

Morrow County Supplemental Forms
ANSWER/COUNTERCLAIM – DIVORCE WITH CHILDREN

This packet is designed to help litigants respond to a divorce action filed in Morrow 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 Morrow 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 <http://commonpleas.morrowcountyohio.gov/index.php/2012-11-20-02-38-33/domestic-relations-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 divorce action. 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 Morrow County, 48 E. High St., Mount Gilead, Ohio. We suggest you bring copies when you file. Copies should be made after you have the documents fully completed and notarized. You should bring four (4) copies of the Counterclaim, if you choose to file one, and three (3) copies of every other 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 Morrow County	
Form Name	Purpose
Classification Form	This form is required only if you file a Counterclaim. Provide the requested information to the best of your ability. Write the words "pro se" by Ohio Supreme Court Registration Number and Trial Attorney. In most cases you will place an "X" by "Termination of Marriage, with Children."
Duty to Keep Court Advised of Address Form	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.
Restraining Order	This Order is required only 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 8 states that this standard mutual restraining order will remain in effect until the case is over or otherwise modified by the Court.
Application for Child Support Services (IV-D Application)	This form may be required, depending on your situation. If you are not receiving public assistance (such as food stamps/SNAP, Medicaid, cash assistance, etc.) you must complete this form. You must complete this form, even if you are not requesting child support.
Rule 1	<i>Do NOT file this with your other paperwork.</i> This is Rule 1 of the Morrow County Court of Common Pleas, Domestic Relations Division local rules. It states that you are <u>required</u> to attend a Parenting Class before your divorce is final. One option is Marion County's P.E.A.C.E. Program. To register for that course call the Marion County Family Court at (740) 223-4060. Other courses may be accepted, but you may be required to contact the Court for permission.

IN THE COURT OF COMMON PLEAS OF MORROW COUNTY, OHIO
CLASSIFICATION FORM

CASE NO. _____

CASE NAME: _____

PLEASE INDICATE CLASSIFICATION INTO WHICH THIS CASE FALLS:

CIVIL

- ☐ Professional Tort
- ☐ Product Liability
- ☐ Other Torts
- ☐ Workers Compensation
- ☐ Foreclosure
- ☐ Administrative Appeal
- ☐ Complex Litigation
- ☐ Other Civil

A
B
C
D
E
F
G
H

DOMESTIC RELATIONS

- ☐ Termination of Marriage, with children
- ☐ Termination of Marriage, no children
- ☐ Dissolution of Marriage, with children
- ☐ Dissolution of Marriage, no children
- ☐ Change of Custody
- ☐ Visitation Enforcement/Modification
- ☐ Support Enforcement/Modification
- ☐ Domestic Violence
- ☐ U.I.F.S.A.
- ☐ All Others

A
B
C
D
E
F
G
H
I
J

PLEASE PRINT OR TYPE THE INFORMATION REQUESTED BELOW

Date: _____

Trial Attorney _____

Ohio Supreme Court

Registration No.: _____

Address: _____

Telephone: _____

Fax: _____

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 Clerk of the Court of Common Pleas of Morrow County, Ohio, 48 East High St., Mt Gilead, OH 43338. Additional copies of this Form may be obtained from the Clerk.

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

REGARDING CASE NAME: _____ CASE NUMBER: _____

Now comes _____, the _____ herein, and advises the

Court that my addresses are as follows:

Residence address: Mailing address, if different

_____	_____
_____	_____
_____	_____

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

PLAINTIFF

v.

DEFENDANT

Case No: _____

Judge _____

Magistrate _____

RESTRAINING ORDERS

Pursuant to Local Court Rule 8, 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 separate 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.

DATE

Magistrate

APPLICATION FOR CHILD SUPPORT SERVICES NON-PUBLIC ASSISTANCE APPLICANT/RECIPIENT

IMPORTANT: If you are receiving ADC or Medicaid, do not complete this application because you became eligible for child support services when you signed the ADC/Medicaid application.

I, _____, request child support services from the _____ CSEA (Child Support Enforcement Agency). I understand and agree to the following:

- A. I am a resident of the county in which services are requested and no other Ohio county has jurisdiction over support – OR – I am requesting services from the Ohio county of jurisdiction.
- B. The only fee that can be charged for services is a one dollar application fee. Some counties pay this fee for the applicants.
- C. Recipients of child support services shall cooperate to the best of their ability with the CSEA. (See attached rights and responsibility information).
- D. In providing IV-D services, the CSEA and any of its contracted agents (e.g., prosecutors, attorneys, hearing officers, etc.) represent the best interest of the children of the state of Ohio and do not represent any IV-D recipient or the IV-D recipient's personal interest.

