



LORAIN COUNTY COURT OF COMMON PLEAS  
DOMESTIC RELATIONS COURT

**GLOSSARY OF TERMS**

**IV-D Application:** A form that the State of Ohio requires to be completed in all cases involving child support.

**Affidavit:** A written statement made or taken under oath, which is notarized.

**Affiant:** The person who makes a statement and swears to the statement in an affidavit.

**Annulment:** The ending of a marriage based on one of the following factors: (a) the parties are underage, and the consent of a parent or guardian was not obtained; (b) previous marriage of one of the spouses is undissolved; (c) one of the spouses is mentally incompetent; (d) the consent to the marriage of one of the spouses was obtained by fraud or force; or (e) the marriage was never consummated.

**Answer:** A written response to the Complaint for Divorce filed by the defendant within 28 days of receiving the Complaint.

**Appeal:** An objection to a decision made by a Judge. This type of action is filed and heard in a Court of Appeal.

**Arrearage (also referred to as Arrears):** Amount of past due child and/or spousal support.

**Capias:** An arrest warrant for a person's failure to appear for a court hearing after having been served with an order to appear.

**Cash Medical Support:** An amount ordered to be paid in a child support order toward the costs of health insurance provided by a public entity, another parent, or person with whom the child resides.

**Child Support Administrative Order:** An order of child support issued by the County Job and Family Services-Child Support Enforcement Agency (CSEA) also known as the Office of Child Support Services (OCSS).

**Child Support Computation Worksheet** – A form used to calculate a child support obligation based on the parties' incomes and certain expenses and to determine the amount each party will pay for uninsured health care expenses.

THIS GLOSSARY IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY.  
THE LORAIN COUNTY DOMESTIC RELATIONS COURT CANNOT GIVE YOU LEGAL ADVICE.  
YOU SHOULD NOT RELY UPON THESE BASIC DEFINITIONS TO MAKE LEGAL DECISIONS.



## LORAIN COUNTY COURT OF COMMON PLEAS DOMESTIC RELATIONS COURT

**Civil Protection Order (CPO):** A CPO is an order issued by the court that grants protections to the person who is being threatened by the alleged offender. A CPO stays in effect for a specific length of time set by the court.

**Clerk of Court:** A county official who oversees the clerical work of the court such as keeping the official records and seal, issuing service of process, filing judgments and orders, and providing certified copies from the official record.

**Complaint:** The first filing in a legal action which begins the case.

**Continuance:** The postponement of a hearing or trial. The request to continue a hearing can be made orally at a hearing, written in a document known as a motion, or by the court itself.

**Counterclaim:** A claim that a defendant makes against a plaintiff. Counterclaims are often brought within the same proceedings as a plaintiff's claims.

**Custodial Parent:** Natural or adoptive mother or father of a child who has custody of that child. Also, a legal guardian with whom the child is presently living or with whom the court has ordered a child to live (such as a relative or kinship caretaker).

**Defendant:** The person against whom a lawsuit is filed.

**Deposition:** A formal proceeding where a party and/or witness is placed under oath and must answer questions asked by the opposing party. Depositions are recorded by a court reporter. Judges and magistrates are not present during depositions.

**Docket:** The official record of all documents filed by the parties or generated by the court in a case. Docket can also mean the daily schedule for court trials and hearings.

**Discovery:** A process where the parties request information and documents from each other. Discovery includes requests for interrogatories, admissions, documents, and/or depositions.

**Dissolution:** A legal action when a married couple agree to end their marriage and agree upon all of the terms for ending their marriage.

**Divorce:** A legal action that terminates a marriage filed when parties do not agree to end their marriage and/or all the terms for ending their marriage.

**Division of Property Order (DOPO):** A court order which is required when dividing public pension/retirement accounts in a divorce proceeding.

