

IN THE COURT OF COMMON PLEAS
 _____ **Division**
 _____ **COUNTY, OHIO**

Name	:	Case No. _____
Street Address	:	
City, State and Zip Code	:	Judge _____
Plaintiff	:	Magistrate _____
vs.	:	
Name	:	
Street Address	:	
City, State and Zip Code	:	
Defendant	:	

Instructions: This form is used to Counterclaim a Complaint for Divorce with or without Children. A Request for Service (Uniform Domestic Relations Form 28) must be filed with this form. The Parenting Proceeding Affidavit (Uniform Domestic Relations Form 3) must be filed, if you and your spouse have (a) minor child(ren), adult child(ren) attending high school, adult child(ren) with disabilities, and/or the Wife is pregnant.

COUNTERCLAIM FOR DIVORCE

I, the Defendant, for this Counterclaim say:

1. I have been a resident of the State of Ohio for at least six months.
2. I have been a resident of _____ County for at least 90 days immediately before the filing of this Complaint; or
 The Plaintiff resides in _____ County where this Complaint is filed.
3. The Plaintiff and I were married to one another on _____ (date of marriage) in _____ (city or county, and state).

4. I state regarding children (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.
- The following child(ren) were born from or adopted during this marriage or relationship (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 were born during the marriage (name and date of birth of each child): _____

5. I state the following grounds for divorce exist (check all that apply):

- The Plaintiff and I are incompatible.
- The Plaintiff and I have lived separate and apart without cohabitation and without interruption for one year.
- The Plaintiff or I had a Husband or Wife living at the time of the marriage.
- The Plaintiff has been willfully absent for one year.
- The Plaintiff is guilty of adultery.
- The Plaintiff is guilty of extreme cruelty.
- The Plaintiff is guilty of fraudulent contract.
- The Plaintiff is guilty of gross neglect of duty.
- The Plaintiff is guilty of habitual drunkenness.
- The Plaintiff was imprisoned in a state or federal correctional institution at the time the Complaint was filed.
- The Plaintiff procured a divorce outside this state by virtue of which the Plaintiff has been released from the obligations of the marriage, while those obligations remain binding on me.

6. The Plaintiff and I are owners of real estate and/or personal property.

I request that a divorce be granted from the Plaintiff, that the Court determine an equitable division of debts and property, and as follows that (check all that apply):

- The Plaintiff be required to pay spousal support.
- The Plaintiff be named the residential parent and legal custodian of the following child(ren): _____

The Defendant be named the residential parent and legal custodian of the following child(ren): _____

The non-residential parent be granted specific parenting time.
 The Plaintiff and I be granted shared parenting of the following child(ren): _____

pursuant to a Shared Parenting Plan (Uniform Domestic Relations Form 17), which I will prepare and file with the Court.

- The Plaintiff be ordered to pay child support and medical support.
- I be restored to my prior name of: _____
- The Plaintiff be required to pay attorney fees.
- The Plaintiff be required to pay the court costs of the proceeding.
- The Court make the following additional orders: _____

and that the Court grant such other and further relief as the Court may deem proper.

Your Signature

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