



**COURT OF COMMON PLEAS, MONTGOMERY COUNTY**  
**DOMESTIC RELATIONS DIVISION**

**DENISE L. CROSS, ADMINISTRATIVE JUDGE**

**JUDITH A. KING, JUDGE**

**PRO-SE INSTRUCTIONS FOR DIVORCES WITH CHILDREN**

**READ ALL INSTRUCTIONS PRIOR TO COMPLETING THIS PACKET. IN ADDITION TO THE FORMS ATTACHED HERETO, YOU MUST PREPARE A COMPLAINT FOR DIVORCE TO SUBMIT WITH YOUR INITIAL FILING, AND A DECREE OF DIVORCE TO SUBMIT PRIOR TO YOUR FINAL HEARING. THESE TWO DOCUMENTS ARE NOT INCLUDED WITHIN THIS PACKET, AND ARE NOT PROVIDED BY THE COURT.**

The court reviews all paperwork submitted by individuals representing themselves for compliance with local and state rules and laws. ALL EMPLOYEES OF THE DOMESTIC RELATIONS COURT ARE PROHIBITED BY LAW TO OFFER LEGAL ADVICE OR TO ASSIST YOU IN FILING FOR A DIVORCE. ALL THE INFORMATION WE CAN PROVIDE IS IN THIS PACKET. We recommend that you seek advice from an attorney.

Notice: This packet of forms and instructions are provided as a courtesy by the Domestic Relations Court. Using these forms does not relieve you of your responsibility for complying with the Ohio Rules of Civil Procedure and the Local Rules of this Court with regard to the requirements for filing a dissolution/divorce.

**COST/FILING FEE:                      \$325.00 DEPOSIT REQUIRED**

**AS OF JANUARY 1, 2006, THIS FILING DEPOSIT WILL INCREASE TO**  
**\$400**

Required documents and the amount of copies needed:

1. **Complaint for Divorce\***      **(NOT ATTACHED)**      *Original & 5 copies*  
*This is a legal pleading that must be created. The Court does not provide this document for you. Use the instructions on page three to create this document.*
2. Information for Parenting Proceeding Affidavit **(ATTACHED)**      Original & 2 copies  
*Complete all information on the attached form. Sign in the presence of a Notary Public.*

3. Affidavit of Financial Disclosure **(ATTACHED)** Original & 2 copies  
*Complete all information on the attached form. Sign in the presence of a Notary Public.*
4. Questionnaire **(ATTACHED)** Original Only  
*This form must be typed or printed legibly.*
5. Application for Child Support (IV-D) Services **(ATTACHED)** Original & 2 copies  
*Note: If you have the child(ren) in your possession and want an order for child support, you need to complete this form and return it to us.*
6. Instructions for Service **(ATTACHED)** Original & 4 copies  
*Complete all information on the service request.*

**The following paperwork is to be submitted after initial filing and at least 7 days prior to the final hearing. YOUR HEARING WILL NOT GO FORWARD IF WE HAVE NOT APPROVED THESE DOCUMENTS.**

**7. Final Judgment and Decree of Divorce\* (NOT ATTACHED)**

*This is a legal pleading that must be created. The Court does not provide this document for you. Use the guideline on page four of this packet to create this document.*

If there are children, attach to the Decree:

- a. Standard Order of Parenting Time **(ATTACHED)**
- b. Obligor's Rights and Remedies for Enforcement of Support **(ATTACHED)**
- c. Standard Order of Health Care Needs for Dependent Children **(ATTACHED)**
- d. Child Support Computation Worksheet **(ATTACHED)**
- e. Application for Child Support (IVD) Services (if not completed with original complaint) (ATTACHED)
- f. Support Enforcement Agency Information Sheet **(ATTACHED)**

When all paperwork is properly completed, signed, and notarized, send your documents to the Public Legal Specialist located at the Domestic Relations Court, 301 West Third Street, Second Floor, Dayton, Ohio 45422. The court will review it. If there are corrections, you will be notified by letter what corrections are needed. You may also leave a phone number if you wish to pick up your paperwork. If your paperwork is correct, it will be mailed back to you with an approval letter explaining that the documents must be filed with the Domestic Relations Clerk's Office at 41 North Perry Street, lower level. The filing deposit will be due at that time. The Court will notify you of your trial date by mail. Your spouse will have 28 days to file an Answer or other pleading with the Court.

**USE THE FOLLOWING GUIDELINES IN PREPARING THE COMPLAINT FOR DIVORCE  
(MUST BE TYPED):**

Complaint for divorce:

This document is your responsibility to prepare. It must be typed on 8½ x 11 paper with a 2½" top margin. Your complaint must contain a case caption at the top. (Refer to the top of your Affidavit of Financial Disclosure or to Local Rules of Court for proper caption formatting.) The body of your document must be in complete sentence format, and must contain the following information:

1. Time of residency (county and state);
2. Date of marriage, city and state where you got married;
3. Number of children born during the marriage, their names and dates of birth, and who they currently reside with. If one or more of the children were born prior to the marriage you need to indicate this, and state whether or not husband is the biological father of said child(ren).
4. State whether the wife is currently pregnant, and if so, due date.
5. State whether the parties are the owners of any real estate, joint or separate.
6. State your legal grounds for divorce. You can look at the Citizens Guide available at the court or on our website to determine what legal grounds for divorce are.
7. State what you are requesting from the court, i.e., division of all assets and debts, divorce be granted, custody, child support, etc.
8. Your complaint must be signed with your name, address and phone number appearing below your signature.

**USE THE FOLLOWING GUIDELINES WHEN PREPARING THE FINAL DECREE OF DIVORCE (MUST BE TYPED)**

This document is your responsibility to prepare. It must be typed on 8 ½ x 11" paper with a 2 ½" top margin. The decree must contain a case caption at the top. The body of the document must be written as an Order of the Court, have separate titled paragraphs and must contain the following information:

1. Time of residency (county and state);
2. Date of marriage, city and state where you got married;
3. Number of children born during the marriage, their names and dates of birth;
4. Date the parties were notified of the final hearing;
5. Date of service of the defendant;
6. Spousal support;
7. Allocation of Parental Rights and Responsibilities;
8. Health Insurance Coverage;
9. Child Support;
10. Mandatory child support language;
11. Withholding Notice language (for child and/or spousal support);
12. Paternity language, *if applicable*;
13. Parenting time schedule;
14. Real Estate;
15. Pension/Retirement;
16. Debt Allocation;
17. Personal Property;
18. Motor vehicles;
19. Income taxes;
20. Tax exemption (for minor children);
21. Life Insurance
22. Administrative Clerk Fees;
23. Signature block for parties
24. Signature block for Judge
25. Notice of final appealable.;

GREGORY A. BRUSH  
MONTGOMERY COUNTY CLERK OF COURTS

41 N. PERRY STREET, P.O. BOX 972, DAYTON, OHIO 45422

INSTRUCTIONS FOR SERVICE

\_\_\_\_\_  
PLAINTIFF / PETITIONER

-vs- / and

CASE NO. \_\_\_\_\_

\_\_\_\_\_  
DEFENDANT / PETITIONER

**PLEASE ISSUE SERVICE TO:** (Name & Address)

\_\_\_\_\_  
\_\_\_\_\_  
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**VIA:**    \_\_\_\_ **PERSONAL = MONT CNTY SHERIFF**

\_\_\_\_ **CERTIFIED MAIL**

**TO BE SERVED:** (List all documents to be served.)

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

By: \_\_\_\_\_  
Attorney for:

