

**COURT OF COMMON PLEAS  
DIVISION OF DOMESTIC RELATIONS  
CUYAHOGA COUNTY, OHIO**

\_\_\_\_\_ : CASE NO. DR \_\_\_\_\_  
PLAINTIFF :  
 :  
 vs. : JUDGE \_\_\_\_\_  
 :  
\_\_\_\_\_ :  
DEFENDANT : **JUDGMENT ENTRY OF  
LEGAL SEPARATION**  
 : (No Children)  
 : (Separation/In-Court Agreement Attached)

This cause came on for hearing on \_\_\_\_\_, 20\_\_\_\_ and was duly heard before  the Honorable \_\_\_\_\_, Judge of the Domestic Relations Division of the Court of Common Pleas Magistrate \_\_\_\_\_ to whom it was referred by the Honorable \_\_\_\_\_, Judge of the Domestic Relations Division of the Court of Common Pleas, upon the:

- Complaint of Plaintiff and the evidence, Defendant being in default of Answer or other pleading although duly served with process, according to law.
- Complaint of Plaintiff and Answer of Defendant.
- Complaint of Plaintiff and the evidence, Defendant having withdrawn his/her Answer or Answer and Counterclaim.
- Complaint of Plaintiff, Counterclaim of Defendant and the evidence.
- Counterclaim of Defendant and the evidence, Plaintiff having withdrawn his/her Complaint.

Present at the hearing was/were Plaintiff Defendant Counsel for Plaintiff Counsel for Defendant Other: \_\_\_\_\_.

The Court finds that Plaintiff was a resident of the State of Ohio for more than six (6) months immediately preceding the filing of the Complaint and that venue is proper in this county. The Court further finds that it has personal jurisdiction over Defendant. The Court further finds that all service and notice provisions have been satisfied according to law.

The Court finds that: *(Check one of the following two boxes)*

- Neither Plaintiff nor Defendant is in the military service of the United States.
- Plaintiff and/or Defendant is/are in the military service of the United States and his/her military service did not impact his/her ability to defend this action.

The parties were married as alleged and there are no minor children of the marriage.

The Court further finds that Plaintiff has Defendant has both parties have established the cause of living separate and apart for one year without cohabitation; incompatibility, not denied; \_\_\_\_\_ and by reason thereof Plaintiff is Defendant is both parties are entitled to a legal separation.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that  Plaintiff is Defendant is both parties are hereby granted a Legal Separation from Plaintiff Defendant  each other.

The Court further finds that the parties have entered into a Separation/In-Court Agreement, which is fair, just and equitable and orders the agreement, a copy of which is attached hereto and for identification purposes marked as Exhibit A, be included herein as if fully rewritten and its terms ordered into execution.

**SPOUSAL SUPPORT**

The Court finds, upon considering all of the factors set forth in Ohio Revised Code §3105.18(C)(1) and in particular those specified below, that it is appropriate and reasonable for  Plaintiff  Defendant to pay spousal support to  Plaintiff  Defendant. The Court finds that the following factors support this award:

- Income of the parties
- Relative earning abilities of the parties
- Ages and physical, mental and emotional conditions of the parties
- Retirement benefits of the parties
- Duration of the marriage
- Extent to which it would be inappropriate for a party, because that party will be custodian of a minor child of the marriage, to seek employment outside the home
- Standard of living of the parties established during the marriage
- Relative extent of education of the parties
- Relative assets and liabilities of the parties, including but not limited to any court-ordered payments by the parties
- Contribution of each party to the education, training, or earning ability of the other party, including, but not limited to, any party’s contribution to the acquisition of a professional degree of the other party
- Time and expense necessary for the spouse who is seeking spousal support to acquire education, training, or job experience so that the spouse will be qualified to obtain appropriate employment, provided the education, training, or job experience, and employment is, in fact, sought
- Tax consequences, for each party, of an award of spousal support
- Lost income production capacity of either party that resulted from that party’s marital responsibilities
- Any other factor that is relevant and equitable:

\_\_\_\_\_

\_\_\_\_\_

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that:  Plaintiff  Defendant shall pay spousal support to  Plaintiff  Defendant in the sum of \$\_\_\_\_\_ per month, for a term of \_\_\_\_\_, commencing \_\_\_\_\_. The Court  shall  shall not retain jurisdiction to modify this order. Pursuant to Ohio Revised Code §3105.18(B), all payments shall terminate upon the death of either party or \_\_\_\_\_.

***Payment Method***

*(Check one of the following two boxes)*

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED**  Plaintiff  Defendant shall pay spousal support directly to  Plaintiff  Defendant using the following method of payment:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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If the party ordered to pay is over one month late in making the court ordered payment of spousal support, the receiving party may request to have payments withheld through the Cuyahoga Support Enforcement Agency.

