

LITIGANT'S GUIDE TO PREPARE FOR MEDIATION OR FINAL HEARING - DIVORCE WITHOUT CHILDREN

(This is not legal advice. This outline gives general information to consider in preparing for your divorce hearing. This is not a complete list of issues you may want to address or options available to you. For legal advice regarding specific issues of your case, please consult with an attorney if you are unrepresented)

My Name is _____ My Spouse's Name is _____

My Witness(s) is _____

_____ I do not want to disclose my current address due to safety concerns. Explain.

I. JURISDICTION/BASIC INFORMATION

1. We were married at _____, on _____.
2. I was a resident of Ohio for at least six months before filing my divorce and I was a resident of _____ County in Ohio (county divorce filed in) for at least three months before I filed my divorce.
3. Neither my spouse, nor I are in the military OR my spouse/I waive his/her/my rights under the Service Member Civil Relief Act.
4. There were no minor children born or adopted of the relationship.
5. Wife is/is not pregnant.

IF APPLICABLE:

The following child(ren) were born during the marriage, but are not children of the husband (list name of child and DOB of child):

_____ I have attached a copy of the DNA Results

6. I am requesting a divorce on the following grounds: _____ (Must be the same grounds as stated in the Complaint for Divorce). Explain your grounds and present any evidence to the Court.

II. DIVISION OF PROPERTY

A. Real Property

_____ We own no real property.

_____ The Husband has real property which he owned prior to this marriage, or received by inheritance, and the Wife is waiving her claims to his real property, now and in the future. The property is located at: _____.

_____ The Wife has real property which she owned prior to this marriage, or received by inheritance, and the Husband is waiving his claims to her real property, now and in the future. The property is located at: _____.

_____ We jointly own real property and I request it be disposed of as follows:

Location of Property:

Disposed of as follows:

_____ I request that each party shall pay and hold the other harmless from any debt owing on _____ real property they receive or explain who is responsible for the debt owing on the real property and any related debt: _____

_____ Person who will be responsible for legal documents to transfer property is _____. This will happen by what date _____.

_____ Person responsible for refinancing the loan is _____. This will happen by what date _____.

_____ What happens if person awarded the real property is unable to refinance?

B. Motor vehicles

_____ There are no motor vehicles titled in either party's name.

_____ Husband shall receive, free and clear of any claims of the Wife, all right, title, and interest in the following motor vehicles:

_____ Wife will sign over title to the vehicle(s) by: _____(date)

_____ Wife shall receive, free and clear of any claims of the Husband, all right, title, and interest in the following motor vehicles:

_____ Husband shall sign over title to the vehicle(s) by: _____(date)

_____ Each party shall pay for, and hold the other harmless from, any debt owing on the motor vehicle(s) they receive or _____.

_____ Husband/Wife shall attempt to refinance the vehicle by what date?
If the vehicle cannot be refinanced, what happens?

C. Household Goods/Personal Property

_____ Our household goods and personal property are already divided.
(If property is not PHYSICALLY divided already, make list of property identifying who will receive the property to attach to the Judgment Entry).

_____ Husband shall receive the following household goods:

_____ Wife shall receive the following household goods:

_____ See the attached list for the division of household goods or list below:

D. Bank Accounts

_____ Our accounts are already divided.
_____ Husband shall receive the following account(s):

_____ Wife shall receive the following account(s):

_____ The parties have no accounts to be disposed of.

E. Stocks and/or Bonds

_____ All stocks and/or bonds are already divided.

_____ Husband shall receive the following stocks/bonds:

_____ Wife shall receive the following stocks/bonds:

_____ Wife/Husband shall be responsible for any necessary documents to divide/transfer the stocks/bonds. This will be completed by _____ (date) OR _____

_____ The parties have no stocks/bonds.

F. Pension/Profit Sharing, IRA, 401(k) and/or other Retirement Plans

_____ All pension/profit sharing/IRA, 401(k) or other Retirement Plans are already divided.

_____ Husband shall receive the following:

_____ Wife shall receive the following:

_____ Wife/Husband shall be responsible for any necessary documents to divide pension/profit sharing/IRA, 401(k) or other Retirement Plans. This will be completed by _____ (date) OR _____

_____ The parties do not have any of the above.

_____ Attach a copy of any pension/profit sharing, IRA, 401(k) and/or other retirement plans.

G. Life Insurance

_____ The cash value of all life insurance policies has already been divided.

_____ Husband shall receive the following life insurance policy, free and clear of any claims of the Wife: _____

_____ Wife shall receive the following life insurance policy, free and clear of any claims of the Husband: _____

_____ Wife/Husband shall be responsible for any necessary documents to divide/transfer the life insurance policy. This will be completed by _____ (date) OR _____

_____ The parties have no life insurance policies with a cash value.

_____ Attach a copy of any relevant life insurance policies.

III. SPOUSAL SUPPORT

_____ Neither the Wife nor the Husband shall pay spousal support now or in the future to each other.

_____ Husband shall pay spousal support to Wife in the amount of _____ per month, plus a 2% processing fee, payable through the _____ County Child Support Enforcement Agency (CSEA) effective _____, 20____ which will terminate upon the happening of the earliest of the following events:

- _____ 1. After a period of _____ months;
- _____ 2. Death of the spouse receiving or paying the spousal support;
- _____ 3. Cohabitation with another person by the spouse receiving support;
- _____ 4. Other: _____

_____ Wife shall pay spousal support to Husband in the amount of _____ per month, plus a 2% processing fee, payable through the _____ County Child Support Enforcement Agency (CSEA) effective _____, 20____ which will terminate upon the happening of the earliest of the following events:

- _____ 1. After a period of _____ months;
- _____ 2. Death of the spouse receiving or paying the spousal support;
- _____ 3. Cohabitation with another person by the spouse receiving support;
- _____ 4. Other: _____

_____ The parties agree that the Court shall/shall not have continuing jurisdiction to modify spousal support. (circle one)

IV. DEBTS

_____ Each party shall pay all debts incurred by him or her individually since the parties separation on _____ and hold the other party harmless on those debts.

_____ There is/is not a bankruptcy case pending.

_____ We have no debts.

_____ We agree to the payment of all debts we owe, and agree to hold the other party harmless on those debts, as follows:

	<u>Creditor</u>	<u>Purpose of Debt</u>	<u>Balance</u>	<u>Who Will Pay</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

_____ Bring a copy of all marital debts to the hearing.

V. ADDITIONAL TERMS YOU WANT THE COURT TO ADDRESS:

Attach additional pages if necessary.

VI. NAME CHANGE

_____ The wife DOES request she be restored to her former name of _____

_____ The wife DOES NOT request that she be restored to her former name.

WITNESS

_____ My Spouse is my witness.

_____ My witness is _____.

QUESTIONS FOR WITNESS:

1. Please state your name and address.
2. What is your relationship to me (person who filed divorce)?
3. Do you have personal knowledge that I am married to _____
4. To the best of your knowledge were we married on _____ (date)?
5. To the best of your knowledge, did I live in Ohio for at least six months before filing my divorce and did I live in _____ County for at least three months before filing my divorce on _____
6. Do I have any children, born or adopted with my spouse? If yes, names and ages.
7. Do you have any reason to believe that _____ (wife) is pregnant?
8. I filed a divorce because _____ (state the grounds for divorce). Is it your belief that the grounds for divorce are true?
9. Please explain why?
10. Other questions for your witness

LITIGANT'S GUIDE TO PREPARE FOR FINAL HEARING FOR DIVORCE WITH CHILDREN

(This is not legal advise. This outline gives general information to consider in preparing for your divorce hearing. This is not a complete list of issues you may want to address or options available to you. For legal advise regarding specific issues of your case, please consult with an attorney)

My Name is _____ My Spouse's Name is _____

My Witness(s) is _____

_____ I do not want to disclose my current address due to safety concerns. Explain.

I. JURISDICTION/BASIC INFORMATION

1. We were married at _____, on _____.
2. I was a resident of Ohio for at least six months before filing my divorce and I was a resident of _____ County in Ohio (county divorce filed in) for at least three months before I filed my divorce.
3. Neither my spouse, nor I are in the military OR my spouse/I waive his/her/my rights under the Service Member Civil Relief Act.
4. There were are _____ minor children born or adopted of the relationship.
5. Wife is/is not pregnant.

