

SAMPLE
DECREE OF DISSOLUTION
CHILDREN, SUPPORT AND SPOUSAL SUPPORT
(this is only a sample, not a “fill in the blank” form)
You must prepare your own Decree

COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
HAMILTON COUNTY, OHIO

Mary A. Smith : Case No. _____

Petitioner : File No. _____

: CSEA# _____

-and-

John R. Smith :

Petitioner : **DECREE OF DISSOLUTION OF MARRIAGE**

This cause came to be heard on (Insert date of hearing - Month, Day and Year), on the Petition for Dissolution of Marriage of (Insert Both Petitioner’s Names). The Court finds that both parties waived service of summons as provided by law; that both parties appeared personally at the hearing; that Petitioner (Insert 1st Petitioner’s Name) was/was not represented by counsel, Petitioner (Insert 2nd Petitioner’s Name), was/was not represented by counsel. The Court finds that it has full and complete jurisdiction to determine the case.

The Court finds that the Petitioners have been residents of the State of Ohio for at least six (6) months and Hamilton County for at least ninety (90) days immediately prior to the filing of their petition. The Petitioners were married in (Insert City and State where married) on (Insert Date of Marriage) and (Insert # of children born of the marriage) child[ren] were born issue of their marriage, namely: (Insert child[ren]’s name and date of birth), and Spouse is not now pregnant.

The Court further finds that both Petitioners have acknowledged under oath that they have voluntarily entered into the Separation Agreement appended to the Petition, that they understand the terms of the Agreement, find these terms to be fair and equitable, and have fully disclosed the value and extent of their assets and liabilities, and that they seek dissolution of their marriage. The Court hereby approves the Separation Agreement.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that a Decree of Dissolution shall be granted to the Petitioners, and the marriage relationship existing between the parties is hereby terminated and held for naught and both parties are hereby released and discharged from all obligations thereon.

IT IS FURTHER ORDERED that the aforementioned Separation Agreement, which is attached hereto and incorporated into the Court's order, shall be made a part of the Decree of Dissolution of Marriage as if fully rewritten herein.

IT IS FURTHER ORDERED that (Insert residential parent's name) is designated the residential parent and legal custodian of the minor child[ren], (Insert children's names), and (Insert non-residential parent's name) shall have parenting time with said minor child[ren] in accordance with the Court's Standard Parenting Order, a signed copy of which is attached hereto. (OR OTHER DETAILED PARENTING TIME AGREEMENT)

OR

IT IS FURTHER ORDERED that the parties have entered into a Shared Parenting Plan which has been submitted to and approved by the Court. Both parents shall be designated residential parent and legal custodian, with parenting time as outlined in the Decree of Shared Parenting, filed herewith.

IT IS FURTHER ORDERED that (Insert name of parent ordered to pay child support) (Obligor) shall pay as and for the support of the minor children the sum of \$(Insert Dollar Amount to pay) **per month, per child**, plus 2% processing charge, payable through The Office of Child Support of The Department of Jobs and Family Services for the parties' children. This order is effective (Insert date child support order begins) and is payable monthly in the total amount of \$(Insert total child support obligation), including the processing charge.

This support order amount is the same as that indicated on the signed and attached child support worksheet

OR

This support order amount is different from that indicated on the attached child support worksheet and the deviation is in the child(ren)'s best interest because: (state specific reasons).

Notwithstanding Section 3109.01 of the Revised Code, the parental duty of support to children, including the duty of a parent to pay support pursuant to a child support order shall continue beyond the child's eighteenth birthday only in accordance with Section 3119.86 of the Revised Code. The duty of support shall continue during seasonal vacations. The obligor is responsible for making payments directly to The Office of Child Support of The Department of Jobs and Family Services until such time as a deduction order takes effect. Any payment made directly to the residential parent and not through The Office of Child Support of The Department of Jobs and Family Services shall be deemed a gift and not credited to the support account.

