What to Expect as a Self-Represented Litigant in a Domestic Relations Trial or Evidentiary Hearing

This booklet is intended to be an informative and practical resource for understanding the basic procedures of Domestic Relations Court. The statements in this booklet do not constitute legal advice and may not be cited as legal authority. This booklet does not take the place of the Ohio Rules of Civil Procedure, the Ohio Rules of General Practice, the Ohio Rules of Evidence, or the individual practices of the judicial officers of this Court. All parties using this booklet are responsible for complying with all applicable court rules. If there is any conflict between this booklet and the applicable court rules, the court rules govern.

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Introduction

This booklet is for parties representing themselves and preparing for trial or an evidentiary hearing in Domestic Relations Court. Trials and hearings are complicated, but this booklet is meant to make them more understandable. Domestic Relations Court trials and evidentiary hearings generally do not involve a jury. Instead, the judicial officer decides what facts are proven and issues an order. This booklet does not cover issues related to juries.

Communicating with Court Staff and Judicial Officers

It is important that you communicate with court staff, magistrates, and judges appropriately. Court staff are ready to help you in whatever way they can. Their role is to provide you with information, not legal advice.

"Ex parte" is a Latin phrase meaning "on one side only; by or for one party." An ex parte communication is when a party to a case, or someone involved with a party, talks or writes to or otherwise communicates directly with the magistrate or judge about the issues in the case without the other parties' knowledge. Ex parte communications only occur for domestic civil protection order cases. Magistrates and judges cannot consider ex parte communications in deciding a case unless expressly allowed by law. This helps magistrates and judges decide cases fairly since their decisions are based only on the evidence and arguments presented to the court and the applicable law. The rule ensures that the court process is fair and that all parties have the same information as the magistrates and judges who will be deciding the case.

Please be respectful when communicating with court staff, magistrates, and judges.

Phases of a Domestic Relations Case: Divorce

While there is really no such thing as a "typical" case, many domestic relations cases will include the phases listed below. This booklet will cover only the Pretrial phase and the Trial phase in detail. Many other hearings may happen before the trial or instead of a trial. A trial is not the same as a motion hearing. This booklet does **not** explain what happens at motion hearings. Carefully read all orders and letters from the court to understand what is expected at each hearing.

- **Initial phase:** In this phase, the Plaintiff serves paperwork (often, a "Summons" and a "Complaint") to start the court case, and the other party (called the "Defendant") can serve a response ("Answer and Counterclaim") on the Plaintiff. The Complaint states what the Plaintiff is asking the court to order. The Defendant uses the Answer and

Counterclaim to respond to the Plaintiff's request and state what they are asking the court to order.

- **Discovery/Evaluation phase:** During this phase, the parties exchange information and may participate in different types of evaluations. The exchange of information ("discovery") can be done informally (for example, through email requests) or formally through interrogatories, requests for production of documents, depositions, and requests for admission. These are set out in Ohio Rules of Civil Procedure Rules 26-37. Other processes, such as custody evaluations, financial evaluations, chemical dependency evaluations, or psychological evaluations may be ordered by the Court to help gather information.
- **Pretrial phase:** In this phase, the parties start getting ready for trial. They get their evidence and witnesses in order, and they may file motions with the court to narrow the issues for trial. This is also when the parties may try to settle the case.
- **Trial phase:** During this phase, the case is heard by a magistrate or judge. This could last for a couple of hours or many days, depending on the case's complexity. Parties present their evidence, including witnesses and exhibits, and the magistrate or judge decides the case and issues an order.
- **Post-trial phase:** During this phase, one or both of the parties might appeal the decision from trial. Other post-decree issues may come up after the trial, including requests to change to child support or parenting time schedules.

Settlement

Many cases settle before the trial day or even on the day of trial. "Settle" means that the parties reach an agreement, and the judicial officer approves the agreement. You may be asked many times at different stages of the case to try to settle your dispute.