The following child(ren) were born of this marriage (list name of child(ren) and DOB of child):

The following child(ren) were born during the marriage, but are not children of the husband (list name of child and DOB of child):

_____ I have attached a copy of the DNA Results

The following child(ren) were born prior to the marriage, but husband acknowledges that he is the father of the children (list name of child and DOB of child):

_____ I have attached a copy of the DNA Results.

The following child(ren) were adopted by my spouse/myself/both (list name of child(ren) and DOB of child(ren)):

_____ I have attached a copy of the adoption papers.

The following child(ren) of our relationship (list name of the child(ren) and DOB of the child(ren)): _____ are in the physical/legal custody of _____ (name of person).

_____ I have attached a copy of the custody order/Grandparent Power of Attorney/Grandparent Affidavit/Other document (if appropriate).

6. I am requesting a divorce on the following grounds: _____ (Must be the same grounds as stated in the Complaint for Divorce). Explain your grounds and present any evidence to the Court.

II. DIVISION OF PROPERTY

A. Real Property

_____ We own no real property.

_____ The Husband has real property which he owned prior to this marriage, or received by inheritance, and the Wife is waiving her claims to his real property, now and in the future. The property is located at: _____.

_____ The Wife has real property which she owned prior to this marriage, or received by inheritance, and the Husband is waiving his claims to her real property, now and in the future. The property is located at: _____.

_____ We jointly own real property and I request it be disposed of as follows:

Location of Property:

Disposed of as follows:

_____ I request that each party shall pay and hold the other harmless from any debt owing on _____ real property they receive or explain who is responsible for the debt owing on the real property and any related debt: _____

_____ Person who will be responsible for legal documents to transfer property is _____. This will happen by what date _____.

_____ Person responsible for refinancing the loan is _____. This will happen by what date _____.

_____ What happens if person awarded the real property is unable to refinance?

B. Motor vehicles

_____ There are no motor vehicles titled in either party's name.

_____ Husband shall receive, free and clear of any claims of the Wife, all right, title, and interest in the following motor vehicles:

_____ Wife will sign over title to the vehicle(s) by: _____ (date)

_____ Wife shall receive, free and clear of any claims of the Husband, all right, title, and interest in the following motor vehicles:

Husband shall sign over title to the vehicle(s) by: _____ (date)

_____ Each party shall pay for, and hold the other harmless from, any debt owing on the motor vehicle(s) they receive or _____.

_____ Husband/Wife shall attempt to refinance the vehicle by what date?
If the vehicle cannot be refinanced, what happens?

C. Household Goods/Personal Property

_____ Our household goods and personal property are already divided.
(If property is not PHYSICALLY divided already, make list of property identifying who will receive the property to attach to the Judgment Entry).

_____ Husband shall receive the following household goods:

_____ Wife shall receive the following household goods:

_____ See the attached list for the division of household goods or list below:

D. Bank Accounts

____ Our accounts are already divided.
____ Husband shall receive the following account(s):

____ Wife shall receive the following account(s):

____ The parties have no accounts to be disposed of.

E. Stocks and/or Bonds

____ All stocks and/or bonds are already divided.

____ Husband shall receive the following stocks/bonds:

____ Wife shall receive the following stocks/bonds:

____ Wife/Husband shall be responsible for any necessary documents to divide/transfer the stocks/bonds. This will be completed by _____ (date) OR

____ The parties have no stocks/bonds.

F. Pension/Profit Sharing, IRA, 401(k) and/or other Retirement Plans

____ All pension/profit sharing/IRA, 401(k) or other Retirement Plans are already divided.

____ Husband shall receive the following:

____ Wife shall receive the following:

____ Wife/Husband shall be responsible for any necessary documents to divide pension/profit sharing/IRA, 401(k) or other Retirement Plans. This will be completed by _____ (date) OR _____

____ The parties do not have any of the above.

____ Attach a copy of any pension/profit sharing, IRA, 401(k) and/or other retirement plans.

G. Life Insurance

_____ The cash value of all life insurance policies has already been divided.

_____ Husband shall receive the following life insurance policy, free and clear of any claims of the Wife: _____

_____ Wife shall receive the following life insurance policy, free and clear of any claims of the Husband: _____

_____ Wife/Husband shall be responsible for any necessary documents to divide/transfer the life insurance policy. This will be completed by _____ (date) OR _____