THIS GLOSSARY IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY.  
THE LORAIN COUNTY DOMESTIC RELATIONS COURT CANNOT GIVE YOU LEGAL ADVICE.  
YOU SHOULD NOT RELY UPON THESE BASIC DEFINITIONS TO MAKE LEGAL DECISIONS.



## LORAIN COUNTY COURT OF COMMON PLEAS DOMESTIC RELATIONS COURT

**Ex parte communication:** Any form of communication (conversation, letter, etc.) with a judge or magistrate about a case without all of the parties present. Ex parte communications are generally prohibited, with limited exceptions under the law.

**Ex parte orders:** Court orders issued under the law without service/participation of the opposing party. These orders are rare and generally only issued in emergency situations.

**File Stamped:** A stamp on a document indicating the date and time a document was officially filed with the court.

**Filing fee and court costs:** The money required by law or local rule of court to be paid as a deposit by a party to start a case.

**Grounds:** The legal reasons for why a court should rule a certain way. (Example: grounds for divorce are the reasons a divorce may be granted.)

**Guardian ad Litem (GAL):** An attorney or trained professional who is appointed by the court, who acts in the best interest of the child(ren) in a particular case. The GAL investigates the facts of the case and files a report for the court regarding the child(ren)'s best interest.

**Hearing:** A formal proceeding where parties and witnesses testify and evidence is offered to the judge or magistrate who will make a decision.

**Indigent:** A person who is unable to pay fees and costs related to a case.

**Interrogatory:** Written questions sent by one party to the opposing party, who must answer them in writing under oath within a specific amount of time.

**Judge:** A public official authorized to exercise the power of the court and make all decisions and rulings in all cases.

**Judgment Entry:** A court order signed by a judge.

**Jurisdiction:** The power or legal authority of the court to hear and decide a case.

**Local Rules:** A set of court rules developed by the court to govern matters that are not already determined by the Ohio Rules of Civil Procedure, Juvenile Rules of Procedure, and Criminal Rules of Procedure.

THIS GLOSSARY IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY.  
THE LORAIN COUNTY DOMESTIC RELATIONS COURT CANNOT GIVE YOU LEGAL ADVICE.  
YOU SHOULD NOT RELY UPON THESE BASIC DEFINITIONS TO MAKE LEGAL DECISIONS.



## LORAIN COUNTY COURT OF COMMON PLEAS DOMESTIC RELATIONS COURT

**Magistrate:** An attorney appointed by a judge to hear certain cases. A magistrate can hear evidence and make rulings in a case. At the end of a case, the magistrate will issue a Magistrate's Decision, which is a recommendation to the judge about how the issues should be decided.

**Magistrate's Decision:** A written decision issued by the magistrate that resolves all the matters assigned to be heard by the magistrate. A judge can then either accept the recommendations made by the magistrate or modify the recommendations.

**Magistrate's Order:** A written order that generally relates to matters that regulate the proceedings, such as continuances, deposition orders, and temporary support. Magistrates' orders are effective without a judge's approval.

**Marital Assets:** In general, property acquired by a married couple during the marriage. Some exceptions may exist.

**Marital Debts:** In general, debts and liabilities incurred by a married couple during the marriage, regardless of which party incurred the debt.

**Mediation:** Mediation is a process where parties resolve disputes outside the formal court system.

**Moot:** An issue that has become irrelevant due to having been previously decided or settled.

**Motion:** A request by one party for some type of action or decision to be made by the court. Written motions are filed with the Clerk of Court and sent to the opposing party/attorney.

**Motion to Compel:** A request filed by one party for the court to order the other party to respond to their interrogatories or requests for documents. If a party does not produce the requested information, the party may face sanctions, such as a fine or have to pay the other party's attorney fees.

**Motion to Set Aside Magistrate's Order:** A motion filed with the court to modify an order made by a magistrate. The Objection must be made within 10 days of the filing of the order.

**Motion to Vacate/Motion for Relief from Judgment/60(B) Motion:** A motion filed by a party after a final judgment entry has been signed requesting the court undo the judgment entry.