The Child Support Enforcement Agency can assist you in providing the following services:

1. **Location of Absent Parents.**
The agency can assist in finding where an absent parent is currently living, in what city, town, or state. The applicant can request 'Location Only Services', if the sole need is to find the whereabouts of the absent parent.
2. **Establishment or Adjustment of Child Support and Medical Support.**
The CSEA can assist you to obtain an order for support if you are separated, have been deserted, or need to establish paternity (fatherhood). The CSEA can also assist you in changing the amount of support orders (adjustment), and to establish a medical support order.
3. **Enforcement of Existing Orders.**
The CSEA can help you collect current and past-due child support.
4. **Federal and State Income Tax Refund Offset Submittals for the Collection of Child Support Arrearages.**
The agency can collect past-due support (arrearages) by intercepting a payor's federal and state income tax refunds in some cases.
5. **Withholding of Wages and Unearned Income for the Payment of Court Ordered Support.**
The agency can help you get payroll deductions for current and past-due child support and can intercept unemployment compensation to collect child support.
6. **Establishment of Paternity.**
The agency can obtain an order for the establishment of paternity (fatherhood), if you were not married to the father of the child. An absent parent may request paternity services.
7. **Collection and Disbursement of Payments.**
The CSEA can collect the child support for you, and send you a check for the amount of the payments received. Past-due support collected will be paid to you until all of the past-due support you are owed is paid.
8. **Interstate Collection of Child Support.**
The agency can assist you in collecting support if the payor is living in another state or in some foreign countries.

APPLICANT INFORMATION

Name: _____	Date of Birth: _____
Home Address: _____ _____	Mailing Address: _____ _____
Home Phone #: _____	
Social Security #: _____	Sex: _____
Race: _____	<input type="checkbox"/> Single <input type="checkbox"/> Married
Relationship to Children: _____	<input type="checkbox"/> Divorced <input type="checkbox"/> Separated
Military Service _____	Ever been on _____
(Branch, Dates): _____	Public Assistance? _____
	(When and Where) _____

EMPLOYER INFORMATION

Employer Name: _____	Employer Phone #: _____
Employer _____	Is Medical Insurance Available? _____
Address: _____ _____	

	CHILD 1	CHILD 2	CHILD 3
Name:			
Sex:			
Race:			
Social Security #:			
Date of Birth:			
Home Address:			

Location of Birth: (Country, State, City)			
Has Paternity (Fatherhood) been Established?			
Name(s) of Absent Parent(s):			
Is there an Order for Support?			
Is the Child covered by Medical Insurance?			

ABSENT PARENT INFORMATION

	PARENT 1	PARENT 2	PARENT 3
Name (and alias):			
Home Address:			
Mailing Address:			
Social Security #:			
Date of Birth:			
Location of Birth (Country, State, City):			
Race:			
Sex:			
Height / Weight:			
Hair / Eye Color:			
Identifying Marks (Tattoos, scars, etc.):			
Names of Children:			
Name and Address of Employer:			

Employer Phone #:			
Medical Insurance Provided?			
Support Order #:			
Date of Support Order:			
Amount of Support:	\$	\$	\$
Order Frequency:	Per	Per	Per
Location where Order was issued:			
Military Service (Branch, Dates):			
Ever Incarcerated? (Location, Dates):			
Arrest Record (Location, Dates):			
Name, Address Current Spouse:			
Father's Name:			
Mother's Name (Maiden):			
Ever been on Public Assistance? (Location, Dates)			

Type(s) of Service(s) Requested:

- ☐ All services listed
- ☐ Location of absent parent only
- ☐ Other (please explain)

I understand that the Child Support Agency within 20 days of receiving this application will contact me by a written notice to inform me if my case has been accepted for child support services (IV-D Services).

Signature of Applicant: _____

Date: _____

RULE 1

Seminar for Separating Parents. All parents in Divorce, Legal Separation, or Dissolution actions in which there are minor children shall attend an educational seminar for separating parents prior to the date of the final hearing. No action shall proceed to final hearing until this rule is complied with, however, the court may waive the requirement for good cause shown. Seminar attendance may be required by court order in connection with post-decree motions seeking a change of parental rights or visitation. One such program is the P.E.A.C.E. program. (offered in the Marion County Court of Common Pleas). Attendance at other similar programs may be acceptable to the court, but parents should contact the court's administrative assistant for domestic cases to assure that the program meets with court approval