The magistrate or judge may also schedule a "Pretrial Conference" to talk with the parties about the trial issues and evidence and take steps to speed up the actual trial. You should attend the Pretrial Conference prepared to offer a solution to settle the case and be ready to consider settlement offers from the other side. Each time you have a hearing, including at the trial, you can expect the judicial officer to ask you and the other party what you have done to try to settle the case.

As part of the pre-trial work, you and the other side might create a list of facts you agree on. This is referred to as "Stipulated Facts." Agreeing that certain things are true will shorten the time it takes to try the case and can help limit the number of witnesses needed.

A settlement allows the parties to find creative solutions that fit their needs and allows parties to have a "known" result in their case. Going to trial means the magistrate or judge decides the outcome of the case instead of the parties. If you and the other party reach an agreement before the trial day, call your judicial officer's staff right away.

Role of the Magistrate and Judge

The role of the magistrate or judge is to oversee the trial or evidentiary hearing and make sure that both sides have an opportunity to be heard as the rules of procedure and evidence allow. The magistrate or judge also decides if the Plaintiff has proven their case, and what the outcome will be. The magistrate or judge and their staff can give you general guidance, but if you are representing yourself, you need to decide, within the scope of the issues raised in the Complaint and Answer and Counterclaim, what topics to cover, what evidence is important, and what questions to ask of witnesses.

The magistrate and judge must be neutral. In other words, the magistrate or judge must listen to both sides. They may ask a question of a witness to clarify something, but they will not take over and ask all questions they think are important. It is your case, and you decide what you want the magistrate or judge to hear and see.

Rules of Evidence and Rules of Civil Procedure

OH Rules of Civil Procedure
(https://www.supremecourt.ohio.gov/docs/LegalResources/Rules/civil/CivilProcedure.pdf)
OH Rule of Evidence
(https://www.supremecourt.ohio.gov/docs/LegalResources/Rules/evidence/evidence.pd)
Local Court Rules
(https://www.supremecourt.ohio.gov/docs/LegalResources/Rules/practice/rulesofpractice.pdf)

Witnesses

You are responsible for making sure your witnesses appear for the trial. Plan ahead. The magistrate or judge will not reschedule the trial to let you arrange for witnesses you could have contacted earlier. You should contact your witnesses as soon as the court schedules your trial date.

Witnesses must be available the day of the trial. Some witnesses may not be allowed to testify. They must be able to offer admissible evidence, which means that a witness must have first-hand knowledge of what they are going to testify about. For example:

1. Your witness, Mary, testifies that the other party regularly leaves your joint minor child alone.
2. An objection is made because of lack of personal knowledge.
3. You then ask Mary how she knows that the other party leaves the minor child alone.
    - If Mary says something like, “My friend was there and told me about it,” Mary’s statement will not be allowed because she does not have first-hand knowledge.

- If Mary says she saw the other party leave the minor child alone, she has first-hand knowledge.

Even if the testimony is admissible, if multiple witnesses are repeating the same information, the magistrate or judge may not allow them all to testify due to time concerns. Sometimes a party will call an "expert witness" to testify in their case. An expert is someone with scientific, technical, or other special knowledge about a certain topic (for example, an accountant, appraiser, psychologist, Guardian ad Litem, etc.). Experts often testify to give their professional opinion about a fact of the case, such as the value of property or a certain recommendation for custody or parenting time.

Rule 702 of the Ohio Rules of Evidence requires that the reliability of the expert's testimony be established. To do that, you must "lay the foundation" of the expert's qualifications on the topic by asking questions about their education and professional experience. As with all evidence, the expert's testimony is also subject to the hearsay rule and other Ohio Rules of Evidence.

Subpoenas

The only way to try to guarantee that a witness will come to court to testify or bring documents is to use a subpoena. A subpoena is a court order telling someone to appear in court and/or produce documents or records. If you need to subpoena a witness, review Rule 45 of the Ohio Rules of Civil Procedure. If your witness agrees to come to court, you do not need a subpoena. If you need to subpoena a witness, do so as soon as possible. Subpoenas are available in the Clerk of Courts Office (Third Floor, 800 Broadway Street, Cincinnati OH 45202).

