

**PROPOSED AMENDMENTS TO THE RULES OF SUPERINTENDENCE
FOR THE COURTS OF OHIO**

Comments Requested: The Supreme Court of Ohio will accept public comments until July 20, 2010 on the following proposed new Rule 10.05 of the Rules of Superintendence for the Courts of Ohio and related forms. The rule and forms would facilitate the issuance of juvenile civil protection orders regardless of the familial relationship between the parties.

Comments on the proposed rule and forms should be submitted in writing to: Diana Ramos-Reardon, Domestic Violence Program Manager, Supreme Court of Ohio, 65 South Front Street, 6th Floor, Columbus, Ohio 43215-3431, or Diana.Ramos-Reardon@sc.ohio.gov not later than July 20, 2010. Please include your full name and mailing address in any comments submitted by e-mail.

1 **RULE 10.05. Standard Civil Protection Order Forms in Juvenile Division of the**
2 **Court of Common Pleas.**
3

4 (A) A court of common pleas that has jurisdiction to issue a civil protection
5 order pursuant to sections 2151.34 and 3113.31 of the Revised Code shall distribute,
6 upon request, a forms and instructions packet for use in juvenile civil protection order
7 proceedings. The packet shall include, at a minimum, forms and instructions that are
8 substantially similar to “Forms 10.05-A, 10.05-B, 10.05-D, and 10.05-E.”
9

10 (B) In every case in which a court of common pleas issues a civil protection
11 order pursuant to section 2151.34 of the Revised Code, it shall use the applicable form
12 that is substantially similar to “Form 10.05-B or 10.05-C.”
13

14 (C) In every case in which a court issues a domestic violence civil protection
15 order pursuant to section 3113.31 of the Revised Code, it shall use the applicable form
16 that is substantially similar to “Forms 10.05-E through 10.05-G.”
17

18
19 **Commentary**
20

21 In Am. Sub. H.B. 10, effective June 17, 2010, the General Assembly revised the law
22 relative to issuance of civil protection orders and enforcement. Following the enactment of Am.
23 Sub. H.B. 10, the Supreme Court of Ohio Advisory Committee on Domestic Violence Forms
24 Subcommittee recommended the adoption of Sup. R. 10.05 and forms relative to the application
25 for and issuance of civil protection orders in juvenile courts.

FORM 10.05-A: HOW TO COMPLETE A PETITION FOR A JUVENILE CIVIL PROTECTION ORDER OR A JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

These instructions are intended to assist you in preparing the Petition for a Juvenile Civil Protection Order or Juvenile Domestic Violence Civil Protection Order, which can be heard only by the juvenile division of the court of common pleas in the county where you reside. If your county does not have a juvenile division in the court of common pleas, the Petition will be heard in the court of common pleas in the county where you reside. **Throughout the Petition you (the party to be protected) are called *Petitioner or Applicant* and the person you are filing this petition against is called *Respondent*.**

SOME HINTS BEFORE YOU BEGIN

- All forms must be typed or printed.
- When you print your name on the Petition, use the same name you use when you write your signature.
- Write your name and Respondent's name the same way throughout the Petition.
- Respondent must be less than 18 years of age to file for a civil protection order in the juvenile division of the court of common pleas; if the Respondent is 18 years old or older, then you must file a petition for a civil protection order in the appropriate court of common pleas.
- Fill out the Petition as completely and accurately as possible. You must complete **SECTION A**.
- Fill out **SECTION B** of the Petition **ONLY IF** you or the person for whom you are filing **ARE NOT RELATED** to the Respondent.
- Fill out **SECTION C** of the Petition **ONLY IF** you or the person for whom you are filing **ARE RELATED** to the Respondent.
- If you have any questions about completing the Petition, ask the Clerk of Court's office for assistance or contact your local domestic violence program or the Ohio Domestic Violence Network at 800-934-9840.
- Under federal and state law, no fees may be charged to obtain a protection order.

OFFENSES

A civil protection order in the juvenile division of the court of common pleas can only be obtained for specific behavior identified in R.C. 2151.34(C)(2) and 3113.31. The specific behaviors identified in the law are summarized below.

"No person shall knowingly cause serious physical harm to another or to another's unborn. [R.C. 2903.11(A)(1)]

No person shall knowingly cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance. [R.C. 2903.11(A)(2)]

Felonious Assault

No person, with knowledge that the person has tested positive as a carrier of a virus that causes AIDS, shall knowingly do any of the following: (1) engage in sexual conduct with another person without disclosing that knowledge to the other person prior to engaging in the sexual conduct; (2) engage in sexual conduct with a person whom the offender knows or has reasonable cause to believe lacks the mental capacity to appreciate the significance of the knowledge that the offender has tested positive as a carrier of a virus that causes AIDS; or (3) engage in sexual conduct with a person under eighteen years of age who is not the spouse of the offender.[R.C. 2903.11(B)]"

"No person, while under the influence of sudden passion or in a sudden fit of rage, either of which is brought on by serious provocation occasioned by the victim that is reasonably sufficient to incite the person into using deadly force, shall knowingly cause serious physical harm to another or to another's unborn. [R.C. 2903.12(A)(1)]

Aggravated Assault

No person, while under the influence of sudden passion or in a sudden fit of rage, either of which is brought on by serious provocation occasioned by the victim that is reasonably sufficient to incite the person into using deadly force, shall knowingly cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance, as defined in section 2923.11 of the Revised Code. [R.C. 2903.12(A)(2)]"

"No person shall knowingly cause or attempt to cause physical harm to another or to another's unborn. [R.C. 2903.13(A)]"

Assault

No person shall recklessly cause serious physical harm to another or to another's unborn. [R.C. 2903.13(B)]

Aggravated Menacing

No person shall knowingly cause another to believe that the offender will cause serious physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family. [R.C. 2903.21(A)]"

"No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person. [R.C. 2903.211(A)(1)]"

Menacing by Stalking

No person, through the use of any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, or computer system, shall post a message with purpose to urge or incite another to commit a violation of division (A)(1) of this section. [R.C. 2903.211(A)(2)]"

Menacing

"No person shall knowingly cause another to believe that the offender will cause physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family. [R.C. 2903.22(A)]"

Aggravated Trespass

"No person shall enter or remain on the land or premises of another with purpose to commit on that land or those premises a misdemeanor, the elements of which involve causing physical harm to another person or causing another person to believe that the offender will cause physical harm to the person. [R.C. 2911.211 (A)]"

Sexually Oriented Offense

Sexually oriented offenses are defined in R.C. 2950.01.