-OR-

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that  Plaintiff  Defendant shall pay spousal support to  Plaintiff  Defendant through the Cuyahoga Support Enforcement Agency, in the sum of \$\_\_\_\_\_ per month, plus 2% processing charge.

The Court finds that, for purposes of this order  Plaintiff  Defendant is the support obligor (pays support) and  Plaintiff  Defendant is the support obligee (receives support).

The following information is provided in accordance with §3105.72 and §3121.30 of the Ohio Revised Code:

**SUPPORT OBLIGEE** (receives support):

Name: \_\_\_\_\_  
Social Security Number: xxx-xx-\_\_\_\_\_  
(fill in last four digits)

**SUPPORT OBLIGOR** (pays support):

Name: \_\_\_\_\_  
Social Security Number: xxx-xx-\_\_\_\_\_  
(fill in last four digits)  
Date of Birth: \_\_\_\_\_

***Temporary Support Arrearage/Overpayment***

*(Check one of the following two boxes)*

The Court finds that there are no arrearages/overpayments under temporary support orders, including but not limited to: spousal support, child support or cash medical support, and uncovered health care expenses.

-OR-

The Court finds that as of \_\_\_\_\_ the temporary support arrearage overpayment is \$\_\_\_\_\_. (Amount MUST be provided) This sum includes all sums ordered under temporary support orders, including but not limited to spousal support, child support or cash medical support, and uncovered health care expenses.

*(If there is an arrearage, check one of the following two boxes)*

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the support obligor shall pay an additional \$\_\_\_\_\_ per month toward the existing temporary support arrearage.

-OR-

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that judgment is rendered in the amount of \$\_\_\_\_\_ as and for temporary support arrears in favor of Plaintiff Defendant and against Plaintiff Defendant upon which execution may issue.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that any claims of CCJFS-OCSS for any assigned temporary support arrearage or unpaid processing charges are hereby preserved.

The Court finds that there are no arrearages/overpayments under temporary support orders, including but not limited to: spousal support, child support or cash medical support, and uncovered health care expenses.

*Total Monthly Payment of Support*

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the support obligor shall pay \$\_\_\_\_\_ per month to the support obligee. This amount includes all applicable spousal support and payment toward arrearage.

-OR-

*Total Monthly Payment of Support Administered by CJFS-OCSS*

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the support obligor shall pay \$\_\_\_\_\_ per month., plus 2% processing charge. This amount includes all applicable spousal support and payment toward arrearage.

All support under this order shall be withheld or deducted from the income or assets of the support obligor pursuant to a withholding or deduction notice or appropriate order issued in accordance with Chapters 3119., 3121., 3123., and 3125. of the Ohio Revised Code or a withdrawal directive issued pursuant to sections 3123.24 to 3123.38 of the Ohio Revised Code and shall be forwarded to the obligee in accordance with Chapters 3119., 3121., 3123., and 3125. of the Ohio Revised Code.

Payments shall be made in the manner ordered by the Court. If payments are to be made other than on a monthly basis, the required monthly administration by the CJFS-OCSS does not affect the frequency or the amount of the support payments to be made under the order.

**All support shall be paid through Ohio Child Support Payment Central (OCSPC), P.O. Box 182372, Columbus, Ohio 43218-2372.** Any payments not made through OCSPC shall not be considered as payment of support. Checks or money orders shall be made payable to "OCSPC". Cash payments to OCSPC may be made at the Cuyahoga County Treasurer, Cashier's Department, Cuyahoga County Administrative Headquarters, 2079 East 9th Street – 1st Floor, Cleveland, Ohio 44115. All payments shall include the following: Obligor's name, Social Security Number, SETS case number and Domestic Relations Court case number. **If there is to be a withholding/deduction order, the support obligor shall make payments directly to OCSPC until the income source/financial institution begins withholding/deducting in the appropriate amount.**

*Method to Secure Support Payments Administered by CJFS-OCSS*

The Court finds that the support obligor receives income from an income source or has nonexempt funds on deposit in an account at a financial institution.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that a withholding or deduction notice shall issue to:

INCOME SOURCE/  
FINANCIAL INSTITUTION: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

If withholding from a financial account, the support obligor shall immediately notify the CJFS-OCSS of the number and description of the account from which support shall be deducted, and the name, branch, business address and routing number of the financial institution if not set forth above.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the support obligor immediately notify the CJFS-OCSS, in writing, of any change in employment (including self-employment), receipt of additional income/monies or termination of benefits. The support obligor shall include a description of the nature of the employment and the name, business address and telephone number of any employer. The support obligor shall immediately notify the CJFS-OCSS of any change in the status of an account from which support is being deducted or the opening of a new account with any financial institution.