Preparing Evidence

Evidence includes witness testimony, your testimony, documents, pictures, or other objects. Documents, pictures, and other objects are called "exhibits." Generally, evidence, including exhibits, must be presented the day of trial. Evidence cannot be submitted after the trial (except by order of the magistrate or judge in some unusual situations). Magistrates or judges often send the parties a "Scheduling Order" requiring them to exchange "Exhibit Lists" and "Witness Lists" by a certain date. The judicial officer may also require the parties to show each other their exhibits before the day of trial. This allows both sides to better prepare for trial.

The magistrate or judge cannot investigate or gather evidence. It is your responsibility to have all the evidence available and present it during trial. You will generally not be allowed to use your phone to present evidence (for example, showing the magistrate or judge text

messages or pictures on your phone). You need to be prepared ahead of time to present any evidence in the proper format.

Before the trial starts, the magistrate or judge might ask if you and the other party have "stipulated" to the admissibility of any of the documents or objects. Stipulating to admissibility means that both sides agree that a document or object should be considered as evidence in the trial. It is common to stipulate to the admissibility of evidence if there is no dispute that the document or object is authentic. For example, both sides might stipulate to the admissibility of Federal Income Tax Returns. Even though copies of the returns are admitted into evidence, you still need to explain to the magistrate or judge the significance of the information. How does the information in the tax returns support your claim? Likewise, the other side can use the tax returns to support their version of what happened.

Copies of the Exhibit Lists (Form 20.0) and Witness Lists (Form 9.4) can be found on the Hamilton County Court of Domestic Relations Website. (www.https://www.hamiltoncountyohio.gov/government/courts/court_of_domestic_relations/forms___procedures)

You must request the Court to admit your exhibits into evidence as you use them or before your case presentation is over.

Marking Exhibits

At the trial, each party's exhibits will need to be "marked." Exhibits are marked by placing a sticker on the document or object with consecutive numbers (for example, "Exhibit 1," "Exhibit 2," "Exhibit 3," etc.). Exhibits are marked before the trial day. Plaintiff's exhibits are numbered (1, 2, 3 etc.) and Defendant's exhibits use alphabetic letters (A, B, C etc.).

Exhibit and Witness Lists

Even if the magistrate or judge does not order them to be exchanged before the trial, it is a good idea to create Exhibit and Witness Lists. The Exhibit List is a listing of all the documents and objects you plan to offer into evidence at the trial. A Witness List is a listing of all the witnesses you plan to have testify at the trial.

Creating a list will help you organize your case before the trial, and during the trial you can check the list to help avoid forgetting anything. As mentioned above, the magistrate or judge may also require you to give an Exhibit and/or Witness List to the other side before the trial. Trials will generally be held in-person. Keep in mind that if your trial is held remotely, different requirements for exhibits may apply. On the day of an in-person trial (or before, if ordered to do so earlier), you must have the original document or object, and at least 3 copies of any documents. One copy is for the magistrate or judge, one copy is for you, and one copy is

for the other party (you will need more copies if there are additional parties). During the trial, the witness will be looking at the original document, and the original will be offered into evidence, but you need to have copies available for all parties to look at while the witness is testifying. If the judicial officer admits (accepts) the document into evidence, it becomes part of the trial record.

Copies of the Exhibit Lists (Form 20.0) and Witness Lists (Form 9.4) can be found on the Hamilton County Court of Domestic Relations Website. (www.https://www.hamiltoncountyohio.gov/government/courts/court_of_domestic_relations/forms___procedures)

Trial Notebook

Attorneys often create what is called a "trial notebook," and you can too. This helps you organize all the parts of your case (Opening Statement, Witness List, Exhibit List, copies of exhibits, questions you plan to ask each witness, Final Argument, etc.). Before creating your trial notebook, think about what you need to prove. A two-column chart can be helpful. On the left, list each fact that supports your case. On the right, list the evidence that will prove each fact. Use the chart as you decide what evidence you will need, and as you create a list of questions for each witness. The trial notebook is only for your use. You do not give a copy to the judicial officer or to the other parties.

