

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

_____ : CASE NO. _____
 PLAINTIFF :
 :
 vs. : JUDGE _____
 :
 _____ :
 DEFENDANT :

JUDGMENT ENTRY OF DIVORCE
 (No Children)
 (Separation/In-Court Agreement Attached)
 (No Spousal Support)

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- Complaint of Plaintiff and the evidence, Defendant having withdrawn his/her Answer or Answer and Counterclaim.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- Counterclaim of Defendant and the evidence, Plaintiff having withdrawn his/her Complaint.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 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.

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 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.

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 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 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

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.