

## Motion for Temporary Orders in Divorce Case



**I do not have any money, car, or a place to live. My spouse and I separated, and they took it all. What can I do?**

If you are filing a Complaint for Divorce, you should also file a Motion for Temporary Orders. The Court can grant temporary orders on the following subjects while the divorce case is pending:

1. Custody
2. Child Support
3. Spousal Support
4. Payments of Debts and/or Expenses

To request a Temporary Order, you must complete a Motion and Affidavit for Temporary Orders (Ohio Supreme Court, Uniform Domestic Relations Form 5). You can file this with your original pleadings or any time after you file your divorce action.



**Will the Court have a hearing on a request for Temporary Orders?**

It depends on your local court practice. Some courts will hold a “non-oral hearing.” This means that they will review the Motion you gave and will review your spouse’s response to your Motion and decide based upon these documents. You will then receive a copy of the Temporary Order in the mail.

Other Courts will require that you appear in person for a hearing to tell the court on the record what you want and why. You will receive Notice of the hearing date and time from the court. You must appear at the date and time given and be prepared to present your testimony, witnesses, and exhibits.



**What is a Temporary Restraining Order?**

A Temporary Restraining Order (TRO) prevents both parties from disposing of or encumbering property in an attempt to defeat the other spouse in obtaining a fair division of marital property and prevents both parties from abusing, annoying, or injuring the other party. Some courts automatically issue a TRO when the divorce case is filed, but others require you to file a Motion requesting a TRO. The TRO will remain in effect during the divorce case and will end when the divorce is final.

In addition to the provisions above, some courts will also allow you to include in your request for a TRO a request for temporary use of the home (order the other party to vacate the home) or temporary use of a vehicle.

NOTE: A TRO is NOT a criminal matter; not following this Order may result in contempt of court, not criminal charges. It is NOT the same as a Temporary Protection Order or a Civil Protection Order; those are orders issued in cases involving domestic violence.

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**The information on this flyer is not legal advice.  
If you are seeking representation or legal advice, please contact LASC or SEOLS.  
An attorney-client relationship does not exist between you and LASC or SEOLS.**

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**Contact for Services: Intake line: 1-844-302-1800**

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

LASC provides services in Central Ohio and has offices in Columbus and Marion.

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

SEOLS provides services in thirty-four counties in Southeastern Ohio and has offices in Athens, Chillicothe, New Philadelphia, Newark, Portsmouth, and Steubenville