

**Be careful about unverifiable
Information.**

The truthfulness of the information you provide to the Court is very important. Based solely on what you say in affidavits or testimony in court, the judge or magistrate may make very serious orders regarding the other party, yourself, your children, and your finances. If it later turns out that you made false statements – even if you meant well – there may be negative consequences, such as sanctions (financial penalties), loss of parenting time, restricted contact with your children, or criminal charges.

Try to settle your case out of Court.

Today, there are many alternatives to going to court which can be used at any time in your case, including mediation, negotiated agreements with attorneys, and settlement conferences assisted by the Court. The expense for each of these is much less than for court hearings. You have nothing to lose, and you can still go to court afterwards if you do not reach a full agreement. By attempting to settle, you can limit hurt feelings and protect yourself and children from the stress of court battles for months or years.

**Local Domestic Relations
court forms and
information**

[http://www.co.tuscarawas.oh.us/
Courts](http://www.co.tuscarawas.oh.us/Courts)



**“Do’s and Don’ts”
in Domestic Court
Cases**



Courtesy of the
**Tuscarawas
County, Ohio
Bar
Association**

Make sure you have realistic expectations.

The Court's job is to decide legal issues based upon evidence. Hearings are mostly short and to the point. In real life, court is not like court cases on television or the movies. Most cases are resolved by hearings and/or settlement by agreement of the parties – often through the Court's Mediation Program.

Do not expect validation or vindication.

The judge or magistrate does not decide your character as a person – or who has been “all good” or “all bad.” In court, it is assumed that both parties have contributed to the breakup of the family and that it is not a matter of “fault,” but of “incompatibility.” Instead, courts focus on problem-solving. If a court finds that someone has acted improperly, then the focus is on **What Should Be Done Now** – such as modifying parenting time, support, property division, issuing restraining orders, and in rare cases sanctions may be ordered. Rather than punishment and blame, courts prefer to order drug treatment, domestic violence programs, individual counseling, and parenting classes.

Avoid emotional reasoning.

When people are upset, our perceptions are distorted. Our emotions may cause us to jump to conclusions, view things as “all or nothing,” take innocent things personally, fill in facts that are not really true, unknowingly project our own behavior on to others, and unconsciously “split” people into enemies or friends. This happens at times to everyone, so check out your perceptions with others

to make sure they have not been distorted by the stress of the divorce. Many cases get stuck in court for years fighting over who was lying, when instead it was emotional reasoning which could have been avoided from the start. Focus on going forward as parents to solve problems.

Provide the Court with useful Information.

The judge does not know your family or your issues, except for the information that is submitted to the court. Make sure to provide important information, even if it is embarrassing. For example, if you have an abusive spouse, the court needs that information to make helpful decisions. If you hold back on important information, it may appear that abusive incidents never occurred and that you are exaggerating or making false statements. If you are accused of actions you did not take, the Court will not know this information is false unless you honestly inform the Court.