Trials are scheduled for a set period of time. If the Scheduling Order does not tell you the length of the trial, contact the Docket Office at (513)946-9043 to see how much time is scheduled for the trial. Knowing how long you have for the trial will help you prepare. You need to be organized and figure out how long you want to spend with each witness and topic.

The Trial

At the trial, things will happen in this order:

- Opening statements
- Plaintiff's case-in-chief (witnesses and exhibits)
- Defendant's case-in-chief (witnesses and exhibits)
- Final arguments (also called closing statements)

Be on time for your trial, and dress appropriately. Make sure you know if your trial is in-person or remote. If in person, allow yourself extra time in case you run into traffic or weather issues, and allow time to find parking and go through security when you enter the courthouse. If your trial is virtual, make sure you test your technology ahead of time and allow plenty of time to log in. If you are not in the courtroom (in-person or virtual courtroom) when the clerk

calls the case, you may be considered in "default" and the magistrate or judge could grant the other party's requests in full. If you have an emergency or are delayed, call the Docket Office at (513)946-9043 and let them know. Even if you call, the court may hold the hearing without you, and you could lose by default.

Be prepared that your trial may take longer than expected. If your trial is in-person, consider taking a bus or parking in a ramp instead of at a meter to avoid worrying about an expired meter. Arrange for childcare and let your employer know that you might be delayed, if needed. There is a possibility that unanticipated or emergency situations will come up that your magistrate or judge will need to handle. This means your trial may be delayed or interrupted.

Courtroom Behavior, including Remote Hearings

You do not have to buy new clothing for court, but remember it is a formal place and you want to be conservative and respectful in dress and behavior. Do not bring children unless the magistrate or judge has told you to bring your children to the trial.

Certain behaviors are not allowed in a courtroom (whether it is in-person or virtual) because they are noisy, distracting, or disrespectful. You should not chew gum, eat, sleep, listen to earphones, use a cell phone (except in silent mode in some cases), carry a weapon, or use a camera, including cell phone cameras (unless otherwise allowed) and there is no recording allowed.

During the trial, you should listen carefully to the magistrate or judge and the other party. Ask the magistrate or judge for permission to speak. You should talk directly to the magistrate or judge, not the other party. When you talk to the magistrate or judge, start by saying, "Your Honor." Speak loudly and clearly and remember that only one person can speak at a time. The Court has a microphone system and all hearings are recorded. The microphone can only clearly record one speaker at a time. Avoid arguing with or interrupting another person and try to control your emotions.

Opening Statement

Opening statements are the first part of a trial. For your opening statement, briefly summarize what the case is about, what outcome you will ask for, and what evidence you will present that relates to the case. The evidence consists of witness testimony and exhibits the judicial officer receives in evidence.

The opening statement is not your testimony. Testimony is given later, under oath. The opening statement is not a time for making your arguments. That comes later in the closing argument (also called final argument). In some cases, the magistrate or judge may not allow the

parties to make opening statements, especially if the case is simple and the time available for the trial is short.

Plaintiff and Defendant's Case-in-Chief

After the opening statements, the Plaintiff presents their evidence. This is called the Plaintiff's case-in-chief. When the Plaintiff is done with all their witnesses and evidence, it is then the Defendant's turn to present their case-in-chief.

Your case-in-chief may consist only of your testimony under oath, or it may include the testimony of other witnesses. If you have other witnesses, tell your judicial officer who will testify first, second, third, and so on. The magistrate or judge may also ask you to summarize what each witness will say before the witness is called. Be prepared to explain in a few sentences how the witness' testimony is important to your case.

