

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

Comments Requested: The Supreme Court of Ohio will accept public comments until October 12, 2018, on the following proposed amendments to the Rules of Superintendence for the Courts of Ohio.

Comments on the proposed amendments should be submitted in writing to: Diana Ramos-Reardon, Policy Counsel, Supreme Court of Ohio, 65 South Front Street, 6th Floor, Columbus, Ohio 43215-3431, or DomesticViolence@sc.ohio.gov not later than October 12, 2018. Please include your full name and mailing address in any comments submitted by e-mail.

Key to Proposed Amendment:

1. Existing language appears in regular type. Example: text
2. Existing language to be deleted appears in strikethrough. Example: ~~text~~
3. New language to be added appears in underline. Example: text

1 **RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO**
2
3

4 **RULE 10. Notifying Law Enforcement Agencies of Notification Regarding Criminal or**
5 **Civil Protection Orders.**
6

7 ~~(A)~~

8 **(A) Filing of protection order notice into NCIC**
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10 Upon a court's issuance, modification, or termination of a civil or criminal or civil
11 protection order by a court or approval of a consent agreement civil protection order
12 pursuant to section R.C. 2151.34, 2903.213, 2903.214, division (E)(2) of 2919.26, or
13 3113.31 of the Revised Code or a no contact order in accordance to 18 U.S.C. 2266(5), the
14 court shall ~~complete~~ do both of the following:
15

16 (1) Follow the instructions in "Form 10-B" for thorough and accurate
17 completion of "Form 10-A;" and to facilitate the correct entry of the order or
18 agreement into the "National Crime Information Center" database;
19

20 (2) Send a completed "Form 10-A" and a copy of the order shall be filed by the
21 court with or agreement to the local law enforcement agency for entry in of the
22 order or agreement into the "National Crime Information Center Protection Order
23 File" database and to facilitate nationwide dissemination enforcement of the order
24 or agreement. To accommodate local court or law enforcement procedures, the
25 format of "Form 10-A" may be ~~modified~~ revised, provided the ~~modification does~~
26 not affect the substantive content of ~~revision~~ is substantially similar to "Form 10-
27 A."
28

29 ~~(B) A court shall follow the instructions in "Form 10 B" for thorough and accurate~~
30 ~~completion of "Form 10 A" and to facilitate correct entry of criminal or civil protection orders in~~
31 ~~the "National Crime Information Center" database.~~
32

33 **(B) Protection order notification**
34

35 (1) A judge or magistrate who pursuant to R.C. 2919.27(D) provides notice to a
36 respondent or defendant about the existence of a protection order issued by another court
37 shall use a form that is substantially similar to "Form 10-D." The form shall be returned
38 to the court that issued the protection order as soon as possible, but no later than three court
39 days.
40

41 (2) A court that issued a protection order shall accept a form that is substantially
42 similar to "Form 10-D" from a judge, magistrate, or law enforcement officer who provided
43 the respondent or defendant notice about the existence of the protection order pursuant to
44 R.C. 2919.27(D). The court that issued the protection order shall docket and maintain the
45 form in the protection order case file.
46
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48 **Commentary (July 1, 1997)**

49 This rule was adopted, effective July 1, 1996, and implements R.C. 2919.26 and 3113.31.

50 **Commentary (March 1, 2000)**

51 This rule was amended, effective March 1, 2000 to implement R.C. 2903.213 and 2903.214.

52 **Commentary ([Insert effective date])**

53 Form 10-D was adopted, effective [insert effective date], to implement R.C. 2919.27(D). Section
54 3 of Sub. S.B. 7 of the 132nd General Assembly states as follows:

55 The amendments made [to R.C. 2919.27(D)] are intended to supersede the holding of the
56 Ohio Supreme Court in State v. Smith (2013), 136 Ohio St.3d 1, so that unperfected service
57 of a protection order or consent agreement does not preclude a prosecution for a violation
58 of [a protection order or consent agreement].

59 Proof of notice of the existence of a protection order is not evidence of service nor does it establish
60 that service has been perfected. Service of civil protection order must be in accordance to Rules
61 of Civil Procedure. *Smith*, 136 Ohio St. 3d 1, 2013-Ohio-1698 at ¶21,

62 **RULE 10.01. Standard Civil Protection Order Forms -- Domestic Relations Division.**

63 (A)

64 **(A) Distribution of packet**

65 ~~The~~ (1) A domestic relations division of a court of common pleas shall distribute, upon
66 request, a forms and instructions packet for use in domestic violence civil protection order
67 proceedings under section R.C. 3113.31 of the Revised Code. The packet shall include, at
68 a minimum, forms and instructions that are substantially similar to “Forms 10-C and 10.01-
69 A through 10.01-H.”

70 ~~(B)(2) An action for a~~ A domestic relations division of a court of common pleas shall
71 distribute, upon request, a forms packet for use in dating violence civil protection
72 order proceedings pursuant to section R.C. 3113.31 of the Revised Code. The packet
73 shall be commenced by filing a petition form include, at a minimum, forms that is are
74 substantially similar to “Form 10.01-D Forms 10-C, 10.01-P, and 10.01-Q.”

75 (C)

76 **(B) Civil protection order or consent agreement forms and protection order warning**

77 (1) In every domestic violence case in which ~~the~~ a domestic relations division of a court
78 of common pleas issues or approves an ex parte civil protection order, a or full hearing
79 civil protection order, or approves a consent agreement pursuant to section R.C. 3113.31 of
80 the Revised Code, the court shall use, as applicable, forms that are substantially similar to
81 “Forms 10.01-H through 10.01-J” and include a cover sheet that is substantially similar to
82 “Form 10-C.”

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~~(D)~~ Every

~~(2)~~ In every dating violence case in which a domestic relations division of a court of common pleas issues an ex parte civil protection order, or full hearing civil protection order, and consent agreement that the a domestic relations division of a court of common pleas issues or approves a consent agreement pursuant to section R.C. 3113.31 of the Revised Code, the court shall use, as applicable, forms that are substantially similar to “Forms 10.01-Q through 10.01-S” and include a cover sheet that is substantially similar to “Form ~~10.01-G~~ 10-C.”

~~(E)~~

(C) Modification or termination of full hearing civil protection order or consent agreement

~~(1)~~ In every case in which the a domestic relations division of a court of common pleas modifies the terms of a full hearing civil protection order or a consent agreement pursuant to section R.C. 3113.31(E)(8) of the Revised Code, it shall use the applicable forms that are substantially similar to “Forms 10.01-L and 10.01-M or 10.01-T,” include a cover sheet that is substantially similar to “Form 10-C,” and send a completed form that is substantially similar to “Form 10-A” and copy of the order to the local law enforcement agency for entry of the order into the “National Crime Information Center Protection Order File.”

~~(F)~~

~~(2)~~ In every case in which the a domestic relations division of a court of common pleas terminates a full hearing civil protection order or a consent agreement before its original expiration date pursuant to section R.C. 3113.31(E)(8) of the Revised Code, it shall use the applicable a form that is substantially similar to “Form 10.01-L” and send a completed form that is substantially similar to “Form 10-A” and a copy of the order to the local law enforcement agency for entry of the order into the “National Crime Information Center Protection Order File.”

(D) Wireless service transfer order

In every case in which a domestic relations division of a court of common pleas orders the transfer of wireless service as a term of an ex parte or full hearing civil protection order, it shall complete a form that is substantially similar to “Form 10-E.”

(F) Proof of deadly weapons, firearms, and ammunition surrender

In every case in which a domestic relations division of a court of common pleas orders the respondent to surrender deadly weapons, firearms, or ammunition into the protective custody of law enforcement, it shall docket a form that is substantially similar to “Form 10-F.”

145 **Commentary (January 1, 1998)**

146
147 On December 9, 1994, Am.Sub.H.B. No. 335 became effective, which made significant changes to
148 Ohio's domestic violence laws. Section 4 of Am.Sub.H.B. No. 335, states as follows:

149
150 The General Assembly hereby requests the Supreme Court, in consultation with the
151 Department of Human Services, to prescribe a form that is to be filed by a petitioner seeking
152 a civil protection order under section 3113.31 of the Revised Code and that makes
153 reference to all the forms of relief that a court is authorized to grant under division (E) of
154 section 3113.31 of the Revised Code, as amended by this act, contains space for the
155 petitioner to request any of those forms of relief, and includes instructions for completing
156 the form so that a petitioner may file the form without the assistance of an attorney.

157
158 The Supreme Court, in consultation with its Domestic Violence Task Force, developed ~~Forms 10.01-C and~~
159 ~~10.01-D~~ forms in response to the General Assembly's request in Am.Sub.H.B. No. 335.

160
161 During its eighteen months of study, the Supreme Court's Domestic Violence Task Force
162 determined that *pro se* victims of domestic violence often do not have access to the forms necessary to
163 obtain a civil protection order pursuant to ~~section R.C. 3113.31 of the Revised Code~~. The Task Force also
164 found that due to the variety of protection order forms used by Ohio courts, it can be difficult for law
165 enforcement officers to recognize valid protection orders and understand the pertinent provisions of such
166 orders. Further, the Task Force discovered that misconceptions exist in regard to the penalties for violating
167 protection orders. The Court developed this rule ~~and Forms 10.01-A, 10.01-B, and 10.01-E through 10.01-~~
168 ~~↓~~ to address these concerns.

169
170 This rule ~~applies to all courts of common pleas that have jurisdiction over civil protection orders and~~
171 ~~consent agreements pursuant to section 3113.31 of the Revised Code.~~

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175 **RULE 10.02. Standard Domestic Violence Criminal Temporary Protection Order**
176 **Forms.**

177
178 ~~(A)~~

179 **(A) Distribution of packet**

180
181 A court that has jurisdiction to issue a temporary protection order pursuant to ~~section R.C.~~
182 ~~2919.26 of the Revised Code~~ shall distribute upon request a forms ~~and instructions~~ packet
183 for use in domestic violence temporary protection order proceedings. The packet shall
184 include, at a minimum, forms ~~and instructions~~ that are substantially similar to "Forms 10-
185 C, 10.01-A, 10.01-B, 10.01-G, and 10.02-A, and the motion for temporary protection order
186 form set forth in section 2919.26 of the Revised Code."

187
188 ~~(B)~~

189 **(B) Temporary protection order form and protection order warning**

190
191 In every case in which ~~the~~ a court issues a an ex parte or full hearing temporary protection
192 order pursuant to ~~section R.C. 2919.26 of the Revised Code~~, it shall use a form that is
193 substantially similar to "Form 10.02-A" and include a cover sheet that is substantially
194 similar to "Form 10-C."

195

196 ~~(C) Every temporary protection order that the court issues pursuant to section 2919.26~~
197 ~~of the Revised Code shall include a cover sheet that is substantially similar to Form 10.01-G.~~

198
199 **(C) Proof of deadly weapons, firearms, and ammunition surrender**

200
201 In every case in which a court orders the respondent to surrender deadly weapons, firearms,
202 or ammunition into the protective custody of law enforcement, it shall docket a form that
203 is substantially similar to “Form 10-F.”

204
205 **(D) Post-conviction no contact order**

206
207 In every case in which a sentencing court imposes community control sanctions that
208 prohibit contact as part of a sentence for a misdemeanor or felony offense for the purpose
209 of preventing violent or threatening acts or harassment against, sexual violence, or contact
210 or communication with or physical proximity to a victim, regardless of the family or
211 household member relationship to the Defendant, it shall use a form that is substantially
212 similar to “Form 10-G” and send to the local law enforcement agency a completed “Form
213 10-A” and a copy of the order for entry in of the order into the “National Crime Information
214 Center Protection Order File.”

215
216 **Commentary (January 1, 1998)**

217
218 During its eighteen months of study, the Supreme Court’s Domestic Violence Task Force determined
219 that due to the variety of protection order forms used by Ohio courts, it can be difficult for law enforcement
220 officers to recognize valid protection orders and understand the pertinent provisions of such orders. The
221 Task Force also discovered that misconceptions exist in regard to the penalties for violating protection
222 orders. Upon recommendation of the Task Force, the Court developed this rule and Forms 10.02-A
223 and ~~40.04-G~~ 10-C to address these concerns.

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226
227 **RULE 10.03. Standard Criminal Protection Order Forms, and Standard Civil Stalking**
228 **Protection Order or Civil Sexually Oriented Offense Protection Order Forms.**

229
230 **(A) Distribution of packet for civil stalking protection order or civil sexually oriented**
231 **offense protection order proceedings**

232
233 ~~A court that has jurisdiction to issue a civil stalking protection order or a civil sexually~~
234 ~~oriented offense protection order pursuant to R.C. 2903.214 of common pleas shall~~
235 ~~distribute, upon request, a forms and instructions packet for use in civil stalking protection~~
236 ~~order or civil sexually oriented offense protection order proceedings pursuant to R.C.~~
237 ~~2903.214. The packet shall include, at a minimum, forms and instructions that are~~
238 ~~substantially similar to “Forms 10.03-D; and 10.03-E, and 10.03-G.”~~

243 **(B) Criminal Civil stalking protection order or civil sexually oriented offense protection**
244 **order form and protection order warning**

245
246 In every case in which a court of common pleas issues a ~~criminal~~ an ex parte or full hearing
247 civil stalking protection order or a civil sexually oriented offense protection order pursuant
248 to R.C. ~~2903.213~~ 2903.214, it shall use the applicable form that is substantially similar to
249 “Form 10.03-~~BE~~ or 10.03-F” and include a cover sheet that is substantially similar to
250 “Form ~~10.03-H~~ 10-C.”

251
252 **(C) ~~Civil stalking protection order or civil sexually oriented offense~~ Criminal protection**
253 **order form and protection order warning**

254
255 In every case in which a court issues a ~~civil stalking~~ an ex parte or full hearing criminal
256 protection order or a ~~civil sexually oriented offense~~ protection order pursuant to
257 R.C. ~~2903.214~~ 2903.213, it shall use the applicable a form that is substantially similar to
258 “Form 10.03-~~E~~ or 10.03-~~FB~~” and include a cover sheet that is substantially similar to
259 “Form ~~10.03-H~~ 10-C.”

260
261 **(D) Proof of deadly weapons, firearms, and ammunition surrender**

262
263 In every case in which a court orders the respondent to surrender deadly weapons, firearms,
264 or ammunition into the protective custody of law enforcement, it shall docket a form that
265 is substantially similar to “Form 10-F.”

266
267 **(E) Post-conviction no contact order**

268
269 In every case in which a sentencing court imposes community control sanctions that
270 prohibit contact as part of a sentence for a misdemeanor or felony offense for the purpose
271 of preventing violent or threatening acts or harassment against, sexual violence, or contact
272 or communication with or physical proximity to a victim, regardless of the family or
273 household member relationship to the Defendant, it shall use a form that is substantially
274 similar to “Form 10-G” and send to the local law enforcement agency a completed “Form
275 10-A” and a copy of the order for entry in of the order into the “National Crime Information
276 Center Protection Order File.”

277
278 **Commentary (March 1, 2000)**

279
280 In Sub. H.B. 302, effective July 29, 1998, the General Assembly revised the law relative to issuance
281 of stalking protection orders and the violation of those orders. Following the enactment of Sub. H.B. 302,
282 the Supreme Court of Ohio Standard Forms Committee developed Sup. R. 10.03 and forms relative to the
283 application for and issuance of civil and criminal stalking protection orders.

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290 **RULE 10.04. Standard Notice Concerning Possession or Purchase of a Firearm.**

291

292 (A)

293 **(A) Requirement**

294

295 A court that has jurisdiction to convict a person of a misdemeanor offense of violence
296 against a family or household member shall provide notice to the defendant pursuant
297 to ~~section R.C. 2943.033 of the Revised Code.~~

298

299 (B)

300 **(B) Form**

301

302 In every case prior to accepting a guilty plea or plea of no contest to an indictment,
303 information, or complaint that charges a person with a misdemeanor offense of violence
304 against a family or household member, ~~the~~ a court shall use a form that is substantially
305 similar to “Form 10.04-A” unless the court provides oral notice to the defendant.

306

307

308

309 **RULE 10.05. Standard Civil Protection Order Forms in Juvenile Division of the**
310 **Court of Common Pleas.**

311

312 (A)

313 **(A) Distribution of packet**

314

315 A juvenile division of a court of common pleas that has juvenile jurisdiction to issue a civil
316 protection order against a minor pursuant to ~~sections R.C. 2151.34 and 3113.31 of the~~
317 ~~Revised Code~~ shall distribute, upon request, a forms ~~and instructions~~ packet for use in
318 juvenile civil protection order proceedings against a juvenile respondent pursuant to R.C.
319 2151.34 and 3113.31. The packet shall include, at a minimum, ~~a form and~~
320 ~~instructions~~ forms that are substantially similar to “Forms ~~10.05-A~~ 10-C and 10.05-B.”

321

322 (B)

323 **(B) Civil protection order form and protection order warning**

324

325 In every case in which a juvenile division of a court of common pleas ~~that has juvenile~~
326 ~~jurisdiction~~ issues a an ex parte or full hearing civil protection order against a minor
327 pursuant to ~~section R.C. 2151.34 of the Revised Code~~, it shall use the applicable form that
328 is substantially similar to “~~Forms~~ Form 10.05-C and or 10.05-D” and include a cover sheet
329 that is substantially similar to “Form 10-C.”

330

331 (C)

332 **(C) Domestic violence civil protection order form and protection order warning**

333

334 In every case in which a juvenile division of a court of common pleas ~~that has juvenile~~
335 ~~jurisdiction~~ issues a an ex parte or full hearing domestic violence civil protection order

336 against a minor pursuant to ~~section R.C. 3113.31 of the Revised Code~~, it shall use the
337 applicable form that is substantially similar to ~~“Forms Form 10.05-C and 10.05-E”~~ and
338 include a cover sheet that is substantially similar to “Form 10-C.”
339

340 ~~(D) In every case in which a court of common pleas that has juvenile jurisdiction issues~~
341 ~~an order pursuant to sections 2151.34 and 3113.31 of the Revised Code and uses a form that is~~
342 ~~substantially similar to “Forms 10.05 C through 10.05 E,” it shall include a cover sheet that is~~
343 ~~substantially similar to “Form 10.05 F.”~~
344

345 **(D) Wireless service transfer order**
346

347 In every case in which a domestic relations division of a court of common pleas orders the
348 transfer of wireless service as a term of an ex parte or full hearing civil protection order, it
349 shall complete a form that is substantially similar to “Form 10-E.”

PROTECTION ORDER NOTICE TO NCIC (Required fields appear in bold print)

- Initial NCIC Form
- ~~Modification of Previous Amended NCIC Form~~
- Removal from NCIC
- Service Completed (Law Enforcement Agency: If unchecked, presume Service Unknown)

Pursuant to Rules 10.01, 10.02, 10.03, and 10.05 of the Rules of Superintendence for the Courts of Ohio, this information shall be promptly entered into the National Crime Information Center index.

SUBJECT NAME _____ (LAST) _____ (FIRST) _____ (M.I.)
ADDRESS _____ (STREET) _____ (CITY) _____ (STATE) _____ (ZIP)

PHYSICAL DESCRIPTION: HGT _____ WGT _____ HAIR _____
 EYES _____ RACE _____ SEX M F

NUMERICAL IDENTIFIER (NOTE: Only ONE of the 4 numerical identifiers is needed.)

1. SSN _____ - _____ - _____ 2. DOB _____ / _____ / _____
 3.* DRIVER'S LIC. NO. _____ STATE _____ EXPIRATION YR. _____
 4.* VEHICLE LIC. NO. _____ STATE _____ EXPIRATION YR. _____

(* If #3 or #4 is used as a numerical identifier, entire line MUST be completed.)

BRADY DISQUALIFIERS:

Pursuant to 18 U.S.C. 922(g)(8), a "yes" response to all three Brady questions disqualifies the subject from purchasing or possessing any firearms, including a rifle, pistol, revolver, or ammunition.

- Does the Order protect an intimate partner or ~~child(ren)~~ children? YES NO
- Did the subject have a notice of the hearing and opportunity to participate in the hearing regarding the Order? YES NO
- Does the Order find the subject a credible threat or explicitly prohibit physical force? YES NO

CASE / ORDER NO. _____ (15 DIGIT MAXIMUM)

COURT ORIGINATING AGENCY IDENTIFIER _____ (9 DIGIT ORI ASSIGNED BY NCIC)

R.C. 2903.213 R.C. 2903.214 R.C. 2151.34 R.C. 2919.26 R.C. 3113.34

NAME OF JUDGE/MAGISTRATE _____

DATE OF ORDER _____ / _____ / _____ **EXPIRATION OF ORDER** _____ / _____ / _____
 (IN R.C. 2919.26 AND 2903.213 CASES, "NONEXP" MAY BE USED)

TERMS AND CONDITIONS OF ORDER (Mark all that are applicable):

- 01 The subject is restrained from assaulting, threatening, abusing, harassing, following, interfering, or stalking the protected person and/or the ~~child(ren)~~ children of the protected person.
- 02 The subject shall not threaten a member of the protected person's family or household.
- 03 The protected person is granted exclusive possession of the residence or household.
- 04 The subject is required to stay away from the residence, property, school, or place of employment of the protected person or other family or household member.
- 05 The subject is restrained from making any communication with the protected person, including but not limited to, personal, written, or telephone contact, or their employer, employees, or fellow workers, or others with whom the communication would be likely to cause annoyance or alarm the victim.
- 06 The subject has visitation or custody rights of the children named in this Order.
- 07 The subject is prohibited from possessing and/or purchasing a firearm or other weapon as identified in the Miscellaneous Field.
- 08 See the Miscellaneous Field for comments regarding the specific terms and conditions of this Order.
 Miscellaneous comments: _____

OHP DATA

ONLY

#EPO

09 The protected person is awarded temporary exclusive custody of the children named.

Subject's Name _____

Case/Order No. _____

LIST ALL PROTECTED PERSONS (Total of 9 allowed. **SSN is NOT necessary if DOB is given.**)

PROTECTED PERSON _____
 (LAST) (FIRST) (M.I.)
 DOB ____ / ____ / ____ SSN ____ - ____ - ____ RACE ____
 SEX M F

PROTECTED PERSON _____
 (LAST) (FIRST) (M.I.)
 DOB ____ / ____ / ____ SSN ____ - ____ - ____ RACE ____
 SEX M F

PROTECTED PERSON _____
 (LAST) (FIRST) (M.I.)
 DOB ____ / ____ / ____ SSN ____ - ____ - ____ RACE ____
 SEX M F

PROTECTED PERSON _____
 (LAST) (FIRST) (M.I.)
 DOB ____ / ____ / ____ SSN ____ - ____ - ____ RACE ____
 SEX M F

PROTECTED PERSON _____
 (LAST) (FIRST) (M.I.)
 DOB ____ / ____ / ____ SSN ____ - ____ - ____ RACE ____
 SEX M F

PROTECTED PERSON _____
 (LAST) (FIRST) (M.I.)
 DOB ____ / ____ / ____ SSN ____ - ____ - ____ RACE ____
 SEX M F

PROTECTED PERSON _____
 (LAST) (FIRST) (M.I.)
 DOB ____ / ____ / ____ SSN ____ - ____ - ____ RACE ____
 SEX M F

PROTECTED PERSON _____
 (LAST) (FIRST) (M.I.)
 DOB ____ / ____ / ____ SSN ____ - ____ - ____ RACE ____
 SEX M F

PROTECTED PERSON _____
 (LAST) (FIRST) (M.I.)
 DOB ____ / ____ / ____ SSN ____ - ____ - ____ RACE ____
 SEX M F

Authorized by (signature): _____ **Date** ____ / ____ / ____
 Judge/Magistrate (circle one) Date