Domestic Violence

"Domestic violence' means the occurrence of one or more of the following acts against a family or household member: attempting to cause or recklessly causing bodily injury; placing another person by the threat of force in fear of imminent serious physical harm or committing a violation of section 2903.211 or 2911.211 of the Revised Code; committing any act with respect to a child that would result in the child being an abused child, as defined in section 2151.031 of the Revised Code; committing a sexually oriented offense. [R.C. 3113.31(A)(1)(a)-(d)]"

"Family or household member' means any of the following:

Family or Household Member

(a) Any of the following who is residing with or has resided with the respondent, such as a spouse, a person living as a spouse, or a former spouse of the respondent; a parent, a foster parent, or a child of the respondent, or another person related by consanguinity or affinity (blood or marriage) to the respondent; a parent or a child of a spouse, person living as a spouse, or former spouse of the respondent, or another person related by consanguinity or affinity (blood of marriage) to a spouse, person living as a spouse, or former spouse of the respondent. [R.C. 3113.31(A)(3)(a)]

(b) The natural parent of any child of whom the respondent is the other natural parent or is the putative other natural parent. [R.C. 3113.31(A)(3)(a)-(b)]

'Person living as a spouse' means a person who is living or has lived with the respondent in a common law marital relationship, who otherwise is cohabiting with the respondent, or who otherwise has cohabited with the respondent within five years prior to the date of the alleged occurrence of the act in question. [R.C. 3113.31(A)(4)]"

FILLING OUT THE PETITION

On the front page, leave the “Case No.” line and “Judge” lines blank. The Clerk will fill in this information.

On the top left-hand side of the front page, fill in the requested information about yourself or minor for whom you are filing. If you do not want your present address to be known, write in the space for your address someone else's address where you can receive notices from the Court.

Also on the top left-hand side of the front page, fill in the requested information about Respondent as best you can. You may use Respondent's work or school address if you do not know Respondent's home address. If you do not know Respondent's date of birth, leave that line blank. Do not attempt to obtain this information unless it is safe to do so.

SECTION A: PARTIES AND RELATIONSHIPS

- Paragraph 1:** Mark the first box if you are filing the Petition on your own behalf.
- Paragraph 2:** If you are filing the Petition on behalf of a minor who is not your family or household member, mark the box and write the minor's name.
- Paragraph 3:** If you are filing the Petition on behalf of a family or household member, mark the box and fill in their name(s) and the other information requested in the chart. You may attach additional pages if you need more room.
- Paragraph 4:** Mark this box if you are NOT related to the Respondent by blood or marriage.
- Paragraph 5:** Mark this box if you ARE related to the Respondent in one of the three ways shown in the Petition. Please mark the appropriate box to show your relation to the Respondent and indicate your relationship.
- Paragraph 6:** Mark this box if you or a family or household member has a child with the Respondent.

SECTION B: PETITION FOR JUVENILE CIVIL PROTECTION ORDER PURSUANT TO R.C. 2151.34

- Paragraph 7** Fill out Section B if you marked Paragraph 4 because neither you nor the person for whom you are filing are family or a household member of the Respondent.
- Paragraph 7(a):** If you are requesting a juvenile civil stalking protection order, provide a brief description of the conduct that caused you to believe that the Respondent caused or will cause physical harm or mental distress to you or another family member. State the date(s) of the incident(s) that caused you to file the Petition. An exact date(s) is not necessary; approximate timeframe may be sufficient. You may attach additional pages if you need more room to complete your description.
- Paragraph 7(b):** If you are requesting electronic monitoring of the Respondent, describe the nature and extent of the Respondent's conduct prior to the filing of this petition that puts you or your family or household members' health, welfare, or safety at risk. Also describe how the Respondent presents a continuing danger to you or your family or household members. State the date(s) of the incident(s) that caused you to file the Petition and request electronic monitoring of the Respondent. An exact date(s) is not necessary; approximate timeframe may be sufficient. You may attach additional pages if you need more room to complete your description.
- Paragraph 7(c):** Mark this box if you or the person for whom you are filing attend the same school or are transported in the same school bus.

Paragraph 8(a)-(f): Indicate the action you want the Court to take by marking the boxes next to the lettered paragraphs that apply to your situation.

If you do not want the Respondent to come near or in contact with you in a specific location, tell the Court in Paragraph 8(b) of these locations and their addresses.

If you want the Respondent to be electronically monitored, make sure you mark Paragraph 8(f).

Paragraph 8(g): Write any special court orders you believe would help protect you and your family or household members.

Paragraphs 9-12: State the actions typically taken by courts in cases for a juvenile civil protection order, i.e., an emergency (*Ex Parte*) protection order, support from a victim advocate during the court proceedings, no mutual protection order, and any other relief or protection the Court finds fair and necessary.

SECTION C: PETITION FOR JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER.

Paragraph 13: Fill out Section C if you marked Paragraph 5 or 6, because you are a family or household member of the Respondent.

Paragraph 14: Indicate if you are the parent, legal guardian, or custodian of the Respondent.

Paragraph 15: Provide a description of what happened. State the date(s) of the incident(s) that caused you to file the Petition. You may attach additional pages if you need more room to complete your description. You may attach an affidavit instead of or in addition to the written description.

Paragraph 16: List ALL present or past court cases that you or the person for whom you are filing know which involve the Respondent and are relevant to this case. This includes all criminal, divorce, custody, visitation, and any other cases that may have a bearing on the safety of you or your family or household members. Write the case name, the case number, the court name or county, and the outcome of the case, if known. You may attach additional pages if you need more room.

Paragraph 17(a)-(d): Indicate the action you want the Court to take by marking the boxes next to the lettered paragraphs that apply to your situation.

Paragraph 17(e) If you do not want the Respondent to come near or in contact with you or your family or household member in a specific location, tell the Court these locations and their addresses.

Paragraph 17(g): Write any special court orders you believe would help protect you and your family or household members.

Paragraph 18- 21: State the actions typically taken by courts in cases for a juvenile domestic violence civil protection order, i.e., an emergency (*Ex Parte*) protection order, support from a victim advocate during the court proceedings, no mutual protection order, and any other relief or protection the Court finds fair and necessary.

SIGNING THE PETITION

Try to fill out the Petition before you go to the courthouse. AFTER YOU HAVE FILLED OUT THE PETITION, TAKE IT TO A NOTARY PUBLIC TO HAVE YOUR SIGNATURE NOTARIZED. **DO NOT SIGN THE PETITION UNLESS YOU ARE IN FRONT OF A NOTARY PUBLIC.** An employee of the Clerk of Court office may be a notary and available to take your oath.

FILING THE PETITION

After you have your signature notarized, file your Petition at the Clerk of Court's office. If you have requested an emergency protection order, the Clerk of Court's office will tell you when and where your *Ex Parte* hearing will take place.

FEES

Under federal and state law [R.C. 2151.34(J) and 3113.31(J)], **you cannot be charged any costs or fees** for filing or obtaining a protection order.

RENEWAL

Under R.C. 2151.34(E)(2)(b) and 3113.31(E)(3)(c), a civil protection order can be renewed in the same manner as the initial protection order was issued.

EXPIRATION OF JUVENILE CIVIL PROTECTION ORDER OR JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

A civil protection order will terminate on a specific date as determined by the juvenile division of the court of common pleas, but no later than when the Respondent turns 19 years of old. [R.C. 2151.34(E)(2)(a) and 3113.31(E)(3)(a)]

EXPUNGEMENT

The Court will automatically seal all of the records of the civil protection order proceeding if the order is not granted.

The Court will automatically seal all of the records of the civil protection order proceeding on the Respondent's 19th birthday, unless you provide the Court information that the Respondent did not comply with the civil protection order.