Direct Examination

When you call a witness to testify, you must ask them questions. This is called "direct examination." It is helpful to have a list of questions to refer to as you do your direct examination of each of your witnesses. You can tell your witnesses before the trial what you plan to ask so your witnesses are prepared.

During direct examination, you should ask one question at a time. It is difficult for the witness to respond to complex or compound questions (multiple questions asked at the same time). Also, keep in mind that you cannot testify while asking your witness questions; you can only testify if/when you are a witness on the stand and placed under oath. Often, the whole story does not come out until several witnesses have testified. The magistrate or judge may make notes to remember the testimony of each witness, and in your final argument, you can explain how all the evidence fits together.

Sometimes a witness is hostile or not answering as you expected. Do not argue with a witness. Just ask questions.

Cross-Examination

When you are finished asking questions (direct examination) of your witness, tell the magistrate or judge. The other party (or their lawyer if they have one) will then ask questions of the witness. This is called "cross- examination." The questions asked during cross-examination must be related to the testimony the witness just gave in direct examination. Cross-examination is used to clarify the witness' testimony and can also be used to undermine or discredit the testimony. For example, if a witness, an appraiser, testified about the fair market

value of the marital homestead, you might ask questions in cross-examination about properties that the appraiser used as comparable to establish the fair market value.

Cross-examining a witness can be difficult. Non-lawyers often have trouble asking questions of the witness instead of making their own statements or arguments. Like in direct examination, you cannot testify when you are cross-examining a witness. You can only ask questions of the witness. The magistrate or judge may give you another chance to get it right or may say something like "you can testify when you are on the stand as a witness" and end the cross-examination. You will have your opportunity to cross examine the witness(es) the other party calls to testify.

Redirect Examination (also called Rebuttal)

After the other party cross-examines your witness, you may ask the witness more questions in what is called "redirect examination," or "rebuttal," but those questions must be related to something discussed on cross-examination. Do not feel that you must ask questions on redirect examination. It is fine to say that you have no further questions.

Testifying as a Witness in Your Own Case

If you testify as a witness in your case, you will take an oath. After you are sworn in, the magistrate or judge will let you testify, where you will tell the facts of the case as a story. When you are finished with your testimony, the other party (or their lawyer if they have one) will be able to ask you questions on cross-examination. The magistrate or judge may also ask you questions.

Introducing Evidence

In addition to witness testimony, you may have documents or objects you want to use as evidence. Paperwork you may have filed with the court before the trial is not evidence. If you want the court to use something as evidence, list it as an exhibit in your Exhibit List and offer it as evidence at the trial.

To offer an exhibit as evidence, you usually need a witness who can tell the court what the exhibit is. For example, if you have photos, the person who took the photos should testify about them, if possible, to explain when and where the photos were taken. You can be the witness if you have sufficient knowledge about the exhibit.

Remember, you must request the Judge or Magistrate to accept the exhibits as evidence. You are offering the exhibits into evidence before you end your case-in-chief.

Objections

Objections are challenges. Usually, objections are made because a party believes the evidence is not admissible according to the Ohio Rules of Evidence. You (and the other party) can object to questions, witness testimony, or exhibits that you believe do not comply with the rules of evidence and procedure. If you want to object, you should say, "Objection," very clearly to the magistrate or judge. The magistrate or judge will ask you to explain why you object, and then the other party will get to respond. If either side objects to something, all questioning should stop immediately (if a witness is testifying, the witness should stop talking immediately). You must have a valid reason to object, according to the Ohio Rules of Evidence. "The person is lying" is not a valid objection.

- If the magistrate or judge **sustains** the objection, the witness cannot talk about whatever was objected to.
- If the magistrate or judge **overrules** the objection, the witness can go ahead and talk about whatever was objected to.
- If you don't understand the magistrate or judge's ruling on an objection, ask them to explain.