FORM 10-B: HOW TO COMPLETE A PROTECTION ORDER NOTICE TO NCIC

~~These instructions are contemplated in light of Form 10-A, Protection Order Notice to NCIC, to ensure the court's is the mechanism to enter protection order orders or consent agreement entry is accepted agreements into the protection order database of the FBI's National Crime Information Center ("NCIC") Protection Order file. Thorough and accurate completion of Form 10-A is critical, as this form is the sole method to enter the terms and conditions of a protection order into the computerized index of criminal justice information. Inaccurate or inconsistent information in on Form 10-A will result in delay in entering the protection court order into the NCIC index and enforcing; result in improper enforcement of the order; and impermissibly allow or deny a person from owning, possessing, purchasing, or transporting firearms and ammunition. Form 10-A must be completed each time the court grants, approves, issues, modifies, renews, or terminates a criminal or civil ex parte or full hearing protection order or consent agreement, regardless of whether it is an ex parte or full hearing or otherwise makes a clerical correction on a previously issued order or agreement.~~

~~Courts are encouraged to verify with law enforcement that orders are being timely entered in a timely fashion. The delay in entering a protection order or consent agreement may not only result in the failure to enforce the order, but may also result in the improper authorization of the subject of a protection order to possess or purchase a firearm or ammunition.~~

ELEMENTS OF FORM 10-A

- (A) ~~The required fields in Form 10-A appear in **BOLD**.~~
- (B) ~~Although Form 10-A is the primary method used to inform law enforcement of the terms and conditions of the a protection order or consent agreement, it is not a substitution for a protection order or judgement entry. The~~
- (B) ~~The court must mark the appropriate box "Initial NCIC Form" or "Modification of Previous Form."~~
- ~~The court must check "Initial NCIC Form" anytime:~~
- ~~• **Initial NCIC Form:** This box indicates the court is issuing a criminal or civil protection order or approving a consent agreement for the first time based on a current filing, i.e., an ex parte order or a full hearing order where an ex parte order was not issued. The court must check "Modification of Previous NCIC" for any subsequent change in the terms and conditions of a protection order.~~
 - ~~• **Amended NCIC Form:** This box points out to law enforcement that the original terms of an existing protection order or consent agreement have been modified, including modifications due to a clerical or orthographical correction or termination of the order errors.~~
 - ~~• **Removal from NCIC:** This box notifies law enforcement that the protection order or consent agreement is no longer valid and the order must be removed from the NCIC protection order database active file, regardless of the reason.~~
 - ~~• **Service Completed:** This box must be marked if the court has knowledge that service of process has been perfected as set forth in Civ.R. 65.1 and Crim.R.49. Absence of perfected service does not preclude entry of the order.~~
- (C) ~~**SUBJECT'S INFORMATION.** The subject's full name, including first and last name; race; and sex are mandatory identifiers pursuant to federal guidelines. The other identifiers, i.e., height ("HGT"), weight ("WGT"), hair, and eyes, are not mandatory, yet they are helpful information to ensure the correct person is identified. Similarly, the address is not mandatory information.~~
- (D) ~~**NUMERICAL IDENTIFIER.** Pursuant to federal guidelines, the court must provide at least one of four numerical identifiers to properly identify the subject of the protection order:~~

~~1. SOCIAL SECURITY NUMBER ("SSN");~~

~~FORM 10-B: HOW TO COMPLETE A PROTECTION ORDER NOTICE TO NCIC~~

~~Amended: March 1, 2014~~

~~Discard all previous versions of this form~~

2. ~~DATE OF BIRTH (“DOB”);~~
3. ~~DRIVER’S LICENSE NUMBER (“DRIVER’S LIC. NO.”): In the instance the driver’s license number is provided, the state that issued the driver’s license and the expiration date of the driver’s license must also be included;~~
4. ~~VEHICLE LICENSE NUMBER (“VEHICLE LIC. NO.”): In the instance the vehicle’s license plate is provided, the state that issued the license plate and the expiration date of the license plate must also be included.~~

~~The Although the FBI only requires one numerical identifier, the court should consider providing provide additional numerical identifiers, if information is available, to facilitate identification of the subject of the protection order.~~

~~(E)(D) BRADY DISQUALIFIERS. Pursuant to 18 U.S.C. 922(g)(8), all three factors must be met to be federally disqualified from possessing or purchasing firearms or ammunition due to the issuance of a protection order:~~

- ~~(1) The parties have an intimate relationship:
 - ~~Spouse of the person;~~
 - ~~Former spouse of the person;~~
 - ~~An individual who cohabits or has cohabited with the person;~~
 - ~~An individual who is a parent of a child of the person.~~~~
- ~~(2) The court observed the parties’ due process rights, i.e., notice of hearing and opportunity to be heard; **AND**~~
- ~~(3) A finding that the person subject to the order poses a credible threat of harm to the protected party.~~

~~The subject of a protection order may be Brady disqualified All of the following requirements must be met to result in firearms disability pursuant to 18 U.S.C. 922(g)(8):~~

- ~~Existence of an intimate relationship between the protected parties and Respondent, i.e., spouse, former spouse, an individual who cohabits or has cohabited with Respondent, and an individual who is a parent of a child of the person;~~
- ~~Respondent had actual notice of the hearing and an opportunity to participate;~~
- ~~The court made a finding in the order that Respondent poses a credible threat of harm or the order explicitly prohibits Respondent from the use, attempted use, or threatened use of physical force against an intimate partner or child.~~

~~A Respondent may be firearms and ammunition disqualified as result of other circumstances, i.e., 18 U.S.C. 922(g)(1) through (9), state law, or a court order.~~

~~(F) **CASE/ORDER NO.** The case/order number of the protection order is a required element. It is particularly relevant when the court modifies, renews, or terminates a protection order. Law enforcement and NCIC will use the case/order number to cross-reference the appropriate order. In addition, law enforcement also uses this information to verify the currency of an order.~~

~~(G) **COURT ORIGINATING AGENCY IDENTIFIER.** To accept a Form 10-A entry into the federal protection order database, NCIC mandates the court issuing the protection order to include its agency identifier (a.k.a. “ORI”). This is a unique 9 digit alphabetic and numeric series issued by the FBI to identify the court issuing the order.~~

Although the "Name of Judge/Magistrate" is not a mandatory field, it is prudent to include the name of the judicial officer issuing the protection order. Similarly, NCIC does not require a court to indicate under which Revised Code section the order is being issued. However, this information is captured through the Ohio Courts Network and is useful for law enforcement to quickly determine the possible scope of the order and assess risk.

~~(H)~~**(E) DATE OF ORDER AND EXPIRATION OF ORDER.** The court must note on the form the date the NCIC protection order was issued and database will automatically render a record inactive on the order's expiration date when it will expire. Civil protection orders expire on a date certain within 5 years of being issued. The protection order database will automatically purge the orders on their expiration date.

In a Criminal Protection Order (orders issued pursuant to R.C. 2903.213) or Temporary Domestic Violence Protection Order (R.C. 2919.26), the order terminates by operation of law upon the disposition of the criminal case. The court may indicate "NONEXP_" as the expiration date when the court does not know the exact date the order will expire. The Upon disposition of the criminal case or the issuance of a civil protection order arising out of the same facts, the court must submit send to law enforcement another Form 10-A indicating "Modification of Previous Form" stating the expiration of the order when such a date is known so that the order can be purged Removal from the NCIC protection and state the expiration date of the order file.

If a protection order or consent agreement is terminated before the original expiration, the court must also submit to law enforcement another Form 10-A indicating "Modification of Previous Form" and state the new expiration date for removal of the order from the protection order file.

~~(I)~~**(F) TERMS AND CONDITIONS OF ORDER.** The court must check every box that corresponds to the terms of the protection order. Note that the numbering next to each term ~~and condition~~ in Form 10-A does not correspond to the sequence of the remedies in a protection order or consent agreement. However, the remedies in the protection order forms are cross-referenced with the terms and conditions listed in Form 10-A, e.g., NCIC 01.

The In every instance that the court should changes a term of the protection order or consent agreement, e.g., divorce decree, custody order, continuance of hearing, or extension of the protection order, the court must submit a new Form 10-A indicating "Modification of Previous Form" to law enforcement in every instance that a term of the court order, i.e., divorce decree or custody order, results in a modification of the protection order and mark "Amended NCIC Form."

(J) LIST ALL PROTECTED PERSONS. A maximum of 9 persons, including the petitioner, may be listed as protected parties in a protection order. The full name and date of birth for each protected person must be provided. The protected person's social security number, race, and gender are not required entries in Form 10-A.

(K) AUTHORIZED SIGNATURE. The judge or magistrate who issued the protection order must sign and date Form 10-A. Pursuant to Civ.R. 65.1, an ex parte civil protection order issued by a magistrate and filed with the clerk of court has the full force and effect of a court order.

FORM 10-C:
WARNING CONCERNING THE ATTACHED
PROTECTION ORDER OR CONSENT AGREEMENT

NOTE: *Rules 10.01, 10.02, 10.03, and 10.05 of the Rules of Superintendence for the Courts of Ohio require this Warning to be attached to the FRONT of all civil and criminal EX PARTE or FULL HEARING protection orders issued by the courts of the State of Ohio.*

WARNING TO RESPONDENT / DEFENDANT

Violating the attached Protection Order is a crime, punishable by incarceration, fine, or both and may cause the revocation of your bond or result in a contempt of court citation against you.

This Protection Order is enforceable in all counties in Ohio and 50 states, the District of Columbia, tribal lands, and U.S. territories pursuant to state law and the Violence Against Women Act, 18 U.S.C. 2265. Violating this Protection Order may subject you to state and federal charges and punishment.

Only the Court may change the terms of this Protection Order. The Petitioner/Alleged Victim/Protected Person cannot give you legal permission to change this Order. If you go near the Petitioner/Alleged Victim/ Protected Person, even with the person's permission, you may be arrested. Only the Court may change or end this Protection Order. Unless the Court changes or ends this Order, you may be arrested for violating this Protection Order. **YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.**

WARNING TO PETITIONER / ALLEGED VICTIM

You **cannot** change the terms of this Order by your words or actions. Only the Court may allow the Respondent/Defendant to contact you or return to your residence. This Protection Order **cannot** be changed by either party without obtaining a written court order.

NOTICE ABOUT FIREARMS AND OTHER DEADLY WEAPONS

As a result of this Protection Order or Consent Agreement, it may be a federal crime for you to possess or purchase a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to 18 U.S.C. 922(g)(8) for the duration of this Order. If you have any questions whether the law makes it illegal for you to possess or purchase a firearm or ammunition, you should consult with a lawyer.

This Protection Order may be subject to the exceptions pursuant to 18 U.S.C. 925(a)(1) **only** with respect to the official use of government-issued firearms or ammunition for the use of any department or agency of the United States, Ohio, or its political subdivision. This exception does not apply if the Defendant/ Respondent has been convicted of an offense of violence, for example, domestic violence, menacing by stalking, etc. against a family or household member.

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

The attached Protection Order is enforceable in all counties in Ohio. Violation of this Protection Order is a crime under R.C.2919.27. Law enforcement officers with powers to arrest under R.C. 2935.03 for violations of the Ohio Revised Code must enforce the terms of this Protection Order as required by R.C. 2151.34, 2903.213, 2903.214, 2919.26, 2919.27, and 3113.31. If you have reasonable grounds to believe that the Respondent/Defendant has violated this Protection Order, it is the preferred course of action in Ohio under R.C. 2935.03 to arrest and detain the Respondent/ Defendant until a warrant may be obtained. Federal and state law prohibits charging a fee for service of this Order to the Petitioner/Alleged Victim or protected parties.

PROTECTION ORDER NOTICE TO RESPONDENT OR DEFENDANT

Pursuant to R.C. 2919.27(D), I am orally notifying you that a Protection Order was issued against you on _____ by _____ Court and assigned Case No. _____ for the safety and protection of the following parties: _____

Following are **some** of the terms in the Protection Order that may apply to you. You are advised that a violation of any of these terms may result in your arrest. You are also advised to read the Protection Order in its entirety. This Notice is **not** the Protection Order.

- You are prohibited from abusing, harming, attempting to harm, threatening, following, harassing, stalking, forcing sexual relations upon, or committing sexually oriented offenses against the protected persons.
- The protected persons may have exclusive possession of the residence.
- You must stay away from the protected persons' residence, property, school, or place of employment.
- You are prohibited from initiating or making contact with the protected persons through any means (including social media, email, text, telephone, or written communication) or through another person.
- You may have to report for electronic monitoring.
- Temporary custody of the children named in the Order may be granted to Petitioner. You must read the Protection Order to find out if the Court granted you any visitation rights.
- You are prohibited from possessing or purchasing firearms, ammunition, or any other deadly weapons.

Acknowledgement of Respondent or Defendant

I, _____, have been notified that a Protection Order has been issued against me and have also been notified of **some** of the terms and conditions in the Order that may apply to me. I further understand that the Protection Order is enforceable and any violation of the Order may result in my arrest.

Respondent (signature) _____ Date _____

Respondent's Address: _____

Telephone _____ Email _____

Certificate of Notice

Respondent refused to sign acknowledgment.

I hereby certify that on _____ in _____ County I gave notice to Respondent or Defendant about the existence of the Protection Order.

Officer and Badge Number _____ Law Enforcement Agency _____

Judge/Magistrate _____ Court _____

Case No. _____

The person who provided this Notice is instructed to return the completed form to the court that issued the protection order as soon as possible, but no later than three court days.

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

: Case No. _____

Petitioner : Judge/Magistrate _____

v.

: **WIRELESS SERVICE TRANSFER ORDER IN
DOMESTIC VIOLENCE CIVIL PROTECTION ORDER**

Respondent

This Court issued a Domestic Violence Civil Protection Order, pursuant to R.C. 3113.31, on _____

Wireless service provider is _____

The account holder name and billing telephone number: _____

THE COURT HEREBY ORDERS:

Within 72 hours after receipt of this Order, the wireless service provider shall transfer to Petitioner
_____ each of the following telephone numbers listed below:

That the provider transfer to Petitioner all financial responsibility for any costs associated with the wireless service numbers and any costs for the devices associated with the wireless service numbers from the date of transfer forward.

That this Order shall be automatically suspended upon the wireless service provider's notification to Petitioner that one of the following circumstances apply:

1. The account holder named in this Order has terminated the account.
2. The differences in network technology prevent the functionality of a device on the network if transfer occurs.
3. There are geographic or other limitations on network or service availability to Petitioner.
4. Another operational or technical issue prevents or impairs the use of the wireless service number if the transfer occurs.

That the wireless service provider shall notify Petitioner within 72 hours after receipt of the Order that based on the circumstances listed above the transfer could not be operationally or technically completed.

Petitioner's contact information as listed in the Domestic Violence Civil Protection Order Petition is:

IT IS SO ORDERED.

MAGISTRATE

JUDGE

IN THE COURT OF _____
_____ COUNTY, OHIO

Petitioner : Case No. _____

: PROOF OF DEADLY WEAPONS, FIREARMS,
v. AND AMMUNITION SURRENDER

Respondent :

Pursuant to a civil or criminal protection order issued under R.C. 2151.34, 2903.213,
2903.214, 2919.26, or 3113.31, law enforcement was instructed to notify the Court upon
receiving Respondent's deadly weapons, firearms, and ammunition for protective custody.

I hereby notify the Court that on _____ the following
deadly weapons, firearms, and ammunition (make, model, and serial number) listed
below were turned in for protective custody:

Additional deadly weapons, firearms, or ammunition, including make, model, and serial
number as applicable, were turned in for protective custody, and are recorded on the attached
page.

I was unable to take possession of deadly weapons, firearms, and ammunition because:

Officer and Badge Number

Law Enforcement Agency

Date

IN THE _____ COURT
_____ COUNTY, OHIO

NO CONTACT ORDER

This Order is indexed at _____

LAW ENFORCEMENT AGENCY WHERE INDEXED

(____) _____
PHONE NUMBER

STATE OF OHIO/CITY OF

v.

DEFENDANT

First Middle Last

Address where Defendant can be found:

Case No. _____

Judge/Magistrate _____

State

OHIO

POST-CONVICTION NO CONTACT ORDER

PERSON(S) WHO YOU MAY NOT CONTACT:

DOB: _____

DOB: _____

DOB: _____

DOB: _____

DOB: _____

DOB: _____

DEFENDANT IDENTIFIERS

<u>SEX</u>	<u>RACE</u>	<u>HGT</u>	<u>WGT</u>
<u>EYES</u>	<u>HAIR</u>	<u>DOB</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 Defendant 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 FINDS:

That the following terms of community control, parole, or probation are issued in response to a criminal conviction are necessary, fair, and equitable. **Additional terms of this Order are set forth below.**

(DATE CERTAIN – MAXIMUM PERIOD OF COMMUNITY CONTROL, PAROLE, OR PROBATION)

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

The Court has imposed a sentence for a misdemeanor or felony offense that includes the following community control sanctions for the purpose of preventing violent or threatening acts or harassment against, sexual violence, or contact or communication with or physical proximity to the persons named in this Order.

- 1. **DEFENDANT SHALL NOT ABUSE**, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the persons named in this Order. [NCIC 01 and 02]
- 2. **DEFENDANT SHALL NOT ENTER** or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the persons named in this Order, including the buildings, grounds, and parking lots at those locations. Defendant may not violate this Order **even with the permission of a person named in this Order**. [NCIC 04]
- 3. **DEFENDANT SHALL STAY AWAY FROM THE PERSONS NAMED IN THIS ORDER**, and shall not be present within 500 feet or _____ (distance) of any persons named in this Order wherever those persons may be found, or any place the Defendant knows or should know the persons are likely to be, **even with person's permission**. If the Defendant accidentally comes in contact with named persons in any public or private place, the Defendant must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]

DEFENDANT IS ADVISED THAT VISITATION ORDERS DO NOT PERMIT THE DEFENDANT TO VIOLATE ANY OF THE TERMS OF THIS ORDER.

Except as otherwise ordered by the Court in paragraph 7.

- 4. **DEFENDANT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the persons named in this Order at their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Defendant may not violate this Order **even with the person's permission**. [NCIC 05]
- 5. **DEFENDANT SHALL NOT POST** any photographs, videos, or other images of persons named in this Order on any form of social media or otherwise. Defendant shall not refer to named persons in a threatening or harassing manner on any form of social media or otherwise. Defendant shall not use any form of electronic surveillance on persons named in this Order.

6. **DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION.**

7. **IT IS FURTHER ORDERED:** [NCIC 08]

IT IS SO ORDERED.

JUDGE/MAGISTRATE

DATE

WARNING TO DEFENDANT

- Defendant has the sole responsibility of obeying the terms of this Order.
- If Defendant violates any of the terms of this Order, even with a protected person's permission, Defendant can be arrested and jailed pursuant to R.C. 2951.08(A).
- A violation of this Order may result in a probation violation, including arrest, probation revocation, and jail or incarceration.
- Nothing in this Order limits a prosecutor from charging the Defendant with new crimes.
- Only the Court can change the terms of this Order.

I acknowledge receipt of this Order.

DEFENDANT

DATE

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

Prosecutor

Victim shall receive a certified copy:

Victim's Representative:

Defendant

Attorney for Defendant

Law Enforcement Agency:

Probation, Parole, Community Control:

Other:

NOTICE TO LAW ENFORCEMENT

Pursuant to R.C. 2951.08(A), during a period of community control, any peace officer may arrest a person under a community control sanction without a warrant if the peace officer has reasonable ground to believe that the person has violated or is violating any of the following that is a condition of the person's community control sanction:

- A term or condition that prohibits ownership, possession, or use of a firearm, deadly weapon, ammunition, or dangerous ordnance per R.C. 2951.08(A)(1).
- A term or condition that prohibits the person from being within a specified structure or geographic area per R.C. 2951.08(A)(2).
- A term or condition that prohibits the person from contacting or communicating with any specified individual per R.C. 2951.08(A)(4).
- A term or condition that prohibits the person from associating with a specified individual per R.C. 2951.08(A)(5).

FORM 10.01-B: HOW TO OBTAIN A DOMESTIC VIOLENCE CIVIL PROTECTION ORDER (“CPO”)

FORMS TO FILL OUT FOR A DOMESTIC VIOLENCE CPO

To obtain a CPO, you need the following documents. You can get all of these documents from the Clerk of Court’s office:

1. Petition for Domestic Violence Civil Protection Order, Form 10.01-D.
2. Domestic Violence Civil Protection Order *Ex Parte*, Form 10.01-H.
3. If you are requesting temporary custody of a child, Information for Parenting Proceeding Affidavit, Form 10.01-F.
4. If you request financial support, you might need to fill out additional forms that the Clerk of Court’s office will provide you.

Complete the Petition for a CPO form. Complete additional forms, if applicable. Take these documents to the Clerk of Court’s office.

FILING THE PETITION FOR A DOMESTIC VIOLENCE CPO FORM

Present your completed forms to the filing window/counter of the Clerk of Court’s office for filing. Do **NOT** file the *Ex Parte* CPO form at this time.

A Clerk of Court’s office employee helps you file your documents. You should know that neither the Clerk of Court nor other Court employees can provide you with legal advice.

There is **NO FEE** for filing the Petition for a CPO form.

Ask a Clerk of Court’s office employee or your local domestic violence assistance group about local Court procedures.

VICTIM ADVOCATE

State law permits you to have a victim advocate with you at all times in court during protection order proceedings. “Victim advocate” means a person who provides support and assistance for a victim of an offense during Court proceedings. Contact your local victim assistance program, local domestic violence program, or the Ohio Domestic Violence Network, 800-934-9840, for advocate information.

ATTENDING THE *EX PARTE* COURT HEARING

You must appear in front of a judge or magistrate for the *ex parte* hearing. The judge or magistrate listens to your testimony.

You should tell the judge or magistrate what the Respondent did to make you fear that you or a family member may be in danger. Tell the judge or magistrate if the Respondent injured you, attempted to injure you, or threatened you.

Tell the judge or magistrate what you would like the Court to do to help keep you and other family members safe and to protect the children. For example, you might ask the judge or magistrate to:

1. Order the Respondent to stay away from you;
2. Order the Respondent to be removed from your home;
3. Order the Respondent to get counseling;
4. Award you custody of any children;

5. ~~Order the Respondent to have visitation only under conditions that will keep you and the children safe;~~
6. ~~Order the Respondent to pay you child support and/or spousal support (alimony);~~
7. ~~Order the Respondent to be prohibited from having any weapons;~~
8. ~~Award you possession of a car for your use;~~
9. ~~Award you possession of your personal property and the children's personal property.~~

~~If the judge or magistrate determines that you or your family or household members are in danger of domestic violence, the judge and/or magistrate signs an *Ex Parte* CPO.~~

~~The judge or magistrate then schedules a second hearing (called a "full hearing") within 7 to 10 business days to give the Respondent a chance to be heard. You must appear at the full hearing. Some issues, such as support, may be postponed until this second hearing.~~

~~Take the signed *Ex Parte* CPO to the Clerk of Court's office and have it filed. Tell the Clerk's office where law enforcement officers can find the Respondent to serve him or her with the *Ex Parte* CPO and other necessary papers.~~

DISCOVERY

~~Unless you have received an order from the Court regarding discovery, you have **no** obligation to comply with a deposition notice, interrogatories, request for production of documents, physical or mental examination, or request for admissions.~~

~~If ordered, the Court will indicate each of the following:~~

1. ~~The time and place where discovery will be held;~~
2. ~~The names of persons who can be in the room during discovery, including a victim advocate;~~
3. ~~The necessary terms and conditions to keep everyone safe, including keeping the Petitioner's address confidential.~~

~~Discovery must be completed prior to the full hearing.~~

YOU MUST ATTEND THE FULL HEARING

~~The full hearing on the Petition for a CPO will be set within 7 to 10 business days after the *ex parte* hearing. You **must** attend the full hearing. You may have an attorney present with you at the full hearing.~~

~~At the full hearing you must tell what happened again. This time you tell what happened in more detail. Bring with you any witnesses and evidence you have, such as photographs, answering machine tapes, other audio and video recordings, papers such as police reports, hospital records, etc., and any other evidence that will help you prove that the Respondent committed domestic violence against you or another family or household member. Tell the judge or magistrate why you fear the Respondent. You may call the Respondent as a witness to help you prove your case. Tell the judge or magistrate again what you want the Court to do to help keep you and your family members safe.~~

~~The Respondent may have an attorney. You may want to ask for a continuance in order to get an attorney. The Respondent may also present evidence and call you as a witness. You may be asked questions by the Respondent or the Respondent's attorney.~~

~~After the hearing, if the judge or magistrate decides you are entitled to a CPO, the Court issues a new CPO called a "Domestic Violence Civil Protection Order 'CPO' Full Hearing." This CPO is usually more detailed than the *Ex Parte* CPO issued after the first hearing. The judge or magistrate could also deny your Petition for a CPO if the~~

Court decides you are not entitled to a CPO. The law does not allow the Court to issue a protection order against you, unless the Respondent has filed a separate action against you.

At the full hearing, you and the Respondent can decide to enter into a Consent Agreement instead of having a hearing in front of the judge or magistrate. If you and the Respondent decide to enter into a Consent Agreement, complete Form 10.01-J: Consent Agreement and Domestic Violence Civil Protection Order, which is contained in the Protection Order packet, and give it to the judge or magistrate. The Consent Agreement and Domestic Violence Civil Protection Order form is also available from your local court web site, the Supreme Court of Ohio web site, or your local court clerk of courts.

ENFORCING YOUR CPO

Your CPO remains in effect for 5 years, unless the Court sets a different expiration date.

Violating a CPO is a crime. If the Respondent violates the CPO, it is a crime. Immediately contact the police.

You may also bring a contempt action in domestic relations court for CPO violations. A contempt action is brought because the Respondent is disregarding the Court's order. You must complete and file a contempt motion with the Clerk of Court's office to begin a contempt action against the Respondent.

CRIMINAL COURT

In addition to the *ex parte* hearing and full hearing in domestic relations court, you should attend all meetings and hearings as requested by the prosecutor and the Court related to any criminal case filed against the Respondent.

Tell the domestic relations court about any pending criminal cases. Tell the criminal court about any pending domestic relations court cases.

Any Domestic Violence Temporary Protection Order ("DVTPO") issued by a criminal court expires as soon as the criminal case is ended. A DVTPO issued by a criminal court also expires when a CPO is issued by the domestic relations court based upon the same facts.

FORM 10.01-B is reserved for future use

FORM 10.01-C: HOW TO COMPLETE A PETITION FOR A DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

These instructions will help you to prepare the Petition for Domestic Violence Civil Protection Order. Only the domestic relations division of the Court in your county hears a Petition for a Domestic Violence Civil Protection Order. **Throughout the Petition, you (the party to be protected) are called *Petitioner* and the person you are filing this Petition against (the alleged domestic violence offender) is called *Respondent*.**

SOME HINTS BEFORE YOU BEGIN

- All forms must be typed or printed.
- When you write your name on the Petition, use the same name you use when you write your signature.
- Write your name and the Respondent's name the same way throughout the Petition.
- Fill out the Petition as completely and accurately as possible.
- If you have any questions about completing the Petition, contact your local victim assistance program, domestic violence program, or the Ohio Domestic Violence Network at 800-934-9840.

FILLING OUT THE PETITION: Mark each instruction below after you read and complete it

- On the front page, leave the "Case No." line and "Judge/Magistrate" lines BLANK.** The Clerk of Court's office fills in this information.
- On the top left-hand side of the front page, fill in the requested information about yourself.** If you do not want your present address to be known, write "confidential" in the space for your address. Do not write your address anywhere on the Petition if you want it to be confidential. However, you must provide another mailing address where you can safely receive notices from the Court.
- On the top left-hand side of the front page, fill in the requested information about the Respondent as best you can.** You may use the Respondent's work address if you do not know Respondent's home address. If you do not know the Respondent's date of birth, leave that line blank. Do not attempt to obtain this information unless it is safe to do so.
- Paragraph 1:** If you are filing the Petition to protect yourself, mark the first box and the box that describes your relationship to the Respondent.
- Paragraph 2:** If you are filing the Petition to protect 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 3:** State the date(s) of the incident(s) that caused you to file the Petition. Provide a brief description of what happened. 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 4:** Indicate what action you want the Court to take by marking the boxes next to the numbered paragraphs that apply to your situation.
- Paragraph 4(b):** Provide the address of the residence that you want the Respondent to stay away from. If you do not want your present address known, write "address confidential."
- Paragraphs 4(d) and (e):** If you want temporary custody of your minor children or want the Court to establish temporary visitation rights, list the names and birth dates of the children. If you have children whose custody or visitation will be at issue in this domestic violence case, you must also complete and file a Parenting Proceeding Affidavit, Form 10.01-F. There is a separate form and instructions for the Parenting Proceeding Affidavit, Form 10.01-E and Form 10.01-F.

- ~~Paragraph 4(i):~~ If you want the Court to grant you use of a motor vehicle, describe that vehicle.
- ~~Paragraph 4(j):~~ Write any special court orders you believe would help protect you and your family or household members.
- ~~Paragraph 5:~~ If you need an emergency (“*ex parte*”) protection order mark the box next to Paragraph 5.
- ~~Paragraph 9:~~ List ALL present and pertinent past court cases or investigations that involve the Respondent, you, or a family or household member. This includes all civil, criminal, divorce, juvenile, custody, visitation, and bankruptcy cases that may have a bearing on your or your family or household members’ safety. Write the case name, the court, the case number, if known, the type of case, and the result of the case. If the case is not over, write “pending.” You may attach additional pages if you need more room.

SIGNING THE PETITION

Try to fill out the Petition before you go to the courthouse. **AFTER YOU HAVE FILLED OUT THE PETITION, TAKE THE PETITION 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’s office may be available to notarize the petition for you.**

FILING THE PETITION

After you have your signature notarized, file your Petition at the Clerk of Court’s office. The Clerk of Court’s office will tell you when and where your *ex parte* hearing will take place, if one has been requested.

FEES

You **cannot** be charged any costs or fees for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, or obtaining a protection order.

DISCOVERY

Unless you have received an order from the Court regarding discovery, you have no obligation to comply with a deposition notice, interrogatories, request for production of documents, physical or mental examination, or request for admissions.

If ordered, the Court will indicate each of the following:

1. The time and place where discovery will be held;
2. The names of persons who can be in the room during discovery, including a victim advocate;
3. The necessary terms and conditions to keep everyone safe, including keeping the Petitioner’s address confidential.

Discovery must be completed prior to the full hearing.

FORM 10.01-C is reserved for future use

IN THE _____ COURT
_____ COUNTY, OHIO

Petitioner : **Case No.** _____
On behalf of: (Family or household member)

_____ :

Address (Safe mailing address) : **Judge/Magistrate** _____

City, State, Zip Code :

Date of Birth ____ / ____ / ____ :

**PETITION FOR DOMESTIC VIOLENCE CIVIL
PROTECTION ORDER (R.C. 3113.31)**

v. :

Respondent :

Address (If home address unknown, put work
address) :

City, State, Zip Code :

Date of Birth ____ / ____ / ____ :

CHECK EVERY THAT APPLIES. IF YOU ARE REQUESTING ASKING FOR YOUR ADDRESS REMAIN TO BE KEPT CONFIDENTIAL, DO NOT WRITE YOUR ADDRESS ON THIS FORM. PLEASE PROVIDE ANOTHER PUT A MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE NOTICES FROM THE COURT MAIL. IF YOU ARE A PARTICIPANT IN THE SECRETARY OF STATE'S ADDRESS CONFIDENTIALLY PROGRAM, PLEASE USE THE P.O. BOX ADDRESS GIVEN TO YOU. THIS FORM IS A PUBLIC RECORD.

- 1. Petitioner or witness needs a foreign language interpreter in _____ or a sign language interpreter per Sup.R. 88.
- 2. Petition wants does not want the Court to issue an **ex parte (emergency) protection order** per R.C. 3113.31. A full hearing will be scheduled, regardless if the *ex parte* protection order is granted, denied, or not requested.
- 3. Who needs protection?
 - Me
 - My minor children
 - A family or household member who is not a minor child
 - Other
- 4. Petitioner is a family or household member of _____ What is the domestic violence victim's relationship to Respondent and a victim of domestic violence and seeks relief on Petitioner's own behalf. The relationship of Petitioner to Respondent is that of:?
 - Spouse of Respondent Child of Respondent
 - Former spouse of Respondent Parent of Respondent
 - Natural parent of Respondent's child Foster Parent

- Other relative (by blood or marriage) of Respondent/ Petitioner who has lived with Respondent at any time
- Person “living as a spouse of Respondent” is defined as:
 - now cohabiting;
 - or cohabited within five years before the alleged act of domestic violence

2.5 Petitioner seeks relief on behalf of the following: List below all family or household members who need protection, other than you or the person on whose behalf the petition is filed. (Leave blank if you are not seeking protection for other family or household members.)

NAME	DATE OF BIRTH	HOW RELATED TO		THIS PERSON RESIDES WITH PETITIONER
		PETITIONER THIS PERSON IS <u>PETITIONER’S</u>	RESPONDENT THIS PERSON IS <u>RESPONDENT’S</u>	
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

3.6 Respondent has engaged in the following act(s) of domestic violence: (Describe the acts as fully as possible. **Attach additional pages if necessary.**) Petitioner requests a Domestic Violence Civil Protection Order.

(1) Describe threats or actions that made you afraid. Include if children were present when the acts took place. (2) When did it happen (if you do not know exact dates, give approximate dates)? (3) Explain why you believe you are in danger. **If you need more space, attach an additional page.**

7. Tell the Court, if you want and know, about any of the following (optional):

(a) Respondent's history of domestic violence or history of other violent acts:

(b) Respondent's history of mental health problems:

(c) Respondent's history of violating court orders:

(d) Respondent's threats to other persons:

(e) Respondent has access to deadly weapons, firearms, and ammunition or has a history of using deadly weapons (If you know, tell the Court the number, type, and location of weapons, firearms, and ammunition):

(f) Respondent's history of abusing alcohol or other drugs:

(g) Respondent's violence resulted in serious physical injury, forced sex, strangulation (or choking), abuse during pregnancy, abuse of the family's pet, and/or forced entry:

(h) Recent separation from Respondent or relationship was recently terminated:

(i) Respondent's obsessive and controlling behaviors, including stalking, spying, following, and/or isolation:

(j) Respondent's suicidal or homicidal thoughts:

8. Petition is in fear and in continuing danger.

4. 9. Petitioner further requests that the Court grant relief under R.C. 3113.31 to protect ~~the~~ Petitioner and/or the family or household members named in this Petition from domestic violence by granting a civil protection order that (check all boxes that apply):

- (a) ~~Directs Respondent to not abuse Petitioner 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~~ Directs Respondent to leave and not return to or interfere with the following residence and grants Petitioner exclusive possession of enter, approach, or contact by any means the residence, school, business, and place of employment of Petitioner and the family or household members named in this Petition.

- (c) ~~Divides household and family personal property and directs~~ Directs Respondent to not remove, damage, hide, or dispose of any property or funds that approach or have contact by any means with Petitioner owns or possesses and the family or household members named in this Petition.
- (d) ~~Temporarily allocates parental rights and responsibilities for the care of the following minor children and suspends Respondent's visitation rights until a full hearing is held (include names and birth dates of the minor children)~~ Directs Respondent to leave, not return to, or interfere with Petitioner's right to occupy the residence, including but not limited to cancelling any utilities or insurance or interrupting phone service, mail delivery, or the delivery of any other documents or items, and grants Petitioner exclusive possession of the following residence:

- (e) ~~Establishes~~ Allocates temporary visitation parental rights with and responsibilities for the care of the following minor children and requires visitation to be supervised or occur under such conditions that the Court determines will ensure the safety of to Petitioner and the minor children until a full hearing is held (include names and birth dates of the minor children):

- Petitioner has completed and attached the **Information for Parenting Proceeding, Form 10.01-F** and is incorporated herein.
- (f) ~~Requires Respondent to provide financial support for~~ Establishes or modifies parenting time with the following minor children and requires parenting time to be suspended or supervised or to occur under such conditions that the Court determines will ensure the safety of Petitioner and the other family or household members named in this Petition. minor children (include names and birth dates of the minor children):

- Petitioner has completed and attached the **Information for Parenting Proceeding, Form 10.01-F** and is incorporated herein.
- (g) ~~Requires~~ Directs Respondent to complete batterer counseling, substance abuse counseling, or other counseling as determined necessary by the provide financial support for Petitioner and the family or household members named in this Petition (Court may request additional information).
- (h) ~~Requires~~ Directs Respondent to refrain from entering, approaching, or contacting (by any means) the residence, school, business, and place of employment of or approaching or contacting (by any means) not remove, damage, hide, harm, or dispose of any property, companion animals, or

~~pets owned or possessed by~~ Petitioner ~~and the family or household members named in this~~
~~Petition.~~

(i) ~~Requires Respondent to permit~~ Grants Petitioner or other family or household member to have
~~exclusive use of the following motor vehicle~~ permission to take Petitioner's pets or companion
animals, as described below, away from the possession of Respondent:

(j) ~~Includes the following additional provisions~~ Divides household and family personal property as
follows:

(k) Directs Respondent to permit Petitioner to have exclusive use of the following motor vehicle:

(l) Directs Respondent to complete batterer counseling, substance abuse counseling, or other
treatment or intervention as determined necessary by the Court.

(m) Directs the wireless service provider to separate Petitioner's account from Respondent's account,
per R.C. 3113.45 through 3113.459. Petitioner will assume all financial responsibility for any
costs associated with the wireless service number and any costs for the device associated with
the wireless service number. Respondent's billing telephone number is _____.
Petitioner's contract information is on page 1 of this Petition. Following are the wireless service
numbers to be transferred to Petitioner which are used by Petitioner or the minor children in the
care of Petitioner:

(n) Includes the following additional provisions:

5. ~~Petitioner further requests that the Court issue an ex parte (emergency) protection order under R.C.~~
~~3113.31(D) and (E) and this Petition.~~

~~6.~~ 10. Petitioner further requests that the Court issue no mutual protection orders or other orders against
Petitioner unless all of the conditions of R.C. 3113.31(E)(4) are met.

~~7.~~ 11. Petitioner further requests that if Petitioner has a victim advocate, the Court permit the victim advocate to
accompany Petitioner at all stages of these proceedings as required by R.C. 3113.31(M).

~~8.~~ 12. Petitioner further requests at the ex parte hearing or full hearing that the Court grant such other relief as
the Court considers equitable and fair, including orders or directives to law enforcement.

~~9.~~ 13. Petitioner ~~lists here all present~~ has listed court cases ~~and pertinent past court cases~~ (including civil,
eriminal, divorce, juvenile, custody, visitation, paternity, child support, children service/CPS case, animal
cruelty, sexually oriented offense, no contact order, and ~~bankruptcy cases~~ protection order) ~~that relate to~~
the and other legal matters regarding Respondent, you, your children, your family, or your household
members that may relate to this case:

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

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

DO NOT SIGN THIS FORM UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL NOTARIZE THE PETITION FOR YOU.

SIGNATURE OF PETITIONER

DATE

Sworn to and subscribed before me on this _____ day of _____, _____

NOTARY PUBLIC

IF YOU ARE REQUESTING YOUR ADDRESS REMAIN CONFIDENTIAL, DO NOT WRITE YOUR ADDRESS ON THIS FORM. PLEASE PROVIDE ANOTHER MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE NOTICES FROM THE COURT. THIS FORM IS A PUBLIC RECORD.

Petitioner's Safe Address:

IF YOU DO NOT HAVE AN ATTORNEY, PLEASE LEAVE THE INFORMATION BELOW BLANK.

Signature of Attorney for Petitioner (if applicable)

Attorney's Registration Number

Name of Attorney (if applicable)

Attorney's Telephone

Attorney's Address

Attorney's Fax

City, State, Zip Code

Attorney's Email

Attorney's Registration Number

Attorney's Telephone

Attorney's Fax

Attorney's Email

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Petitioner : Case No. _____

v. : Judge/Magistrate _____

Respondent :

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Pursuant to Civ.R. 65.1(C)(2), please serve Respondent a copy of the Petition, *ex parte* protection order, if granted, and any other accompanying documents to the address below and as follows:

Personal service Certified Mail, Return Receipt Requested
 Other (specify) _____

Other (address): _____
 Personal service Certified Mail, Return Receipt Requested
 Other (specify) _____

SPECIAL INSTRUCTIONS TO SHERIFF:

SIGNATURE OF ATTORNEY OR PETITIONER

RETURN OF SERVICE

Respondent was served on _____.

Officer and Badge Number _____ Law Enforcement Agency _____

Date _____

CLERK'S CERTIFICATE OF MAILING

Service of Process was sent by _____ this _____ day of _____.

Attest: _____ Deputy Clerk

FORM 10.01-E: HOW TO COMPLETE THE INFORMATION FOR PARENTING PROCEEDING AFFIDAVIT

These instructions will help you prepare the Information for Parenting Proceeding Affidavit. The Affidavit must be filed if you are requesting a parenting (custody) order in a Petition for a Domestic Violence Civil Protection Order. **IF ANOTHER COURT IS ADDRESSING OR HAS ADDRESSED CUSTODY ISSUES INVOLVING THE CHILDREN, CUSTODY ISSUES MAY BE HANDLED IN THAT CASE, NOT IN THE DOMESTIC VIOLENCE CASE.**

FILLING OUT THE FORM: Check each instruction below after you read and complete it

- Print or type only.** Attach an additional page to the Affidavit for your answers if you need more room.
- At the top of the front page, fill in the names.** YOU are the "Petitioner." The person you want protection from is the "Respondent." Leave the Case No. and Judge lines blank for the Clerk of Court to complete.
- First Paragraph.** Fill in your legal name in the blank line.
- Paragraph 1:** Check this box if you wish your current address to remain confidential.
- Paragraph 2:** On the blank line fill in the number of children that are subject to this court case. For each table at the top write in the child's name, place of birth, date of birth, sex, and address unless confidential. As you write on each line going across the table, start with the length of time, the address unless confidential, the adult the child lived with at that time, and the relationship of that adult to the child. There are three tables. If you have more than three children that are subject to this court case, attach additional pages containing the requested information for each of those additional children.
- Paragraph 3:** Mark the box showing whether or not you have participated as party, witness, or in any capacity concerning any civil or criminal case regarding custody or visitation of any of the children that are subject to this court case. If you have been involved in such a case fill in the details requested in lines a, b, c, and d.
- Paragraph 4:** Mark the box showing whether or not you have any information concerning any case that could affect the current case including any case relating to custody, domestic violence and or protection orders, dependency, neglect, or abuse allegations or adoptions other than those listed in paragraph 3. If you do have such information, fill in the details requested in lines a, b, c, and d.
- Paragraph 5:** List the criminal background and history of yourself and members of your household including any convictions or guilty pleas of any offense resulting in a child being an abused or neglected child, any offense that is a violation of R.C. 2919.25, any sexually oriented offense defined by R.C. 2950.01, and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.
- Paragraph 6:** Check the first box if you do not know of any person not a party to this case who has physical custody or claims to have custody or visitation rights with respect to any child subject to this case. Check the second box if you do know anyone who is not a party to this case who has physical custody or claims to have custody or visitation rights with respect to any child subject to this case. If you check the second box you will fill in the required information for each person that you know who is not a party to this case who has physical custody or claims to have custody or visitation rights with respect to any child subject to this case.
- Paragraph 7:** You have an on-going duty to notify the Court of any custody, visitation, parenting time, divorce, dissolution of marriage, separation, neglect, abuse, dependency, guardianship, parentage, termination of parental rights, or domestic violence case concerning the children that are subject to this case.

SIGNING THE FORM

AFTER YOU HAVE FILLED OUT THE FORM, TAKE THE FORM TO A NOTARY PUBLIC TO HAVE YOUR SIGNATURE NOTARIZED. DO NOT SIGN THE FORM UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL NOTARIZE THE PARENTING PROCEEDING AFFIDAVIT FOR YOU.

FORM 10.01-E is reserved for future use

IN THE _____ COURT
 _____ COUNTY, OHIO

 Petitioner : Case No. _____
 :
 :
 : Judge: _____
 v. :
 :
 _____ :
 Respondent :
 _____ :

INFORMATION FOR PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23(A))
(Filed with Form 10.01-D: Petition for Domestic Violence Civil Protection Order)

NOTE:- Use this form if you are requesting a parenting (custody or visitation) order in your Domestic Violence Civil Protection Order Petition (Form 10.01-D). If another court is already addressing or has addressed custody issues involving the children, custody and visitation issues may be handled in that case. By law, ~~an affidavit~~ this form **must** be filed and served with the first pleading filed by each party in every parenting (custody/ or visitation) proceeding in this Court. ~~Therefore, an affidavit must be filed with~~ including a Petition for a Domestic Violence Civil Protection Order if children are involved. Each party has a continuing duty while this case is pending to inform the Court of any parenting proceeding concerning the children in any other court in this or any other state. **If you need more space is needed, attach an additional page.**

I (full legal name) _____, being sworn according to law, certify state under oath or affirmation that these cases involve the custody of a child or children and the following statements are true:

- Pursuant to R.C. 3127.23(D), I am requesting that the Court to not disclose my current address or that of the children. My address is confidential pursuant to R.C. 3127.23(D) and should be placed under seal in that the because my health, safety, or liberty of myself and/or that of the children would be jeopardized by the disclosure of the identifying information.

2. ~~(Number):~~ _____ **(number) Minor child/children is/are subject to this case as follows:**

(Insert the information requested below. The **NOTE:** Provide residence information must be given for the last 5 FIVE years.)

a. Child's name Name:		Place of birth	Date of birth Birth:	Sex <input type="checkbox"/> M <input type="checkbox"/> F
Period of residence Residence		Person child lived with (name & address) Address (Do not list your address if confidential)		Person with whom Child Lived and Relationship to Child

Case No. _____

to present	<input type="checkbox"/> Address Confidential <input type="checkbox"/> Secretary of State Address Confidentiality Program		
to	<input type="checkbox"/> Address Confidential <input type="checkbox"/> Secretary of State Address Confidentiality Program		
to	<input type="checkbox"/> Address Confidential <input type="checkbox"/> Secretary of State Address Confidentiality Program		
to	<input type="checkbox"/> Address Confidential <input type="checkbox"/> Secretary of State Address Confidentiality Program		
b. Child's name Name:		Place of birth	Date of birth Birth :
			Sex <input type="checkbox"/> M <input type="checkbox"/> F
<input type="checkbox"/> Check this box if the information requested below is the same as above.			
Period of residence Residence		Person child lived with (name & address) Address (Do not list your address if confidential)	Person with whom Child Lived and Relationship to Child
to present	<input type="checkbox"/> Address Confidential <input type="checkbox"/> Secretary of State Address Confidentiality Program		

Case No. _____

to	<input type="checkbox"/> <u>Address Confidential</u> <input type="checkbox"/> <u>Secretary of State Address Confidentiality Program</u>		
to	<input type="checkbox"/> <u>Address Confidential</u> <input type="checkbox"/> <u>Secretary of State Address Confidentiality Program</u>		
to	<input type="checkbox"/> <u>Address Confidential</u> <input type="checkbox"/> <u>Secretary of State Address Confidentiality Program</u>		

c. Child's name <u>Name:</u>	Place of birth	Date of birth <u>Birth:</u>	Sex <input type="checkbox"/> M <input type="checkbox"/> F
-------------------------------------	-----------------------	------------------------------------	--

Check this box if the information requested below is the same as above.