If the Respondent did not comply with all the terms of the civil protection order, the Court may consider sealing the records of the civil protection order proceeding two years after the civil protection order expires. The Court must provide you notice of the Respondent's motion to seal the record of the civil protection order proceeding.

IN THE COURT OF COMMON PLEAS**COUNTY, OHIO****Order of Protection**

Per R.C. 2151.34(F)(3), this Order is indexed at

LAW ENFORCEMENT AGENCY WHERE INDEXED

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PHONE NUMBER

Case No.

Judge

County

State

OHIO**JUVENILE CIVIL PROTECTION ORDER *EX PARTE* (R.C. 2151.34)****PETITIONER:****PERSON(S) PROTECTED BY THIS ORDER:**

Petitioner _____ DOB: _____

Petitioner's Family or Household Member(s) (First, MI, Last):

DOB: _____

DOB: _____

DOB: _____

DOB: _____

First

Middle Initial

Last

v.**RESPONDENT:****RESPONDENT IDENTIFIERS**

<u>SEX</u>	<u>RACE</u>	<u>HT</u>	<u>WT</u>
<u>EYES</u>	<u>HAIR</u>	<u>DATE OF BIRTH</u>	
<u>DRIVER'S LIC. NO</u>	<u>EXP. DATE</u>	<u>STATE</u>	

First

Middle Initial

Last

Distinguishing Features: _____

(Violence Against Women Act, 18 U.S.C. 2265, Federal Full Faith & Credit Declaration: Registration of this Order is not required for enforcement.)

THE COURT HEREBY FINDS:That it has jurisdiction over the parties and subject matter, and the Respondent will be provided with reasonable notice and opportunity to be heard within the time required by Ohio law. **Additional findings of this Order are set forth below.****THE COURT HEREBY ORDERS:**

That the above named Respondent be restrained from committing acts of abuse or threats of abuse against the Petitioner and other protected persons named in this Order, as set forth below. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until _____ / _____ / _____

**DATE CERTAIN – NO LATER THAN
RESPONDENT ATTAINS 19 YEARS OF AGE**

Respondent will attain 19 years of age on _____ / _____ / _____

WARNING TO RESPONDENT: See the warning page attached to the front of this Order.

This proceeding came for an *ex parte* hearing on _____ (Respondent not being present), upon the filing of a Petition by Petitioner for a juvenile civil protection order against the Respondent, pursuant to R.C. 2151.34. In accordance with R.C. 2151.34(D)(1), the Court held an *ex parte* hearing not later than the next day that the Court was in session after the Petition was filed.

The Court finds that protected person(s) named herein are in immediate and present danger and for good cause shown, the following temporary orders are necessary to protect the persons named in this Order.

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

- ☐ 1. **RESPONDENT SHALL NOT ABUSE** the protected persons named in this Order by harming, attempting to harm, threatening, following, stalking, harassing, forcing sexual relations upon them, or by committing sexually oriented offenses against them. [NCIC 01 and 02]
- ☐ 2. **RESPONDENT SHALL NOT ENTER** the following places named in this Order, including the buildings, grounds, and parking lots at those locations. Respondent may not violate this Order even with the permission of a protected person. [NCIC 04]
- ☐ **Residence:** _____
- ☐ **School:** _____
- ☐ **Place of employment:** _____
- ☐ **Day care center:** _____
- ☐ **Child care provider:** _____
- ☐ **Other:** _____
- ☐ 3. **RESPONDENT SHALL STAY AWAY FROM** protected persons named in this Order, and shall not be present within _____ (feet) of any protected persons wherever the protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with protected persons' permission.** If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]

RESPONDENT SHALL ALSO OBSERVE THE FOLLOWING RESTRICTIONS ON TIME AND LOCATION:

- ☐ 4. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in this Order.
- ☐ 5. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order. Contact includes, but is not limited to, landline, cordless or cellular telephone, text, fax, e-mail, voice mail, delivery service, social network media, writings, or communications by any other means in person or through another person. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 05]
- ☐ 6. **RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY OTHER PERSON** to do any act prohibited by this Order.
- ☐ 7. **NOTICE TO RESPONDENT AND RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN:** **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** while this Order remains in effect.
- ☐ 8. **IT IS FURTHER ORDERED:** [NCIC 08] _____
- _____
- _____

9. **IT IS FURTHER ORDERED** that a copy of the Petition and this Order to be delivered to the Respondent and Respondent's parent, guardian, or legal custodian as required by law. Under federal and state law, no fees shall be charged for filing, issuing, registering, or serving this protection order.

10. **ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT UNTIL**
OR UNTIL RESPONDENT ATTAINS 19 YEARS OF AGE.
RESPONDENT WILL ATTAIN 19 years of age on _____

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT: THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. IF THERE IS ANY REASON WHY THIS ORDER SHOULD BE CHANGED, YOU MUST ASK THE COURT TO CHANGE IT. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

A FULL HEARING on this Order shall be held before

Judge _____ or

Magistrate _____

on _____ at _____ a.m./p.m.

at the following location:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- ☐ Petitioner _____
- ☐ Petitioner's Parent _____
- ☐ Petitioner's Guardian _____
- ☐ Petitioner's Legal Custodian _____
- ☐ Respondent (by personal service)
- ☐ Respondent's Parent _____
- ☐ Respondent's Guardian _____
- ☐ Respondent's Legal Custodian _____
- ☐ Police Department Where Petitioner Resides: _____

☐ Police Department Where Petitioner Works: _____

☐ The _____ Sheriff's Department

☐ School: _____

☐ Other: _____

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Order of Protection

Per R.C. 2151.34(F)(3), this Order is indexed at

LAW ENFORCEMENT AGENCY WHERE INDEXED

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PHONE NUMBER

Case No.

Judge

County

State

OHIO**JUVENILE CIVIL PROTECTION ORDER FULL HEARING
(R.C. 2151.34)****PETITIONER:****PERSON(S) PROTECTED BY THIS ORDER:**

Petitioner: _____ DOB: _____

Petitioner's Family or Household Member(s) (First, MI, Last):

DOB: _____

DOB: _____

DOB: _____

DOB: _____

First Middle Initial Last

v.**RESPONDENT:**

RESPONDENT IDENTIFIERS

SEX	RACE	HT	WT
EYES	HAIR	DATE OF BIRTH	
DRIVER'S LIC. NO.		EXP. DATE	STATE

First Middle Initial Last

Distinguishing Features: _____

(Violence Against Women Act, 18 U.S.C. 2265, Federal Full Faith & Credit Declaration: Registration of this Order is not required for enforcement.)

THE COURT HEREBY FINDS:That it has jurisdiction over the parties and subject matter, and the Respondent and Respondent's parent, guardian, or legal custodian was provided with reasonable notice and opportunity to be heard within the time required by Ohio law. **Additional findings of this Order are set forth below.****THE COURT HEREBY ORDERS:**

That the above named Respondent be restrained from committing acts of abuse or threats of abuse against the Petitioner and other protected persons named in this Order, as set forth below. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until

**DATE CERTAIN – NO LATER THAN RESPONDENT
ATTAINS 19 YEARS OF AGE**

Respondent will attain 19 years of age on

WARNING TO RESPONDENT: See the warning page attached to the front of this Order.

