite 208	Marion	43302	614-356-7565
10 Crowder, Mary Kay	334 E Center Street	Marion	43302	740-387-0800
11 Dieguez, Douglas B	132 S Main Street	Marion	43302	740-223-1470
12 Doyle, Jon S	144 E Center Street	Marion	43302	740-387-0900
13 Ellerkamp, Shelley	976 Brookpark Road	Marion	43302	740-389-9733
14 Evans, Ian	15 W Ottawa Street	Marion	43302	740-943-2325
15 Fericks & Howard	152 E Center Street	Marion	43302	740-387-7384
16 Fericks, Matt	152 E Center Street	Marion	43302	740-387-7384
17 Fericks, Theodore P, IV	152 E Center Street	Marion	43302	740-387-7384
18 Fericks, Thomas A	152 E Center Street	Marion	43302	740-383-1481
19 Hall, Kevin R	355 E Center St, Suite 101	Marion	43302	740-383-1717
20 Harraman, Brent M	131 S Prospect, Suite 102	Marion	43302	740-383-1151
21 Heiser, James A	136 S Main Street	Marion	43302	740-383-2445
22 Heiser, Larry	495 S State Street	Marion	43302	740-223-4290
23 Heiser, Nate	134 E Center Street	Marion	43302	740-943-2325
24 Hoffman, Scott	15 W Ottawa Street	Marion	43302	740-387-7799
25 Hynes, Maria L	1241 E Center St, Suite C	Marion	43302	740-387-9704
26 Jacob, Dean L	1138 Brookpark Road	Mt. Gilead	43338	419-946-7876
27 Jensen, Jon	19 E High Street	Delaware	43015	740-353-3900
28 Jones, Brian	152 N Sandusky Street	Marion	43302	740-223-1470
29 Lowther, David	132 S Main Street	Marion	43302	740-382-6588
30 Mathews, Elizabeth	131 S Prospect, Suite 101 ?	Marion	43302	740-387-5854
31 Mathews, Thomas A	127 E Center Street	Marion	43302	740-387-1120
32 McKinniss, Ted M	381 E Church Street	Delaware	43015	740-352-4772
33 Marrocco, Michael	98 N Union Street	Marion	43302	740-387-7438
34 Nemo, Robert C	165 W Center St, Suite 202	Delaware	43015	740-362-8799
35 Noland, Mark	35 N Sandusky Street	Marion	43302	740-389-9894
36 Osborne, Wesley W	2511 Marion Mt Gilead Rd	Marion	43302	614-715-4753
37 Patton, Jordan	N/A	Marion	43302	740-387-6727
38 Piacentini, C Michael	198 E Center Street	Marion	43302	740-383-6023
39 Ratliff Law Office	200 W Center Street	Marion	43302	740-383-6023
40 Ratliff, J C	200 W Center Street	Marion	43302	740-383-6023
41 Ratliff, Jeff	200 W Center Street	Marion	43302	740-383-6023
42 Ratliff, Rocky	200 W Center Street	Marion	43302	740-382-5521
43 Redmond, Dustin J	495 S State Street	Marion	43302	740-223-4060
44 Reed, David T	222 W Center Street	Marion	43302	740-387-0800
45 Rogers, J W	334 E Center St	Marion	43302	740-387-8916
46 Rowland, Brent A	148 E Center St	Marion	43302	740-387-2020
47 Russell, Mark D	233 W Center Street	N/A	N/A	614-500-3833
48 Santiago-Burgos, Hilary	No Marion Address			

A	B	C	D	E
50 Spitzer, Joel	198 E Center Street 77	Marion	43302	740-223-3122
51 Williamson, Dave	196 1/2 West Center St	Marion	43302	740-382-1077
52 Williamson, Jon	355 E Center St, Suite 101	Marion	43302	740-382-8892
53 Wilson, Robert	200 W Center St, Suite B	Marion	43302	740-387-0970
54 Witkin, Nathan	117 E Center Street	Marion	43302	740-383-9928
55 Workman, Todd	35 N Sandusky Street	Delaware	43015	740-362-8799
56 Ziegler, Fred	144 E Center Street	Marion	43302	740-387-0900