

Delaware County Supplemental Forms  
**ANSWER/COUNTERCLAIM – DIVORCE WITHOUT CHILDREN**

This packet is designed to help litigants respond to a divorce action filed in Delaware County, Ohio. We suggest you read these instruction pages completely before starting to complete the included forms.

You are receiving a packet of documents to respond, pro se, to a divorce action filed in Court by 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 Common Pleas Court of Delaware County Domestic Relations Division at the time this packet was created. The Local Rules may change and you may want to check the local rules, at <https://clerkofcourts.co.delaware.oh.us/local-rules/> before you file. You will need another packet with Ohio Supreme Court Forms, in addition to this packet of forms, to respond to the action 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 The Clerk of Court, located in the Common Pleas Court of Delaware County, 117 N. Union St., Delaware, Ohio. The Clerk of Court is located on the third floor. 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.

<b>Forms &amp; Information Needed to File For Divorce in Delaware County</b>	
<b>Form Name</b>	<b>Purpose</b>
<b>Duty to Keep Court Advised of Address Form</b>	This form is recommended if you file a Counterclaim, but it is not required. Complete the blank sections and attach a copy to your Counterclaim (Uniform Domestic Relations Form 9), found in the Ohio Supreme Court Packet. Read this Notice carefully. It outlines your and your spouse's duty to keep the Court informed of your address during the case.
<b>Restraining Order</b>	This Order is required if you file a Counterclaim. Attach a copy of this Order to your Counterclaim (Uniform Domestic Relations Form 9), found in the Ohio Supreme Court Packet. Please read this Order carefully because local rule 2.04 states that this standard mutual restraining order will be enforceable against the Plaintiff upon filing. This Restraining Order will remain in effect until the case is over or otherwise modified by the Court.
<b>Party Supplemental Information Affidavit</b>	This affidavit is required. This affidavit will gather information regarding you and your spouse. This is an affidavit so you should be sure to sign it in front of a notary.

## 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 Motions filed on or after January 2, 1990.

The Form contained herein may be used to comply with this Rule and should be sent or delivered to the Clerk of the Court of Common Pleas of Delaware County, Ohio, Second Floor, the Delaware County Courthouse, 91 North Sandusky Street, Delaware, Ohio 43105-1795. Additional copies of this Form may be obtained from the Clerk.

TO THE CLERK OF THE COURT OF COMMON PLEAS OF DELAWARE, OHIO:

REGARDING CASE NAME: \_\_\_\_\_ CASE NO.: \_\_\_\_\_

Now comes \_\_\_\_\_, the \_\_\_\_\_ herein, and advises the Court that my addresses are as follows:

Residence address:

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

Mailing address, if different

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

Signed: \_\_\_\_\_

IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, OHIO  
DOMESTIC RELATIONS DIVISION

_____	:	JUDGE RANDALL D. FULLER
Plaintiff,	:	MAGISTRATE
vs.	:	
_____	:	
Defendant,	:	Case No. _____

**MUTUAL RESTRAINING ORDER**

A complaint for divorce having been filed in this matter, it is hereby ORDERED as follows:

1. Both parties are restrained from threatening, abusing, annoying, or interfering with the other party or the parties' child(ren);
2. Both parties are restrained from creating or incurring debt (such as a credit card) in the name of the other party or in the parties' joint names or causing a lien or loan to be placed against any of their real or personal property;
3. Both parties are restrained from selling, disposing of, or dissipating any asset, real or personal property (other than regular income), including without limitation: Existing bank accounts, tax refunds, or bonuses of other party or a child;
4. Both parties are restrained from removing household goods and furniture from the marital residence without the approval of the court or other party;

5. Both parties are restrained from changing or failing to renew the present health, life, home, automobile or other insurance coverage and from removing the other party as beneficiary on any life or retirement benefit without further order of this court;
6. Both parties are restrained from changing or establishing a new residence for the parties' minor children without the written consent of the other party or permission of the Court.
7. These Orders shall not prevent the payment of ordinary and necessary business and living expenses consistent with the practice of the parties during the marriage.
8. These Orders shall remain in force during the pendency of this action unless the court otherwise orders.

These restraints shall be imposed by the Court as mutual restraining orders which shall be accepted by Plaintiff upon the filing of the complaint and shall be served upon the Defendant along with the summons pursuant to Plaintiff's request or instructions for service. Upon Plaintiff's filing of the complaint, Plaintiff is deemed to have notice of the mutual restraining order and Plaintiff shall be served by ordinary mail.

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JUDGE/ MAGISTRATE

_____	:	
Petitioner/Plaintiff,	:	JUDGE RANDALL D. FULLER
vs.	:	Case No. _____
_____	:	
Petitioner/Defendant.	:	

Petitioner/Plaintiff's Name:	Petitioner/Defendant's Name:
Address:	Address:
City: State: Zip:	City: State: Zip:
SSN: DOB:	SSN: DOB:
E-mail:	E-mail:
Telephone:	Telephone:
Highest Education Grade Level:	Highest Education Grade Level:
Current Employer:	Current Employer:
Current Job Title:	Current Job Title:

Prior Employment History:	Prior Employment History:
Health/Disability Impairment to Employment:	Health/Disability Impairment to Employment:

### OATH

(Do not sign until notary is present.)

I, (print name) \_\_\_\_\_, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document 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

Sworn before me and signed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires: