

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, OHIO  
DOMESTIC RELATIONS DIVISION**

\_\_\_\_\_  
Plaintiff

Vs

CASE NO. \_\_\_\_\_

\_\_\_\_\_  
Defendant

JUDGE \_\_\_\_\_

**INSTRUCTIONS FOR SERVICE BY POSTING AND MAIL**

These instructions for service are pursuant to Ohio Rule of Civil Procedure 4.4(A)(2).

1. You are therefore instructed to cause service by Notice by Posting in a conspicuous place at:
  - a. Delaware County Courthouse (Main Lobby)  
117 North Union Street, Level 100  
Delaware, Ohio 43015
  - b. Delaware County Department of Job and Family Services  
145 North Union Street, 2<sup>nd</sup> Floor  
Delaware, Ohio 43015
  - c. Delaware Municipal Court (Lobby)  
Justice Center  
70 North Union Street  
Delaware, Ohio 43015
2. All legal notices shall remain posted for a period of six weeks.
3. The Clerk of this Court shall also cause the complaint/motion and summons to be mailed by ordinary mail, address correction requested, to Plaintiff's(s')/Defendant's(s') last known address, which is as follows:  
\_\_\_\_\_

The Clerk shall obtain a certificate of mailing from the United States Postal Service.

4. If the Clerk is notified of a corrected or forwarding address of Plaintiff(s)/Defendant(s) within the six-week period that notice is posted, the Clerk shall cause the complaint/motion and summons to be mailed by ordinary mail (obtain a certificate of mailing from the United States Postal Service) and certified mail to the corrected or forwarding address.
5. The Clerk shall note the name, address and date of each mailing on the docket.
6. After the last week of posting, the Clerk shall note on the docket where and when notice was posted in order to complete service.

\_\_\_\_\_  
Plaintiff/Defendant

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, OHIO  
DOMESTIC RELATIONS DIVISION**

\_\_\_\_\_  
Plaintiff

Vs.

CASE NO. \_\_\_\_\_

\_\_\_\_\_  
Defendant

JUDGE \_\_\_\_\_

**AFFIDAVIT**

\_\_\_\_\_, being duly cautioned and sworn, hereby deposes and states the following:

1. I am the Husband/Wife/Plaintiff(s)/Defendant(s) and \_\_\_\_\_ is/are the Plaintiff(s)/Defendant(s) in the above captioned matter.
2. I filed for divorce/annulment/legal separation/custody in the above captioned case, on \_\_\_\_\_, 20\_\_\_\_\_.
3. The above captioned case is not a civil protection order governed by Ohio Rule of Civil Procedure 65.1.
4. I am indigent and am proceeding in the above captioned case with a poverty affidavit (poverty affidavit or indigency affidavit is attached).
5. The Clerk of this Court was instructed to serve process in the above captioned case by certified mail upon husband/wife/plaintiff(s)/defendant(s) at this last known address, being:  
\_\_\_\_\_.
6. The service was returned to the Clerk's Office unclaimed.
7. Husband/wife/plaintiff's (s')/Defendant's(s') last known address is:  
\_\_\_\_\_.
8. All of the efforts I have made to ascertain or discover the residence of husband/wife/Plaintiff(s)/Defendant(s) are as follows:  
\_\_\_\_\_.
9. Despite my above listed efforts, the whereabouts and residence of husband/wife/Plaintiff(s)/Defendant(s) are still unknown to me and his/her last known address is as stated above.
10. All other attempts to locate husband/wife/Plaintiff(s)/Defendant(s) through contacts with friends, relatives, and otherwise have been unsuccessful.
11. The service of the summons and the complaint/motion cannot be made because the residence of the husband/wife/Plaintiff(s)/Defendant(s) is unknown to me and cannot be ascertained with reasonable diligence.

12. Since all efforts to ascertain the residence of the Defendant(s) have failed, the residence of said Defendant(s) cannot be ascertained with reasonable diligence.

Further affiant sayeth not:

\_\_\_\_\_  
Party Name

Sworn to before me and subscribed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

---

---

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, OHIO  
DOMESTIC RELATIONS DIVISION**

	)	CASE NO.
	)	
Plaintiff,	)	JUDGE FULLER
	)	
vs.	)	
	)	<b><u>FEE WAIVER AFFIDAVIT</u></b>
	)	<b><u>PURSUANT TO R.C. 2323.311 AND</u></b>
Defendant.	)	<b><u>ORDER</u></b>

Pursuant to R.C. 2323.311, the below-named Applicant requests that the Court determine that the Applicant is an indigent litigant and be granted a waiver of the prepayment of costs or fees in the above captioned matter. The Applicant submits the following information in support of said request.

