

COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
HAMILTON COUNTY, OHIO

Mary Sue Smith
Plaintiff

Date: _____

Case No. 12345432

-vs-

File No. ABC

John Thomas Smith
Defendant

CSEA No. 2323232323

Judge Michael L. Judge

**MOTION AND AFFIDAVIT FOR TEMPORARY
PARENTING ORDERS, SUPPORT, PARENTING TIME
SPOUSAL SUPPORT WITHOUT ORAL HEARING**

Mary Sue Smith moves the Court for a temporary order granting him/her residential parenting rights; support; parenting time; spousal support, household expenses upon his/her affidavit and without oral hearing, pursuant to Rule 75(N) of the Ohio Rules of Civil Procedure. The opposing party has 14 days from the date of service to file a counter motion and/or affidavits.

THE COURT WILL NOT AWARD SHARED PARENTING ON A TEMPORARY BASIS IN A 75(N) ORDER.

For cause and upon being duly sworn, Mary Sue Smith states as follows:

1. If Defendant has an out of state address and the parties were not married in the State of Ohio, please complete. The basis of personal jurisdiction is: _____.
2. Plaintiff and Defendant are residing separate and apart.
 Parties are residing together and request an order for allocation of household expenses only.
3. There are no minor children (Skip to No. 12)
4. I have filed a 3109.27 Affidavit and have specifically addressed therein the child abuse/neglect, domestic violence, physical harm provisions of O.R.C. 3109.04, 3109.051 and 3109.052 as those statutes pertain to both parents and this case.
5. (a) I request to be the residential parent and legal custodian on a temporary basis.
(b) I have no objection to my spouse being the residential parent and legal custodian on a temporary basis.
6. The minor child(ren) has/have resided solely with Mary Sue Smith (**Plaintiff**) since _____.
7. The minor child(ren) attend(s) school at _____, which is the school district of Mary Sue Smith (**Plaintiff**) or other basis _____. Child(ren) has/have been so enrolled since _____.
8. Mary Sue Smith (**Plaintiff**) has been the primary caretaker of the child(ren).
9. The special (i.e. physical, mental, educational disability) needs of the child(ren) are _____ and _____ and **Defendant** (circle one) is best able to meet those needs.
10. I request the following parenting time order (No supervised parenting time order will be granted unless the reasons therefore are stated with specificity).
(a) Court Standard Parenting Order.
(b) Specific parenting time as follows: _____

Optional DR top left 1
Optional DR top left 2

Optional DR top right 1
Optional DR top right 2

- 11. Recognizing that the 75(N) Order is temporary only, my position on further parenting allocation is as follows: I **have not** requested shared parenting; I **object** to shared parenting; I **have not** filed a shared parenting plan; I **will not** unless ordered file a shared parenting plan. Estimated date of filing _____; I **do not request** a mediation order at the present time. (If requested, complete mediation assessment form.); I **do not request** a mediation assessment at the present time; I am **not willing** to attend mediation; I **do not request** family counseling. If requested, state subject area and reason: _____; I **do not request** parenting time counseling with a parenting specialist; I **request** an immediate referral to a parenting specialist for a full; modified investigation. The reasons why an immediate referral is necessary are: Attach affidavit (required). State reasons with specificity.
- 12. I have no other income except as set forth in my Affidavit of Income, Expenses and Financial Disclosure. (Attach at least two most recent pay stubs and W-2 for previous year.)
- 13. (a) There is no reason known to me why I cannot continue my employment.
(b) The reason I cannot work or continue to work is: _____
- 14. I believe my spouse's income to be approximately \$ _____ gross per week based upon _____ (Attach verification of spouse's income)
- 15. There was no previous filing in this Court which left an arrearage on records of the CSEA.
- 16. (a) This affidavit is being filed only on conjunction with a complaint.
(b) This counter affidavit is being filed in response to an affidavit filed by Mary Sue Smith **Plaintiff**
- 17. I request the Court to make the following order:
Support: \$ _____ per month, per child and/or spousal support \$ _____ per month. If there is a deviation between the requested amount and the worksheet amount state the reason why on a separate sheet of paper.
- 18. OTHER: (attach additional pages as necessary: _____)

STATE OF OHIO)
 COUNTY OF HAMILTON) SS:
Mary Sue Smith herein, being first duly sworn, says that the facts stated herein are true as she/he verily believes.
 Plaintiff

 Plaintiff

Sworn to before me and subscribed in my presence this _____ day of _____, 20____.

 NOTARY PUBLIC

Respectfully submitted,

 Attorney/Party
 Martin Q. Attorney
 7676 Attorney St.
 Cincinnati, Ohio 45678
 Address
 (513) 345-4567
 Phone Number

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion has this _____ day of _____, 20____ has been served by _____ upon _____.

 Attorney/Party
 Martin Q. Attorney