This proceeding came on for a hearing on _____ before the Court and the Juvenile Civil Protection Order *Ex Parte* filed on _____ in accordance with R.C. 2151.34. The following individuals were present: _____

The Court hereby makes the following findings of fact: _____

☐ The Court finds by a preponderance of the evidence that 1) the Respondent has knowingly engaged in a conduct that caused Petitioner to believe that the Respondent caused or will cause physical harm or mental distress as defined in R.C. 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, and 2911.211; and 2) the following orders are equitable, fair, and necessary to protect the person(s) named in this Order from offenses of violence.

☐ The Court finds by a preponderance of the evidence that 1) the Petitioner or Petitioner's family or household member(s) are in danger of or have been a victim of a sexually oriented offense as defined in R.C. 2950.01, committed by Respondent; and 2) the following orders are equitable, fair, and necessary to protect the persons named in this Order from sexually oriented offenses.

☐ The Court finds by clear and convincing evidence that 1) the Petitioner or Petitioner's family or household member reasonably believed the Respondent's conduct before the filing of the Petition endangered the health, welfare, or safety of the Petitioner or Petitioner's family or household member(s), 2) the Respondent presents a continuing danger to the Petitioner or Petitioner's family or household member(s), and 3) the following orders are equitable, fair, and necessary to protect the person(s) named in this Order. This finding is necessary for electronic monitoring of Respondent.

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

☐ 1. **RESPONDENT SHALL NOT ABUSE** the protected persons named in this Order by harming, attempting to harm, threatening, following, stalking, harassing, forcing sexual relations upon them, or by committing sexually oriented offenses against them. [NCIC 01 and 02]

☐ 2. **RESPONDENT SHALL NOT ENTER** the following places named in this Order, including the buildings, grounds, and parking lots at those locations. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 04]

☐ **Residence:** _____

☐ **School:** _____

☐ **Place of employment:** _____

☐ **Day care center:** _____

☐ **Child care provider:** _____

☐ **Other:** _____

☐ 3. **RESPONDENT SHALL STAY AWAY** from protected person(s) named in this Order, and shall not be present within _____ (feet) of any protected persons, wherever the protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with protected persons' permission.** If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]

RESPONDENT SHALL ALSO STAY AWAY DURING THE FOLLOWING TIME AND LOCATION:

- ☐ 4. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in this Order.
- ☐ 5. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order. Contact includes, but is not limited to, landline, cordless or cellular telephone, text, fax, e-mail, voice mail, delivery service, social network media, writings, or communications by any other means in person or through another person. Respondent may not violate this Order, **even with the permission of a protected person.** [NCIC 05]
- ☐ 6. **RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY OTHER PERSON** to do any act prohibited by this Order.
- ☐ 7. **NOTICE TO RESPONDENT AND RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN: RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** while this Order remains in effect.
- ☐ 8. **IT IS FURTHER ORDERED:** [NCIC 08] _____

- ☐ 9. **RESPONDENT IS ORDERED TO COMPLETE** the following counseling program(s): _____

- Respondent shall contact this program within seven days after receiving this Order and immediately arrange for an initial appointment.** The program is requested to provide the Court a written notice when Respondent attends the initial appointment, if the Respondent fails to attend or is discharged, and when Respondent completes the program. Respondent is required to sign all necessary waivers to allow the Court to receive information from the program.
- Respondent is ordered to appear before Judge _____ or Magistrate _____**
on _____, at _____ a.m. / p.m., to review Respondent's compliance
with this Order. Respondent is warned: If you fail to attend the above-named program you may be held in contempt of court.
- ☐ 12. **RESPONDENT SHALL NOT USE OR POSSESS** alcohol or illegal drugs.
- ☐ 13. **RESPONDENT SHALL BE ELECTRONICALLY MONITORED.** The Court having found the factors set forth in R.C. 2151.34(E)(1)(b). Respondent is ordered to report to _____
 _____ for the installation of a global positioning system for the purpose of electronic monitoring for the duration of this Order or until _____ whichever expires first. The Court further imposes the following terms and conditions: _____

- 14. IT IS FURTHER ORDERED** that a copy of the Petition and this Order to be delivered to the Respondent and Respondent's parent, guardian, or legal custodian as required by law. Under federal and state law, no fees shall be charged for filing, issuing, registering, or serving this protection order.

Case No. _____

15. ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT UNTIL A DATE CERTAIN,
 _____ / _____ / _____ **OR UNTIL RESPONDENT ATTAINS 19 YEARS OF AGE.**

16. THE COURT WILL SEAL THIS RECORD ON THE RESPONDENT'S 19TH BIRTHDAY, unless otherwise
 determined by the Court or the Petitioner provides evidence of violation(s) of the Order. **RESPONDENT WILL**
ATTAIN the 19 years of age on _____ / _____ / _____ :

IT IS SO ORDERED.**APPROVED and ADOPTED by:**_____
MAGISTRATE_____
JUDGE

NOTICE TO RESPONDENT: THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. IF THERE IS ANY REASON WHY THIS ORDER SHOULD BE CHANGED, YOU MUST ASK THE COURT TO CHANGE IT. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

NOTICE OF FINAL APPEALABLE ORDER

Copies of the foregoing Order, which is a final, appealable order, were mailed by ordinary U.S. mail or hand-delivered to the parties indicated on the following date:

_____ : _____

By: _____

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- | | |
|--|--|
| <input type="checkbox"/> Petitioner | <input type="checkbox"/> Attorney for Petitioner |
| <input type="checkbox"/> Petitioner's Parent | <input type="checkbox"/> Petitioner's Guardian |
| <input type="checkbox"/> Petitioner's Legal Custodian | |
| <input type="checkbox"/> Respondent | <input type="checkbox"/> Attorney for Respondent |
| <input type="checkbox"/> Respondent's Parent | <input type="checkbox"/> Respondent's Guardian |
| <input type="checkbox"/> Respondent's Legal Custodian | |
| <input type="checkbox"/> Petitioner's/Respondent's School | |
| <input type="checkbox"/> Police Department Where Petitioner Resides: | |
| _____ | |
| <input type="checkbox"/> Police Department Where Petitioner Works: | |
| _____ | |
| <input type="checkbox"/> Police Department Where School is Located: | |
| _____ | |
| <input type="checkbox"/> The _____ County Sheriff's Office | |
| <input type="checkbox"/> Other: _____ | |

WAIVER

I, _____, understand the following rights and acknowledge as follows:

1. I waive the right to have a full hearing on the Petition for Juvenile Civil Protection Order;
2. I waive the right to cross-examine witnesses and review evidence submitted in support of the Protection Order;
3. I waive the right to present witnesses and evidence on my own behalf; and
4. I waive the right to request specific factual findings from the Court concerning the issuance of the Protection Order.

I understand that based on the foregoing waivers a Protection Order will be entered against me.