Personal Information			
Applicant's First Name		Applicant's Last Name	
Applicant's Date of Birth		Last 4 Digits of Applicant's SSN	
Applicant's Address			
Other Persons Living in Your Household			
First Name	Last Name	Is this person a child under 18?	Relationship (Spouse or Child)
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Public Benefits			
I receive the following public benefits and my gross income, including the cash benefits marked below, does not exceed 187.5% of the federal poverty guidelines.			
Place an "X" next to any benefits you receive.			
Ohio Works First <sup>1</sup> : ___ SSI <sup>2</sup> : ___ Medicaid <sup>3</sup> : ___ Veterans Pension Benefit <sup>4</sup> : ___ SNAP / Food Stamps <sup>5</sup> : ___			
Monthly Income			
I am NOT able to access my spouse's income <input type="checkbox"/>			
	Applicant	Spouse (If Living in Household)	Total Monthly Income
Gross Monthly Employment Income, including Self-Employment Income (Before Taxes)	\$	\$	\$
Unemployment, Worker's Compensation, Spousal Support (If Receiving)	\$	\$	\$
<b>TOTAL MONTHLY INCOME</b>			<b>\$</b>

Pursuant to R.C. 2323.311(B)(3), upon the filing of a civil action or proceeding and the affidavit of indigency under division (B)(1) of this section, the clerk of the court shall accept the action, proceeding, or motion for filing.

Liquid Assets			
Type of Asset		Estimated Value	
Cash on Hand		\$	
Available Cash in Checking, Savings, Money Market Accounts		\$	
Stocks, Bonds, CDs		\$	
Other Liquid Assets		\$	
<b>Total Liquid Assets</b>		<b>\$</b>	
Monthly Expenses			
Column A		Column B	
Type of Expense	Amount	Type of Expense	Amount
Rent / Mortgage / Property Tax / Insurance	\$	Insurance (Medical, Dental, Auto, etc.)	\$
Food / Groceries	\$	Child or Spousal Support that You Pay	\$
Utilities (Heat, Gas, Electric, Water / Sewer, Trash)	\$	Medical / Dental Expenses or Associated Costs of Caring for a Sick or Disabled Family Member	\$
Transportation / Gas	\$	Credit Card, Other Loans	\$
Phone	\$	Taxes Withheld or Owed	\$
Child Care	\$	Other (Specify)	\$
<b>Total Column A Expenses</b>	<b>\$</b>	<b>Total Column B Expenses</b>	<b>\$</b>
<b>TOTAL MONTHLY EXPENSES (Column A + Column B)</b>			

I, \_\_\_\_\_, hereby, certify that the information I have provided on  
 (Print Name)  
 this financial disclosure form is true to the best of my knowledge and that I am unable to prepay the costs or fees in this case.

\_\_\_\_\_  
 Signature

**NOTARY PUBLIC:**

Sworn to before me and signed in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
 Notary Public

If available, an individual duly authorized to administer this oath at the Clerk of Court's Office will do so at no cost to the Applicant.

**ORDER**

- Upon the request of the Applicant and the Court's review, the Court finds that the Applicant **IS** an indigent litigant and **GRANTS** a waiver of the prepayment of costs or fees in this matter.
- Upon the request of the Applicant and the Court's review, the Court finds that the Applicant is **NOT** an indigent litigant and **DENIES** a waiver of the prepayment of costs or fees in this matter. The Applicant shall pay the required deposit within thirty (30) days from the date of this Order. Failure to pay the deposit may result in dismissal or other action upon the filing.

**IT IS SO ORDERED**

\_\_\_\_\_  
 Judge / Magistrate

\_\_\_\_\_  
 Date

Pursuant to R.C. 2323.311(B)(3), upon the filing of a civil action or proceeding and the affidavit of indigency under division (B)(1) of this section, the clerk of the court shall accept the action, motion, or proceeding for filing.