_____ The parties have no life insurance policies with a cash value.

_____ Attach a copy of any relevant life insurance policies.

III. SPOUSAL SUPPORT

_____ Neither the Wife nor the Husband shall pay spousal support now or in the future to each other.

_____ Husband shall pay spousal support to Wife in the amount of _____ per month, plus a 2% processing fee, payable through the _____ County Child Support Enforcement Agency (CSEA) effective _____, 20____ which will terminate upon the happening of the earliest of the following events:

- _____ 1. After a period of _____ months;
- _____ 2. Death of the spouse receiving or paying the spousal support;
- _____ 3. Cohabitation with another person by the spouse receiving support;
- _____ 4. Other: _____

_____ Wife shall pay spousal support to Husband in the amount of _____ per month, plus a 2% processing fee, payable through the _____ County Child Support Enforcement Agency (CSEA) effective _____, 20____ which will terminate upon the happening of the earliest of the following events:

- _____ 1. After a period of _____ months;
- _____ 2. Death of the spouse receiving or paying the spousal support;
- _____ 3. Cohabitation with another person by the spouse receiving support;
- _____ 4. Other: _____

_____ The parties agree that the Court shall/shall not have continuing jurisdiction to modify spousal support. (circle one)

IV. DEBTS

_____ Each party shall pay all debts incurred by him or her individually since the parties separation on _____ and hold the other party harmless on those debts.

_____ There is/is not a bankruptcy case pending.

_____ We have no debts.

_____ We agree to the payment of all debts we owe, and agree to hold the other party harmless on those debts, as follows:

	<u>Creditor</u>	<u>Purpose of Debt</u>	<u>Balance</u>	<u>Who Will Pay</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

_____ Please attach a copy of all marital debts.

V. ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES

_____ I have concerns for my physical and/or my emotional safety and/or my childrens' safety due to my spouse's behavior. Present your evidence, testimony and witnesses at hearing.

_____ I have sought help for safety concerns for myself or my children. Please attach any relevant police reports, criminal convictions, medical reports, protection orders, a written statement from you, and any other information you want the Judge to consider. **IMPORTANT NOTE:** If you want the Judge to consider your evidence (documents, statements, other evidence), you must follow the Ohio Rules of Evidence for introducing any documents or statements at a hearing. If you do not follow the Ohio Rules of Evidence, the Judge may not be able to consider your evidence when making a decision. If you do not have an attorney, you are responsible for properly presenting your evidence in Court.

_____ My spouse or a member of his household has been convicted of domestic violence, and sexually oriented offense, menacing by stalking, child endangering, or has been found to be the perpetrator of child abuse or neglect. Bring appropriate evidence to Court. See IMPORTANT NOTE above.

_____ I have concerns about my spouse's ability to parent our children. Explain your reasons to the Judge

_____ I have concerns for my physical safety during pick up and drop off of the children for parenting time and would like an order to include a safe pick up and drop off location. Explain your reasons to the Judge..

A. Custody (Residential Parent and Legal Custodian)

_____ Wife shall be the residential parent and legal custodian of the following child(ren):

_____ Husband shall be the residential parent and legal custodian of the following child(ren):

_____ The parties have agreed to shared parenting as set forth in the attached Shared Parenting Plan.

_____ I am requesting shared parenting as set forth in the attached Shared Parenting Plan.

B. Parenting Time

_____ I am requesting the following parenting plan (attach additional pages as needed):

_____ I am requesting the parenting time schedule and rules set out in the Court's Standard Parenting Time Schedule as attached as schedule (A or B) _____ and incorporated herein within the following changes:

_____ I am requesting that Parenting time be at such time as agreed by the parties. However, if we cannot agree, we will follow the parenting time schedule and rules set out in the Court's Standard Parenting Time Schedule as attached as schedule _____ (A or B) and incorporated herein OR as follows:

_____ I am requesting that the Court Order sections _____ of the parenting time schedule and rules set out in the Court's Standard Parenting Time Schedule as attached hereto as schedule (A or B) _____

