

### **What are the legal grounds for divorce in Ohio?**

A husband or wife may file a complaint for divorce in the domestic relations division of the local common pleas court or, if there is no domestic relations division, in the general division of the common pleas court. The complaint must allege, and the plaintiff (party filing the divorce complaint) must later prove, one or more of the following legal grounds for divorce:

- one of the spouses was already married to another person at the time of their marriage to the second spouse (bigamy);
- willful absence of the spouse from the plaintiff's home for a continuous one-year period preceding the filing of the divorce case;
- extreme cruelty;
- fraudulent contract (fraudulent misrepresentations or promises made to the other party before the parties' marriage);
- habitual drunkenness;
- imprisonment of the other spouse;
- the parties have for one year, without interruption, lived separate and apart without cohabitation (no-fault divorce grounds); or
- incompatibility of the husband and wife, if alleged by one spouse in the divorce complaint and not denied by the other spouse (another type of no-fault divorce).

For further information, go to our web site's list of links and documents about divorce—Family Law/Divorce.