RESPONDENT_____
DATE

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

<u>Petitioner</u>	:	<u>Case No.</u>
<u>Address</u>	:	<u>Judge</u>
<u>City, State, Zip Code</u>	:	<u>PETITION FOR JUVENILE CIVIL PROTECTION ORDER OR JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER (R.C. 2151.34 and 3113.31)</u>
<u>Date of Birth:</u>	:	
<u>v.</u>	:	<u>Notice to Petitioner: Throughout this form, check every <input type="checkbox"/> that applies.</u>
<u>Respondent</u>	:	<u>DO NOT WRITE YOUR ADDRESS ON THIS FORM IF YOU ARE REQUESTING CONFIDENTIALITY. PLEASE PROVIDE ANOTHER ADDRESS WHERE YOU CAN RECEIVE NOTICES FROM THE COURT.</u>
<u>Address</u>	:	
<u>City, State, Zip Code</u>	:	
<u>Date of Birth:</u>	:	

SECTION A: PARTIES AND RELATIONSHIPS

- ☐ 1. Petitioner/Applicant seeks relief on his or her own behalf.
- ☐ 2. Petitioner/Applicant seeks relief on behalf of, _____, who is a minor.
The minor is not a family or household member of the Petitioner/Applicant, pursuant to R.C. 3113.31(A) (3) (a)-(b).
- ☐ 3. Petitioner/Applicant seeks relief on behalf of the following family or household members:

NAME (first, middle initial, and last)	DATE OF BIRTH	HOW RELATED TO PETITIONER/APPLICANT

- ☐ 4. Petitioner/Applicant is not a family or household member of Respondent. **(Petitioner/Applicant must complete SECTION B and skip SECTION C.)**
- ☐ 5. Petitioner/Applicant is a family or household member of Respondent and a victim of domestic violence. **(Petitioner/Applicant must complete SECTION C and skip SECTION B.)** The relationship of Petitioner/Applicant to Respondent is that of:
- ☐ Parent of Respondent
- ☐ Foster Parent of Respondent
- ☐ Other relative by blood or marriage of Respondent or Petitioner/Applicant who has lived with Respondent at any time (describe relationship): _____

- ☐ 6. Petitioner/Applicant or a family or household member of Petitioner/Applicant has a child in common with Respondent.

SECTION B: PETITION FOR JUVENILE CIVIL PROTECTION ORDER (R.C. 2151.34)

- ☐ 7. Petitioner/Applicant states that Petitioner/Applicant is **NOT** a family or household member of the Respondent. Petitioner/Applicant further states Respondent has engaged in the following act(s) in violation of R.C. 2151.34:

- ☐ a. For a protection order due to a felonious assault, aggravated assault, assault, aggravated menacing, stalking, menacing, aggravated trespass, or sexually oriented offense, please describe the nature and extent of the conduct that causes you to believe that Respondent will cause or has caused you physical harm or mental distress. Attach additional page if you need more room.

- ☐ b. For electronic monitoring of the Respondent, describe the nature and extent of the Respondent's/ Juvenile's conduct before you filed this petition that puts you or your family or household members' health, welfare, or safety at risk. Also describe how the Respondent presents a continuing danger to you or your family or household members. Attach additional page if you need more room.

- ☐ c. Petitioner/Applicant further states that Respondent attends the same school or are transported to school on the same school bus as Petitioner/Applicant and the family or household member of the Petitioner/Applicant.

8. Petitioner/Applicant requests the Court grant relief under R.C. 2151.34 to Petitioner/Applicant and the family or household members, if any, named in this Petition by granting a Juvenile Civil Protection Order that:

- ☐ a. Requires Respondent not to abuse the Petitioner/Applicant and the family or household members named in this Petition by harming, attempting to harm, threatening, following, stalking, harassing, contacting, forcing sexual relations upon them, or by committing sexually oriented offenses against them.

- ☐ b. Requires Respondent to refrain from entering the following places (including name and address, as applicable) where Petitioner/Applicant and the family or household members named in this Petition may be found, including the buildings, grounds, and parking lots at these places.

- ☐ Residence: _____
- ☐ School: _____
- ☐ Business: _____
- ☐ Day care center: _____
- ☐ Child care provider: _____
- ☐ Other (specify): _____

- ☐ c. Requires Respondent not to have contact with Petitioner/Applicant or the family or household members named in this Petition by any means whatsoever.

- ☐ d. Requires Respondent not to remove, damage, hide, or dispose of any property or pets owned or possessed by the Petitioner/Applicant and family or household members of Petitioner/Applicant named in this Petition.
- ☐ e. Requires Respondent not to possess, use, carry, or obtain any deadly weapon.
- ☐ f. Requires Respondent to be electronically monitored.
- ☐ g. Includes the following additional provisions: _____

- ☐ 9. Petitioner/Applicant further requests that the Court issue an *ex parte* (emergency) protection order under R.C. 2151.34(D) and this Petition due to immediate and present danger.
10. Petitioner/Applicant further requests that the Court not issue any mutual protection orders or other orders against Petitioner/Applicant unless all of the conditions under R.C. 2151.34(E)(3) are met.
11. Petitioner/Applicant further requests that if Petitioner/Applicant has a victim advocate, the Court permit the victim advocate to accompany Petitioner/Applicant at all stages of these proceedings as required under R.C. 2151.34(L).
12. Petitioner/Applicant further requests that the Court grant such other relief as the Court considers equitable and fair.

SECTION C: PETITION FOR JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION (R.C. 3113.31)

- ☐ 13. Petitioner/Applicant is a family or household member of the Respondent pursuant to R.C. 3113.31.
- ☐ 14. Petitioner/Applicant is a parent, legal guardian or custodian of the Respondent.
- ☐ 15. Respondent has engaged in the following act(s) of domestic violence. Describe the act(s) as fully as possible. Attach additional page if you need more room.

- ☐ 16. The following is a list of all present and past court cases, that Petitioner/Applicant knows of, which involved the Respondent and are relevant to this matter:

CASE NAME	CASE NUMBER	COURT/COUNTY	TYPE OF CASE	RESULT OF CASE

- ☐ 17. Petitioner/Applicant requests the Court grant relief under R.C. 3113.31 to protect the Petitioner/Applicant and/or the family or household members named in this Petition from domestic violence by granting a civil protection order that:
- ☐ a. Directs Respondent not to abuse Petitioner/Applicant and the family or household members named in this Petition by harming, attempting to harm, threatening, following, stalking, harassing, forcing sexual relations upon them, or by committing sexually oriented offenses against them.
- ☐ b. Requires Respondent to leave and not return to or interfere with the following residence: _____

- ☐ c. Directs Respondent not to remove, damage, hide, or dispose of any property or funds that Petitioner/Applicant owns or possesses.
- ☐ d. Requires Respondent to refrain from contacting the Petitioner/Applicant and the family or household members named in this Petition by any means whatsoever.
- ☐ e. Requires Respondent to refrain from entering or approaching the following places (including name and address, as applicable) where the Petitioner/Applicant and the family or household members named in this Petition may be found, including the buildings, grounds, and parking lots at these places.
- ☐ Residence: _____
- ☐ School: _____
- ☐ Business: _____
- ☐ Place of employment: _____
- ☐ Day care center: _____
- ☐ Child care provider: _____
- ☐ Other (specify): _____
- ☐ f. Requires Respondent to complete batterer counseling, substance abuse counseling, or other counseling as determined necessary by the Court.
- ☐ g. Includes the following additional provisions: _____

- ☐ 18. Petitioner/Applicant further requests that the Court issue an *ex parte* (emergency) protection order under R.C. 3113.31(D) and (E) and this Petition.
19. Petitioner/Applicant further requests that the Court issue no mutual protection orders or other orders against Petitioner/Applicant unless all of the conditions of R.C. 3113.31(E)(4) are met.
20. Petitioner/Applicant further requests that if Petitioner has a victim advocate, the Court permit the victim advocate to accompany Petitioner/Applicant at all stages of these proceedings as required by R.C. 3113.31(M).
21. Petitioner further requests that the Court grant such other relief as the Court considers equitable and fair.