_____ I am requesting that Parenting Time with _____ be restricted as follows (Explain why):

_____ I am requesting that Parenting Time with _____ be suspended until further order of the Court for the following reasons:

C. Relocation by Residential Parent

I understand that if I intend to relocate at any time prior to the child(ren) of the parties becoming emancipated I am required to file a notice of relocation with this Court and provide a copy of the same to the opposing party. If notifying my spouse poses a risk to the health, safety and welfare of the party who is relocating, the court must be informed of the reasons for not informing the other party with the notice of relocation to the Court. The party receiving notice may request a hearing before the Court. Further, this Court may schedule a hearing in this matter on its own without a written request by receiving party.

VI. CHILD SUPPORT (attach proof of income for you and your spouse)

_____ Father (Obligor) shall pay child support to Mother in the amount of _____.

_____ Mother Obligor) shall pay child support to Father in the amount of _____.

_____ We are deviating from the child support guidelines for the following reasons:

_____ Child support was established by the _____ County Child Support Enforcement Agency on _____ date and I have attached a copy of the Order.

_____ I have a child support worksheet attached.

_____ There is an arrearage owed for child support under the temporary order that I want included in the final order. Attach a copy of a statement from Child Support Enforcement Agency documenting the arrearage.

VII. HEALTH AND MEDICAL EXPENSES

A. Each party shall have access to all medical records of the child(ren) as provided by law.

B. Check one option below and complete:

_____ The _____ (HUSBAND/WIFE) SHALL provide health insurance for the minor child(ren) of the parties. The insurance carrier is: _____ whose address is: _____ . Proof of insurance, insurance forms and an insurance card shall be submitted to the other party. A copy of medical bills must be submitted to the party holding the insurance within thirty (30) days of receipt of the medical bills.

_____ BOTH PARTIES shall provide and maintain health insurance for the benefit of the minor child(ren). The _____'s insurance carrier, whose name and address is: _____, shall be the primary and the _____'s insurance carrier, whose name and address is: _____

_____, shall be the secondary. Proof of insurance, insurance forms and an insurance card shall be submitted to the other party. A copy of medical bills must be submitted to the party holding insurance within thirty (30) days of receipt of same.

_____ NEITHER PARTY has health insurance coverage available to them at a reasonable cost through a group health insurance plan offered by an employer or through any other health insurance care policy, contract, or plan for the benefit of the minor child(ren). If health insurance coverage becomes available to either party, they shall obtain the insurance, notify the other party and submit proof of insurance, insurance forms and an insurance card. A copy of medical bills must be submitted to the party holding the insurance within thirty (30) days of receipt of same.

C. _____ Any "ordinary" medical, dental, optical, prescription and related health care expenses for the child(ren), defined as the amount of \$100.00 per year per child not covered by insurance, shall be paid by the custodial parent. The cost of any uninsured medical, dental, optical, psychological and related health care expenses, including co-payments and deductibles under any health insurance plan for the child, in excess of \$100.00 per year per child shall be considered "extraordinary" medical and related health care expenses and shall be divided between the parties as follows:

_____ as set out on the Court's schedule C, as attached

_____ % by Husband/Father

_____ % by Wife/Mother

D. Other Plan: _____

VIII. TAX EXEMPTIONS

_____ Wife shall be entitled to claim the following child(ren) as her dependents for Federal State and Local income tax purposes: _____ beginning 20____.

_____ Husband shall be entitled to claim the following child(ren) as his dependents for income tax purposes: _____ beginning 20____.

_____ Other: _____

_____ For the non-residential parent to be able to claim the child(ren) set out above, he/she must have substantially paid any support obligation for that tax year by January 15th of the following year.

IX. ADDITIONAL TERMS YOU WANT THE COURT TO ADDRESS:

Attach additional pages if necessary.