Period of residence <u>Residence</u>		Person child lived with (name & address) <u>Address (Do not list your address if confidential)</u>	Person with whom Child Lived and Relationship to Child
to present	<input type="checkbox"/> <u>Address Confidential</u>		
to	<input type="checkbox"/> <u>Address Confidential</u> <input type="checkbox"/> <u>Secretary of State Address Confidentiality Program</u>		
to	<input type="checkbox"/> <u>Address Confidential</u> <input type="checkbox"/> <u>Secretary of State Address Confidentiality Program</u>		

Case No. _____

to	<input type="checkbox"/> <u>Address Confidential</u> <input type="checkbox"/> <u>Secretary of State Address Confidentiality Program</u>		
----	--	--	--

d. Additional List additional children are listed on a page titled Attachment 2(d). (Provide requested the following information for each additional children on an attachment labeled 2d: name, date of birth, person with whom the child lived and child's relationship to the person, address, unless confidential, and dates when the child lived in that place with that person.)

3. **Participation in custody case(s): (check only one)**

- I **HAVE NOT** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of or visitation (parenting time) with any child subject to this case.
- I **HAVE** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of or visitation (parenting time) with any child subject to this case. Explain:

- a. Name of each child _____
- b. Type of case _____
- c. Court and State _____
- d. Date of court order or judgment (if any): _____

4. **Information about custody case(s): (check only one)**

- I **HAVE NO INFORMATION** of any cases that could affect the current case, any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations, or adoptions concerning any child subject to this case.
- I **HAVE THE FOLLOWING INFORMATION** concerning cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations, or adoptions concerning any child subject to this case, other than listed in Paragraph 3. Explain:

- a. Name of each child _____
- b. Type of case _____
- c. Court and State _____
- d. Date of court order or judgment (if any): _____

5. List all of the criminal convictions including guilty pleas for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the

Case No. _____

time of the offense and caused physical harm to the victim during the commission of the offense.

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

6. **Persons not a party to this case: (check only one)**

I **DO NOT KNOW OF ANY PERSON who is** not a party to this case and who has physical custody or claims to have custody or visitation rights with respect to any child subject to this case.

I **KNOW THAT THE FOLLOWING NAMED PERSON(S)** not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case:

a. Name and address of person _____

has physical custody claims custody rights claims visitation rights.

Name of each child _____

b. Name and address of person _____

has physical custody claims custody rights claims visitation rights.

Name of each child _____

c. Name and address of person _____

has physical custody claims custody rights claims visitation rights.

Name of each child _____

7. ~~I understand that I have a continuing duty to advise~~ **inform** this Court of any child custody, visitation, parenting time, divorce, dissolution of marriage, separation, neglect, abuse, dependency, guardianship, parentage, termination of parental rights, or protection from domestic violence case concerning the children in this state or in any other state about which information is obtained during this that could affect the current case.

OATH OF AFFIANT AFFIRMATION

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

DO NOT SIGN THE FORM UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL NOTARIZE-THE PARENTING PROCEEDING AFFIDAVIT FOR YOU.

AFFIANT Signature of Petitioner

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

Case No. _____

NOTARY PUBLIC

**FORM 10.01-G:
WARNING CONCERNING THE ATTACHED
DOMESTIC VIOLENCE PROTECTION ORDER**

NOTE: *Rules 10.01 and 10.02 of the Rules of Superintendence for the Courts of Ohio require this Warning to be attached to the FRONT of all civil and criminal domestic violence protection orders issued by the courts of the State of Ohio. TO BE USED WITH FORMS 10.01-H, 10.01-I, 10.01-J, 10.01-M, and 10.02-A.*

WARNING TO RESPONDENT / DEFENDANT

Violating the attached Protection Order is a crime, punishable by imprisonment or fine or both, and may cause your bond to be revoked or result in a contempt of court citation against you.

This Protection Order is enforceable in all 50 states, the District of Columbia, tribal lands, and U.S. Territories pursuant to the Violence Against Women Act, 18 U.S.C. 2265. Violating this Protection Order may subject you to federal charges and punishment.

Only the Court may change this Protection Order. The Petitioner/Alleged Victim cannot give you legal permission to change this Order. If you go near the Petitioner/Alleged Victim or other protected person, even with their permission, you may be arrested. Only the Court may modify or terminate this Protection Order. Unless the Court modifies or terminates this Order, you may be arrested for violating this Protection Order. **You act at your own risk if you disregard this WARNING.**

WARNING TO PETITIONER / ALLEGED VICTIM

You **cannot** change the terms of this Order by your words or actions. Only the Court may allow the Respondent/Defendant to contact you or return to your residence. This Protection Order **cannot** be changed by either party without obtaining a written court order.

NOTICE ABOUT FIREARMS AND OTHER DEADLY WEAPONS

As a result of this Protection Order or Consent Agreement, it may be unlawful for you to possess or purchase a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to federal law, 18 U.S.C. 922(g)(8). If you have any questions whether these laws make it illegal for you to possess or purchase a firearm or ammunition, you should consult with a lawyer.

This Protection Order may be subject to the exceptions pursuant to 18 U.S.C. 925(a)(1) **only** with respect to the official use of government issued firearms or ammunition for the use of any department or agency of the United States, Ohio, or its political subdivision. This exception does not apply if the Defendant/ Respondent has been convicted of an offense of violence, for example, domestic violence, menacing by stalking, etc. against a family or household member.

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

The attached Protection Order is enforceable in all jurisdictions. Violation of this Protection Order, whether it is a criminal or civil Protection Order, is a crime under R.C.2919.27. Law enforcement officers with powers to arrest under R.C. 2935.03 for violations of the Ohio Revised Code must enforce the terms of this Protection Order as required by R.C. 2919.26, 2919.27, and 3113.31. If you have reasonable grounds to believe that Respondent/Defendant has violated this Protection Order, it is the preferred course of action in Ohio under R.C. 2935.03 to arrest and detain Respondent/ Defendant until a warrant may be obtained. Federal and state law prohibits charging a fee for service of this Order.

FORM 10.01-G is reserved for future use

IN THE COURT OF COMMON PLEAS
 _____ COUNTY, OHIO

Order of Protection

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

Case No.

Judge/Magistrate _____

State OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

 () -

PHONE NUMBER

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

PETITIONER:

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

Petitioner's Family or Household Members:
 Additional forms attached.)

 DOB: _____

 DOB: _____

 DOB: _____

 DOB: _____

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____

Address where Respondent can be found:

RESPONDENT IDENTIFIERS

SEX	RACE	HGT	WGT
EYES	HAIR	DATE OF BIRTH DOB	
DRIVER'S LIC. NO.	EXP. DATE	STATE	

Distinguishing Features: _____

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS – PROCEED WITH CAUTION

(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. Additional terms of this Order are set forth below.

~~(DATE CERTAIN)~~ **UNLESS EXTENDED BY SEPARATE ENTRY.**

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

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

This proceeding came on for an *ex parte* hearing on _____ / _____ / _____ (Respondent not being present), upon the filing of a Petition by Petitioner for a ~~domestic violence civil protection order~~ Domestic Violence Civil Protection Order (DVCPO) 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.

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE RESPONDENT

1. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence:

2. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at:

is granted to: _____. Respondent shall not interfere with ~~this individual's~~ the protected persons' right to occupy the residence including, but not limited to canceling utilities or insurance or interrupting telecommunication (e.g., telephone service, internet, or cable) services, mail delivery, or the delivery of any other documents or items. [NCIC 03]

3. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the above residence at the earliest possible opportunity after service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

4. **RESPONDENT SHALL NOT ENTER** or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons 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]

5. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other **ALL** protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected persons wherever those 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 a protected person'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]

6. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social ~~networking~~ media; blogging; writings; electronic communications, or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person**. [NCIC 05]

7. **RESPONDENT SHALL NOT POST** any photographs, videos, or other images of protected persons anywhere, including but not limited to any form of social media or otherwise. Respondent shall not refer to

named persons in a threatening or harassing manner on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.

8. RESPONDENT SHALL IMMEDIATELY SURRENDER POSSESSION OF ALL KEYS TO THE FOLLOWING MOTOR VEHICLE, _____, to the law enforcement agency that served Respondent with the Order or as follows:

and Petitioner is granted exclusive use of this motor vehicle.

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

10. PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS owned by Petitioner from the possession of Respondent:

Exchange of the listed companion animals or pets shall take place as follows:

9.11. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON to do any act prohibited by this Order.

~~10.12.~~ **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION** at any time while the Order remains in effect unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

13. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND CONCEALED CARRY WEAPON LICENSE owned by Respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____ or as follows:

Any law enforcement agency is authorized to take possession of deadly weapons pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order.

Upon the expiration of this Order and if a full hearing order is not granted, any deadly weapons, firearms, and ammunition held in protective custody by law enforcement pursuant to this Order may be disposed of as unclaimed property pursuant to R.C. 2981.12 unless Respondent files a motion for return with this Court.

14. PETITIONER IS AN UNMARRIED FEMALE who gave birth to _____ a child, born on _____. As set forth in R.C. 3109.042, Petitioner is the sole residential parent or legal custodian of the child until a court of competent jurisdiction issues an order designating another person as the residential parent or legal custodian.

14.15. PARENTAL RIGHTS AND RESPONSIBILITIES ARE TEMPORARILY ALLOCATED AS FOLLOWS: [NCIC 09] _____

This Order applies to the following ~~child(ren)~~ child children:

42.16. VISITATION ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.

- (A) Respondent's visitation rights are suspended; or
- (B) As a limited exception to paragraphs 5 and 6, temporary visitation rights are established as follows: [NCIC 06]

This Order applies to the following ~~child(ren)~~ child children:

43.17. LAW ENFORCEMENT AGENCIES, including but not limited to, _____ are ordered to assist Petitioner in gaining physical custody of the ~~child(ren)~~ child children, if necessary.

44.18. RESPONDENT SHALL SUPPORT the protected persons named in this Order as follows:

45.19. RESPONDENT MAY PICK UP CLOTHING and personal effects from the above residence only in the company of a uniformed law enforcement officer within seven or _____ days of the filing of this Order. Arrangements may be made by contacting:

46.20. RESPONDENT SHALL NOT USE OR POSSESS alcohol or illegal drugs.

21. RESPONDENT SHALL NOT INTERFERE with wireless service transfer, prevent the functionality of a device on the network, or incur further contractual or financial obligations related to the transferred numbers.

Wireless service rights to and billing responsibility for the wireless service number or numbers in use by Petitioner or any minor children in the care of Petitioner shall be transferred to Petitioner by separate order.

47.22. IT IS FURTHER ORDERED: [NCIC 08]

48.23. ALL DISCOVERY SHALL STRICTLY COMPLY with Civ.R. 65.1(D).

19.24. IT IS FURTHER ORDERED that the Clerk of Court shall cause a copy of the Petition and this Order **THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENT** to be delivered to the Respondent as required by set forth in Civ.R.

65.1(C)(2). The Clerk of Court shall also provide certified copies of the Petition and certified copies of this Order to Petitioner upon request. ~~This Order is granted without bond. No costs or fees shall be assessed against the Petitioner for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this protection order.~~

~~20.25. 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. Except for paragraphs 11, 12, 13, and 14 above, this Order survives **DOES NOT EXPIRE** because of a failure to serve notice of the full hearing upon Respondent before the date set for the full hearing or because the Court grants a continuance, as set forth in R.C. 3113.31(D)(2)(b).~~

26. THIS ORDER SURVIVES a divorce, dissolution of marriage, or legal separation. Any subsequent order from this Court, another domestic relations court, or juvenile court may modify paragraphs 14, 15, 16, 17, and 18.

27. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

IT IS SO ORDERED.

JUDGE/MAGISTRATE

NOTICE TO RESPONDENT

THE PERSONS NO PERSON PROTECTED BY THIS ORDER CANNOT CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERM OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. 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 _____, 20 _____
at _____ a.m./p.m. at the following location:

TO THE CLERK

COPIES A COPY OF PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENTS SHALL BE DELIVERED SERVED PURSUANT TO CIV.R. 65.1(C)(2) TO:

- Petitioner
- Respondent
- Police Department Where Petitioner Resides Law Enforcement Agency:

- Sheriff's Office:

- Police Department Where Petitioner Works:

- 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 INDEXED

() -

PHONE NUMBER

Case No.

Judge

State

OHIO

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

WITH SUPPORT ORDER

PETITIONER:

Empty box for Petitioner name

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner DOB:

Petitioner's Family or Household Members :

(Additional forms attached)

DOB:

DOB:

DOB:

DOB:

RESPONDENT:

Empty box for Respondent name

First Middle Last

RESPONDENT IDENTIFIERS

Table with columns: SEX, RACE, HGT, WGT, EYES, HAIR, DATE OF BIRTH, DOB, DRIVER'S LIC. NO., EXP. DATE, STATE

Relationship to Petitioner:

Address where Respondent can be found:

Distinguishing Features:

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS - PROCEED WITH CAUTION

(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. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until / / (DATE CERTAIN - 5 YEARS MAXIMUM)

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 issued on _____ / _____ / _____. The following individuals were present:

The Court hereby makes the following findings of fact:

The Court further finds by a preponderance of the evidence: ~~that~~ 1) ~~that the~~ Petitioner ~~or and~~ Petitioner's family or household members are in danger ~~of or and~~ 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 persons named in this Order from domestic violence.

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE RESPONDENT

1. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence:

2. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at:

is granted to: _____. Respondent shall not interfere with ~~this individual's~~ the protected persons' right to occupy the residence including, but not limited to canceling utilities or insurance or interrupting telecommunication (e.g. telephone service, internet, or cable) services, mail delivery, or the delivery of any other documents or items. [NCIC 03]

3. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the above residence at the earliest possible opportunity after service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

4. **RESPONDENT SHALL NOT ENTER** or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons 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]

5. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** ~~and all other~~ **ALL** protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected

persons wherever those 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~~ a protected person'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]

6. RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social ~~networking~~ media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person**. [NCIC 05]

7. RESPONDENT SHALL NOT POST any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to protected persons in a threatening or harassing manner on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.

8. RESPONDENT SHALL IMMEDIATELY SURRENDER POSSESSION OF ALL KEYS TO THE FOLLOWING MOTOR VEHICLE: _____
to the law enforcement agency that served Respondent with the Order or as follows:

and Petitioner is granted exclusive use of this motor vehicle.

8-9. RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY, COMPANION ANIMALS, OR PETS owned or possessed by the protected persons named in this Order. Personal property shall be apportioned as follows:

10. PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS owned by Petitioner from the possession of Respondent:

Exchange of the listed companion animals or pets shall take place as follows:

9-11. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON to do any act prohibited by this Order.

10-12. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION at any time while this Order remains in effect, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

13. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND ~~CONCEAL~~ CONCEALED CARRY WEAPON LICENSE owned by Respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____
or as follows: _____

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order. Any law enforcement agency is authorized to take possession of deadly weapons, firearms, and ammunition pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order, any deadly weapons, including firearms, and ammunition, held in protective custody by law enforcement pursuant to this Order ~~shall may~~ be disposed of as unclaimed property pursuant to R.C. 2981.12 unless the Respondent files a motion for return with this Court ~~within 30 days before the expiration of this Order.~~

14. PETITIONER IS AN UNMARRIED FEMALE who gave birth to _____
a child, born on _____. As set forth in R.C. 3109.042, Petitioner is
the sole residential parent or legal custodian of the child until a court of competent jurisdiction issues an order designating another person as the residential parent or legal custodian.

14.15. PARENTAL RIGHTS AND RESPONSIBILITIES ARE TEMPORARILY ALLOCATED AS FOLLOWS:
[NCIC 09]

This Order applies to the following ~~child(ren)~~ child children:

14.16. VISITATION ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.

- (A) Respondent's visitation rights are suspended; or
- (B) As a limited exception to paragraphs 5 and 6, temporary visitation rights are established as follows:
[NCIC 06]

This Order applies to the following ~~child(ren)~~ child children:

14.17. LAW ENFORCEMENT AGENCIES, including but not limited to, _____
are ordered to assist Petitioner in gaining physical custody of the ~~child(ren)~~ child children, if necessary.

14.18. RESPONDENT SHALL SUPPORT the protected persons named in this Order as follows:

14.19. RESPONDENT MAY PICK UP CLOTHING and personal effects from the above residence only in the company of a uniformed law enforcement officer within seven or _____ days of the filing of this Order. Arrangements may be made by contacting:

~~16.20.~~ **RESPONDENT SHALL NOT USE OR POSSESS** alcohol or illegal drugs.

~~17.~~ **IT IS FURTHER ORDERED:** [NCIC 08]

~~18.21.~~ **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.

~~22.~~ **Respondent is ordered to appear** **RESPONDENT IS ORDERED TO APPEAR** before Judge or Magistrate _____ on _____ / _____ / _____ at _____ a.m. p.m. to review Respondent's compliance with the terms of this counseling order **Order. Respondent is warned** **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, or~~ the Court may issue a warrant for your arrest.

~~23.~~ **RESPONDENT SHALL NOT INTERFERE** with wireless service transfer, prevent the functionality of a device on the network, or incur further contractual or financial obligations related to the transferred numbers.

Wireless service rights to and billing responsibility for the wireless service number or numbers in use by Petitioner or any minor children in the care of Petitioner shall be transferred to Petitioner by separate order.

~~17.24.~~ **IT IS FURTHER ORDERED:** [NCIC 08]

~~19.25.~~ **IT IS FURTHER ORDERED** that the Clerk of Court shall cause a copy of this Order **THE CLERK OF COURT SHALL CAUSE A COPY OF THIS ORDER** to be delivered to the Respondent as required by as set forth in Civ.R. 5(B) and 65.1(C)(3). The Clerk of Court shall also provide certified copies of ~~the Petition and this Order~~ to Petitioner upon request. ~~This Order is granted without bond. No costs or fees shall be assessed for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this Order.~~

~~20.26.~~ **ALL OF THE TERMS OF THIS ORDER SHALL 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.** Except for paragraphs 11, 12, 13, and 14 above, this Order survives **SURVIVES** a divorce, dissolution of marriage, or legal separation. Until this Order is served upon the Respondent pursuant to Civ.R. 65.1, the terms of the Ex Parte CPO remain in effect Any subsequent order from this Court, another domestic relations court, or juvenile court may modify paragraphs 14, 15, 16, 17, and 18.

~~24.27.~~ **IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE,** the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the Order as set forth in Civ.R. 65.1. Accordingly, the Court adopts the magistrate's granting of the Order.

28. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

THE COSTS OF THIS ACTION ARE assessed against Respondent waived.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT

THE PERSONS NO PERSON PROTECTED BY THIS ORDER CANNOT CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERM OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable order, were served on the parties indicated pursuant to Civ. R. 5(B) and 65.1(C)(3), including ordinary mail, on _____ day of _____, 20 _____

By: _____
CLERK OF COURT

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED SERVED PURSUANT TO CIV.R. 65.1(C)(3) TO:

- Petitioner Attorney for Petitioner
- Respondent Attorney for Respondent

Counseling Program: _____

Sheriff's Office: Law Enforcement Agency: _____

~~Police Department Where Petitioner Resides:~~ _____

~~Police Department Where Petitioner Works:~~ _____

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 INDEXED
 () - _____
PHONE NUMBER

Case No.

Judge _____

State **OHIO**

CONSENT AGREEMENT AND DOMESTIC VIOLENCE CIVIL PROTECTION ORDER (R.C. 3113.31)
 WITH SUPPORT ORDER

PETITIONER:

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____
 Petitioner's Family or Household Members:
 Additional forms attached.)
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____
 Address where Respondent can be found:

RESPONDENT IDENTIFIERS

SEX	RACE	HGT	WGT
EYES	HAIR	DATE OF BIRTH <u>DOB</u>	
		/	/
DRIVER'S LIC. NO.	EXP. DATE	STATE	

Distinguishing Features: _____

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS – PROCEED WITH CAUTION

{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. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until _____ / _____ / _____ **(DATE CERTAIN – 5 YEARS MAXIMUM)**

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

Case No. _____

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

The parties agree to waive their notice and hearing rights.

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE RESPONDENT

1. RESPONDENT SHALL IMMEDIATELY VACATE the following residence:

2. EXCLUSIVE POSSESSION OF THE RESIDENCE located at:

is granted to: _____. Respondent shall not interfere with ~~this individual's~~ the protected persons' right to occupy the residence including, but not limited to canceling utilities or insurance or interrupting telecommunication (e.g., telephone service, internet, or cable) services, mail delivery, or the delivery of any other documents or items. [NCIC 03]

3. RESPONDENT SHALL SURRENDER all keys and garage door openers to the above residence at the earliest possible opportunity after service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

4. RESPONDENT SHALL NOT ENTER or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons 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]

5. RESPONDENT SHALL STAY AWAY FROM PETITIONER and all other protected persons named in this Order, and not be present within 500 feet or _____(distance) of any protected persons wherever those 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 a protected person'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]

6. RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text;

Case No. _____

instant messaging; fax; e-mail; voice mail; delivery service; social networking media; blogging; writings;- electronic communications; or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC05]

7. RESPONDENT SHALL NOT POST any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to protected persons in a threatening or harassing manner on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.

8. RESPONDENT SHALL IMMEDIATELY SURRENDER POSSESSION OF ALL KEYS TO THE FOLLOWING MOTOR VEHICLE: _____ to the law enforcement agency that served Respondent with the Order or as follows:

and Petitioner is granted exclusive use of this motor vehicle.

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

10. PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS owned by Petitioner, from the possession of Respondent:

Exchange of listed companion animals or pets shall take place as follows:

9.11. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON to do any act prohibited by this Order.

10.12. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION at any time while this Order remains in effect, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

13. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND CONCEALED CARRY WEAPON LICENSE owned by Respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____ or as follows:

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order.

Case No. _____

Any law enforcement agency is authorized to take possession of deadly weapons, firearms, and ammunition pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order, any deadly weapons, ~~including~~ firearms, and ammunition, held in protective custody by law enforcement pursuant to this Order ~~shall~~ may be disposed of as unclaimed property pursuant to R.C. 2981.12 unless ~~the~~ Respondent files a motion for return with this Court ~~within 30 days before the expiration of this Order.~~

14. PETITIONER IS AN UNMARRIED FEMALE who gave birth to _____ a child, born on _____. As set forth in R.C. 3109.042, Petitioner is the sole residential parent or legal custodian of the child until a court of competent jurisdiction issues an order designating another person as the residential parent or legal custodian.