I hereby swear or affirm that the answers above are true, complete, and accurate to the best of my knowledge. I understand that falsifying this document may result in a contempt of court finding against me which could result in a jail sentence and fine and that falsifying this document may also subject me to criminal penalties for perjury under R.C. 2921.11.

Sworn to and subscribed before me on this _____
day of _____:-

SIGNATURE OF PETITIONER

**DO NOT WRITE YOUR ADDRESS BELOW IF YOU
ARE REQUESTING CONFIDENTIALITY. PLEASE
PROVIDE AN ADDRESS WHERE YOU CAN RECEIVE
NOTICES FROM THE COURT.**

NOTARY

Address

Signature of Attorney for Petitioner (if applicable)

Name

Address

Attorney Registration

Telephone Number

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Order of Protection

Per R.C. 3113.31(F)(3), this Order is indexed at

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

Case No.

Judge _____

County

State

OHIO

JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER *EX PARTE* (R.C. 3113.31)

PETITIONER:

First

Middle

Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

Petitioner's Family or Household Member(s):

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

RESPONDENT:

First

Middle

Last

Relationship to Petitioner: _____

Address where Respondent can be found: _____

RESPONDENT IDENTIFIERS

<u>SEX</u>	<u>RACE</u>	<u>HT</u>	<u>WT</u>
<u>EYES</u>	<u>HAIR</u>	<u>DATE OF BIRTH</u>	
<u>DRIVER'S LIC. NO.</u>	<u>EXP. DATE</u>	<u>STATE</u>	

Distinguishing Features: _____

(Violence Against Women Act, 18 U.S.C. 2265, Federal Full Faith & Credit Declaration: Registration of this Order is not required for enforcement.)

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and the Respondent will be provided with reasonable notice and opportunity to be heard within the time required by Ohio law. **Additional findings of this Order are set forth below.**

THE COURT HEREBY ORDERS:

That the above named Respondent be restrained from committing acts of abuse or threats of abuse against the Petitioner and other protected persons named in this Order, as set forth below. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until

/ /

**DATE CERTAIN – NO LATER THAN
RESPONDENT ATTAINS 19 YEARS OF AGE**

Respondent will attain 19 years of age on

/ /

WARNING TO RESPONDENT: See the warning page attached to the front of this Order.

Effective Date: _____

This proceeding came for an *ex parte* hearing on _____ (Respondent not being present), upon the filing of a Petition by Petitioner for a juvenile domestic violence civil protection order against the Respondent pursuant to R.C. 3113.31. In accordance with R.C. 3113.31(D)(1), the Court held an *ex parte* hearing on the same day that the Petition was filed.

The Court finds that the protected persons herein are in immediate and present danger of domestic violence and for good cause shown, the following temporary orders are necessary to protect the persons named in this Order from domestic violence.

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

- ☐ 1. **RESPONDENT SHALL NOT ABUSE** the protected persons named in this Order by harming, attempting to harm, threatening, following, stalking, harassing, forcing sexual relations upon them, or by committing sexually oriented offenses against them. [NCIC 01 and 02]
- ☐ 2. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence: _____
- ☐ 3. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at _____ is granted to: _____. Respondent shall not interfere with this individual's right to occupy the residence including, but not limited to canceling utilities or insurance, interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]
- ☐ 4. **RESPONDENT IS A MINOR AND WILL RESIDE** at the following address until otherwise determined by the Court: _____
- ☐ 5. **RESPONDENT SHALL NOT ENTER** the following places named in this Order, including the buildings, grounds, and parking lots at those locations. Respondent may not violate this Order even with the permission of a protected person. [NCIC 04]
- ☐ Residence: _____
- ☐ Business: _____
- ☐ Place of employment: _____
- ☐ Day care center: _____
- ☐ Child care provider: _____
- ☐ Other: _____
- ☐ 6. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order, and not be present within _____ (feet) of any protected persons wherever the protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with Petitioner's permission**. If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]
- ☐ 7. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order anywhere, except as otherwise allowed in this Order. Contact includes, but is not limited to, telephone, fax, e-mail, voice mail, delivery service, social networking media, writings, or communications by any other means in person or through another person. Respondent may not violate this Order **even with the permission of a protected person**. [NCIC 05]
- ☐ 8. **RESPONDENT IS ALLOWED CONTACT WITH** protected person(s) as follows: _____

- ☐ 9. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in this Order. Personal property shall be apportioned as follows:

- ☐ 10. **RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this Order.
- ☐ 11. **NOTICE TO RESPONDENT AND RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN: RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** while this Order remains in effect.
- ☐ 12. **RESPONDENT MAY PICK UP CLOTHING** and personal items from the above residence only in the company of a uniformed law enforcement officer or _____ within seven days of the filing of this Order. Arrangements may be made by contacting: _____
- ☐ 13. **RESPONDENT SHALL IMMEDIATELY SURRENDER** to law enforcement or _____ the following personal property: _____
- ☐ 14. **RESPONDENT SHALL NOT USE OR POSSESS** alcohol or illegal drugs.
- ☐ 15. **IT IS FURTHER ORDERED: [NCIC 08]** _____
- 16. IT IS FURTHER ORDERED** that a copy of the Petition and this Order to be delivered to the Respondent as required by law. Under state and federal law, no fees shall be charged for filing, issuing, registering, or serving this Protection Order.
- 17. ALL OF THE TERMS OF THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL** _____ unless earlier modified by or dismissed by order of this Court.

RESPONDENT WILL ATTAIN 19 years of age on _____

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT: THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. IF THERE IS ANY REASON WHY THIS ORDER SHOULD BE CHANGED, YOU MUST ASK THE COURT TO CHANGE IT. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

A FULL HEARING on this Order, and on all other issues raised by the Petition, shall be held

before Judge

or Magistrate

on the _____ day of _____, _____

at _____ a.m./p.m. at
the following location:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- ☐ Petitioner
- ☐ Petitioner's Parent
- ☐ Petitioner's Guardian
- ☐ Petitioner's Legal Custodian
- ☐ Respondent (by personal service)
- ☐ Respondent's Parent
- ☐ Respondent's Guardian
- ☐ Respondent's Legal Custodian
- ☐ Police Department Where Petitioner Resides:

☐ Police Department Where Petitioner Works: _____

☐ The _____ County Sheriff's Office

☐ School _____

☐ Other: _____

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Order of Protection

Per R.C. 3113.31(F)(3), this Order is indexed at

LAW ENFORCEMENT AGENCY WHERE INDEXED

Case No.