X. NAME CHANGE

_____ The wife DOES request she be restored to her former name of _____

_____ The wife DOES NOT request that she be restored to her former name.

WITNESS

_____ My Spouse is my witness.

_____ My witness is _____.

QUESTIONS FOR WITNESS:

11. Please state your name and address.
12. What is your relationship to me (person who filed divorce)?
13. Do you have personal knowledge that I am married to _____
14. To the best of your knowledge were we married on _____ (date)?
15. To the best of your knowledge, did I live in Ohio for at least six months before filing my divorce and did I live in _____ County for at least three months before filing my divorce on _____
16. Do I have any children, born or adopted with my spouse? If yes, names and ages.
17. Do you have any reason to believe that _____ (wife) is pregnant?
18. I filed a divorce because _____ (state the grounds for divorce). Is it your belief that the grounds for divorce are true?
19. Please explain why?
20. Other questions for your witness

REFERENCE GUIDE FOR LITIGANTS: SPOUSAL SUPPORT FACTORS

When determining whether spousal support is appropriate and reasonable, and when determining the amount, terms of payment, and duration of spousal support, the Court shall consider all of the following factors in 3105.18 of the Ohio Revised Code. Please explain how these factors apply in your situation.

- a. The income of the parties from all sources, including, but not limited to, income gained from property divided, disbursed, or distributed;
- b. The relative earning abilities of the parties;
- c. The ages and physical, mental, and emotional conditions of the parties;
- d. The retirement benefits of the parties;
- e. The duration of the marriage;
- f. The extent to which it is appropriate for the custodian of a minor child to remain in the home and not seek outside employment;
- g. The standard of living of the parties established during the marriage;
- h. The relative extent of education of the parties;
- i. The relative assets and liabilities of the parties, including but not limited to, any Court-ordered payments by the parties;
- j. The contribution of each party to the education, training, or earning ability of the other party;
- k. The 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;
- l. The tax consequences for each party;
- m. The lost ability to earn income by either party because of that party's marital responsibilities.
- n. Any other factor that the Court expressly finds to be relevant and equitable.

REFERENCE GUIDE FOR LITIGANTS: BEST INTEREST OF THE CHILD FACTORS

3109.04(F)(1) of the Ohio Revised Code states: **In determining the best interest of a child** pursuant to this section, whether on an original decree allocating parental rights and responsibilities for the care of children or a modification of a decree allocating those rights and responsibilities, the court shall consider all relevant factors, including, but not limited to:

- (a) The wishes of the child's parents regarding the child's care;
- (b) If the court has interviewed the child in chambers pursuant to division (B) of this section regarding the child's wishes and concerns as to the allocation of parental rights and responsibilities concerning the child, the wishes and concerns of the child, as expressed to the court;
- (c) The child's interaction and interrelationship with the child's parents, siblings, and any other person who may significantly affect the child's best interest;
- (d) The child's adjustment to the child's home, school, and community;
- (e) The mental and physical health of all persons involved in the situation;
- (f) The parent more likely to honor and facilitate court-approved parenting time rights or visitation and companionship rights;
- (g) Whether either parent has failed to make all child support payments, including all arrearages, that are required of that parent pursuant to a child support order under which that parent is an obligor;
- (h) Whether either parent or any member of the household of either parent previously has been convicted of or pleaded guilty to any criminal offense involving any act that resulted in a child being an abused child or a neglected child; whether either parent, in a case in which a child has been adjudicated an abused child or a neglected child, previously has been determined to be the perpetrator of the abusive or neglectful act that is the basis of an adjudication; whether either parent or any member of the household of either parent previously has been convicted of or pleaded guilty to a violation of section 2919.25 (domestic violence) of the Revised Code or a sexually oriented offense involving a victim who at the time of the commission of the offense was a member of the family or household that is the subject of the current proceeding; whether either parent or any member of the household of either parent previously has been convicted of or pleaded guilty to any offense involving a victim who at the time of the commission of the offense was a member of the family or household that is the subject of the current proceeding and caused physical harm to the victim in the commission of the offense; and whether there is reason to believe that either parent has acted in a manner resulting in a child being an abused child or a neglected child;
- (i) Whether the residential parent or one of the parents subject to a shared parenting decree has continuously and willfully denied the other parent's right to parenting time in accordance with an order of the court;
- (j) Whether either parent has established a residence, or is planning to establish a residence, outside this state.