THIS GLOSSARY IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY.  
THE LORAIN COUNTY DOMESTIC RELATIONS COURT CANNOT GIVE YOU LEGAL ADVICE.  
YOU SHOULD NOT RELY UPON THESE BASIC DEFINITIONS TO MAKE LEGAL DECISIONS.



## LORAIN COUNTY COURT OF COMMON PLEAS DOMESTIC RELATIONS COURT

**Notarize:** The signature of a notary public and seal to establish the authenticity of a signature on a legal document.

**Objection to Magistrate's Decision:** A request for the judge to modify or correct a Magistrate's Decision. Objections must be filed within 14 days of the filing of the Magistrate's Decision. If no objections are filed, the judge can then make the Magistrate's Decision the final order of the court.

**Obligee:** The party that receives child and/or spousal support.

**Obligor:** The party that pays child and/or spousal support.

**Ohio Revised Code (ORC):** The written laws of the State of Ohio.

**Rules of Ohio Courts:** Rules that all trial courts must follow in Ohio for civil and criminal cases such as Rules of Civil Procedure, Rules of Criminal Procedure, Rules of Juvenile Procedure, and Rules of Evidence.

**Overrule:** When a judge or magistrate denies a request made to the court. The opposite of sustain.

**Parental Rights and Responsibilities:** The rights and responsibilities of a parent to determine those matters affecting a child's welfare and upbringing, such as medical decisions, religious upbringing, etc.

**Parenting Plan:** A plan that addresses all child related issues such as physical living arrangement, child support, medical and dental care, school placement, and parenting time. Under a Parenting Plan, only one parent is considered the residential parent and legal custodian of the child. A Parenting Plan becomes an order of the court.

**Plaintiff:** The person who begins a court action by filing an action with the court. In some cases, this person is called the Petitioner.

**Post-decree:** Post-decree means after a decision has been made or a decree has been issued.

**Praecipe** – A written request for the clerk of court or other person under the court's control to perform an action. It is also a document requesting a writ or other legal document.

THIS GLOSSARY IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY.  
THE LORAIN COUNTY DOMESTIC RELATIONS COURT CANNOT GIVE YOU LEGAL ADVICE.  
YOU SHOULD NOT RELY UPON THESE BASIC DEFINITIONS TO MAKE LEGAL DECISIONS.



## LORAIN COUNTY COURT OF COMMON PLEAS DOMESTIC RELATIONS COURT

**Pre-decree:** Pre-decree means before a decision has been made or a decree has been issued.

**Pre-trial:** A meeting with the parties and the judge or magistrate to discuss the status of the case, what issues exist, what evidence will be presented at any upcoming hearings.

**Processing Charge:** A fee charged by the County Job and Family Services-Child Support Enforcement Agency also known as the Office of Child Support Services for processing support payments. The fee is 2% of the support order and is non-waivable.

**Pro se (also called self-represented):** A person appearing in court without an attorney. *Pro se* parties are required to follow the same rules of procedure and evidence as attorneys.

**Qualified Domestic Relations Order (QDRO):** A court order, prepared by the parties, which is required when dividing particular types of retirement accounts.

**Remand:** When a higher court returns a case to the lower court to correct an error or modify a prior decision.

**Requests for Admissions:** Request by one party to the other party to either admit or deny certain facts.

**Request for Production of Documents:** Request by one party to the opposing party to produce documentation that is relevant to the case.

**Residential Parent:** The parent with whom a child physically resides according to a court order. In a shared parenting plan, the “residential parent for school purposes” is the parent in whose school district the child can attend school.

**Respondent:** The person who must answer to the claims brought upon them.

**Shared Parenting Plan:** A plan that addresses all child related issues such as physical living arrangement, child support, medical and dental care, school placement, and parenting time. Under a Shared Parenting Plan, both parents are considered to be the residential parents and legal custodian of the child. A Shared Parenting Plan becomes an order of the court.