If you have a key piece of evidence and the other side objects to it, the magistrate or judge will decide if that evidence is admissible and should become part of the trial record. If the magistrate or judge rules against you, you might be able to correct the problem. For example, if the objection was based on "lack of foundation" for a document, you might be able to ask the witness questions to explain what the document is and show that it is authentic so that you can get the document admitted into evidence. Do not expect the magistrate or judge to tell you what to do or say to correct the problem. It is your job to make the legal arguments, and the magistrate or judge's job to make a ruling (decision). You should study the Ohio Rules of Evidence before the trial and get advice from a lawyer if you are not sure how to get key evidence into the record.

Final Argument (also called Closing Statement or Closing Argument)

After all the evidence is given, you and the other party will be allowed to make final arguments. During your final argument, explain what you are asking the court to do, and how the evidence presented supports your requests. If you want a certain property division, for example, tell the magistrate or judge what property division you want, and summarize the evidence to show why you are entitled to it.

You may comment on any evidence that was presented at the trial (your evidence and the other party's evidence) and tell the magistrate or judge what you think that evidence means. You are not allowed to tell the magistrate or judge any new facts about the case during

final argument, as the opportunity to present evidence is over by this point. The party who started the case or brought the motion has the burden of convincing the court (called the "burden of proof") that their requests should be granted. The party who started the case or brought the motion also has the right to speak first during final arguments. The magistrate or judge may put a time limit on the final arguments.

Burden of Proof

As mentioned above, the party who started the case or brought the motion has the burden of proof. If the other party counter-filed or counter-motioned, they have the burden of proof for their requests. If you have the burden of proof, it is your responsibility to provide evidence that shows the court that your requests should be granted. If the evidence weighs in favor of the other party, or if the balance is equal, you have not met your burden of proof, and the court will not give you what you asked for.

Decision

The magistrate or judge decides the outcome of family court cases. They will listen to all the testimony presented in the trial and review all the exhibits. The magistrate or judge will decide what facts were proven, and whether you are entitled to the relief you seek.

It is important that you understand what happens when the trial is done and if there are more steps you must complete. For example, sometimes parties ask permission to file a "proposed order" before or after the trial is over, or a magistrate or judge may ask for one. A proposed order is a document in which a party (or their lawyer) lays out the facts of the case and the desired outcome and attempts to persuade the magistrate or judge that the law supports the outcome the party requested. The magistrate or judge will decide if they want proposed orders to be submitted and if so, when they are due. A proposed order cannot include any evidence that was not admitted at the trial.

After the trial is over, and after other documents (if the magistrate or judge has asked for any) are submitted, the magistrate or judge writes a decision (order or judgment and decree). When you receive the written decision, it is very important that you read it thoroughly. There could be time-sensitive information, and it is important to understand what your obligations are, if any, in the written decision. You have fourteen days to object to a decision, and ten days to object to an order. The objection form is Form 8.9. A transcript or alternative is needed if objections are filed to a decision.

Fee Waiver

If you cannot afford to pay the filing fee and court costs, you may file a Fee Waiver, Form 1.22A. Pursuant to Ohio Revised Code 2323.311, you may file a Fee Waiver requesting that the Court determine that you are an indigent litigant and be granted a waiver of the costs or fees in the case. You must completely fill out Form 1.22A, and sign the affidavit in front of a notary. A judge or magistrate will review the affidavit at the end of the case. The judge or magistrate must approve the application if your gross income does not exceed 187.5% of the federal poverty guidelines and your monthly expenses are equal to or in excess of your liquid assets.