(2) **In determining whether shared parenting is in the best interest of the children**, the court shall consider all relevant factors, including, but not limited to, the factors enumerated in division (F)(1) of this section, the factors enumerated in section 3119.23 (see deviation factors for child support below) of the Revised Code, and all of the following factors:

- (a) The ability of the parents to cooperate and make decisions jointly, with respect to the children;
- (b) The ability of each parent to encourage the sharing of love, affection, and contact between the child and the other parent;
- (c) Any history of, or potential for, child abuse, spouse abuse, other domestic violence, or parental kidnapping by either parent;
- (d) The geographic proximity of the parents to each other, as the proximity relates to the practical considerations of shared parenting;
- (e) The recommendation of the guardian ad litem of the child, if the child has a guardian ad litem.

REFERENCE GUIDE FOR LITIGANTS: DEVIATION FROM THE CHILD SUPPORT GUIDELINES

The court may consider any of the following factors in determining whether to grant a deviation pursuant to section 3119.23 of the Revised Code. On a separate page, please explain how it applies in your case.

(A) Special and unusual needs of the children;

(B) Extraordinary obligations for minor children or obligations for handicapped children who are not stepchildren and who are not offspring from the marriage or relationship that is the basis of the immediate child support determination;

(C) Other court-ordered payments;

(D) Extended parenting time or extraordinary costs associated with parenting time, provided that this division does not authorize and shall not be construed as authorizing any deviation from the schedule and the applicable worksheet, through the line establishing the actual annual obligation, or any escrowing, impoundment, or withholding of child support because of a denial of or interference with a right of parenting time granted by court order;

(E) The obligor obtaining additional employment after a child support order is issued in order to support a second family;

(F) The financial resources and the earning ability of the child;

(G) Disparity in income between parties or households;

(H) Benefits that either parent receives from remarriage or sharing living expenses with another person;

(I) The amount of federal, state, and local taxes actually paid or estimated to be paid by a parent or both of the parents;

(J) Significant in-kind contributions from a parent, including, but not limited to, direct payment for lessons, sports equipment, schooling, or clothing;

(K) The relative financial resources, other assets and resources, and needs of each parent;

(L) The standard of living and circumstances of each parent and the standard of living the child would have enjoyed had the marriage continued or had the parents been married;

(M) The physical and emotional condition and needs of the child;

(N) The need and capacity of the child for an education and the educational opportunities that would have been available to the child had the circumstances requiring a court order for support not arisen;

(O) The responsibility of each parent for the support of others;

(P) Any other relevant factor.

The court may accept an agreement of the parents that assigns a monetary value to any of the factors and criteria listed in this section that are applicable to their situation.

If the court grants a deviation based on division (P) of this section, it shall specifically state in the order the facts that are the basis for the deviation.

**PRO SE CLINIC
AGREEMENT FOR CLIENTS REPRESENTING THEMSELVES IN
COURT**

This is a training agreement between _____, as trainer, and _____ as student.

The trainer agrees to provide you with instructions on how to file your domestic relations case in the _____ Court in _____ County, Ohio. The instruction consists of a session with explanations on the divorce or dissolution process or other custody or post decree legal action and course materials, including sample court documents and information sheets on related topics.

You may sign up for an individual follow up appointment to have documents reviewed for completeness and notarized prior to filing a divorce or dissolution; to obtain additional documents needed during the course of your pending case in court; for assistance in setting up hearing dates or court security, and to discuss resources for students experiencing domestic violence, threats, or other safety concerns before or after filing a divorce, dissolution, custody or post decree legal action.

The instructor cannot provide legal advise during group or individual clinic sessions. Your spouse or the person whom you are filing against may have participated in the Clinic in the past or may do so in the future. The instructor and other clinic staff are not your attorney and information you provide during group or individual appointments is not confidential.

I understand that the purpose of this Clinic is instructional and educational, and is not intended as an agreement to retain legal services. The relationship between the parties to this Agreement is that of a student and teacher, and is not that of attorney and client. I understand that the trainer is not, by virtue of this Agreement or the services provided under this Agreement serving as my attorney and is not representing me in any case before the Court that is now pending or may be filed in the future.

I understand that the instruction and materials of this training relate to the practices and procedures of the _____ Court in _____ County, Ohio and may not be appropriate for use in other courts in this State or any other State.