**APPENDIX**

**2024 Annual Federal Poverty Guidelines**

<b>Persons In Family</b>	<b>70% (WIA) Youth</b>	<b>100% Head Start</b>	<b>130% (CSFP)</b>	<b>135% (SafeLink)</b>	<b>150%</b>	<b>175% (HEAP)</b>	<b>187.5%</b>
<b>1</b>	\$10,542	\$15,060	\$19,578	\$20,331	\$22,590	\$26,355	\$28,238
<b>2</b>	\$14,308	\$20,440	\$26,572	\$27,594	\$30,660	\$35,770	\$38,325
<b>3</b>	\$18,074	\$25,820	\$33,566	\$34,857	\$38,730	\$45,185	\$48,413
<b>4</b>	\$21,840	\$31,200	\$40,560	\$42,120	\$46,800	\$54,600	\$58,500
<b>5</b>	\$25,606	\$36,580	\$47,554	\$49,383	\$54,870	\$64,015	\$68,588
<b>6</b>	\$29,372	\$41,960	\$54,548	\$56,646	\$62,940	\$73,340	\$78,675
<b>7</b>	\$33,138	\$47,340	\$61,542	\$63,909	\$71,010	\$82,845	\$88,763
<b>8</b>	\$36,904	\$52,720	\$68,536	\$71,172	\$79,080	\$92,260	\$98,850
<b>For Each Additional Person, add:</b>	\$3,766	\$5,380	\$6,994	\$7,263	\$8,070	\$9,415	\$10,087

R.C. 2323.311(B)

(4) A judge or magistrate of the court shall review the affidavit of indigency as filed pursuant to division (B)(2) of this section and shall approve or deny the applicant's application to qualify as an indigent litigant. The judge or magistrate shall approve the application if the applicant's gross income does not exceed one hundred eighty-seven and five-tenths per cent of the federal poverty guidelines as determined by the United States department of health and human services for the state of Ohio and the applicant's monthly expenses are equal to or in excess of the applicant's liquid assets as specified in division (C)(2) of section 120-1-03 of the Administrative Code, as amended, or a substantially similar provision. 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.

(6) Nothing in this section shall prevent a court from approving or affirming an application to qualify as an indigent litigant for an applicant whose gross income exceeds one hundred eighty-seven and five-tenths per cent of the federal poverty guidelines as determined by the United States department of health and human services for the state of Ohio, or whose liquid assets equal or exceed the applicant's monthly expenses as specified in division (C)(2) of section 120-1-03 of the Administrative Code, as amended, or a substantially similar provision.

**IN THE COURT OF COMMON PLEAS OF DELAWARE COUNTY, OHIO  
DOMESTIC RELATIONS DIVISION**

\_\_\_\_\_  
Plaintiff

Vs

CASE NO. \_\_\_\_\_

\_\_\_\_\_  
Defendant

JUDGE \_\_\_\_\_

**LEGAL NOTICE**

This notice is posted pursuant to the Ohio Rule of Civil Procedure 4.4(A)(2) for the purpose of rendering service of process upon \_\_\_\_\_. This notice shall be posted in a conspicuous place in the locations listed in L Rule 3.03(C) for a period of six (6) successive weeks.

This action was filed on \_\_\_\_\_, in the Delaware County Court of Common Pleas, Domestic Relations Division, Delaware County Courthouse, 117 North Union Street, 400 Level, Delaware, Ohio 43015. The case number and the name of the first Plaintiff(s) and Defendant(s) on each side in this matter are shown in the above case caption. The name and last known address, if any, of the husband/wife/Plaintiff(s)/Defendant(s) ("Party(ies)") whose address or residence is unknown is as follows:

This notice is posted for the purpose of rendering service upon the above-named Party(ies) because the whereabouts and residence of the above-named Party(ies) are unknown to Plaintiff(s)/Defendant(s). All previous attempts by Plaintiff(s)/Defendant(s) to serve process on the Party(ies) at his/her last known address(es) have failed. Further, Plaintiff(s)/Defendant(s) has/have used reasonable diligence to ascertain the Party's(ies') residence but all his/her attempts to locate the Party(ies) have been unsuccessful.

At the same time this notice was posted, copies of the complaint/motion and summons in this action were mailed to the above last known address of the Party(ies).

The object of the complaint/motion and summons to be served and the relief sought are as follows:

Object	
Relief	

The above named Party(ies) is/are required to answer or respond to the complaint/motion and summons either within twenty-eight (28) days after the publication of this notice or at such other time after the publication that is set as the time to appear or within which to respond.

The Party(ies) can obtain copies of the court papers filed in this action (complaint/motion and/or summons) by contacting the Clerk of the Delaware County Common Pleas Court ("Clerk") at the Delaware County Courthouse, 117 North Union Street, Level 300, Delaware, Ohio 43015. The Clerk will mail copies of the summons and complaint/motion to the Party(ies) if the Party(ies) contact(s) the Clerk's Office within six (6) weeks from the date this notice is posted.

Date Posted: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Defendant