

**Legal Separation W/No Children & No S.A. (H131)**

- \_\_\_ Case number, names (Judge/Magistrate, Plaintiff and Defendant) and date of hearing.
- \_\_\_ Appearance on Complaint, Answer and/or Counterclaim.
- \_\_\_ In attendance was/were the parties, counsel, [or] other.
- \_\_\_ Residency requirement of Plaintiff: Ohio/6months. Venue is proper in this county. The Court has personal jurisdiction over Defendant.
- \_\_\_ Military status of parties: Active [or] Inactive.
- \_\_\_ Verify that there are no minor child(ren) of this marriage (natural or adoptive) and inquire whether Wife is currently pregnant.
- \_\_\_ Check cause for legal separation. Make sure correct boxes are checked.
- \_\_\_ Check language that the legal separation is hereby granted.

**DIVISION OF PROPERTY**

- \_\_\_ **Real Property:** The parties neither have an interest in any real property or either have an interest in any real property. If real property involved state the address and attach the legal description as an Exhibit.
- \_\_\_ **Other Property and Debts:** If all personal property and debts divided to mutual satisfaction check the appropriate box. If there is separate property, marital property and debts to be divided then check the appropriate box and itemize them.
- \_\_\_ If there is real estate make sure that the names are correct and a copy of the legal description is attached.
- \_\_\_ **Retirement Assets:** If neither party has retirement assets to divide check the appropriate box. If retirement assets exist check appropriate boxes and fill in the required information.
- \_\_\_ If there are QDRO's [or] DOPO's involved in the case check the appropriate boxes and fill in required information.
- \_\_\_ **Equal/Equitable Property Division:** Check the appropriate box either for the equal division of the property or the division

of property, though not equal, is equitable for the following reasons (list them).

### **SPOUSAL SUPPORT**

- \_\_\_ Fill in required information. Is it modifiable / jurisdiction reserved? Should be paid via OCSS unless parties request it to be paid directly. Check with the Judge.
- \_\_\_ **Temporary Support Arrearage/Overpayment:** Check box for either no arrearages/overpayments under the temporary support orders or there are arrearages/overpayments with an effective date and a dollar (\$\_\_\_\_) amount must be provided. This includes but is not limited to child support, spousal support or cash medical, and uncovered health care expenses.
- \_\_\_ If arrearage finding is made check appropriate box for determining payment towards the arrearages.
- \_\_\_ **Monthly Payment of Support:** Make sure the numbers are correct for the monthly order that apply which include all applicable child support, spousal support, cash medical support and payment toward arrearage.
- \_\_\_ **Method to Secure Support Payments:** Make sure the appropriate source is checked and completed.
- \_\_\_ Third party dismissed if necessary.
- \_\_\_ Court costs...check appropriate box.
- \_\_\_ JE signed by both parties and counsel, if applicable.
- \_\_\_ Casenote

### **INSTRUCTIONS FOR SERVICE**

- \_\_\_ Information to be filled out by parties and counsel for proper service of the judgment entry upon them.

### **ATTACHMENT CHECKLIST**

- \_\_\_ Signed Separation Agreement.
- \_\_\_ Review for division of assets/debts and an award of spousal Support, if applicable.
- \_\_\_ QDRO [or] DOPO, if required.