14.15. PARENTAL RIGHTS AND RESPONSIBILITIES ARE TEMPORARILY ALLOCATED AS FOLLOWS: [NCIC 09]

This Order applies to the following ~~child(ren)~~ child children:

14.16. VISITATION ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.

- (A) Respondent's visitation rights are suspended; or
- (B) As a limited exception to paragraphs 5 and 6, temporary visitation rights are established as follows: [NCIC 06]

This Order applies to the following ~~child(ren)~~ child children:

14.17. LAW ENFORCEMENT AGENCIES, including but not limited to, _____ are ordered to assist Petitioner in gaining physical custody of the ~~child(ren)~~ child children, if necessary.

14.18. RESPONDENT SHALL SUPPORT the protected persons named in this Order as follows:

14.19. RESPONDENT MAY PICK UP CLOTHING and personal effects from the above residence only in the company of a uniformed law enforcement officer within seven or _____ days of the filing of this Order. Arrangements may be made by contacting:

Case No. _____

~~16.20.~~ **RESPONDENT SHALL NOT USE OR POSSESS** alcohol or illegal drugs.

~~17.~~ **IT IS FURTHER ORDERED:** [NCIC 08]

~~21.~~ **RESPONDENT SHALL NOT INTERFERE** with wireless service transfer, prevent the functionality of a device on the network, or incur further contractual or financial obligations related to the transferred numbers.

Wireless service rights to and billing responsibility for the wireless service number or numbers in use by Petitioner or any minor children in the care of Petitioner shall be transferred to Petitioner by separate order.

~~18.22.~~ **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.

~~23.~~ Respondent is ordered to appear before Judge or Magistrate _____ on _____ / _____ / _____ at _____ a.m. p.m., to review Respondent's compliance with this 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, or the Court may issue a warrant for your arrest.**

~~24.~~ **IT IS FURTHER ORDERED:** [NCIC 08]

~~19.25.~~ **IT IS FURTHER ORDERED** that the Clerk of Court shall cause a copy of this Order **THE CLERK OF COURT SHALL CAUSE A COPY OF THIS ORDER** to be delivered to the Respondent as required by set forth in Civ.R. 5(B) and 65.1(C)(3). The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request. ~~This Order is granted without bond. No costs or fees shall be assessed against the Petitioner for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this Order.~~

~~20.26.~~ **ALL OF THE TERMS OF THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT FOR A**

Case No. _____

~~PERIOD OF FIVE YEARS FROM ISSUANCE, OR UNTIL _____ / _____ / _____~~
unless earlier modified or terminated by order of this Court. Except for paragraphs 11, 12, 13, and 14 above, this Order survives **SURVIVES** a divorce, dissolution of marriage, or legal separation. Until this Order is served upon the Respondent pursuant to Civ.R. 65.1, the terms of the *Ex Parte* CPO remain in effect. Any subsequent order from this Court, another domestic relations court, or juvenile court may modify for paragraphs 13, 14, 15, 16, and 17.

24-27. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the Order as set forth in Civ.R. 65.1. Accordingly, the Court adopts the magistrate's granting of the Order.

28. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

THE COSTS OF THIS ACTION ARE assessed against Respondent waived.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT

THE PERSONS NO PERSON PROTECTED BY THIS ORDER CANNOT CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. 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 Petitioner (Safe Mailing Address)

Address of Respondent

Signature of Attorney for Petitioner

Signature of Attorney for Respondent

Address of Attorney for Petitioner

Address of Attorney for Respondent

Case No. _____

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable order, were to be served on the parties indicated pursuant to Civ.R. 5(B) and 65.1(C)(3), including ordinary mail, on

_____ day of _____, 20 _____

By: _____
CLERK OF COURT

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED SERVED PURSUANT TO CIV.R. 65.1(C)(3) TO:

- Petitioner Attorney for Petitioner
- Respondent Attorney for Respondent
- Counseling Program: _____
- Sheriff's Office Law Enforcement Agency: _____

Police Department Where Petitioner Resides: _____

Police Department Where Petitioner Works: _____

CSEA

Other: _____

IN THE COURT OF COMMON PLEAS
_____ COUNTY, OHIO

Petitioner : Case No. _____

Address (Safe mailing address) : Judge/Magistrate _____

City, State, Zip Code :

v. : **MOTION TO MODIFY OR TERMINATE
DOMESTIC VIOLENCE PROTECTION ORDER OR
CONSENT AGREEMENT**

Respondent :

Address :

City, State, Zip Code :

CHECK EVERY THAT APPLIES. IF YOU ARE REQUESTING ASKING FOR YOUR ADDRESS REMAIN TO BE KEPT CONFIDENTIAL, DO NOT WRITE YOUR ADDRESS ON THIS FORM. PLEASE PROVIDE ANOTHER PUT A MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE NOTICES FROM THE COURT MAIL. IF YOU ARE A PARTICIPANT IN THE SECRETARY OF STATE'S ADDRESS CONFIDENTIALITY PROGRAM, PLEASE USE THE P.O. BOX ADDRESS GIVEN TO YOU. THIS FORM IS A PUBLIC RECORD.

Petitioner Respondent moves this Court to modify or terminate the Domestic Violence Civil Protection Order granted or Consent Agreement ~~issued~~ approved on _____ / _____ / _____. In the original proceeding, I was the Petitioner Respondent.

1. The terms of the civil protection order or consent agreement to be modified or terminated are:

2. The reasons for the modification or termination are:

- 3. Court fees cannot be assessed against ~~the~~ Petitioner for filing a Motion to Modify or Terminate Domestic Violence Civil Protection Order or Consent Agreement, which is in connection with a previously issued protection order or approved consent agreement, pursuant to R.C. 3113.31(J)(1).

Respectfully submitted,

SIGNATURE OF PETITIONER/RESPONDENT

Safe mailing address where the Court may ~~contact~~ send the moving party (YOU) mail. **If you are a participant in the Secretary of State's address confidentiality program, please use the P.O. Box address given to you.**

Signature of Attorney for Petitioner/Respondent (if applicable)

Name

Address

Attorney Registration

Telephone

Fax

Email

REQUEST FOR SERVICE

Please serve a copy of this Motion upon the Petitioner Respondent, _____

Pursuant to Civ.R. 65.1(C)(3) at the following address: _____

Case No. _____

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Petitioner : Case No. _____

v. : Judge/Magistrate _____

Respondent :

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Pursuant to Civ.R. 65.1(C)(2), please serve Respondent a copy of the Petition, ex parte protection order, if granted, and any other accompanying documents to the address below and as follows:

Personal service Certified Mail, Return Receipt Requested
 Other (specify) _____

Other (address): _____
 Personal Service Certified Mail, Return Receipt Requested
 Other (specify) _____

SPECIAL INSTRUCTIONS TO SHERIFF:

SIGNATURE OF ATTORNEY OR PETITIONER

RETURN OF SERVICE

Respondent was served on _____ :

Officer and Badge Number Law Enforcement Agency

Date

CLERK'S CERTIFICATE OF MAILING

Service of Process was sent by _____ this _____ day of _____ :

Attest: _____ Deputy Clerk

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Petitioner : Case No. _____

Date of Birth: ____/____/____ : Judge _____

v. : JUDGMENT ENTRY ON MOTION TO MODIFY OR
TERMINATE DOMESTIC VIOLENCE CIVIL
PROTECTION ORDER OR CONSENT AGREEMENT
(R.C. 3113.31)

Respondent :

Date of Birth: ____/____/____ :

Upon the motion of []Petitioner []Respondent, this proceeding came on for a hearing on ____/____/____
before the Court to []modify []terminate the [] Domestic Violence Civil Protection Order or Consent
Agreement [] Dating Violence Civil Protection Order or Consent Agreement issued or approved pursuant to R.C.
3113.31 on ____/____/____.

[] The Petitioner was []present []not present, but had reasonable notice and opportunity to be heard.

[] The Respondent was []present []not present, but had reasonable notice and opportunity to be heard.

The Court has considered the following factors:

1. Petitioner []consents []does not consent to the []modification []termination of the Domestic Violence
Civil Protection Order or Consent Agreement.

2. Petitioner []continues to fear []does not fear the Respondent.

3. The current nature of the relationship between the Petitioner and Respondent is as follows:

4. Relative proximity of the Petitioner's and Respondent's workplaces and residences.

5. Petitioner and Respondent []have []do not have minor children together.

6. Respondent has []complied []failed to comply with the terms and conditions of the original civil protection
order or consent agreement.

7. Respondent []has []does not have a continuing involvement with illegal drugs or alcohol.

Case No. _____

- 8. Respondent has been has not been convicted of or pleaded guilty to an offense of violence since the protection order was issued or the consent agreement was approved.
- 9. Other protection orders, consent agreements, restraining orders, or no contact orders have been have not been issued against the Respondent pursuant to R.C. 3113.31 or 2919.26, any other provision of state law, or the ~~law~~ laws of any other state.
- 10. Respondent participated has not participated in a domestic violence treatment, intervention program, or other counseling ~~addressing domestic violence~~ as set forth in the Court's order or approved agreement.
- 11. Respondent completed has not completed the ~~domestic violence~~ treatment, intervention program, or other counseling ~~addressing domestic violence~~ as set forth in the Court's order or approved agreement.
- 12. _____ (time) has elapsed since the protection order was issued or the consent agreement was approved.
- 13. The age and health of the Respondent is as follows:

- 14. The last incident of abuse, threat of harm, or commission of a sexually oriented offense occurred on:
- 15. Other information considered concerning the safety and protection of the Petitioner or other protected parties:

- 16. Based on all relevant factors, including those set forth in R.C. 3113.31(E)(8), the Court finds:
 ~~The terms of the original civil protection order or consent agreement are no longer appropriate. The Order shall be modified as follows:~~ **THE ORDER ISSUED ON _____ SHALL BE MODIFIED** per Modified Domestic Violence Civil Protection Order (Form 10.01-M) or Modified Dating Violence Civil Protection Order (Form 10.01-T).

THE ORDER IS TERMINATED. The civil protection order or consent agreement is no longer needed. ~~The Order is terminated.~~

THE MOTION IS DENIED. The civil protection order or consent agreement remains in full force and effect. ~~The Motion is denied.~~

Case No. _____

47. A new Protection Order Notice to NCIC, (Form 10-A₇) has been prepared to show the modification or termination of the prior order or agreement. ~~In the event of modification, a Modified Domestic Violence Civil Protection Order (Form 10.01-M) has been filed with this entry.~~

IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

The costs of this action are **THE COSTS OF THIS ACTION ARE** assessed against the Respondent waived.

48. **IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE**, the Court has reviewed the magistrate's granting or denial of the modification or termination of the Order and finds no error of law or other defect evident on the face of the Order as set forth in Civ.R. 65.1. Accordingly, the Court adopts the magistrate's granting or denial of the modification or termination of the Order.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

TO THE CLERK:	
COPIES OF THIS ORDER SHALL BE DELIVERED TO:	
<input type="checkbox"/> Petitioner	
<input type="checkbox"/> Attorney for Petitioner	
<input type="checkbox"/> Respondent	
<input type="checkbox"/> Attorney for Respondent	
<input type="checkbox"/> Counseling Program:	_____
<input type="checkbox"/> Sheriff's Office Law Enforcement Agency:	_____
<input type="checkbox"/> Police Department Where Petitioner Resides:	_____
<input type="checkbox"/> Police Department Where Petitioner Works:	_____
<input type="checkbox"/> CSEA	
<input type="checkbox"/> Other:	_____

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable order, were served on the parties indicated above pursuant to Civ.R. 65.1(C)(3) and 5(B), including ordinary mail, on:

_____ day of _____, 20 _____

By: _____
CLERK OF COURT

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

Order of Protection

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

Case No.

Judge _____

State **OHIO**

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

**MODIFIED DOMESTIC VIOLENCE CIVIL PROTECTION
ORDER (R.C. 3113.31)**

PETITIONER:

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

Petitioner's Family or Household Members:

Additional forms attached

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____

Address where Respondent can be found: _____

Distinguishing Features: _____

RESPONDENT IDENTIFIERS

SEX	RACE	HGT	WGT
EYES	HAIR	DATE OF BIRTH DOB	
		/ /	
DRIVER'S LIC. NO.	EXP. DATE	STATE	

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS – PROCEED WITH CAUTION

(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. Additional terms of this Order are set forth below.

(SHALL BE SAME EXPIRATION DATE AS IN CIVIL PROTECTION ORDER OR CONSENT AGREEMENT UNLESS EXTENDED BY SEPARATE ENTRY)

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

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

This proceeding came on for a hearing on _____ / _____ / _____. Based on the evidence presented and consideration of factors set forth in R.C. 31131.31(E)(8), the Court finds that the motion to modify the prior Domestic Violence Civil Protection Order issued on _____ / _____ / _____ is well taken.

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE RESPONDENT

1. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence:

2. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at:

is granted to: _____. Respondent shall not interfere with ~~this individual's~~ the protected persons' right to occupy the residence including, but not limited to canceling utilities or insurance or interrupting telecommunication (e.g. telephone service, internet, cable) services mail delivery, or the delivery of any other documents or items. [NCIC 03]

3. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the above residence at the earliest possible opportunity after service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

4. **RESPONDENT SHALL NOT ENTER** or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons 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]

5. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected ~~persons~~ person wherever those 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 a protected person'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]

6. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular, or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social ~~networking~~ media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 05]

7. RESPONDENT SHALL NOT POST any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to protected persons in a threatening or harassing manner on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.

8. RESPONDENT SHALL IMMEDIATELY SURRENDER POSSESSION OF ALL KEYS TO THE FOLLOWING MOTOR VEHICLE: _____ to the law enforcement agency that served Respondent with this Order or as follows:

and Petitioner is granted exclusive use of this motor vehicle.

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

10. PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS, owned by Petitioner, from the possession of Respondent:

Exchange of the listed companion animals or pets shall take place as follows:

9.11. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON to do any act prohibited by this Order.

10.12. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION at any time while this Order remains in effect, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

13. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND CONCEALED CARRY WEAPON LICENSE owned by respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____ or as follows:

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order.

Any law enforcement agency is authorized to take possession of deadly weapons, firearms, and ammunition pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order, any deadly weapons, including firearms, and ammunition, held in protective custody by law enforcement pursuant to this Order ~~shall~~ may be disposed of as unclaimed property pursuant to R.C. 2981.12 unless the Respondent files a motion for return with this Court within 30 days before the expiration of this Order.

14. PETITIONER IS AN UNMARRIED FEMALE who gave birth to _____ a child, born on _____. As set forth in R.C. 3109.042, Petitioner is the sole residential parent or legal custodian of the child until a court of competent jurisdiction issues an order designating another person as the residential parent or legal custodian.

11-15. PARENTAL RIGHTS AND RESPONSIBILITIES ARE TEMPORARILY ALLOCATED AS FOLLOWS:
[NCIC 09]

This Order applies to the following child(ren) child children:

12-16. VISITATION ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.

- (A) Respondent's visitation rights are suspended; or
- (B) As a limited exception to paragraphs 5 and 6, temporary visitation rights are established as follows: [NCIC 06]

This Order applies to the following child(ren) child children:

13-17. LAW ENFORCEMENT AGENCIES, including but not limited to, _____ are ordered to assist Petitioner in gaining physical custody of the child(ren) child children, if necessary.

14-18. RESPONDENT SHALL SUPPORT the protected persons named in this Order as follows:

15-19. RESPONDENT MAY PICK UP CLOTHING and personal effects from the above residence only in the company of a uniformed law enforcement officer within seven or _____ days of the filing of this Order. Arrangements may be made by contacting:

16-20. RESPONDENT SHALL NOT USE OR POSSESS alcohol or illegal drugs.

~~17.~~ **IT IS FURTHER ORDERED:** [NCIC 08]

~~18,21.~~ **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.

~~22.~~ Respondent is ordered to appear before Judge or Magistrate

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

Respondent's compliance with this 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, or the Court may issue a warrant for your arrest.

~~23.~~ **RESPONDENT SHALL NOT INTERFERE** with wireless service transfer, prevent the functionality of a device on the network, or incur further contractual or financial obligations related to the transferred numbers.

Wireless service rights to and billing responsibility for the wireless service number or numbers in use by Petitioner or any minor children in the care of Petitioner shall be transferred to Petitioner by separate order.

~~24.~~ **IT IS FURTHER ORDERED:** [NCIC 08]

~~19,25.~~ **IT IS FURTHER ORDERED** that the Clerk of Court shall cause a copy **THE CLERK OF COURT SHALL CAUSE A COPY** of this Order to be delivered to the Respondent as required by set forth in Civ.R. 5(B) and 65.1(C)(4)(b). The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request. ~~This Order is granted without bond. No costs or fees shall be assessed against the Petitioner for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this Order.~~

~~20,26.~~ **ALL OF THE TERMS OF THIS ORDER SHALL 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. Except for paragraphs 11, 12, 13, and 14 above, this Order survives~~ **SURVIVES** a divorce, dissolution of marriage, or legal separation. ~~Until this Order is served upon the Respondent pursuant to Civ.R. 65.1, the terms of the previous CPO remain in effect~~ Any subsequent order from this Court, another domestic relations court, or juvenile court may modify paragraphs 14, 15, 16, 17, and 18.

24-27. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the as set forth in Civ.R. 65.1 Order. Accordingly, the Court adopts the magistrate's granting of the Order.

28. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

THE COSTS OF THIS ACTION ARE assessed against Respondent waived.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT

THE PERSONS NO PERSON PROTECTED BY THIS ORDER CANNOT CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. 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 served on the parties indicated pursuant to Civ. R. 65.1(C)(3)(4)(b) on _____ day of _____, 20 _____

By: _____
CLERK OF COURT

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED SERVED PURSUANT TO CIV.R. 65.1(C)(4) TO:

- Petitioner Attorney for Petitioner
- Respondent Attorney for Respondent
- Counseling Program: _____
- Sheriff's Office Law Enforcement Agency: _____
- Police Department Where Petitioner Resides: _____
- Police Department Where Petitioner Works: _____
- CSEA
- Other: _____

FORM 10.01-N: HOW TO COMPLETE A MOTION FOR CONTEMPT FOR VIOLATING A DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

ENFORCING YOUR CIVIL PROTECTION ORDER

Violating a Domestic Violence Civil Protection Order ("CPO") is a crime. If the Order is violated, call the police or prosecutor. You may also bring a contempt action in the Court that issued your CPO if the other party is not obeying the Order. You may hire an attorney to assist you. You must file a contempt motion with the Clerk of Court to begin a contempt action.

SOME HINTS BEFORE YOU BEGIN

- All forms must be typed or printed.
- When you write your name on the Motion for Contempt of a Domestic Violence Civil Protection Order, use the same name that is on your CPO.
- Fill out the Motion as completely and accurately as possible.

FORM YOU WILL NEED

You can get the Motion from the Clerk of Court. Complete the Motion as explained below:

- Fill in the name of the Court, the case number and the judge's last name.
- If you obtained the CPO, you are the Petitioner.** Fill in your name and address. If you want your address to be confidential, do not write your address anywhere on the Motion. However, you must include someone's mailing address to allow the Court to send you legal notices about your case.
- If the Court issued the CPO against you, you are the Respondent.** Fill in your name and address.
- Fill in the other party's name and address.
- Complete the first paragraph.
- In the numbered paragraphs, check every box that applies. There is space at the end of the Motion for any facts or explanations that you want to tell the Court. Attach additional pages, if needed.
- Signing the Motion:** Try to fill out the Motion before you go to the courthouse. **AFTER YOU HAVE FILLED OUT THE MOTION, TAKE IT TO A NOTARY PUBLIC TO HAVE YOUR SIGNATURE NOTARIZED. DO NOT SIGN THE MOTION UNLESS YOU ARE IN FRONT OF A NOTARY PUBLIC. An employee of the Clerk of Court may be available to notarize your Motion.**
- Complete the Instructions for Service at the end of the Motion. This tells the Clerk of Court how you want the Motion delivered.

FILING THE MOTION FOR CONTEMPT OF A DOMESTIC VIOLENCE CPO

- Present your completed Motion to the filing window/counter of the Clerk of Court's office for filing.
- A Clerk of Court's office employee helps you file the Motion.
- The Court shall not charge a fee for filing a contempt motion to you if the CPO was issued for your protection.
- Ask a Clerk of Court's office employee or your local domestic violence assistance provider about your local court procedures.

VICTIM ADVOCATE

State law permits you to have a victim advocate with you at all times in Court during protection order proceedings. Victim advocate means a person who provides support and assistance for a victim of an offense during Court proceedings. Contact your local victim assistance program, local domestic violence program, or the Ohio Domestic Violence Network, 800-934-9840, for advocate information.

ATTENDING THE CONTEMPT HEARING

At the hearing, you should tell the judge or magistrate what the other party did to fail to obey the CPO. If you have any physical evidence (photographs, documents, broken property, etc), bring it to this hearing. If you have any witnesses to the violations, bring them to this hearing. If you want the Court to order any witness to appear at the hearing, you can ask the Clerk of Court to issue a subpoena. This needs to be done as far in advance of the hearing as possible.

The Court will give each party the opportunity to present evidence and witnesses.

After all the evidence is presented at the contempt hearing, the Court may find that the Respondent or Petitioner has failed to comply with the CPO. If so, the Court may order the offending party to do or stop certain acts to comply with the terms of the CPO. The Court can also order the offending party to serve time in jail, pay a fine, or both.

FORM 10.01-N is reserved for future use

TIPS FOR FILING A DOMESTIC VIOLENCE PROTECTION ORDER CONTEMPT MOTION

- There is NO FEE for filing a motion for contempt the protection order (Form 10.01-O).
- If you have any questions about filing a motion for a DV protection order, contact your local victim assistance program, domestic violence program, or the Ohio Domestic Violence Network at 800-934-9840.
- Make sure you consider carefully the violations in paragraphs 1 through 18 in the motion, which tell the Court how the protection order was violated.
- Take the motion to the Clerk of Court's Office.
- Neither the Clerk of Court's Office nor the local domestic violence program can give you legal advice. Only an attorney can give you legal advice.
- Unless you have received a court order signed by a judge or magistrate, you do not have to give discovery, answer any questions, or give information to Respondent or Respondent's lawyer.
- A hearing on your motion will be scheduled.
- You must attend the hearing. Your attorney and victim advocate may also be present at the hearing.
- On the day of the hearing, (1) be prepared to tell the Court what happened, including asking Respondent questions, and (2) bring with you any witnesses and evidence that will help you prove Respondent committed domestic violence.
- Respondent may have an attorney present at the hearing. You may ask for a continuance to obtain an attorney.
- Respondent or Respondent's attorney may also present evidence and even call you as a witness and ask you questions during the full hearing.

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Petitioner : Case No. _____

Address (Safe mailing address) : Judge/Magistrate _____

City, State, Zip Code :

v. MOTION FOR CONTEMPT OF A DOMESTIC VIOLENCE PROTECTION ORDER

Respondent :

Address :

City, State, Zip Code :

CHECK EVERY THAT APPLIES. IF YOU ARE REQUESTING ASKING FOR YOUR ADDRESS REMAIN TO BE KEPT CONFIDENTIAL, DO NOT WRITE YOUR ADDRESS ON THIS FORM. PLEASE PROVIDE GIVE ANOTHER MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE NOTICES FROM THE COURT MAIL. IF YOU ARE A PARTICIPANT IN THE SECRETARY OF STATE'S ADDRESS CONFIDENTIALITY PROGRAM, PLEASE USE THE P.O. BOX ADDRESS GIVEN TO YOU. THIS FORM IS A PUBLIC RECORD.