Judge

County

State

OHIO

JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER
FULL HEARING (R.C. 3113.31)

PHONE NUMBER

PETITIONER:**PERSON(S) PROTECTED BY THIS ORDER:**

Petitioner

DOB:

Petitioner's Family or Household Member(s):

DOB:

DOB:

DOB:

DOB:

First

Middle

Last

v.

RESPONDENT:**RESPONDENT IDENTIFIERS**

SEX	RACE	HT	WT
EYES	HAIR	DATE OF BIRTH	
DRIVER'S LIC. NO.	EXP. DATE	STATE	

First

Middle

Last

Relationship to Petitioner:

Address where Respondent can be found:

Distinguishing Features:

(Violence Against Women Act, 18 U.S.C. 2265, Federal Full Faith & Credit Declaration: Registration of this Order is not required for enforcement.)

THE COURT HEREBY FINDS:That it has jurisdiction over the parties and subject matter, and the Respondent was provided with reasonable notice and opportunity to be heard within the time required by Ohio law. **Additional findings of this Order are set forth below.****THE COURT HEREBY ORDERS:**

That the above named Respondent be restrained from committing acts of abuse or threats of abuse against the Petitioner and other protected persons named in this Order, as set forth below. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until

/ /

**DATE CERTAIN – NO LATER THAN RESPONDENT
ATTAINS 19 YEARS OF AGE**

Respondent will attain 19 years of age on

/ / :

WARNING TO RESPONDENT: See the warning page attached to the front of this Order.

This proceeding came on for a hearing on _____ before the Court and the *Ex Parte* Order filed _____. The following individuals were present: _____

The Court hereby makes the following findings of fact: _____

The Court further finds by a preponderance of the evidence: 1) that the Petitioner or Petitioner's family or household member(s) are in danger of or have been a victim of domestic violence or sexually oriented offenses as defined in R.C. 3113.31(A) committed by Respondent; and 2) the following orders are equitable, fair, and necessary to protect the person(s) named in this Order from domestic violence.

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT.

- ☐ 1. **RESPONDENT SHALL NOT ABUSE** the protected persons named in this Order by harming, attempting to harm, threatening, following, stalking, harassing, forcing sexual relations upon them, or by committing sexually oriented offenses against them. [NCIC 01 and 02]
- ☐ 2. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence: _____
- ☐ 3. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at: _____
is granted to: _____. Respondent shall not interfere with this individual's right to occupy the residence including, but not limited to canceling utilities or insurance, interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]
- ☐ 4. **RESPONDENT IS A MINOR AND WILL RESIDE** at the following address until otherwise determined by the Court: _____
- ☐ 5. **RESPONDENT SHALL NOT ENTER** the following places named in this Order, including the buildings, grounds and parking lots at those locations. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 04]
- ☐ Residence: _____
- ☐ Business: _____
- ☐ Place of employment: _____
- ☐ Day care center: _____
- ☐ Child care provider: _____
- ☐ Other: _____
- ☐ 6. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order and not be present within _____ (feet) of any protected persons, wherever the protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with Petitioner's permission.** If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]
- ☐ 7. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in this Order. _____

- ☐ **8. RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order anywhere, except as otherwise allowed in this Order. Contact includes, but is not limited to, telephone, fax, e-mail, voice mail, delivery service, social network media, writings, or communications by any other means in person or through another person. Respondent may not violate this Order even with the permission of a protected person. [NCIC 05]
- ☐ **9. RESPONDENT IS ALLOWED CONTACT** with protected person(s) as follows: _____
- ☐ **10. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this Order.
- ☐ **11. NOTICE TO THE RESPONDENT AND RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN: RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** while this Order remains in effect.
- ☐ **12. RESPONDENT MAY PICK UP CLOTHING** and personal items from the above residence only in the company of a uniformed law enforcement officer or _____ within seven days of the filing of this Order. Arrangements may be made by contacting: _____
- ☐ **13. RESPONDENT SHALL IMMEDIATELY SURRENDER** to law enforcement or _____ the following personal property: _____
- ☐ **14. RESPONDENT SHALL NOT USE OR POSSESS** illegal drugs or alcohol.
- ☐ **15. RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:** _____
- Respondent shall contact this program within _____ days after receiving this Order and immediately arrange for an initial appointment.** The counseling program is requested to provide the Court a written notice when Respondent attends the initial appointment, if the Respondent fails to attend or is discharged, and when Respondent completes the program. Respondent is required to sign all necessary waivers to allow the Court to receive information from the counseling program.
- Respondent is ordered to appear before Judge _____ or Magistrate _____ on _____ at _____ a.m. / p.m., to review Respondent's compliance with the counseling Order. Respondent is warned: If you fail to attend the counseling program you may be held in contempt of court. If you fail to appear at this hearing, the Court may issue a warrant for your arrest.**
- ☐ **16. IT IS FURTHER ORDERED: [NCIC 08]** _____
- ☐ **17. IT IS FURTHER ORDERED** that a copy of the Petition and this Order to be delivered to the Respondent and Respondent's parent, guardian, or legal custodian as required by law. Under state and federal law, no fees shall be charged for filing, issuing, registering, or serving this protection order.
- ☐ **18. ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF FIVE YEARS FROM ISSUANCE, OR UNTIL _____** unless earlier modified or terminated by order of this Court.

RESPONDENT WILL ATTAIN 19 years of age on _____

IT IS SO ORDERED.**APPROVED and ADOPTED by:****MAGISTRATE****JUDGE**

NOTICE TO RESPONDENT AND RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN: THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. IF THERE IS ANY REASON WHY THIS ORDER SHOULD BE CHANGED, YOU MUST ASK THE COURT TO CHANGE IT. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

I have read this Consent Agreement and Civil Protection Order and agree to its terms.

I have read this Consent Agreement and Civil Protection Order and agree to its terms.

SIGNATURE OF PETITIONER**SIGNATURE OF RESPONDENT**Address of PetitionerAddress of RespondentSignature of Attorney for PetitionerSignature of Attorney for RespondentAddress of Attorney for PetitionerAddress of Attorney for Respondent**NOTICE OF FINAL APPEALABLE ORDER**

Copies of the foregoing Order, which is a final
appealable order, were mailed by ordinary U.S.
mail or hand-delivered to the parties indicated on
the _____ day of _____, 20 _____.

By: _____
Name

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- ☐ Petitioner
☐ Petitioner's Parent
☐ Petitioner's Legal Guardian
☐ Petitioner's Custodian
☐ Attorney for Petitioner
☐ Respondent
☐ Respondent's Parent
☐ Respondent's Legal Guardian
☐ Respondent's Custodian
☐ Attorney for Respondent
☐ Counseling Program: _____

- ☐ The _____ County Sheriff Office
☐ Police Department Where Petitioner Resides:

☐ Police Department Where Petitioner Works:

☐ Police Department Where School is Located:

☐ CSEA _____

☐ Other: _____

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Order of Protection

Per R.C. 3113.31(F)(3), this Order is indexed at

LAW ENFORCEMENT AGENCY WHERE INDEXEDCase No.