**Temporary Orders Hearing (75(N) Hearing):** A court hearing where a magistrate or judge can issue temporary orders of spousal support, and/or allocation of parental rights and responsibilities.

THIS GLOSSARY IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY.  
THE LORAIN COUNTY DOMESTIC RELATIONS COURT CANNOT GIVE YOU LEGAL ADVICE.  
YOU SHOULD NOT RELY UPON THESE BASIC DEFINITIONS TO MAKE LEGAL DECISIONS.



## LORAIN COUNTY COURT OF COMMON PLEAS DOMESTIC RELATIONS COURT

**Separation Agreement:** An agreement made by parties to a case wherein the parties are in full agreement to all matters related to the separation, including marital property and spousal support. The Agreement is adopted by the Judgment Entry.

**Service:** The formal and legal notification of court action, which the party starting the case must provide to the opposing party.

**Stay:** A request made to the court to temporarily suspend or stop court proceedings and/or the effects of a judgment pending the resolution of another matter.

**Subpoena:** A command for a witness to appear at a hearing and give testimony.

**Subpoena Duces Tecum:** A command to a person or company to produce documents or papers in the individual's possession that are related to a case pending in court.

**Summons:** A legal document issued by the Clerk of Courts informing a Defendant that a case has started against them and that the person needs to be present at court at a specified date, time, and place.

**Support Enforcement Tracking System (SETS):** A statewide computer system that follows the State of Ohio's child support statutes and/or administrative and court orders. Ohio counties can communicate with each other through SETS and share information.

**Supervised Visitation:** Contact between a non-custodial parent and the child(ren) in the presence of a third person responsible for observing and seeking to ensure the safety of those involved.

**Sustain:** Where a judge or magistrate grants a request made to the court. The opposite of overrule.

**Temporary Restraining Order (TRO):** A temporary order issued by the court that restrains one or both parties from disposing of and/or changing their assets and property, removing any child(ren) from the jurisdiction of the court, and/or changing the schools of the child(ren). Can also prohibit parties from removing the children from the jurisdiction of the court and/or changing their schools.

**Temporary Support Orders:** An order for child and/or spousal support that is temporary in nature. A temporary support order is typically in effect during the pendency of a court action until the final hearing.

**Testimony:** Answers to questions given by a witness, while under oath.

THIS GLOSSARY IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY.  
THE LORAIN COUNTY DOMESTIC RELATIONS COURT CANNOT GIVE YOU LEGAL ADVICE.  
YOU SHOULD NOT RELY UPON THESE BASIC DEFINITIONS TO MAKE LEGAL DECISIONS.



## LORAIN COUNTY COURT OF COMMON PLEAS DOMESTIC RELATIONS COURT

**Third-Party Defendant:** A person/agency added to a case that is neither the plaintiff nor the defendant and is not necessary in carrying out the action of the case. (Examples: grandparent, bank, employer, etc.)

**Transcript:** A written record of what is said during a hearing or trial.

**Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA):** The law that governs which state has the power to make or modify child custody decisions when parents and/or children move from one state to another. This law also governs the registration of out-of-state custody orders with the court.

**Uniform Interstate Family Support Act (UIFSA):** The law that allows a parent or party to obtain or enforce child support orders when the other parent resides in a different state.

**Venue:** The geographical location within the State where a case is filed, determined by law and court rules.

**Warrant:** A document issued by a legal or government official authorizing the police or some other body to make an arrest, search premises, or carry out some other action relating to the administration of justice.

**Writ:** A formal, legal document that orders a person or entity to perform or to stop performing a specific action.

THIS GLOSSARY IS NOT A SUBSTITUTE FOR THE ADVICE OF AN ATTORNEY.  
THE LORAIN COUNTY DOMESTIC RELATIONS COURT CANNOT GIVE YOU LEGAL ADVICE.  
YOU SHOULD NOT RELY UPON THESE BASIC DEFINITIONS TO MAKE LEGAL DECISIONS.