Petitioner Respondent moves this Court to find _____ in contempt of this Court's court for violating one or more of the provisions of the Domestic Violence Civil Protection Order issued on ____ / ____ / ____ for the reasons below.

For any item that needs additional explanation, you may use paragraph 18 and/or attach additional pages as needed.

- 1. Respondent violated the Domestic Violence Civil Protection Order by engaging in one or more of the following acts against me and/or another protected person (check all that apply):
 Abusing me or another protected person
 Harmed Harming me or attempted attempting to harm me or another protected person
 Threatened Threatening me or another protected person
 Followed Following me or another protected person
 Stalked Stalking me or another protected person
 Harassed Harassing me or another protected person
 Forced Forcing sexual relations upon _____ me or another protected person
 Committed Committing a sexually oriented offense against me or another protected person
 Other: _____

Case No. _____

- 2. Respondent failed to vacate the residence at _____
- 3. Respondent interfered with ~~the~~ my exclusive possession of the residence located at _____

Furthermore, Respondent ~~interfered with my right to occupy the residence by~~ did the following (check all that apply):

- ~~Cancelling~~ Cancelled utilities
- ~~Cancelling~~ Cancelled insurance
- Interrupted telecommunication (telephone service, internet, or cable) services
- Interrupted mail delivery
- Interrupted delivery of any other documents or items

- 4. Respondent failed to surrender keys ~~and/or~~ garage door openers to the residence for which the Domestic Violence Civil Protection order grants Petitioner exclusive use ~~was ordered in the Domestic Violence Civil Protection Order.~~
- 5. Respondent entered or interfered with the residence, school, business, place of employment, day care center, or child care provider of the protected persons.
- 6. Respondent violated the stay away provision of the Domestic Violence Civil Protection Order.
- 7. Respondent violated the no contact provision of the Domestic Violence Civil Protection Order- by (check all that apply):
 - Posting photographs, videos, or other images of me or another protected person on social media
 - Referring to me or another protected persons on social media
 - Electronically surveilling me or another protected person
- 8. Respondent failed to surrender the keys to the motor vehicle for which the Domestic Violence Civil Protection Order grants Petitioner exclusive use ~~was granted to the Petitioner in the Domestic Violence Civil Protection Order.~~
- 9. Respondent removed, damaged, hid, or disposed of personal property, companion animals, or pets in violation of the Domestic Violence Civil Protection Order.
- 10. Respondent impeded Petitioner from removing Petitioner's companion animal or pet in violation of the Domestic Violence Civil Protection Order.
- 11. Respondent caused or encouraged another person to do acts prohibited by the Domestic Violence Civil Protection Order.
- ~~11.~~ 12. Respondent violated the Domestic Violence Civil Protection Order by possessing, using, carrying, obtaining, or failing to turn over a deadly weapon, firearms, or ammunition.
- ~~12.~~ 13. Petitioner Respondent violated the temporary allocation of parental rights and responsibilities (custody).
- ~~13.~~ 14. Petitioner Respondent violated the visitation order.
- ~~14.~~ 15. Respondent violated the child or spousal support provision ~~of~~ in the Domestic Violence Civil Protection Order.
- ~~15.~~ 16. Respondent used or possessed alcohol ~~and/or~~ illegal drugs in violation of the Domestic Violence Civil

Case No. _____

Protection Order.

16.17. Petitioner Respondent failed to attend the ordered counseling program.

18. Respondent interfered with the wireless service transfer, prevented the functionality of a device on the network, or incurred further contractual or financial obligations related to the wireless service transferred.

17.19. List other Other violations of the Domestic Violence Civil Protection Order here or additional explanation (if you need more space, attach an additional page):

18. Additional explanation here: _____

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

SIGNATURE OF PETITIONER/RESPONDENT

Sworn to and subscribed before me on this
_____ day of _____ 20 _____
DATE

NOTARY PUBLIC

IF YOU ARE REQUESTING YOUR ADDRESS REMAIN CONFIDENTIAL, DO NOT WRITE YOUR ADDRESS ON THIS FORM. PLEASE PROVIDE ANOTHER MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE NOTICES FROM THE COURT. THIS FORM IS A PUBLIC RECORD.

IF YOU DO NOT HAVE AN ATTORNEY FOR THIS CASE, PLEASE LEAVE THIS INFORMATION BELOW BLANK

Signature of Attorney for Petitioner (if applicable)

Name

Address

Attorney Registration Number

Case No. _____

Telephone _____

REQUEST FOR SERVICE

Please serve a copy of this Motion upon the Petitioner Respondent, _____

pursuant to Civ.R. 65.1(C)(3) at the following address:

Case No. _____

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Petitioner : Case No. _____

v. : Judge/Magistrate _____

Respondent :

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Pursuant to Civ.R. 65.1(C)(2), please serve Respondent a copy of the Petition, *ex parte* protection order, if granted, and any other accompanying documents to the address below and as follows:

Personal service Certified Mail, Return Receipt Requested
 Other (specify) _____

Other (address): _____
 Personal service Certified Mail, Return Receipt Requested
 Other (specify) _____

SPECIAL INSTRUCTIONS TO SHERIFF:

SIGNATURE OF ATTORNEY OR PETITIONER

RETURN OF SERVICE

Respondent was served on _____ :

Officer and Badge Number Law Enforcement Agency

Date

CLERK'S CERTIFICATE OF MAILING

Service of Process was sent by _____ this _____ day of _____ :

Attest: _____ Deputy Clerk

g. Respondent's violence resulted in serious physical injury, forced sex, strangulation (or choking), abuse during pregnancy, abuse of animals, and/or forced entry:

h. Recent separation from Respondent or relationship was recently terminated:

i. Respondent's obsessive and controlling behaviors, including stalking, spying, following, and/or isolation:

j. Respondent's suicidal or homicidal thoughts:

12. I further requests that the Court grant relief under R.C. 3113.31 to protect the Petitioner and/or the family or household members named in this Petition from domestic violence by granting a civil protection order that: (Check all boxes that apply.)

a. Directs Respondent to not abuse Petitioner 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. Directs Respondent to not enter, approach, or contact by any means the residence, school, business, and place of employment of Petitioner and the family or household members named in this Petition.

c. Directs Respondent to not approach or have contact by any means with the Petitioner and the family or household members named in this Petition.

d. Directs Respondent to not remove, damage, hide, harm, or dispose of any companion animals or pets owned or possessed by Petitioner.

e. Grants Petitioner permission to take Petitioner's pets or companion animals, as described below, away from the possession of Respondent:

f. Directs Respondent to complete counseling, substance abuse counseling, or other treatment or intervention as determined necessary by the Court.

g. Directs the wireless service provider to separate Petitioner's account from Respondent's account, per R.C. 3113.45 to 3113.459. Petitioner will assume all financial responsibility for any costs associated with the wireless service number and any costs for the device associated with the wireless service number. The Respondent's billing telephone number is _____ . Petitioner's contact information is on page 1 of this Petition. Following is the wireless service numbers to be transferred to the Petitioner which are used by Petitioner or the minor children in the care of the Petitioner:

h. Includes the following additional provisions:

- 13. Petitioner further requests that the Court issue no mutual protection orders or other orders against Petitioner unless all of the conditions of R.C. 3113.31(E)(4) are met.
- 14. Petitioner further requests that if Petitioner has a victim advocate, the Court permit the victim advocate to accompany Petitioner at all stages of these proceedings as required by R.C. 3113.31(M).
- 15. Petitioner further requests at the ex parte hearing or full hearing that the Court grant such other relief as the Court considers equitable and fair, including orders or directives to law enforcement.
- 16. Petitioner has listed court cases (including children service/CPS case, animal cruelty, sexually oriented offense, no contact order, and protection order) and other legal matters regarding Respondent which may relate to this case :

<u>CASE NAME</u>	<u>CASE NUMBER</u>	<u>COURT/COUNTY</u>	<u>TYPE OF CASE</u>	<u>RESULT OF CASE</u>

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

SIGNATURE OF PETITIONER

DATE

IF YOU DO NOT HAVE AN ATTORNEY, PLEASE LEAVE THE INFORMATION BELOW BLANK.

Signature of Attorney

Attorney's Registration Number

Name of Attorney

Attorney's Telephone

Attorney's Address

Attorney's Fax

City, State, Zip Code

Attorney's Email

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Order of Protection

Case No.

[Empty box for Case No.]

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

Judge/Magistrate

State

OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

() = _____

PHONE NUMBER

DATING VIOLENCE CIVIL PROTECTION ORDER

(DTCPO) EX PARTE (R.C. 3113.31)

PETITIONER:

[Empty box for Petitioner Name]

First

Middle

Last

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____

DOB: _____

Petitioner's Family or Household Members:

(Additional forms attached.)

DOB: _____

DOB: _____

DOB: _____

DOB: _____

v.

RESPONDENT:

[Empty box for Respondent Name]

First

Middle

Last

RESPONDENT IDENTIFIERS

SEX	RACE	HGT	WGT
_____	_____	_____	_____
EYES	HAIR	DOB	
_____	_____	_____/_____/_____	
DRIVER'S LIC. NO.	EXP. DATE	STATE	
_____	_____	_____	

Respondent is or was in a dating relationship with Petitioner.

Address where Respondent can be found:

Distinguishing features: _____

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS – PROCEED WITH CAUTION

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 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 Petitioner and other protected persons named in this Order. **Additional terms of this Order are set forth below.**

The terms of this Order shall be effective until

_____/_____/_____

UNLESS EXTENDED BY SEPARATE ENTRY.

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

This proceeding came on for an *ex parte* hearing on _____ / _____ / _____ (Respondent not being present), upon the filing of a Petition by Petitioner for a Dating Violence Civil Protection Order (DVCPO) 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 dating violence.

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO RESPONDENT

- 1. **RESPONDENT SHALL NOT ENTER** or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons 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]
- 2. **RESPONDENT SHALL STAY AWAY FROM ALL** protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected person wherever persons are likely to be, **even with a protected person'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]
- 3. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social media; blogging; writings; electronic communications, or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 05]
- 4. **RESPONDENT SHALL NOT POST** any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to named persons in a threatening or harassing manner on any form of social media or otherwise.. Respondent shall not use any form of electronic surveillance on protected persons.
- 5. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY COMPANION ANIMALS, OR PETS** owned or possessed by the protected persons named in this Order.

- 6. **THE PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS** owned by Petitioner, from the possession of Respondent:

Exchange of the listed companion animals or pets shall take place as follows:

- 7. **RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this Order.

8. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS OR AMMUNITION at any time while the Order remains in effect unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

9. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND CONCEALED CARRY WEAPON LICENSE owned by Respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____ or as follows: _____

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order.

Any law enforcement agency is authorized to take possession of deadly weapons, firearms, and ammunition, pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order and if a full hearing order is not granted, any deadly weapons, firearms, and ammunition held in protective custody by law enforcement pursuant to this Order may be disposed of as unclaimed property pursuant to R.C. 2981.12 unless Respondent files a motion for return with this Court.

10. RESPONDENT SHALL NOT USE OR POSSESS alcohol or illegal drugs.

11. RESPONDENT SHALL NOT INTERFERE with wireless service transfer, prevent the functionality of a device on the network, or incur further contractual or financial obligations related to the transferred numbers.

Wireless service rights to and billing responsibility for the wireless service number or numbers in use by the Petitioner or any minor children in the care of the Petitioner shall be transferred to Petitioner by separate order, Wireless Service Transfer Order, Form 10-E.

12. IT IS FURTHER ORDERED: [NCIC 08]

13. ALL DISCOVERY SHALL STRICTLY COMPLY with Civ.R. 65.1(D).

14. THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENT to be delivered to the Respondent as set forth in Civ.R. 65.1(C)(2). The Clerk of Court shall also provide copies of the Petition and certified copies of this Order to Petitioner upon request.

15. THIS ORDER DOES NOT EXPIRE because of a failure to serve notice of the full hearing upon the Respondent before the date set for the full hearing or because the Court grants a continuance, as set forth in R.C. 3113.31(D)(2)(b).

16. IT IS FURTHER ORDERED THAT NO COSTS OR FEES SHALL BE ASSESSED AGAINST THE PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving this protection order, or subpoenaing witnesses or obtaining a certified copy of this protection order. This Order is granted without bond.

IT IS SO ORDERED.

JUDGE/MAGISTRATE

NOTICE TO RESPONDENT

NO PERSON PROTECTED BY THIS ORDER CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERM OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. 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 _____, 20 _____

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

TO THE CLERK:

A COPY OF PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENTS SHALL BE SERVED PURSUANT TO CIV.R. 65.1(C)(2)

TO:

Petitioner

Respondent

Law Enforcement Agency:

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

PHONE NUMBER

Case No.

Judge

State

OHIO

DATING VIOLENCE CIVIL PROTECTION ORDER (DTCPO) FULL HEARING (R.C. 3113.31)

PETITIONER:

Empty box for Petitioner name

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Form for protected persons with fields for name, DOB, and checkboxes for family members and additional forms.

RESPONDENT:

Empty box for Respondent name

First Middle Last

RESPONDENT IDENTIFIERS

Table with columns for SEX, RACE, HGT, WGT, EYES, HAIR, DOB, DRIVER'S LIC. NO., EXP. DATE, STATE.

Respondent is or was in a dating relationship with Petitioner.

Address where Respondent can be found:

Distinguishing Features:

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS - PROCEED WITH CAUTION

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 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 Petitioner and other protected persons named in this Order. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until (DATE CERTAIN - 5 YEARS MAXIMUM)

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

Case No. _____

This proceeding came on for a hearing on _____ / _____ / _____ before the Court and the

Ex Parte Order issued on _____ / _____ / _____. The following individuals were present:

The Court hereby makes the following findings of fact regarding the granting of the Order, including the facts upon which the Court concluded the existence of the dating relationship:

The Court further finds by a preponderance of the evidence that 1) Petitioner is or was in a dating relationship with Respondent, 2) Petitioner or Petitioner's family or household members are in danger and have been a victim as defined in R.C. 3113.31(A) committed by Respondent, and 3) the following orders are equitable, fair, and necessary to protect the persons named in this Order from dating violence.

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO RESPONDENT

- 1. RESPONDENT SHALL NOT ENTER** or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons 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]
- 2. RESPONDENT SHALL STAY AWAY FROM ALL** protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected persons wherever those protected persons may be found, or any place Respondent knows or should know the protected persons are likely to be, **even with a protected person'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]
- 3. RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 05]
- 4. RESPONDENT SHALL NOT POST** any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to protected persons in a threatening or harassing manner on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.

5. RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY COMPANION ANIMALS, OR PETS owned or possessed by the protected persons named in this Order.

6. PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS owned by Petitioner from the possession of Respondent:

Exchange of the listed companion animals or pets shall take place as follows:

7. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON to do any act prohibited by this Order.

8. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION at any time while this Order remains in effect, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

9. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND CONCEALED CARRY WEAPON LICENSE owned by Respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____ or as follows:

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order. Any law enforcement agency is authorized to take possession of deadly weapons, firearms, and ammunition pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order, any deadly weapons, firearms, and ammunition held in protective custody by law enforcement pursuant to this Order may be disposed of as unclaimed property pursuant to R.C. 2981.12 unless Respondent files a motion for return with this Court.

10. RESPONDENT SHALL NOT USE OR POSSESS alcohol or illegal drugs.

11. 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 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.

12. RESPONDENT IS ORDERED TO APPEAR before Judge or Magistrate on _____ / _____ / _____ at _____ a.m. p.m. to review Respondent's compliance with the terms of this Order. **RESPONDENT IS WARNED: If you fail to attend the counseling program, you may be held in contempt of court or the Court may issue a warrant for your arrest.**

13. RESPONDENT SHALL NOT INTERFERE with wireless service transfer, prevent the functionality of a device on the network, or incur further contractual or financial obligations related to the transferred numbers.

Wireless service rights to and billing responsibility for the wireless service number or numbers in use by Petitioner or any minor children in the care of Petitioner shall be transferred to Petitioner by separate order.

14. IT IS FURTHER ORDERED: [NCIC 08]

15. THE CLERK OF COURT SHALL CAUSE A COPY OF THIS ORDER to be delivered to Respondent as set forth in Civ.R. 5(B) and 65.1(C)(3). The Clerk of Court shall also provide certified copies of this Order to Petitioner upon request.

16. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the Order as set forth in Civ.R. 65.1. Accordingly, the Court adopts the magistrate's granting of the Order.

17. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

THE COSTS OF THIS ACTION ARE assessed against Respondent waived.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT

NO PERSON PROTECTED BY THIS ORDER CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERM OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable order, were served on the parties indicated pursuant to Civ. R. 5(B) and 65.1(C)(3), including ordinary mail, on _____ day of _____, 20 _____

By: _____

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE SERVED PURSUANT TO CIV.R. 65.1(C)(3) TO:

Petitioner _____ Attorney for Petitioner _____
Respondent _____ Attorney for Respondent _____

Counseling Program: _____

Law Enforcement Agency: _____

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

() -

PHONE NUMBER

Case No.

Judge _____

State OHIO

CONSENT AGREEMENT AND DATING VIOLENCE CIVIL PROTECTION ORDER (R.C. 3113.31)

PETITIONER:

First

Middle

Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner _____ DOB: _____

Petitioner's Family or Household Members :

(Additional forms attached)

 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____

RESPONDENT:

First

Middle

Last

Address where Respondent can be found:

RESPONDENT IDENTIFIERS

<u>SEX</u>	<u>RACE</u>	<u>HGT</u>	<u>WGT</u>
_____	_____	_____	_____
<u>EYES</u>	<u>HAIR</u>	<u>DOB</u>	
_____	_____	_____/_____/_____	
<u>DRIVER'S LIC. NO.</u>	<u>EXP. DATE</u>	<u>STATE</u>	
_____	_____	_____	
<u>Distinguishing Features:</u> _____			

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS – PROCEED WITH CAUTION

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 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 Petitioner and other protected persons named in this Order. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until _____ / _____ / _____ **(DATE CERTAIN – 5 YEARS MAXIMUM)**

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

Case No. _____

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

The parties agree to waive their notice and hearing rights.

Respondent is or was in a dating relationship with Petitioner.

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO RESPONDENT

1. RESPONDENT SHALL NOT ENTER or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons 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]

2. RESPONDENT SHALL STAY AWAY FROM ALL protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected persons wherever those protected persons may be found, or any place Respondent knows or should know the protected persons are likely to be, **even with a protected person'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]

3. RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 05]

4. RESPONDENT SHALL NOT POST any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to protected persons in a threatening or harassing manner on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.

5. RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY COMPANION ANIMALS, OR PETS owned or possessed by the protected persons named in this Order.

6. PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS owned by Petitioner from the possession of Respondent:

Exchange of the listed companion animals or pets shall take place as follows:

7. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON to do any act prohibited by this

Order.

8. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION at any time while this Order remains in effect, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

9. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND CONCEALED CARRY WEAPON LICENSE owned by Respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____ or as follows:

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order. Any law enforcement agency is authorized to take possession of deadly weapons, firearms, and ammunition pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order, any deadly weapons, firearms, and ammunition held in protective custody by law enforcement pursuant to this Order may be disposed of as unclaimed property pursuant to R.C. 2981.12 unless Respondent files a motion for return with this Court.

10. RESPONDENT SHALL NOT USE OR POSSESS alcohol or illegal drugs.

11. 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 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.

12. RESPONDENT IS ORDERED TO APPEAR before Judge or Magistrate
on _____ / _____ / _____ at _____ a.m. p.m. to review Respondent's compliance with the terms of this Order. **RESPONDENT IS WARNED: If you fail to attend the counseling program, you may be held in contempt of court or the Court may issue a warrant for your arrest.**

13. RESPONDENT SHALL NOT INTERFERE with wireless service transfer, prevent the functionality of a device on the network, or incur further contractual or financial obligations related to the transferred numbers. Wireless service rights to and billing responsibility for the wireless service number or numbers in use by Petitioner or any minor children in the care of Petitioner shall be transferred to Petitioner by separate order.

14. IT IS FURTHER ORDERED: [NCIC 08]

16. THE CLERK OF COURT SHALL CAUSE A COPY OF THIS ORDER to be delivered to Respondent as set forth in Civ.R. 5(B) and 65.1(C)(3). The Clerk of Court shall also provide certified copies of this Order to Petitioner upon request.

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Order of Protection

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

Case No.

Judge

State

OHIO

MODIFIED DATING VIOLENCE CIVIL PROTECTION ORDER (R.C. 3113.31)

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

PETITIONER:

Empty box for Petitioner name

First

Middle

Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

Petitioner's Family or Household Members:

() Additional forms attached

DOB: _____

DOB: _____

DOB: _____

DOB: _____

RESPONDENT:

Empty box for Respondent name

First

Middle

Last

Respondent is or was in a dating relationship with Petitioner.

Address where Respondent can be found:

RESPONDENT IDENTIFIERS

Table with columns: SEX, RACE, HGT, WGT, EYES, HAIR, DOB, DRIVER'S LIC. NO., EXP. DATE, STATE

Distinguishing Features:

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS - PROCEED WITH CAUTION

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 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 Petitioner and other protected persons named in this Order. Additional terms of this Order are set forth below.

(SHALL BE SAME EXPIRATION DATE AS IN CIVIL PROTECTION ORDER OR CONSENT AGREEMENT UNLESS EXTENDED BY SEPARATE ENTRY)

The terms of this Order shall be effective until / /

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

This proceeding came on for a hearing on ____/____/____. Based on the evidence presented and consideration of factors set forth in R.C. 31131.31(E)(8), the Court finds that the motion to modify the prior Dating Violence Civil Protection Order issued on ____/____/____ is well taken.

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO RESPONDENT

- 1. RESPONDENT SHALL NOT ENTER** or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons 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]
- 2. RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected person wherever those protected persons may be found, or any place Respondent knows or should know the protected persons are likely to be, **even with a protected person'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]
- 3. RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular, or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 05]
- 4. RESPONDENT SHALL NOT POST** any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to protected persons in a threatening or harassing manner on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.
- 5. RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY, COMPANION ANIMALS, OR PETS** owned or possessed by the protected persons named in this Order. Personal property shall be apportioned as follows:

- 6. PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS,** owned by Petitioner, from the possession of Respondent:

Exchange of the listed companion animals or pets shall take place as follows:

7. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON to do any act prohibited by this Order.

8. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION at any time while this Order remains in effect, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

9. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND CONCEALED CARRY WEAPON LICENSE owned by Respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____ or as follows:

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order.

Any law enforcement agency is authorized to take possession of deadly weapons, firearms, and ammunition pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order, any deadly weapons, firearms, and ammunition held in protective custody by law enforcement pursuant to this Order may be disposed of as unclaimed property pursuant to R.C. 2981.12 unless Respondent files a motion for return with this Court.

10. RESPONDENT SHALL NOT USE OR POSSESS alcohol or illegal drugs.

11. 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.

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

13. RESPONDENT SHALL NOT INTERFERE with wireless service transfer, prevent the functionality of a device on the network, or incur further contractual or financial obligations related to the transferred numbers. Wireless service rights to and billing responsibility for the wireless service number or numbers in use by Petitioner or any minor children in the care of Petitioner shall be transferred to Petitioner by separate order.