I agree not to copy, duplicate, or distribute any or all course materials for the use or benefit of any other person.

I understand that the Clinic strongly recommends that I seek the advice of an attorney prior to filing any legal action. Self-representation may be especially detrimental to students facing any of the following circumstances:

- When there is a history of physical abuse, threats, coercion or intimidation by the other spouse/party or safety concerns;
- When you are pregnant or when custody of children is an issue;
- When you are seeking an annulment for religious or other reasons;
- When you are seeking a legal separation, but not a divorce;

- When any of the following issues that may require additional court orders or documents need to be addressed:
 - Social security benefits if you have been married 10 or more years;
 - Pension, retirement funds, 401k accounts or life or health insurance policies;
 - Alimony (spousal support);
 - Real estate;
 - Bankruptcy;
 - Foreclosure;
 -
- When your spouse or the other party is represented by an attorney.
- When a child is born during the marriage and the husband is not the father.
- When you or your spouse are in the military.

IF YOU ARE EXPERIENCING ANY OF THE ABOVE ISSUES, PLEASE NOTIFY THE INSTRUCTOR AFTER THE CLASS. IN THESE CIRCUMSTANCES, IT IS STRONGLY RECOMMENDED THAT YOU SEEK THE SERVICES OF AN ATTORNEY.

I understand that if my divorce or other legal action becomes contested, the information given in this clinic will not prepare me to represent myself and I should seek the advise of an attorney.

I understand that I can schedule additional appointments with the pro se clinic and request court security while I am in the courthouse if I have concerns for my safety by contacting the _____ County Common Pleas Court at: _____ (phone number).

I understand that I can talk to a domestic violence advocate to discuss safety planning, court advocacy, protection orders and other resources that may be available to me if I have concerns for my safety by contacting _____ (agency name) at _____ (phone number).

DATE: _____

Forms Received: _____

Student Print Name

Student Signature

Instructor

Revised 6-10-

PRO SE CLINIC

SATISFACTION SURVEY AND DEMOGRAPHIC INFORMATION (6/10/2011)

Name (Optional) _____ _____	AGE: ___ 18-21; ___ 22-25; ___ 26-40; ___ 40-60; ___ 60+ GENDER: ___ Male ___ Female	___ Single; ___ Married; ___ Separated Pregnant: Yes No Unknown Age of Your Children: _____ Number of People in Your Household: _____
ESTIMATED GROSS FAMILY INCOME: 0 - \$5,000 ___ \$5,001 - \$15,000 ___ \$15,001 - \$25,000 ___ \$25,001 - \$35,000 ___ \$35,001- \$50,000 ___ \$50,001 or more ___	RACE/ETHNICITY: ___ Hispanic ___ Black/African American ___ Asian ___ Native American ___ White/Caucasian ___ Other: _____ Primary Language: _____ Interpreter: Yes No	DISABILITY Physical Y N Mental Y N Hearing Impaired Y N Accommodations:
COUNTY AND STATE * County you live in: _____ * How long have you lived in this County: _____ * How long have you lived in Ohio: _____ * County other party lives in: _____ *State other party lives in: _____	HOUSING SITUATION: Rent Home Y N Own Home Y N In Shelter Y N Subsidized Housing Y N Housing Voucher Y N Live with Friend/Relative Y N REFERRAL SOURCE Court Y N Child Support Enforcement Agency Y N Job and Family Services Y N Children's Protective Services Y N Probation Y N Attorney Y N Friend/Family Y N Other _____ Y N	TYPE OF PROBLEM: ___ Dissolution without children ___ Dissolution with children ___ Divorce without children ___ Divorce with children ___ Custody – never married ___ Custody – divorced ___ Visitation – never married ___ Visitation - divorced ___ Protection Order ___ Contempt: ___ payment of bills ___ return of property ___ custody/visitation issue ___ Other Issue: _____ Do you have a protection order? Y N Do you have a protection order against you? Y N

I went through the Pro Se Clinic on _____ (date) in _____ County.

Rate your satisfaction with the services you received:

Very Satisfied
 Satisfied
 Not Satisfied

The Instructor Was:

Very Helpful
 Helpful
 Not Helpful

COMMENTS (What you liked about the Clinic and What Changes You Would Suggest):