Judge _____

County

State

OHIO**JUVENILE DOMESTIC VIOLENCE CONSENT AGREEMENT
AND CIVIL PROTECTION ORDER (R.C. 3113.31)**() -
PHONE NUMBER**PETITIONER:**

First

Middle

Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner _____

DOB: _____

Petitioner's Family or Household Member(s):

DOB: _____

DOB: _____

DOB: _____

DOB: _____

RESPONDENT:

First

Middle

Last

Relationship to Petitioner: _____

Address where Respondent can be found: _____

_____**RESPONDENT IDENTIFIERS**

<u>SEX</u>	<u>RACE</u>	<u>HT</u>	<u>WT</u>
<u>EYES</u>	<u>HAIR</u>	<u>DATE OF BIRTH</u>	
<u>DRIVER'S LIC. NO.</u>	<u>EXP. DATE</u>	<u>STATE</u>	

Distinguishing Features: _____

(Violence Against Women Act, 18 U.S.C. 2265, Federal Full Faith & Credit Declaration: Registration of this Order is not required for enforcement.)

THE COURT HEREBY FINDS:That it has jurisdiction over the parties and subject matter, and the Respondent was provided with reasonable notice and opportunity to be heard within the time required by Ohio law. **Additional findings of this Order are set forth below.****THE COURT HEREBY ORDERS:**

That the above named Respondent be restrained from committing acts of abuse or threats of abuse against the Petitioner and other protected persons named in this Order, as set forth below. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until

/ /

**DATE CERTAIN – NO LATER THAN RESPONDENT
ATTAINS 19 YEARS OF AGE**

Respondent will attain 19 years of age on / / :

WARNING TO RESPONDENT: See the warning page attached to the front of this Order.

Effective Date: _____

This proceeding came on for a hearing on _____ before the Court and the *Ex Parte* Order filed _____. The following individuals were present: _____

The parties agree to waive their notice and hearing rights and their rights under Civ. R. 53, including the right to request findings of fact and conclusions of law and to file objections to the Magistrate's Decision in this matter.

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT.

- ☐ 1. **RESPONDENT SHALL NOT ABUSE** the protected persons named in this Order by harming, attempting to harm, threatening, following, stalking, harassing, forcing sexual relations upon them, or by committing sexually oriented offenses against them. [NCIC 01 and 02]
- ☐ 2. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence: _____
- ☐ 3. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at: _____
is granted to: _____. Respondent shall not interfere with this individual's right to occupy the residence including, but not limited to canceling utilities or insurance, interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]
- ☐ 4. **RESPONDENT IS A MINOR AND WILL RESIDE** at the following address until otherwise determined by the Court. _____
- ☐ 5. **RESPONDENT SHALL NOT ENTER** the following places named in this Order, including the buildings, grounds and parking lots at those locations. Respondent may not violate this order **even with the permission of a protected person.** [NCIC 04]
☐ Residence: _____
☐ Business: _____
☐ Place of employment: _____
☐ Day care center: _____
☐ Child care provider: _____
☐ Other: _____
- ☐ 6. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order and not be present within _____ (feet) of any protected persons, wherever the protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with Petitioner's permission.** If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]
- ☐ 7. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order anywhere, except as otherwise allowed in the Order. Contact includes, but is not limited to, telephone, fax, e-mail, voice mail, delivery service, social network media, writings, or communications by any other means in person or through another person. Respondent may not violate this Order even with the permission of a protected person. [NCIC 05]
- ☐ 8. **RESPONDENT IS ALLOWED CONTACT** protected person(s) as follows: _____
- ☐ 9. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in this Order. _____

- ☐ 10. **RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this Order.
- ☐ 11. **NOTICE TO THE RESPONDENT AND RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN: RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** while this Order remains in effect.
- ☐ 12. **RESPONDENT MAY PICK UP CLOTHING** and personal items from the above residence only in the company of a uniformed law enforcement officer or _____ within seven days of the filing of this Order. Arrangements may be made by contacting: _____
- ☐ 13. **RESPONDENT SHALL IMMEDIATELY SURRENDER** to law enforcement or _____ the following personal property: _____
- ☐ 14. **RESPONDENT SHALL NOT USE OR POSSESS** illegal drugs or alcohol.
- ☐ 15. **RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:**

Respondent shall contact this program within _____ days after receiving this Order and immediately arrange for an initial appointment. The counseling program is requested to provide the Court a written notice when Respondent attends the initial appointment, if the Respondent fails to attend or is discharged, and when Respondent completes the program. Respondent is required to sign all necessary waivers to allow the Court to receive information from the counseling program.

Respondent is ordered to appear before Judge _____ or Magistrate _____ on _____ at _____ a.m. / p.m., to review Respondent's compliance with the counseling Order. Respondent is warned: If you fail to attend the counseling program you may be held in contempt of court. If you fail to appear at this hearing, the Court may issue a warrant for your arrest.

- ☐ 16. **IT IS FURTHER ORDERED: [NCIC 08]** _____
- ☐ 17. **IT IS FURTHER ORDERED** that a copy of the Petition and this Order to be delivered to the Respondent and Respondent's parent, guardian, or legal custodian as required by law. Under state and federal law, no fees shall be charged for filing, issuing, registering, or serving this protection order.
- ☐ 18. **ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF FIVE YEARS FROM ISSUANCE, OR UNTIL _____** unless earlier modified or terminated by order of this Court.

RESPONDENT WILL ATTAIN 19 years of age on _____

IT IS SO ORDERED.**APPROVED and ADOPTED by:**MAGISTRATEJUDGE

NOTICE TO RESPONDENT AND RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN: THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. IF THERE IS ANY REASON WHY THIS ORDER SHOULD BE CHANGED, YOU MUST ASK THE COURT TO CHANGE IT. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

I have read this Consent Agreement and Civil Protection Order and agree to its terms.

I have read this Consent Agreement and Civil Protection Order and agree to its terms.

SIGNATURE OF PETITIONERSIGNATURE OF RESPONDENTAddress of PetitionerAddress of RespondentSignature of Attorney for PetitionerSignature of Attorney for RespondentAddress of Attorney for PetitionerAddress of Attorney for Respondent**NOTICE OF FINAL APPEALABLE ORDER**

Copies of the foregoing Order, which is a final
appealable order, were mailed by ordinary U.S. mail
or hand-delivered to the parties indicated on the

day of _____, 20 _____.

By: _____
Name

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- ☐ Petitioner
- ☐ Petitioner's Parent
- ☐ Petitioner's Legal Guardian
- ☐ Petitioner's Custodian
- ☐ Attorney for Petitioner
- ☐ Respondent
- ☐ Respondent's Parent
- ☐ Respondent's Legal Guardian
- ☐ Respondent's Custodian
- ☐ Attorney for Respondent
- ☐ Counseling Program: _____

- ☐ The _____ County Sheriff's Office
- ☐ Police Department Where Petitioner Resides:

☐ Police Department Where Petitioner Works:

☐ Police Department Where School is Located:

☐ CSEA

☐ Other: _____