14. IT IS FURTHER ORDERED: [NCIC 08]

- 15. THE CLERK OF COURT SHALL CAUSE A COPY of this Order to be delivered to Respondent as set forth in Civ.R. 5(B) and 65.1(C)(4)(b). The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request.
- 16. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the as set forth in Civ.R. 65.1 Order. Accordingly, the Court adopts the magistrate's granting of the Order.
- 17. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

THE COSTS OF THIS ACTION ARE assessed against Respondent waived.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT

NO PERSON PROTECTED BY THIS ORDER CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. 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 served on the parties pursuant to Civ. R. 65.1(C)(4)(b) on _____ day of _____, 20 _____

By: _____
CLERK OF COURT

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE SERVED PURSUANT TO CIV.R. 65.1(C)(3) TO:

Petitioner _____ Attorney for Petitioner _____
Respondent _____ Attorney for Respondent _____

Counseling Program: _____

Law Enforcement Agency: _____

Other: _____

IN THE _____ COURT
 _____ COUNTY, OHIO

Order of Protection

Per R.C. 2919.26(G)(3), this Order is indexed at

Case No. _____

Judge _____

State

OHIO

DOMESTIC VIOLENCE TEMPORARY PROTECTION ORDER (DVTPO) (R.C. 2919.26)

New Order Modification of Previous Order

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

STATE OF OHIO/
 CITY OF _____

v.

DEFENDANT

ALLEGED VICTIM:

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Alleged Victim _____ DOB: _____

Alleged Victim's Family or Household Members :
 (Additional forms attached)

 DOB: _____

 DOB: _____

 DOB: _____

 DOB: _____

DEFENDANT:

First Middle Last

Address where Defendant can be found:

DEFENDANT IDENTIFIERS

SEX	RACE	HGT	WGT
EYES	HAIR	DATE OF BIRTH DOB	
		/	/
DRIVER'S LIC. NO.	EXP. DATE	STATE	

Distinguishing features: _____

- WARNING TO LAW ENFORCEMENT: DEFENDANT HAS FIREARMS ACCESS – PROCEED WITH CAUTION**
- Ex Parte DVTPO Granted:** _____ / _____ / _____ (Date)
- DVTPO Granted:** _____ / _____ / _____ (Date)

(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 Defendant 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 Defendant be restrained from committing acts of abuse or threats of abuse against the ~~Petitioner~~ Alleged Victim and other protected persons named in this Order. Additional terms of this Order are set forth below.

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

_____ (Ex Parte DVTPPO)

(DVTPPO)

Upon a hearing held on _____ / _____ / _____ OR _____ / _____ / _____
the This matter came before the Court on _____ / _____ / _____ for an Ex Parte DVTPPO.

DVTPO hearing on Alleged Victim's Motion for a Domestic Violence Temporary Protection Order. This Court finds that the Motion for a Domestic Violence Temporary Protection Order is well-taken. The Court finds that the safety and protection of the Alleged Victim and protected persons named in this Order may be impaired by the continued presence of the Defendant unless the Court acts. Therefore, the following orders, ~~which~~ are designed to ensure the safety and protection of the protected person named in this Order; and are issued to Defendant as pretrial conditions in addition to any bail set under Crim. R. 46.

DEFENDANT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE ~~RESPONDENT~~ DEFENDANT

- 1. **DEFENDANT SHALL NOT ENTER** or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons named in this Order, including the buildings, grounds, and parking lots at those locations. Defendant may not violate this Order **even with the permission of a protected person.** [NCIC 04]
- 2. **DEFENDANT SHALL NOT INTERFERE** with the protected persons' right to occupy any residence by canceling utilities or insurance or interrupting telecommunication (e.g., telephone service, internet, or cable) services, mail delivery, or the delivery of any other documents or items. [NCIC 03]
- 3. **DEFENDANT SHALL SURRENDER** all keys and garage door openers to the following residence

at the earliest possible opportunity after service of this Order to the law enforcement agency that serves the Defendant with this Order or as follows:

- 4. **DEFENDANT SHALL STAY AWAY FROM THE PROTECTED PERSONS NAMED IN THIS ORDER,** and shall not be present within 500 feet or _____ (distance) of any protected persons wherever those protected persons may be found, or any place the Defendant knows or should know the protected persons are likely to be, **even with Petitioner's protected persons' permission.** If the Defendant accidentally comes in contact with protected persons in any public or private place, the Defendant must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]
- 5. **DEFENDANT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order at their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social-networking media; blogging; writings; electronic communications; or communications by any other means directly or through another person. ~~Respondent~~ Defendant may not violate this Order **even with the permission of a protected person.** [NCIC 05]

6. DEFENDANT SHALL NOT POST any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Defendant shall not refer to protected persons in a threatening or harassing manner on any form of social media or otherwise. Defendant shall not use any form of electronic surveillance on protected persons.

6-7. DEFENDANT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY, COMPANION ANIMALS, OR PETS owned or possessed by the protected persons named in this Order.

8. THE PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS owned by Petitioner, from the possession of Defendant:

Exchange of the listed companion animals or pets shall take place as follows:

7-9. DEFENDANT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON to do any act prohibited by this Order.

8-10. DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION at any time while the Order remains in effect, unless the Defendant is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

11. DEFENDANT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND CONCEALED CARRY WEAPON LICENSE owned by Defendant or in Defendant's possession to the law enforcement agency that serves Defendant with this Order no later than _____ or as follows:

Law enforcement shall immediately notify the Court upon receiving Defendant's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order.

Any law enforcement agency is authorized to take possession of deadly weapons, firearms, and ammunition pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order, any deadly weapons, firearms, and ammunition held in protective custody by law enforcement pursuant to this Order shall be disposed of as unclaimed property pursuant to R.C. 2981.12 unless Defendant files a motion for return with this Court.

9-12. DEFENDANT MAY PICK UP CLOTHING and personal effects from the following residence:

_____ only in the company of a uniformed law enforcement officer upon release **or** within seven or _____ days of the filing of this Order or the date of Defendant's release on bond in connection with this charge, whichever is later. Arrangements may be made by contacting:

10-13. DEFENDANT SHALL NOT USE OR POSSESS alcohol or illegal drugs.

14-14. IT IS FURTHER ORDERED: [NCIC 08]

12.15. DEFENDANT IS ADVISED THAT VISITATION ORDERS DO NOT PERMIT THE DEFENDANT TO VIOLATE ANY OF THE TERMS OF THIS ORDER.

13.16. IT IS FURTHER ORDERED a copy of this Order shall be delivered to the Defendant on the same day that the Order is entered.

14.17. THIS ORDER IS EFFECTIVE unit the occurrence of one of the following: (1) modified by this Court; or (2) the criminal proceeding arising out of the complaint upon which ~~these orders~~ this Order were issued is disposed by this Court or by the court of common pleas to which the Defendant is bound over for prosecution; or (3) a court issues a Domestic Violence Civil Protection Order ("CPO") arising out of the same activities as those that were the basis of the complaint filed in this action.

IT IS SO ORDERED.

____ / ____ / ____
MAGISTRATE – DATE OF EX PARTE DVTPO

____ / ____ / ____
JUDGE – DATE OF EX PARTE DVTPO

MAGISTRATE **DATE**
EX PARTE
DVTPO

JUDGE **DATE**
EX PARTE
DVTPO

____ / ____ / ____
MAGISTRATE – DATE OF DVTPO

____ / ____ / ____
JUDGE – DATE OF DVTPO

MAGISTRATE **DATE**
DVTPO

JUDGE **DATE**
DVTPO

NOTICE TO DEFENDANT

THE PERSONS NO PERSON PROTECTED BY THIS ORDER CANNOT CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF 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. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

A HEARING on this Order shall be held before
Judge/Magistrate _____
on ____ / ____ / ____
at _____ a.m. p.m.,

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Prosecutor
- Alleged Victim
- Defendant (by personal service)
- Attorney for Defendant
- Police Department Where Alleged Victim Resides Law Enforcement Agency:

Case No. _____

at the following location:

Police Department Where Alleged Victim Works:

Sheriff's Office:

CSEA

Other: _____

Service acknowledged:

SIGNATURE OF DEFENDANT

DATE

WAIVER OF HEARING

I HAVE BEEN ADVISED OF MY RIGHT TO A HEARING ON THE MOTION FOR A DOMESTIC VIOLENCE TEMPORARY PROTECTION ORDER AND HEREBY KNOWINGLY AND VOLUNTARILY WAIVE THE HEARING ON THE MOTION AND AGREE TO BE BOUND BY THE TERMS OF THIS ORDER.

DEFENDANT

DATE

IN THE _____ COURT
_____ COUNTY, OHIO

Order of Protection

Per R.C. 2903.213(G)(3), this Order is indexed at

Case No.

Judge _____

LAW ENFORCEMENT AGENCY WHERE INDEXED
() -

State OHIO

PHONE NUMBER

**CRIMINAL PROTECTION ORDER (CRPO)
(R.C. 2903.213)**

STATE OF OHIO/
CITY OF _____
v.

New Order Modification of Previous Order

DEFENDANT

PERSON(S) PROTECTED BY THIS ORDER:

ALLEGED VICTIM:

First Middle Last

v.

Alleged Victim _____ DOB: _____

Alleged Victim's Family or Household Members :
(Additional forms attached)

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

DEFENDANT:

First Middle Last

DEFENDANT IDENTIFIERS

SEX	RACE	HGT	WGT
EYES	HAIR	DATE OF BIRTH <u>DOB</u>	
		/	/
DRIVER'S LIC. NO.	EXP. DATE	STATE	

Address where Defendant can be found:

Distinguishing features: _____

- WARNING TO LAW ENFORCEMENT: DEFENDANT HAS FIREARMS ACCESS – PROCEED WITH CAUTION**
- Ex Parte CRPO Granted:** _____ / _____ / _____ (Date)
- CRPO Granted:** _____ / _____ / _____ (Date)

{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 Defendant 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 Defendant be restrained from committing acts of abuse or threats of abuse against the ~~Petitioner~~ Alleged Victim and other protected persons named in this Order. Additional terms of this Order are set forth below.

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

This matter came before the Court on _____ / _____ / _____ for an **Ex parte CRPO** **CRPO** hearing on Alleged Victim's Motion for a Criminal Protection Order. The Court finds that the Motion of the Alleged Victim for a Criminal Protection Order is well-taken. The Court finds that the safety and protection of the Alleged Victim and protected parties persons named in this Order may be impaired unless the Court acts. The following provisions of this Order orders are designed to enhance ensure the safety of those covered by its terms. They and protection of the protected persons named in this Order and are issued to the Defendant as pretrial conditions, in addition to any bail under Crim.R. 46.

DEFENDANT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE RESPONDENT DEFENDANT

1. DEFENDANT SHALL NOT ENTER the residence, school, business, place of employment, day care centers, or child care providers of the protected persons named in this Order, including the buildings, grounds, and parking lots at those locations. Defendant may not violate this Order **even with the permission of a protected person.** [NCIC 04]

2. DEFENDANT SHALL NOT INTERFERE with the protected persons' right to occupy any residence by canceling utilities or insurance or interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]

3. DEFENDANT SHALL SURRENDER all keys and garage door openers to the following residence

at the earliest possible opportunity after service of this Order to the law enforcement agency that serves the Defendant with this Order or as follows:

4. DEFENDANT SHALL STAY AWAY FROM THE PROTECTED PERSONS NAMED IN THIS ORDER, and shall not be present within 500 feet or _____ (distance) of any protected persons wherever those protected persons may be found, or any place the Defendant knows or should know the protected persons are likely to be, **even with the protected persons' permission.** If Defendant accidentally comes in contact with protected persons in any public or private place, Defendant must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]

5. DEFENDANT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY, COMPANION ANIMALS, OR PETS owned or possessed by the protected persons named in this Order.

6. DEFENDANT SHALL NOT INITIATE OR HAVE ANY CONTACT with the protected persons named in this Order at their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social networking media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Respondent Defendant may not violate this Order **even with the permission of a protected person.** [NCIC 05]

7. DEFENDANT SHALL NOT POST any photographs, videos, or other images of protected persons on any form of social media or otherwise. Defendant shall not refer to protected persons in a threatening or

harassing manner on any form of social media or otherwise. Defendant shall not use any form of electronic surveillance on protected persons.

8. **DEFENDANT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this Order.

9. **DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION** at any time while the Order remains in effect, unless Defendant is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

10. **DEFENDANT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND ~~CONCEAL~~ CONCEALED CARRY WEAPON LICENSE** owned by Defendant or in Defendant's possession to the law enforcement agency that serves Defendant with this Order no later than _____ or as follows: _____

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in his Order.

Any law enforcement agency is authorized to take possession of deadly weapons pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order, any deadly weapons, firearms, and ammunition held in protective custody by law enforcement pursuant to this Order may be disposed of as unclaimed property pursuant to R.C. 2981.12 unless Defendant files a motion for return with this Court.

9.11. **DEFENDANT SHALL NOT USE OR POSSESS** alcohol or illegal drugs.

10.12. **IT IS FURTHER ORDERED:** [NCIC 08]

11.13. **IT IS FURTHER ORDERED** a copy of this Order shall be delivered to the Defendant on the same day that the Order is entered.

12.14. **THIS ORDER IS EFFECTIVE** until the occurrence of one of the following: (1) modified by this Court; or (2) the criminal proceeding arising out of the complaint upon which these orders were issued is disposed by this Court or by the court of common pleas to which the Defendant is bound over for prosecution; or (3) a court issues a Civil Stalking Protection Order (CSPO) or Civil Sexually Oriented Offense Protection Order (CSOOPO) arising out of the same activities as those that were the basis of the complaint filed in this action pursuant to R.C. 2903.213(B).

IT IS SO ORDERED.

Case No. _____

____ / ____ / ____
MAGISTRATE – DATE OF *EX PARTE* CRPO

____ / ____ / ____
JUDGE – DATE OF *EX PARTE* CRPO

____ / ____ / ____
MAGISTRATE – DATE OF CRPO

____ / ____ / ____
JUDGE – DATE OF CRPO

MAGISTRATE _____
DATE
EX PARTE
CRPO

JUDGE _____
DATE
EX PARTE
CRPO

MAGISTRATE _____
DATE CRPO

JUDGE _____
DATE CRPO

NOTICE TO DEFENDANT

THE PERSONS NO PERSON PROTECTED BY THIS ORDER CANNOT CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF 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. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

NOTES: By its own definitions [see R.C. 2903.213(A)], this statute does not apply to a complaint that involves a person who is a family or household member. In those cases where the Alleged Victim is a family or household member of the Defendant, use the Domestic Violence Temporary Protection Order ("DVTPO") form and procedures under R.C. 2919.26, and/or Domestic Violence Civil Protection Order ("DVCPO") forms and procedures under R.C. 3113.31.

A HEARING on this Order shall be held before

Judge/Magistrate _____

on _____ / _____ / _____

at _____ a.m. p.m.

at the following location:

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

Prosecutor

Alleged Victim

Defendant (by personal service)

Attorney for Defendant

Police Department Where Alleged Victim Resides Law Enforcement Agency:

Police Department Where Alleged Victim Works:

Sheriff's Office:

Other: _____

Service acknowledged:

SIGNATURE OF DEFENDANT

DATE

WAIVER OF HEARING

I HAVE BEEN ADVISED OF MY RIGHT TO A HEARING ON THE MOTION FOR A CRIMINAL PROTECTION ORDER AND HEREBY KNOWINGLY AND VOLUNTARILY WAIVE THE HEARING ON THE MOTION AND AGREE TO BE BOUND BY THE TERMS OF THIS ORDER.

DEFENDANT

DATE

**TIPS FOR FILING A PETITION FOR CIVIL STALKING PROTECTION ORDER (CSPO)
OR CIVIL STALKING SEXUALLY ORIENTED PROTECTION ORDER (CSOOPO)**

- If you have any questions about completing the CSPO or CSOOPO Petition, contact your local victim assistance program, domestic violence program, or the Ohio Domestic Violence Network at 800-934-9840.
- Neither the Clerk of Court's Office nor the local domestic violence program can give you legal advice. **Only a lawyer can give you legal advice.**
- If you want an emergency order, also known as *Ex Parte* protection order, check "requests" in paragraph 3.
- Once completed, take the petition and other necessary documents to the Clerk of Court's Office.
- There is NO FEE for filing this petition.
- The Court will consider your request for an *Ex Parte* protection order and may ask you questions.
- Unless you have received an order signed by a judge or magistrate, you do not have to give discovery, answer any questions, or give information to Respondent or Respondent's lawyer. [Civ.R. 65.1(D)]
- Regardless if an *Ex Parte* protection order was requested, granted, or denied, a full hearing will be scheduled.
- You must attend the full hearing. Your victim advocate may also be present at the hearing.
- On the day of the full hearing, be prepared to (1) tell the Court what happened, (2) ask Respondent questions, and (3) bring with you any witnesses, evidence, and documentation to prove your case.
- Respondent may be represented by a lawyer. You may ask for a continuance to obtain a lawyer.
- Respondent or Respondent's lawyer may present evidence and ask you questions.
- The Court cannot issue a protection order against you unless Respondent has filed a Petition.

DEFINITIONS

**MENACING
BY STALKING**

[R.C. 2903.211(A)(1)-(3)]

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 a family or household member of the other person **OR** cause mental distress to the other person or a family or household member of the other person.

No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, r-computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to (a) violate this law **OR** (b) urge or incite another to violate [this law].

No person, with a sexual motivation, shall violate this law.

**PATTERN
OF CONDUCT**

[R.C. 2903.211(D)(1)]

Pattern of conduct means two or more actions or incidents closely related in time.

**MENTAL
DISTRESS**

[R.C. 2903.211(D)(2)]

Mental distress means: (a) any mental illness or condition that involves some temporary substantial incapacity **OR** (b) any mental illness or condition that would normally require psychiatric treatment, psychological treatment, or other mental health services, regardless if psychiatric treatment, psychological treatment, or other mental health services was requested or received.

**SEXUALLY ORIENTED
OFFENSE**

[R.C. 2950.01]

Sexually oriented offenses are defined in the Ohio Revised Code at <http://codes.ohio.gov/orc/2950.01v1>.

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Petitioner _____ : Case No. _____

On behalf of: (Family or household member) _____ :

_____ :

Address (Safe mailing address) _____ : Judge/Magistrate _____

City, State, Zip Code _____ :

Date of Birth: _____ / _____ / _____ :

v. _____ : PETITION FOR CIVIL STALKING PROTECTION ORDER OR CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER (R.C. 2903.214)

Respondent _____ : PETITION FOR CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER (R.C. 2903.214)

Address (If home address unknown, may be work address) _____ :

City, State, Zip Code _____ :

Date of Birth: _____ / _____ / _____ :

CHECK EVERY THAT APPLIES. IF YOU ARE REQUESTING ASKING YOUR ADDRESS REMAIN TO BE KEPT CONFIDENTIAL, DO NOT WRITE YOUR ADDRESS ON THIS FORM. PLEASE PROVIDE ANOTHER PUT A MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE NOTICES FROM THE COURT MAIL. IF YOU ARE A PARTICIPANT IN THE SECRETARY OF STATE'S ADDRESS CONFIDENTIALITY PROGRAM, PLEASE USE THE P.O. BOX ADDRESS GIVEN TO YOU. THIS FORM IS A PUBLIC RECORD.

- 1. Petition or a witness needs a foreign language interpreter in _____ or a sign language interpreter per Sup.R. 88.
- 2. Petitioner **wants** **does not want** that the Court issue an ***ex parte* (emergency) protection order** under R.C. 2903.214(D) and this Petition. Petition further requests a full hearing be scheduled on this Petition, regardless if the *ex parte* protection order is granted, denied, or not requested.
- 3. ~~Petitioner seeks relief on Petitioner's own behalf.~~ Who needs protection?
 - Me
 - My minor children
 - A family or household member who is not a minor child
 - Other: _____

~~2.4.~~ Petitioner seeks relief on behalf of the following List below all family or household members who need protection, other than you or the person on whose behalf the petition is filed. (Leave blank if you are not seeking protection for other family or household members.)

NAME	DATE OF BIRTH	HOW RELATED TO THIS PERSON RESIDES OR HAS RESIDED WITH PETITIONER	
		<input type="checkbox"/> YES	<input type="checkbox"/> NO
	/ /	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	/ /	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	/ /	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	/ /	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	/ /	<input type="checkbox"/> YES	<input type="checkbox"/> NO

Ohio law defines "Menacing by Stalking" as follows:

"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).

"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 (above)" R.C. 2903.211(A)(2).

Ohio law defines "Sexually Oriented Offenses" in R.C. 2950.01.

3. Petitioner states that Respondent has engaged in the following act(s) which create an immediate and present danger. For (a), (b), or (c) below, **attach additional pages if necessary**

(a) 5. For a civil stalking protection order due to menacing by stalking, describe the nature and extent of the pattern of conduct that causes you to believe Petitioner requests a Civil Stalking Protection Order.

(1) Describe two or more acts closely related in time that made you believe that Respondent will cause you physical harm or causes (or has caused) mental distress. ~~Also describe any previous convictions of Respondent for the crime of Menacing by Stalking, if known~~ (2) When did they happened (if you do not know exact dates, give approximate dates). Definitions for menacing by stalking are on page 1. **If you need more space, attach an additional page.**

(b) For a civil sexually oriented offense protection order due to a sexually oriented offense, describe the acts of Respondent as fully as possible. You do not need to include any pattern of conduct information for a protection order due to a sexually oriented offense.

(c) For electronic monitoring of the Respondent, describe the nature and extent of the Respondent's conduct before 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.

6. Petition requests a Civil Sexually Oriented Offense Protection Order.

Describe what Respondent did to you or a family or household member as fully as possible. You do not need to prove a pattern of conduct. One act may be enough. The definition for sexually oriented offense is on page 1. If you need more space, attach an additional page.

4.7. Petitioner further requests the Court grant relief under R.C. 2903.214 for ~~the~~ Petitioner and the family or household members persons named in this Petition by granting a Civil Stalking Protection Order or Civil Sexually Oriented Offense Protection Order that:

- (a) ~~Requires~~ Directs Respondent to not abuse ~~the~~ Petitioner and ~~the family or household members~~ persons 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~~ Directs Respondent to ~~refrain from entering~~ not enter the residence, school, business, place of employment, child care providers, or day care centers of Petitioner and ~~the family or household members~~ persons named in this Petition, including the buildings, grounds, and parking lots at those locations.
- (c) ~~Requires~~ Directs Respondent not to interfere with Petitioner's right to occupy the residence including, but not limited to canceling any utilities or insurance or interrupting phone service, mail delivery, or the delivery of any other documents or items.
- (d) ~~Requires~~ Directs Respondent not to remove, damage, hide, or dispose of any property, companion animals, or pets owned or possessed by ~~the~~ Petitioner and ~~Petitioner's family or household members~~ persons named in this Petition.

- (e) Grants Petitioner permission to take Petitioner's companion animals or pets, as described below, away from the possession of Respondent.
- (f) Requires Directs Respondent not to possess, use, carry, or obtain any deadly weapon, firearms, and ammunition.
- (f)(g) Requires Directs Respondent to be electronically monitored, because Respondent's conduct, as explained below, puts the health, welfare, or safety of Petitioner and the persons named in this Petition at risk. Also, as explained below, Respondent continues to present a danger to Petitioner and the persons named in this Petition. **Attached additional pages, if necessary.**

- (g)(h) Includes the following additional provisions:

- 5. ~~Petitioner further requests that the Court issue an *ex parte* (emergency) protection order under R.C. 2903.214(D) and this Petition.~~
- 6.8. Petitioner further requests that the Court not issue any mutual protection orders or other orders against Petitioner unless all of the conditions of R.C. 2903.214(E)(3) are met.
- 7.9. Petitioner further requests that if Petitioner has a victim advocate, the Court permit the victim advocate to accompany Petitioner at all stages of these proceedings as required by R.C. 2903.214(L).
- 8.10. Petitioner further requests that the Court grant such other relief as the Court considers equitable and fair designed to ensure the safety and protection of Petitioner and persons named in this Petition.
- 9.11. The following is a list of all present and past Petitioner has listed court cases (including children service case; pending criminal case or conviction for felonious assault, aggravated assault, assault, aggravated menacing, menacing by stalking, menacing, or aggravated trespass; animal cruelty; sexually oriented offenses; no contact order; stay away order, and other protection order) and other legal matters involving Respondent, that Petitioner knows of may relate to this case:

CASE NAME	CASE NUMBER	COURT/COUNTY	OUTCOME RESULT OF CASE

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.

