

## **INSTRUCTIONS FOR FILING FOR TERMINATION OF MARRIAGE BY DISSOLUTION WITH NO MINOR CHILDREN**

You must print clearly or type the information that you fill out for each case. If the forms are not completely filled out, the Court will not accept the forms for filing. If you do not know an answer, you must state “unknown”. Once the clerk has given your case a case number, you will use that case number in all documents that are filed in this case.

The filing fees for court costs for a Dissolution of Marriage are \$350. The above filing fees are deposits for court costs. Court costs in your case may be more or less than the deposit. The Court will decide who pays the court costs at the end of the case.

If you do not have funds to pay the filing fee, you must complete the “Poverty Affidavit” and Motion to file without payment of court costs, **Court Form 1**, which must be signed in front of a notary and then notarized by the notary public, and the Court will then determine whether you qualify to have the filing fee waived. It is possible that you will still have to pay the court costs, in whole or part, at the end of the hearing.

### **Petition for Dissolution**

If you are filing a Petition for Dissolution of Marriage, you must have completed the following:

1. The Petition for Dissolution of Marriage, signed by both parties.
2. A completed Separation Agreement
3. The Classification form **Court form 2**
4. The Affidavit of Income and Expenses, which must be signed in front of a notary and then notarized by the notary public. **Court form 4**
5. The Affidavit of Property, which must signed in front of a notary and then notarized by the notary public. **Court Form 8**
6. The Judgment Entry of Dissolution of Marriage.

You must provide the Clerk of Court with the original and three copies of all the above when you file the Petition.

## **Disclaimer**

Please be aware that these forms do not include instructions or legal advice regarding your rights, responsibilities, and legal options.

To be fully informed and get answers to your questions, you should seek the advice of an attorney.

**IN THE COURT OF COMMON PLEAS**  
**Domestic Relation Division**  
**SENECA COUNTY, OHIO**

Name	:	
	:	Case No. <span style="border-bottom: 1px solid black; display: inline-block; width: 350px;"></span>
	:	
Street Address	:	
	:	Judge <span style="border-bottom: 1px solid black; display: inline-block; width: 350px;"></span>
City, State and Zip Code	:	
Petitioner	:	
	:	Magistrate <span style="border-bottom: 1px solid black; display: inline-block; width: 350px;"></span>
and	:	
	:	
Name	:	
	:	
Street Address	:	
	:	
City, State and Zip Code	:	
Petitioner	:	

**Instructions:** This form is used to request ending the marriage when the parties have agreed on all aspects of the termination, including the division of real estate, personal property, debts, spousal support, and, if there is/are (a) child(ren), allocation of parental rights and responsibilities (custody), parenting time (companionship and visitation) and child support. A [Separation Agreement](#) and either a [Shared Parenting Plan](#) or a [Parenting Plan](#), if applicable, must be filed with this Petition.

**PETITION FOR DISSOLUTION OF MARRIAGE AND  
WAIVER OF SERVICE OF SUMMONS ☐ WITH CHILDREN ☐ WITHOUT CHILDREN**

The Petitioners, Husband,  (name) and  
Wife,  (name), say as follows:

1. The ☐ Husband ☐ Wife ☐ Both parties has/have been (a) resident(s) of the State of Ohio for at least six months.
2. The ☐ Husband ☐ Wife ☐ Both parties has/have been (a) resident(s) of Select County County for at least 90 days immediately before the filing of this Petition.
3. The Petitioners were married to one another on  (date of marriage) in  (city or county, and state).

4. Check all that apply:

- ☐ The Wife is not pregnant.
- ☐ The Wife is pregnant and the approximate due date is \_\_\_\_\_.
- ☐ No children were born from or adopted during this marriage or relationship.
- ☐ All children born from or adopted during this marriage or relationship are adults and not mentally or physically disabled child(ren) incapable of supporting or maintaining themselves.
- ☐ The Petitioners are the parents of \_\_\_\_\_ (number) child(ren) born from or adopted during this marriage or relationship. Of the child(ren), \_\_\_\_\_ (number) is/are emancipated adult(s) and not under any disability. The following \_\_\_\_\_ (number) of child(ren) is/are minor child(ren) and/or mentally or physically disabled and incapable of supporting or maintaining themselves (name and date of birth of each child):

Name of Child	Date of Birth
_____	_____
_____	_____
_____	_____

- ☐ Husband is not the biological father of the following child(ren) who was/were born during the marriage (name and date of birth of each child): \_\_\_\_\_

5. ☐ The following child(ren) of this marriage or relationship is/are subject to a custody or parenting order in a different Court proceeding (name of each child and the Court that issued the custody or parenting order): \_\_\_\_\_

6. ☐ The Petitioners have entered into a Separation Agreement which is attached.

If Petitioners have (a) minor child(ren) (select one):

- ☐ The Petitioners have agreed to a Parenting Plan which is attached.
- ☐ The Petitioners have agreed to a Shared Parenting Plan which is attached.

7. The Petitioners further say as follows:

- ☐ We are both over 18 years of age.
- ☐ We are not under any legal disability.
- ☐ We waive all rights to receive summons for the dissolution action through the Clerk of Courts.
- ☐ We have read this Petition and voluntarily ask this Court to dissolve the marriage.

8. ☐ The Petitioner \_\_\_\_\_ requests to be restored to the former name of: \_\_\_\_\_

The Petitioners request the Court for a Decree of Dissolution of their marriage pursuant to the terms of the Separation Agreement and the Shared Parenting Plan or Parenting Plan, if there is/are (a) child(ren).

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Your Signature (Husband)

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Your Signature (Wife)

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Telephone number at which the Court may reach  
you or at which messages may be left for you

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