2022 FEDERAL POVERTY LIMIT (FPL)

Persons in family/household	100% Poverty	100% Poverty Monthly Gross Income	187.5% Poverty	187.5% Poverty Monthly Gross Income
1	$13,590	$1,132.50	$25,481.25	**$2,123.44**
2	$18,310	$1,525.83	$34,331.25	**$2,860.94**
3	$23,030	$1,919.17	$43,181.25	**$3,598.44**
4	$27,750	$2,312.50	$52,031.25	**$4,335.94**
5	$32,470	$2,705.83	$60,881.25	**$5,073.44**
6	$37,190	$3,099.17	$69,731.25	**$5,810.94**
7	$41,910	$3,492.50	$78,581.25	**$6,548.44**
8	$46,630	$3,885.83	$87,431.25	**$7,285.94**

If the application is approved, the clerk shall waive the advance deposit or security and the court shall proceed with the civil action or proceeding. If the application is denied, the clerk shall retain the filing of the action or proceeding, and the court shall issue an order granting the applicant whose application is denied thirty days to make the required advance deposit or security, prior to any dismissal or other action on the filing of the civil action or proceeding.

Parent Education

If you have minor children with your Husband/Wife, you must take a parenting class. In newly filed divorces, legal separations, annulments and dissolutions, per Ohio Revised Code 3109.053 and Local Rule 2.9, all parents are required to attend a class to educate them about the issues their children may encounter as a result of the divorce or dissolution. Parents are

responsible for providing to the Court a copy of their certificate of completion as proof of class attendance.

Parents may complete an online class or an in-person class. Both the in-person and online classes are offered in Spanish. If you need another language, an interpreter can be available for the in-person class. The in-person class, "Parenting Through Transitions" is offered the first Wednesday of each month from 1:30 PM to 4:00 PM at 800 Broadway, 3rd floor. You must pre-register and pre-pay for the class five (5) days in advance.

In-Person Class Registration Process:

1. Pay the fee of $35.00
- In person to the Clerk of Courts, 800 Broadway, Room 3-47,
- By phone at (513) 946-9150 (additional fee applies if using a credit card), or
- Submit a copy of your affidavit of indigency with your registration form.

2. Submit the Registration Form (DR 14.15)
- In person at the Dispute Resolution Department, Room 3-001,
- Mail form to the Dispute Resolution Department, 800 Broadway, Room 3-001, Cincinnati, Ohio 45202,
- Fax the form to (513) 946-9077, or
- Email the form to DRD@cms.hamilton-co.org

To complete one of the online classes, you must use the specific links found on our website. (https://www.hamiltoncountyohio.gov/government/courts/court_of_domestic_relations/dispute_resolution)

Registration instructions and payment information, including how to obtain a fee waiver if you believe you are eligible, are available on each online class provider's website.

Common Questions at a Final Merits Hearing

1. Your name and address.
2. Resident of Ohio for six months, and Hamilton County 90 days preceding the filing in this matter.
3. Date and place of marriage.
4. Pregnant.
5. Names and birthdates of the child(ren).
6. Grounds for Divorce.

7. Restore to a former name.
8. Has agreement been reached on division of assets and debts:
    a. What is the agreement?
    b. Real estate, cars, household goods, stocks and bonds, retirement accounts, bank accounts, life insurance, businesses.
    c. Life insurance: collateral for child support or spousal support.
9. Spousal Support:
    a. Modifiable, yes or no
    b. Duration and amount
    c. Termination: cohabitation, remarriage
        i. Death is by statute
10. Children:
    a. Agreement on children
    b. Shared Parenting Plan, yes or no
    c. Child Support
    d. Medical/dental coverage
    e. Termination (Castle child)
11. If Separation Agreement:
    a. Voluntarily entered into
    b. Satisfied with the terms and conditions of the agreement
    c. Understand the terms and conditions in the agreement
    d. Believe it to be fair and equitable division of the assets and debts of you and your spouse
    e. Then the Court finds it in the interests of justice and equity to enforce the terms of the separation agreement
12. If decision of the magistrate:
    a. Court has divided assets, debts, determined the issues re the children, including child support and spousal support
    b. Objections have been determined or no objections have been filed
    c. Court hereby grants divorce
13. If Shared Parenting Plan:
    a. Voluntarily entered into
    b. Understand the terms and conditions of the agreement
    c. Do you believe the shared parenting plan is in the best interest of your child(ren)?
14. Court Costs
    a. Test Fee Waiver
    b. Order on the costs