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

sections 3123.24 to 3123.38 of the Revised Code and shall be forwarded to the obligee in accordance with Chapters 3119, 3121, 3123 and 3125 of the Revised Code. A person and/or entity required to comply with withholding or deduction notices described in Section 3121.03 of the Revised Code shall determine the manner of withholding or deducting from the specific requirement included in the notices without the need for any amendment to the support order, and a person required to comply with an order described in sections 3121.03, 3121.04 to 3121.06 and 3121.12 of the Revised Code shall comply without need for any amendment to the support order. The withholding or deduction noticed and other orders issued under sections 3121.03, 3121.04 to 3121.06 and 3121.12 of the Revised Code, and the notices that require the obligor to notify the child support enforcement agency administering the support order of any change in the obligor's employment status or of any other change in the status of the obligor's assets, are final and enforceable by the court.

EACH PARTY TO THIS SUPPORT ORDER MUST NOTIFY THE CHILD SUPPORT ENFORCEMENT AGENCY IN WRITING OF HIS OR HER CURRENT MAILING ADDRESS, CURRENT RESIDENCE ADDRESS, CURRENT RESIDENCE TELEPHONE NUMBER, CURRENT DRIVER'S LICENSE NUMBER, AND OF ANY CHANGES IN THAT INFORMATION. EACH PARTY MUST NOTIFY THE AGENCY OF ALL CHANGES UNTIL 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 OR OBLIGEE AND YOU FAIL TO GIVE THE REQUIRED NOTICES TO THE CHILD SUPPORT ENFORCEMENT AGENCY, YOU MAY NOT RECEIVE NOTICE OF THE CHANGES AND REQUESTS TO CHANGE THE CHILD SUPPORT AMOUNT, HEALTH CARE PROVISIONS, OR TERMINATION OF THE CHILD SUPPORT ORDER. 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, DRIVERS 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 TO SATISFY YOUR SUPPORT OBLIGATION.

IT IS FURTHER ORDERED THAT [Mother/Father (choose one)] shall maintain private health insurance for the parties' child/children so long as [he/she (choose one)] has accessible health insurance available for 5% or less of his/her gross annual income. A Qualified Medical Child Support Order [if no health insurance is available to either party, a Shared Liability Health Care Order] shall issue. This order shall remain in effect until the child reaches the age of eighteen (18) and no longer attends an accredited high school on a full-time basis unless otherwise ordered. Except in cases in which a child support order requires the duty of support to continue for any period after the child reaches age nineteen, the order shall not remain in effect after the child reaches age nineteen. A *Cash Medical Order* is attached and incorporated for all purposes.

IT IS FURTHER ORDERED that [Mother/Father (choose one)] shall pay spousal support in the amount of \$(Insert dollar amount to pay) per month for (Insert # of months) months, effective (Insert date spousal support shall begin) payable through the The Office of Child Support of The Department of Jobs and Family Services, plus 2% processing fee. The Court [shall/shall not(choose one)] retain jurisdiction over the term or the amount of this order.

Petitioner (Insert name of petitioner requesting name change) shall be restored to her maiden name of (Insert name to be restored to).

(Insert name of person to be responsible to pay , or ½ each) shall pay court costs.

Judge

Petitioner

Petitioner

Attorney

Attorney

REQUIRED FORMS FOR DECREE: (ORIGINAL + 4 COPIES)

- Dissolution Decree
- Separation Agreement
- Child Support Worksheet (form 7.5A or 7.6)
- Standard Parenting Order (if appropriate- form 2.7)
- Appropriate Health Care Order (7.17 if private health insurance is available- 7.20 if private health insurance is not available)
- Cash Medical Order (form 7.24)

IF SHARED PARENTING: (ORIGINAL + 4 COPIES)

- Dissolution Decree
- Separation Agreement
- Final Decree of Shared Parenting (form 2.3)
- Approved Shared Parenting Plan
- Child Support Worksheet (form 7.5A or 7.6)
- Standard Parenting Order (if appropriate- form 2.7)
- Appropriate Health Care Order (7.17 if private health insurance is available- 7.20 if not)
- Cash Medical Order (form 7.24)

ADDITIONAL FORMS: (1 COPY)

- SUPPORT ACCOUNT DATA FORM (CDR4905)
- COPY OF IV-D APPLICATION
- HEALTH CARE VERIFICATION (IF APPROPRIATE- FORM 7.21)