

**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

The parties have the following marital assets:

Asset	Value

The parties have the following marital debts:

Debt	Balance

The Court makes the following findings regarding the spousal support factors set forth in R.C. 3105.18:

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M. The Court finds that Plaintiff incurred attorney fees and litigation expenses in the amount of \$ \_\_\_\_\_ and Defendant incurred attorney fees and litigation expenses in the amount of \$ \_\_\_\_\_. It is equitable that: *(select one)*

- Each party pay his or her attorney fees and litigation expenses, if any.
- Plaintiff pay all or part of Defendant's attorney fees and litigation expenses as follows:

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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).**