

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

	:	Case No. _____
PLAINTIFF	:	
	:	JUDGE _____
	:	
v.	:	JUDGMENT ENTRY OF DIVORCE
	:	(No Children)
	:	(No Separation/ In-Court Agreement Attached)
DEFENDANT	:	(No Spousal Support)
	:	

This cause came on for hearing on _____ 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- Complaint of Plaintiff and the evidence, Defendant having withdrawn his/her Answer or Answer and Counterclaim.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- Counterclaim of Defendant and the evidence, Plaintiff having withdrawn his/her Complaint.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 divorce.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff is Defendant is both parties are hereby granted a divorce from Plaintiff Defendant each other and that the marriage contract heretofore existing between the parties is hereby dissolved.

DIVISION OF PROPERTY

The Court finds that the duration of the marriage is from _____ until _____.

Real Property

(Check one of the following two boxes)

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

-OR-

The Court finds that one or both of the parties has/have an ownership or leasehold interest in real property located at _____.

(Check one of the following two boxes)

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff Defendant is hereby awarded as division of property Plaintiff's Defendant's 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.

-OR-

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff Defendant shall retain sole leasehold interest in the rental property located at _____ . Plaintiff Defendant shall be solely responsible for all costs associated with the lease agreement for the property as of _____.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff Defendant shall permanently vacate the real or rental property located at _____, on or before _____; thereafter Plaintiff Defendant shall have exclusive ownership and/or possession of the property, and shall indemnify and hold Defendant Plaintiff harmless from any financial liability therefor.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that _____

Other Property and Debts

(Check one of the following two boxes)

The Court finds that the parties have divided all personal property and debts to their mutual satisfaction. *(If this box is checked, skip remainder of this Section and go to RETIREMENT ASSETS)*

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that based upon the evidence presented, each party has received any separate property that he/she may have and that the parties have divided their marital property to their mutual satisfaction. Each party shall pay the debts in his and her name and hold the other harmless for those debts.

-OR-

The Court finds that the separate property, marital property and debts acquired during the marriage shall be divided as follows:

Property

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Plaintiff is hereby awarded the following items of personal property, free and clear from any claim by Defendant, subject to any indebtedness which the Plaintiff shall pay and from which the Plaintiff shall hold the Defendant harmless:

<u>ITEM</u>	<u>VALUE</u>
_____	_____
_____	_____
_____	_____
_____	_____

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant is hereby awarded the following items of personal property, free and clear from any claim by Plaintiff, subject to any indebtedness which the Defendant shall pay and from which the Defendant shall hold the Plaintiff harmless:

<u>ITEM</u>	<u>VALUE</u>
_____	_____
_____	_____
_____	_____
_____	_____

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, pursuant to Ohio Revised Code §3105.171(A)(6) and (B), the following is determined to be separate property and is awarded as follows:

<u>ITEM</u>	<u>VALUE</u>	<u>PROPERTY OF</u>	<u>AWARDED TO</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Debt

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff shall pay and hold Defendant harmless on the following debts:

<u>ITEM</u>	<u>AMOUNT DUE</u>
_____	_____
_____	_____
_____	_____
_____	_____

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Defendant shall pay and hold Plaintiff harmless on the following marital debts:

<u>ITEM</u>	<u>AMOUNT DUE</u>
_____	_____
_____	_____
_____	_____
_____	_____

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.

Equal/Equitable Property Division

(Check one of the following two boxes)

The Court finds that the above division constitutes an equal division of the property.

-OR-

The Court finds that the above division of property, though not equal, is equitable for the following reasons: _____

_____.

SPOUSAL SUPPORT

(Check one of the following two boxes)

The Court finds, upon considering the factors set forth in Ohio Revised Code §3105.18(C)(1), that spousal support is neither appropriate nor reasonable.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that neither party shall pay spousal support to the other party. The Court shall not retain jurisdiction to modify this order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff Defendant (DOB: _____) be and is hereby restored to his/her former name of _____.

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