

**IN THE COURT OF COMMON PLEAS
CLINTON COUNTY, OHIO**

Plaintiff,	:	CASE NO. _____
vs.	:	MOTION AND AFFIDAVIT FOR 75(N) TEMPORARY EX PARTE ORDERS (Parenting & Child Support)
Defendant.	:	

_____ moves the Court for a temporary order granting him/her:

- Residential Parenting Rights
- Child Support

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.

NOTE: Temporary spousal support requires a separate motion and hearing pursuant to Local Rules.

SECTION I: SEPARATION

For cause and upon being duly sworn, _____ states as follows:

- Plaintiff and Defendant are residing separate and apart and have been since _____.
- Parties are residing together and request an order for allocation of household expenses only.
- Parties are residing together, but planning to separate:
 - My spouse knows of the pending separation.
 - My spouse does not know of the pending separation.

Explain: _____

SECTION II: PARENTING

- I request to be the residential parent and legal custodian on a temporary basis.
- I have filed a 3127.23(A) Affidavit and have specifically addressed therein the child abuse/neglect, domestic violence, physical harm provisions of the Ohio Revised Code as those statutes pertain to both parents and this case.
 - My current residential address and telephone number are:

Telephone: _____
 - I have lived at the above address for: _____ Years _____ Months _____ Weeks
 - The above address is located in the _____ school district.
 - My spouse's current residential address and telephone number are:

Telephone: _____
- I have been the primary caretaker of our child(ren) since _____
Explain: _____

- I have had actual physical custody of the minor child(ren) for at least ten (10) days preceding the filing of the Complaint.
Explain: _____

- The minor child(ren) attend(s) school at _____ and have been so enrolled since _____
- The current daycare provider for minor child(ren) is _____
Daycare provider address _____
Daycare provider phone number _____
This person has been caring for the child(ren) for: _____ Years _____ Months _____ Weeks
- I (am) or (am not) planning to change our child(ren)'s daycare provider.
- The special (physical, mental, educational disability) needs of the child(ren) are _____

Pursuant to Local Rule, the non-residential parent shall be granted parenting time (visitation) in accordance with the Court's Standard Parenting Schedule attached hereto. No supervised parenting time order will be granted unless the reasons therefore are stated with specificity in a separate motion filed with the Court.

IF STANDARD VISITATION IS NOT GRANTED IN THIS EX PARTE ORDER ISSUED AT MY REQUEST, I UNDERSTAND THAT I MUST SET UP AND BE AVAILABLE FOR AN IMMEDIATE HEARING ON THE VISITATION ISSUE.

- I am aware that children need both their parents' love and respect. I am further aware that both my spouse and I must attend a parental education course that helps explain how divorce can negatively impact children, and what I can do to lessen that negative impact on our own children.
- Recognizing that the 75(N) Order is temporary only, my position on further parenting allocation is as follows:
 - I (have) or (have not) requested shared parenting.
 - I (object) or (do not object) to shared parenting.
 - I (have) or (have not) filed a shared parenting plan.
 - I (do) or (do not) request a mediation order at this time.
 - I (am) or (am not) willing to attend mediation.

SECTION III: CHILD SUPPORT

- I have no other income except as set forth in my Affidavit of Income, Expenses and Financial Disclosure.
- There is no reason known to me why I cannot continue my employment.
- The reason I cannot work or continue to work is: _____

- I believe my spouse's income to be approximately \$_____ gross per week based upon:

- There was no previous filing in this Court which left an arrearage on records of the CSEA.
- This affidavit is being filed only in conjunction with a Complaint.
- This counter affidavit is being filed in response to an affidavit filed by (Plaintiff) or (Defendant).
- I request the Court to make the following support orders:
 - Child Support in the amount of \$_____ per month (MUST ATTACH WORKSHEET) (Deviation on ex parte order is not permissible under Local Rules).

Other: _____

ATTACH ADDITIONAL PAGES AS NECESSARY

STATE OF OHIO,

COUNTY OF CLINTON, SS:

_____ herein, being first duly sworn, says that the facts stated herein are true as he/she verily believes.

Signature of (Plaintiff) or (Defendant)

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

Notary Public

Respectfully submitted,

Attorney for (Plaintiff) or (Defendant)

Supreme Court No. _____

Address and Telephone:

If this Motion and Affidavit are included with filing of the Complaint, request Clerk to serve with Complaint and Summons.
If this Motion and Affidavit are filed after Complaint is served, add Certificate of Service for service by regular mail.

(Amended 1-14-11)