The Court finds that the support obligor has no attachable income source and has the ability to post a cash bond.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the support obligor post a cash bond in the amount of \$\_\_\_\_\_ with the Clerk of the Common Pleas Court within 30 days.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the support obligor shall immediately notify the CJFS-OCSS, in writing, if the support obligor begins to receive income from a payor. The notice shall include a description of the nature of any new employment, and the name, business address and telephone number of any new employer. When the support obligor begins to receive income from a payor, he/she may request that the Court cancel its bond order and instead issue a notice requiring the withholding of an amount from income for support in accordance with Ohio Revised Code § 3121.03(A). When the support obligor begins to receive income from a payor, the Court will collect on the bond if the Court determines that payments due under this support order have not been made and that the amount that has not been paid is at least equal to the support owed for one month under this support order. The Court shall issue a notice requiring the withholding of an amount from the support obligor's income for support in accordance with Ohio Revised Code § 3121.03(A).

The Court finds that the support obligor has no attachable income source and has no assets to post a bond.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the support obligor shall seek employment, if able to engage in employment, and shall immediately notify the CJFS-OCSS, in writing, upon commencement or change of employment (including self-employment), receipt of additional income/monies, obtaining ownership of asset of value of \$500.00 or more, receipt or termination of benefits or the opening of an account at a financial institution. The support obligor shall include a description of the nature of the employment and the name, business address and telephone number of any employer. The support obligor shall immediately notify the CJFS-OCSS of any change in the status of an account from which support is being deducted or the opening of a new account with any financial institution.

**FURTHER NOTICE FROM THE COURT OR AGENCY, WHICHEVER ISSUED THE SUPPORT ORDER. IF YOU ARE THE OBLIGOR UNDER A CHILD SUPPORT ORDER AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY BE FINED UP TO \$50 FOR A FIRST OFFENSE, \$100 FOR A SECOND OFFENSE AND \$500 FOR EACH SUBSEQUENT OFFENSE. IF YOU ARE AN OBLIGOR OR OBLIGEE UNDER ANY SUPPORT ORDER ISSUED BY A COURT AND YOU WILLFULLY FAIL TO GIVE THE REQUIRED NOTICES, YOU MAY BE FOUND IN CONTEMPT OF COURT AND BE SUBJECTED TO FINES UP TO \$1,000 AND IMPRISONMENT FOR NOT MORE THAN 90 DAYS.**

**IF YOU ARE AN OBLIGOR AND YOU FAIL TO GIVE THE REQUIRED NOTICES, YOU MAY NOT RECEIVE NOTICE OF THE FOLLOWING ENFORCEMENT ACTIONS AGAINST YOU: IMPOSITION OF LIENS AGAINST YOUR PROPERTY; LOSS OF YOUR PROFESSIONAL OR OCCUPATIONAL LICENSE, DRIVER'S LICENSE OR RECREATIONAL LICENSE; WITHHOLDING FROM YOUR INCOME; ACCESS RESTRICTION AND DEDUCTION FROM YOUR ACCOUNTS IN FINANCIAL INSTITUTIONS, AND ANY OTHER ACTION PERMITTED BY LAW TO OBTAIN MONEY FROM YOU TO SATISFY YOUR SUPPORT OBLIGATION.**

Failure to comply with this support order can result in a contempt action; and, as provided in Ohio Revised Code §2705.05, the penalty for which may be imprisonment for not more than 30 days in jail and/or fine of not more than \$250.00 for a first offense, not more than 60 days in jail and/or fine of not more than \$500.00 for a second offense, and not more than 90 days in jail and/or not more than \$1,000.00 fine for a third or subsequent offense.

***DIVISION OF PROPERTY***

***Real Property***

*(Check one of the following two boxes)*

The Court finds that neither party owns or has an interest in any real property.

**-OR-**

The Court finds that the parties have an interest in real property located at:

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

*(Check one or both of the following boxes if real property is owned)*

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Plaintiff Defendant is hereby awarded as division of property Plaintiff Defendant interest in the real property located at \_\_\_\_\_, the legal description of which is attached as Exhibit \_\_\_\_ and incorporated herein as if fully rewritten. Plaintiff Defendant is ordered to execute a Quit Claim Deed in favor of Plaintiff Defendant to said property within 14 days of the journalization of this order. Upon his/her failure to do so, this decree shall operate as a conveyance thereof, and the Clerk is directed to certify so much as is necessary of this decree to effectuate such conveyance to the county fiscal officer and county recorder.

**-AND/OR-**

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that \_\_\_\_\_

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

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Plaintiff Defendant is hereby awarded as division of property Plaintiff Defendant interest in the real property located at \_\_\_\_\_, the legal description of which is attached as Exhibit \_\_\_\_ and incorporated herein as if fully rewritten. Plaintiff Defendant is ordered to execute a Quit Claim Deed in favor of Plaintiff Defendant to said property within 14 days of the journalization of this order. Upon his/her failure to do so, this decree shall operate as a conveyance thereof, and the Clerk is directed to certify so much as is necessary of this decree to effectuate such conveyance to the county fiscal officer and county recorder.

