

**IN THE FRANKLIN COUNTY COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS AND JUVENILE BRANCH**

| | | | |
|-----------|--|------------|--|
| Plaintiff | | Case No. | |
| | | Judge | |
| v. | | Magistrate | |
| Defendant | | | |

Instructions: This motion and affidavit is to be filed with all requests for temporary orders in action for divorce and legal separation pursuant to Local Domestic Rule 13. The motion shall be scheduled for a non-oral hearing on temporary orders and a status conference with the assigned magistrate. If more space is needed, add additional pages.

**MOTION AND AFFIDAVIT OR COUNTER AFFIDAVIT
FOR TEMPORARY ORDERS
WITHOUT ORAL HEARING**

Check one box below to show whether you are filing a (1) Motion and Affidavit or (2) Counter Affidavit.

(1) Motion and Affidavit

(Print Your Name) _____ files this Motion and Affidavit under Rule 75(N) of the Ohio Rules of Civil Procedure to request the temporary orders checked here.

- Check only those that apply.
- | | |
|-------|--|
| _____ | Residential parenting rights (custody) |
| _____ | Parenting time (visitation) |
| _____ | Child support |
| _____ | Spousal support (alimony) |
| _____ | Payment of debts and/or expenses |

THE OTHER PARTY HAS 14 DAYS FROM THE DATE ON WHICH THIS MOTION IS SERVED, OR ON THE DATE DESIGNATED BY THE MAGISTRATE AT THE STATUS CONFERENCE, TO FILE A COUNTER AFFIDAVIT AND SERVE IT UPON THE PARTY WHO FILED THE MOTION. (See below.)

(2) Counter Affidavit

(Print Your Name) _____ files this Counter Affidavit in response to a Motion and Affidavit.

Complete the following information, whether filing Motion and Affidavit or Counter Affidavit. Check all that apply.

1. My spouse and I are living separately.
 Date of separation is _____ .
- My spouse and I are living together.
- We have no minor children. (Skip to number 5.)
- There are minor child(ren) who are adopted or born of this marriage.
 (List children here.)

| Name | Date of birth | Living with |
|-------|---------------|-------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

- In addition to the above children there is/are in my household:
 _____ adult(s)
 _____ other minor and/or dependent child(ren).

2. My child(ren) attend(s) school in:
- Father's school district
- Mother's school district
- Open enrollment
- Other (Explain.) _____ .
- All children do not attend school in the same district. (Explain.)

3. I request to be named the temporary residential parent and legal custodian of the child(ren).
 (Specify child(ren) if request is not for all children.) _____
- I do not object to my spouse being named the temporary residential parent of the child(ren).
- I request the following parenting time order:
- The Court's standard parenting order (See county's local rules of court.)
 - A specific parenting time order as follows:

I have reached an agreement regarding parenting time with my spouse as follows:

I request that my spouse's parenting time (visitation) be supervised. (Explain--supervised parenting time order will NOT be granted if the reasons are not explained.)

Name of an appropriate supervisor _____

4. A court or agency has made a child support order concerning the child(ren).

Name of Court/Agency _____

Date of Order _____

SETS No. _____

5. I request the Court to order my spouse to pay:

\$ _____ child support per month (attach required proposed child support worksheet)

\$ _____ spousal support per month

\$ _____ attorney fees, expert fees, court costs

The following debts and/or expenses:

Other

6. I am willing to attend mediation.

I am not willing to attend mediation.

I request the following court services. (See local rules of court for available services.)

State specific reasons why court services are required.

OATH

(Do not sign until notary is present.)

I, (print name) _____, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

Sworn before me and signed in my presence this _____ day of _____, _____.

Notary Public
My Commission Expires:

NOTICE OF HEARING

You are hereby given notice that this motion for temporary orders is schedule for non-oral hearing and a status conference before Magistrate _____, Hearing Room _____, at 8:30 a.m. on _____, 20____, at 373 South High Street, Columbus, Ohio 43215 _____, Third Floor .

CERTIFICATE OF SERVICE

Check the boxes that apply.

I delivered a copy of my: Motion and Affidavit or Counter Affidavit

On: (Date) _____, 20____

To: (Print name of other party's attorney or, if there is no attorney, print name of the party.)

At: (Print address or fax number.) _____.

- By: U.S. Mail
 Fax
 Messenger
 Clerk of courts (if address is unknown)

Your Signature