

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

PLAINTIFF	:	Case No. _____
	:	
	:	JUDGE _____
	:	
v.	:	<b>JUDGMENT ENTRY OF DIVORCE</b>
	:	(With Children)
DEFENDANT	:	(No Personal Jurisdiction)
	:	
	:	

This cause came on for hearing on \_\_\_\_\_ 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.

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 venue is proper in this county.

The Court further finds that Defendant was not a resident of the State of Ohio at any time during the marriage and did not live in the marital relationship with Plaintiff within the State of Ohio, and therefore the Court is without personal jurisdiction over the Defendant.

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 is/are \_\_\_ minor child(ren) of the marriage, to wit:

Full name and Date of Birth of each child:

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The Court further finds that Plaintiff has established the cause of  living separate and apart for one year without cohabitation;  incompatibility, not denied;  \_\_\_\_\_ and by reason thereof Plaintiff is entitled to a divorce.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Plaintiff is hereby granted a divorce from Defendant and that the marriage contract heretofore existing between the parties is hereby dissolved.

***DIVISION OF PROPERTY***

The Court finds that the duration of the marriage is from \_\_\_\_\_ until \_\_\_\_\_.

***Real Property***

The Court further finds that the parties own real estate located in the State of Ohio, and that this Court therefore has in rem jurisdiction over this real property.

*(Check one of the following two boxes)*

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Plaintiff Defendant is hereby awarded as division of property Plaintiff's Defendant's 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.

**-OR-**

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that Plaintiff Defendant shall retain sole leasehold interest in the rental property located at \_\_\_\_\_. Plaintiff Defendant shall be solely responsible for all costs associated with the lease agreement for the property as of \_\_\_\_\_.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff Defendant shall permanently vacate the real or rental property located at \_\_\_\_\_, on or before \_\_\_\_\_; thereafter Plaintiff Defendant shall have exclusive ownership and/or possession of the property, and shall indemnify and hold Defendant Plaintiff harmless from any financial liability therefor.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that \_\_\_\_\_

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***ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES***

The Court finds that the minor child(ren) of the marriage reside with the Plaintiff and that the State of Ohio is their home state pursuant to Ohio Revised Code §3127.01. The Court further finds that this State has the jurisdiction to make an initial custody determination pursuant to Ohio Revised Code §3127.15 and that it is in the children's best interest that Plaintiff be designated as the residential parent and legal custodian. In determining the best interest of the child(ren) in allocating parental rights and responsibilities, the Court has considered all relevant factors, including but not limited to, those factors set forth in Ohio Revised Code §3109.04(F).

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that parental rights and responsibilities are allocated primarily to Plaintiff who is hereby designated the residential parent and legal custodian of the minor child(ren). Defendant may petition the court for parenting time after completion of the court-approved parenting seminar for divorcing parents pursuant to Local Rule 34. Journalization of this entry granting the divorce shall not be delayed due to Defendant's failure or delay in completing the court-approved parenting seminar.

The Court finds that since it does not have personal jurisdiction over the Defendant, any child support order must be established via a Uniform Interstate Family Support Act (UIFSA) action in Defendant's home state.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Plaintiff (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 Plaintiff.

**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.**