-AND/OR-

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Retirement Assets**

*(Check one of the following two boxes)*

The Court finds that neither Plaintiff nor Defendant has retirement assets earned during the marriage.

-OR-

The Court finds that the parties have the following retirement assets earned during the marriage:

Plaintiff \_\_\_\_\_ *(name of party)* is a Participant under the \_\_\_\_\_ *(name of the plan)* administered by \_\_\_\_\_ earned through employment with \_\_\_\_\_ *(name of employer)*

Defendant \_\_\_\_\_ *(name of party)* is a Participant under the \_\_\_\_\_ *(name of the plan)* administered by \_\_\_\_\_ earned through employment with \_\_\_\_\_ *(name of employer)*

*(Check one of the following two boxes)*

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that each party shall retain any retirement assets they have earned during the marriage.

-OR-

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that any retirement assets earned during the marriage shall be divided as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Check the appropriate boxes below)*

The Qualified Domestic Relations Order(s) (QDRO) or Division of Property Order(s) (DOPO) which effectuate(s) this provision is/are attached as Exhibit \_\_\_\_\_, and incorporated herein by reference.

-OR-

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that any Qualified Domestic Relations Order (QDRO) or Division of Property Order (DOPO) necessary to implement these orders, not submitted at the time of final hearing pursuant to Local Rule 28(F)(1) of the Court of Common Pleas, Division of Domestic Relations, Cuyahoga County, Ohio, shall be prepared by Plaintiff Defendant, by \_\_\_\_\_ (date).

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Court retains jurisdiction with respect to the QDRO or DOPO to the extent required to maintain its qualified status and the original intent of the parties. The Court also retains jurisdiction to enter further orders as are necessary to enforce the assignment of benefits to the non-participant as set forth herein, including the re-characterization thereof as a division of benefits under another plan, as applicable, or to make an award of spousal support, if applicable, in the event that the participant fails to comply with the provisions of this order.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the participant shall not take actions, affirmative or otherwise, that can circumvent the terms and provisions of the QDRO or DOPO, or that may diminish or extinguish the rights and entitlements of the non-participant.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff Defendant pay to Plaintiff Defendant, as additional spousal support or property division, the expenses for his/her attorney fees in the sum of \$\_\_\_\_\_, for which judgment is rendered and execution may issue.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that all restraining orders previously issued by this Court are hereby dissolved and set aside.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Third Party Defendants are hereby dismissed from this action except for: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the costs of this proceeding shall be paid by: *(Check one of the following boxes.)*

- Plaintiff
- Defendant
- Both Plaintiff and Defendant equally
- \_\_\_\_\_.

**IT IS SO ORDERED.**

\_\_\_\_\_  
**JUDGE**

\_\_\_\_\_  
**MAGISTRATE**

\_\_\_\_\_  
**PLAINTIFF**

\_\_\_\_\_  
**DEFENDANT**

\_\_\_\_\_  
**ATTORNEY FOR PLAINTIFF**

\_\_\_\_\_  
**ATTORNEY FOR DEFENDANT**

**INSTRUCTIONS FOR SERVICE**

**TO THE CLERK:**

**PURSUANT TO CIVIL RULE 58(B), WITHIN THREE (3) DAYS OF THE FILING OF THIS JUDGMENT ENTRY, THE CLERK IS DIRECTED TO SERVE NOTICE OF THE FILING OF THIS JUDGMENT ENTRY, THE DATE OF ENTRY UPON THE JOURNAL, AND COPIES OF THE JUDGMENT ENTRY UPON THE FOLLOWING PARTIES AND COUNSEL BY U.S. MAIL AND/OR ELECTRONIC MEANS, IF AVAILABLE:**

PLAINTIFF: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
EMAIL: \_\_\_\_\_

COUNSEL FOR PLAINTIFF:  
ADDRESS: \_\_\_\_\_  
EMAIL: \_\_\_\_\_

DEFENDANT:  
ADDRESS: \_\_\_\_\_  
EMAIL: \_\_\_\_\_

COUNSEL FOR DEFENDANT:  
ADDRESS: \_\_\_\_\_  
EMAIL: \_\_\_\_\_

**THE CLERK IS FURTHER DIRECTED TO NOTE UPON THE DOCKET THE DATE OF SERVICE, THE JUDGMENT ENTRY SERVED, THE NAME AND ADDRESS OF THE PARTY SERVED, THE METHOD OF SERVICE, AND THE COSTS ASSOCIATED WITH THIS SERVICE.**