DO NOT SIGN THIS FORM UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL NOTARIZE THE PETITION FOR YOU.

SIGNATURE OF PETITIONER

DATE

Sworn to and subscribed before me on this _____ day of _____, _____

NOTARY PUBLIC

IF YOU ARE REQUESTING YOUR ADDRESS REMAIN CONFIDENTIAL, DO NOT WRITE YOUR ADDRESS ON THIS FORM. PLEASE PROVIDE ANOTHER MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE NOTICES FROM THE COURT. THIS FORM IS A PUBLIC RECORD.

Petitioner's Safe Address

IF YOU DO NOT HAVE A LAWYER, PLEASE LEAVE THE INFORMATION BELOW BLANK.

Signature of Attorney for Petitioner (if applicable) Petitioner's Lawyer

Lawyer's Registration Number

Name of Attorney (if applicable) Lawyer

Lawyer's Telephone

Attorney's Lawyer's Address

Lawyer's Fax

City, State, Zip Code

Lawyer's Email

Attorney's Registration Number

Attorney's Telephone

Attorney's Fax

Attorney's Email

Case No. _____

THE COURT OF COMMON PLEAS

COUNTY, OHIO

Petitioner : Case No. _____

v. : Judge/Magistrate _____

Respondent :

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Pursuant to Civ.R. 65.1(C)(2), please serve Respondent a copy of the Petition, *ex parte* protection order, if granted, and any other accompanying documents to the address below and as follows:

Personal service Certified Mail, Return Receipt Requested
 Other (specify) _____

Other (address): _____
 Personal Service Certified Mail, Return Receipt Requested
 Other (specify) _____

SPECIAL INSTRUCTIONS TO SHERIFF:

SIGNATURE OF ATTORNEY OR PETITIONER

RETURN OF SERVICE

Respondent was served on _____.

Officer and Badge Number Law Enforcement Agency

Date

CLERK'S CERTIFICATE OF MAILING

Service of Process was sent by _____ this _____ day of _____.

Attest: _____ Deputy Clerk

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

Order of Protection

Per R.C. 2903.214(F)(3), this Order is indexed at

Case No.

Judge/Magistrate _____

State

OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

CIVIL STALKING PROTECTION ORDER *EX PARTE* (R.C. 2903.214)

CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER *EX PARTE* (R.C. 2903.214)

PETITIONER:

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____
 Petitioner's Family or Household Members : _____
 (Additional forms attached.)
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____

Address where Respondent can be found: _____

RESPONDENT IDENTIFIERS

SEX	RACE	HGT	WGT
EYES	HAIR	DATE OF BIRTH DOB	
		/	/
DRIVER'S LIC. NO.	EXP. DATE	STATE	

Distinguishing Features: _____

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS – PROCEED WITH CAUTION

{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. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until _____ / _____ / _____ **(DATE CERTAIN) UNLESS EXTENDED BY SEPARATE ENTRY.**

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

This proceeding came on for an *ex parte* hearing on _____ / _____ / _____ (Respondent not being present), upon the filing of a Petition by Petitioner for a civil stalking protection order or civil sexually oriented offense protection order against the Respondent, pursuant to R.C. 2903.214. In accordance with R.C. 2903.214(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 the protected persons 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.

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE RESPONDENT

- 1. **RESPONDENT SHALL NOT ENTER** or interfere with the residence, school, business, place of employment, day care centers, or child care providers of the protected persons 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]
- 2. **RESPONDENT SHALL NOT INTERFERE** with protected persons' right to occupy the residence including, but not limited to canceling utilities or insurance or interrupting telecommunication (e.g., telephone service, internet, or cable) services, mail delivery, or the delivery of any other documents or items.
- 3. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the following residence:

_____ at the earliest possible opportunity after service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

- 4. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected persons wherever those protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with the a protected persons' person'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]
- 5. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY, COMPANION ANIMALS, OR PETS** owned or possessed by the protected persons named in this Order.
- 6. **PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS,** owned by Petitioner, from the possession of Respondent:

_____ Exchange of the listed companion animals or pets shall take place as follows:

- 7. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social ~~networking~~ media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 05]

8. RESPONDENT SHALL NOT POST any photographs, videos, or other images of protected persons anywhere, including but not limited to any form of social media. Respondent shall not refer to protected persons in a threatening or harassing manner on any form of social media. Respondent shall not use any form of electronic surveillance on protected persons.

7.9. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON to do any act prohibited by this Order.

8. **10. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION** at any time while the Order remains in effect unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

11. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND CONCEALED CARRY WEAPON LICENSE owned by Respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____ or as follows:

Law enforcement shall immediately notify the Court upon Receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order.

Any law enforcement agency is authorized to take possession of deadly weapons, including firearms and ammunition, pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order and if a full hearing order is not granted, any deadly weapons, firearms, and ammunition held in protective custody by law enforcement pursuant to this Order may be disposed of as unclaimed property pursuant to R.C. 2981.12 unless Respondent files a motion for return with this Court.

9.12. IT IS FURTHER ORDERED: [NCIC 08]

10.13. ALL DISCOVERY SHALL STRICTLY COMPLY with Civ.R. 65.1(D).

11.14. ~~IT IS FURTHER ORDERED~~ that the Clerk of Court shall ~~cause a copy of the Petition and this Order~~ **THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENTS** to be delivered to the Respondent as ~~required by~~ as set forth in Civ.R. 65.1(C)(2). The Clerk of Court shall also provide ~~certified~~ copies of the Petition and certified copies of this Order to Petitioner upon request. ~~This Order is granted without bond. No costs or fees shall be assessed against the Petitioner for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this protection order.~~

12.15. ALL OF THE TERMS OF THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL _____ / _____ / _____ **DOES NOT EXPIRE** because of a failure to serve notice of the full hearing upon Respondent before the date set for the full hearing or because the Court grants a continuance, as set forth in R.C. 2903.214(D)(2)(b).

16. **IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER** for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

IT IS SO ORDERED.

JUDGE / MAGISTRATE

NOTICE TO RESPONDENT

THE PERSONS NO PERSON PROTECTED BY THIS ORDER CANNOT CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. 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 _____, 20 _____

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

TO THE CLERK

COPIES A COPY OF PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENTS SHALL BE DELIVERED SERVED PURSUANT TO CIV.R. 65.1(C)(2) TO:

- Petitioner
- Respondent
- Police Department Where Petitioner Resides Law Enforcement Agency:

Sheriff's Office: _____

Police Department Where Petitioner Works: _____

Other: _____

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Order of Protection

Per R.C. 2903.214(F)(3), this Order is indexed at

Case No.

Judge

State

OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

CIVIL STALKING PROTECTION ORDER FULL HEARING (R.C. 2903.214)

CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER FULL HEARING (R.C. 2903.214)

PETITIONER:

PERSON(S) PROTECTED BY THIS ORDER:

Empty box for Petitioner name

First Middle Last

Petitioner _____ DOB: _____

Petitioner's Family or Household Members:

(Additional forms attached)

DOB: _____ DOB: _____ DOB: _____ DOB: _____

v.

RESPONDENT:

RESPONDENT IDENTIFIERS

Empty box for Respondent name

First Middle Last

Table with columns: SEX, RACE, HGT, WGT, EYES, HAIR, DATE OF BIRTH, DOB, DRIVER'S LIC. NO., EXP. DATE, STATE

Relationship to Petitioner: _____

Address where Respondent can be found: _____

Distinguishing Features: _____

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS - PROCEED WITH CAUTION

(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. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until / / (DATE CERTAIN - 5 YEARS MAXIMUM)

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 Civil Stalking Protection Order Ex Parte or Civil Sexually Oriented Offense Protection Order Ex Parte filed issued on ____ / ____ / ____, all in accordance with R.C. 2903.214. 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 pattern of conduct that caused Petitioner to believe that ~~the~~ Respondent will cause physical harm or cause or has caused mental distress; and 2) the following orders are equitable, fair, and necessary to protect the persons named in this Order from stalking offenses.
- The Court finds by a preponderance of the evidence that 1) ~~the~~ Petitioner or Petitioner's family or household members ~~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 members 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 members; 2) ~~the~~ Respondent presents a continuing danger to ~~the~~ Petitioner or Petitioner's family or household members; and 3) the following orders are equitable, fair, and necessary to protect the persons named in this Order from experiencing a continuing danger to ~~the~~ Petitioner or Petitioner's family or household members named in this Order.

RESPONDENT SHALL NOT ABUSE harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO ~~THE~~ RESPONDENT

- 1. RESPONDENT SHALL NOT ENTER** the residence, school, business, place of employment, day care centers, or child care providers of the protected persons 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]
- 2. RESPONDENT SHALL NOT INTERFERE** with the protected persons' right to occupy the residence including, but not limited to canceling utilities or insurance or interrupting telecommunication (e.g., telephone service internet, or cable) services, mail delivery, or the delivery of any other documents or items. [NCIC 03]
- 3. RESPONDENT SHALL SURRENDER** all keys and garage door openers to the following residence:

at the earliest possible opportunity after service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

4. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected persons wherever those protected persons may be found, or any place ~~the~~ Respondent knows or should know the protected persons are likely to be, **even with the a protected persons' person'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]

5. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY, COMPANION ANIMALS, OR PETS** owned or possessed by the protected persons named in this Order.

6. **PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS** owned by Petitioner from the possession of Respondent:

Exchange of the listed companion animals or pets shall take place as follows:

7. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social ~~networking~~ media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 05]

8. **RESPONDENT SHALL NOT POST** any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to protected persons in a threatening or harassing manner on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.

7.9. **RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this Order.

8. 10. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION** at any time while this Order remains in effect, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

11. **RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND ~~CONCEAL~~ CONCEALED CARRY WEAPON LICENSE** owned by Respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____ or as follows:

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order.

Any law enforcement agency is authorized to take possession of deadly weapons, firearms, and ammunition pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order, any deadly weapons, including firearms, and ammunition, held in protective custody by law enforcement pursuant to this Order shall ~~may~~ be disposed of as unclaimed property pursuant to R.C. 2981.12 unless ~~the~~ Respondent files a motion for return with this Court within 30 days before the expiration of this Order.

~~9-12.~~ **IT IS FURTHER ORDERED:** [NCIC 08]

~~10-13.~~ **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 this 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.

~~11-14.~~ **RESPONDENT SHALL NOT USE OR POSSESS** alcohol or illegal drugs.

~~12-15.~~ **RESPONDENT SHALL BE SUBJECT TO ELECTRONIC MONITORING.** The Respondent is ordered to report to _____ for placement 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:

~~13-16.~~ **IT IS FURTHER ORDERED** that the ~~The~~ Clerk of Court shall cause a copy of this Order to be delivered to the Respondent as required by set forth in Civ.R. 5(B) and 65.1(C)(3). The Clerk of Court shall also provide certified copies of the ~~Petition and this Order~~ to Petitioner upon request. ~~This Order is granted without bond. No costs or fees shall be assessed against the Petitioner for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this Order.~~

14. ALL OF THE TERMS OF THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF FIVE YEARS FROM ISSUANCE, OR UNTIL _____ / _____ / _____
Until this Order is served upon the Respondent pursuant to Civ.R. 65.1(C)(3), the terms of the Ex Parte CPO remain in effect.

15-17. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the Order. Accordingly, the Court adopts the magistrate's granting of this Order.

18. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, or subpoenaing witnesses or obtaining a certified copy of this Order. This Order is granted without bond.

THE COSTS OF THIS ACTION ARE assessed against Respondent waived.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT

THE PERSONS NO PERSON PROTECTED BY THIS ORDER CANNOT CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY THE TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. 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 served on the parties indicated pursuant to Civ.R. 65.1(C)(3):

_____/_____/_____

By: _____
CLERK OF COURT

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED

SERVED PURSUANT TO CIV.R. 65.1(C)(3) TO

- Petitioner Attorney for Petitioner
- Respondent Attorney for Respondent
- Police Department Where Petitioner Resides Law Enforcement Agency:

Police Department Where Petitioner Works: _____

Sheriff's Office: _____

Other: _____

WAIVER

I, _____ understand that I have the right to a full hearing on the Petition for Civil Stalking Protection Order or Civil Sexually Oriented Offense Protection Order, and acknowledge each of the following:

1. I waive the right to have a full hearing on this Protection Order;_
2. I waive the right to cross-examine witnesses and review evidence submitted in support of this Protection Order;_
3. I waive the right to present witnesses and evidence on my own behalf;_
4. I waive the right to request specific factual findings from the Court concerning file objections and recognize this may limit my right to appeal the issuance of this Protection Order.

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

RESPONDENT

DATE

**FORM 10.03-G:
HOW TO OBTAIN A PETITION FOR A
CIVIL STALKING PROTECTION ORDER
OR CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER**

These instructions are intended to assist you in preparing the Petition for a Civil Stalking Protection Order or Sexually Oriented Offense Protection Order, which can only be heard by the court of common pleas in your county. **Throughout the Petition, you (the party to be protected) are called *Petitioner* and the person you are filing this Petition against is called *Respondent*.**

SOME HINTS BEFORE YOU BEGIN

- All forms must be typed or printed.
- Write your name and the Respondent's name the same way throughout the Petition.
- When you print your name on the Petition, use the same name you use when you write your signature.
- Fill out the Petition as completely and accurately as possible.
- If you have any questions about completing the Petition contact your local domestic violence program or the Ohio Domestic Violence Network at 800-934-9840.

FILLING OUT THE PETITION: Mark each instruction below after you read and complete it.

- On the front page, leave the "Case No." line and "Judge/Magistrate" lines blank.** The Clerk of Court's office will fill in this information.
- On the top left-hand side of the front page, fill in the requested information about yourself.** If you want your address to remain confidential, do not write your address on the Petition. However, you must write another mailing address where you can safely 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 the Respondent's work address if you do not know the 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.
- Paragraph 1:** If you are filing the Petition on behalf of yourself, mark the first box.
- Paragraph 2:** 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. The Petitioner and the Respondent need not be related in any way for the Petitioner to obtain the protection order. You may attach additional pages if you need more room.
- Paragraph 3(a):** State the date(s) of the incident(s) that caused you to file the Petition. Exact date(s) is not necessary. Approximate time frame may be sufficient. If you are requesting a civil stalking protection order due to *menacing by stalking*, provide a brief description of the pattern of conduct (two or more instances) that caused you to believe that the Respondent will cause physical harm or cause mental distress to you or another family member. If you are aware of any prior convictions of the Respondent for *menacing by stalking* or similar offenses, or prior convictions of the Respondent for any *sexually oriented offenses*, list what information you know about those convictions. You may attach additional pages if you need more room to complete your description.
- Paragraph 3(b):** State the date(s) of the incident(s) that caused you to file the Petition. Exact date(s) is not necessary. Approximate time frame may be sufficient. If you are requesting a civil sexually oriented offense protection order due to a *sexually oriented offense*, you do not have to provide a description of a pattern of conduct. A brief description of what happened that caused you to request the protection order will be enough.

If you are aware of any prior convictions of the Respondent for *menacing by stalking* or similar offenses, or prior convictions of the Respondent for any *sexually oriented offenses*, list what information you know about those convictions. You may attach additional pages if you need more room to complete your description.

- Paragraph 3(c):** State the date(s) of the incident(s) that caused you to file the Petition and request electronic monitoring of the Respondent. Exact date(s) is not necessary. Approximate time frame may be sufficient. If you are requesting electronic monitoring of the Respondent, describe the nature and extent of the Respondent's conduct before 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.

See definition section on Offenses on the last page for the legal definition of *menacing by stalking* and *sexually oriented offense*.

- Paragraph 4:** Indicate the action you want the Court to take by marking the boxes next to the numbered paragraphs that apply to your situation.

- Paragraph 4(f):** Write any special court orders you believe would help protect you and your family or household members.

- Paragraph 5:** If you need an emergency ("*ex parte*") protection order, mark the box next to Paragraph 5.

- Paragraph 9:** List ALL present and pertinent past court cases or investigations that involve the Respondent. This includes all civil, criminal, divorce, custody, visitation, and any other case that may have a bearing on your or your family or household members' safety. Write the case name, the court, the case number, and the result of the case, if known. If the case is not over, write "pending". You may attach additional pages if you need more room.

SIGNING THE PETITION

Try to fill out the Petition before you go to the courthouse. **AFTER YOU HAVE FILLED OUT THE PETITION, TAKE THE PETITION TO A NOTARY PUBLIC TO HAVE YOUR SIGNATURE NOTARIZED. DO NOT SIGN THE PETITION UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL NOTARIZE THE PETITION FOR YOU.**

FILING THE PETITION

After you have your signature notarized, file your Petition at the Clerk of Court's office. The Clerk of Court's office will tell you when and where your *ex parte* hearing, if one has been requested, will take place.

FEES

You **cannot** be charged any costs or fees for filing, modifying, enforcing, dismissing, withdrawing, serving, or obtaining a protection order.

DISCOVERY

Unless you have received an order from the Court regarding discovery, you have no obligation to comply with a deposition notice, interrogatories, request for production of documents, physical or mental examination, or request for admissions.

If ordered, the Court will indicate each of the following:

1. The time and place where discovery will be held;
2. The name of persons who can be in the room during discovery, including a victim advocate;
3. The necessary terms and conditions to keep everyone safe, including keeping the Petitioner's address confidential.

Discovery must be completed prior to the full hearing.

OFFENSES

A Civil Stalking Protection Order or Civil Sexually Oriented Offense Protection Order can **ONLY** be issued for specific behaviors listed below.

Menacing by Stalking

~~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)]~~

~~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)]~~

Sexually Oriented Offense

~~Sexually oriented offenses are defined in section 2950.01 of the Revised Code.~~

FORM 10.03-G is reserved for future use

FORM 10.03-H: ~~WARNING CONCERNING THE ATTACHED PROTECTION ORDER~~

NOTE: ~~Rule 10.03 of the Rules of Superintendence for the Courts of Ohio requires this Warning to be attached to the FRONT of all protection orders issued pursuant to R.C. 2903.213 and 2903.214 by the courts of the State of Ohio. TO BE USED WITH FORMS 10.03-B, 10.03-E, and 10.03-F.~~

WARNING TO RESPONDENT/ DEFENDANT

~~Violating the attached Protection Order is a crime, punishable by imprisonment or fine or both, and may cause your bond to be revoked or result in a contempt of court citation against you.~~

~~This Protection Order is enforceable in all 50 states, the District of Columbia, tribal lands, and U.S. Territories pursuant to the Violence Against Women Act, 18 U.S.C. 2265. Violating this Protection Order may subject you to federal charges and punishment.~~

~~Only the Court may change this Order. The Petitioner/Alleged Victim cannot give you legal permission to violate this order. If you go near the Petitioner or other protected persons, even with their permission, you may be arrested. **You act at your own risk if you disregard this WARNING.**~~

WARNING TO PETITIONER / ALLEGED VICTIM

~~You **cannot** change the terms of this Order by your words or actions. Only the Court may allow the Respondent/Defendant to contact you or return to your residence. This Order **cannot** be changed by either party without obtaining a written court order.~~

NOTICE ABOUT FIREARMS AND DEADLY WEAPONS

~~As a result of this Order, it may be unlawful for you to possess or purchase a firearm, including a rifle, pistol, or revolver, or ammunition, pursuant to federal law, 18 U.S.C. 922(g)(8). If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult a lawyer.~~

~~This Order may be subject to the exceptions pursuant to 18 U.S.C. 925(a)(1) with respect **only** to the official use of government-issued firearms or ammunition for the use of any department or agency of the United States, Ohio, or its political subdivision. This exception does not apply if the Defendant/Respondent has been convicted of an offense of violence, for example domestic violence, menacing by stalking, etc., against a family or household member.~~

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

~~The attached Protection Order is enforceable in all jurisdictions. Violating this Protection Order, whether it is a criminal or civil protection order, is a crime under R.C. 2919.27. Law enforcement officers with powers to arrest under R.C. 2935.03 for violations of the Ohio Revised Code must enforce the terms of this Protection Order as required by R.C. 2919.27, 2903.213, and 2903.214. If you have reasonable grounds to believe that Respondent/Defendant has violated this Protection Order, it is the preferred course of action in Ohio under R.C. 2935.03 to arrest and detain Respondent/ Defendant until a warrant may be obtained. Federal and state laws prohibit charging a fee for service of this order.~~

FORM 10.03-H is reserved for future use

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Order of Protection

Per R.C. 2903.214(F)(3), this Order is indexed at

Case No.

Judge

State

OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

()

:

PHONE NUMBER

WORKPLACE VIOLENCE CIVIL PROTECTION ORDER EX PARTE (WVCPO) (R.C. 2903.215)

WORKPLACE VIOLENCE CIVIL PROTECTION ORDER FULL HEARING (WVCPO) (R.C. 2903.215)

PETITIONER:

Organization's name

Organization's name

v.

PARTIES PROTECTED BY THIS ORDER:

Petitioner EIN:

Organization's Employees:

DOB:

DOB:

DOB:

DOB:

RESPONDENT:

First Middle Last

First

Middle

Last

Address where Respondent can be found:

RESPONDENT IDENTIFIERS

Table with columns: SEX, RACE, HGT, WGT, EYES, HAIR, DOB, DRIVER'S LIC. NO., EXP. DATE, STATE

Distinguishing Features:

WARNING TO LAW ENFORCEMENT: RESPONDENT HAS FIREARMS ACCESS - PROCEED WITH CAUTION

{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 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. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until (DATE CERTAIN - 5 YEARS MAXIMUM)

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

This proceeding came on for a hearing on _____ / _____ / _____ in accordance with R.C. 2903.214 and 2903.215.

This hearing is an ex parte proceeding and the Respondent was not present.

The full hearing proceeding came for a hearing and 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) Petitioner is a corporation, association or other organization per R.C. 2903.215; 2) Respondent has knowingly engaged in a pattern of conduct that caused Petitioner to believe that Respondent will cause physical harm or cause or has caused mental distress based on words or conduct directed at or that identify Petitioner; and 3) the following orders are equitable, fair, and necessary to protect Petitioner and persons named in this Order from stalking offenses.

The Court finds by clear and convincing evidence that 1) Petitioner or Petitioner’s employees members reasonably believed Respondent’s conduct before the filing of the Petition endangered the health, welfare, or safety of Petitioner or Petitioner’s employees; 2) Respondent presents a continuing danger to Petitioner or Petitioner’s employees; and 3) the following orders are equitable, fair, and necessary to protect Petitioner and persons named in this Order from experiencing a continuing danger.

RESPONDENT SHALL NOT ABUSE harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO RESPONDENT

1. RESPONDENT SHALL NOT ENTER the Organization, including its buildings, grounds, and parking lots. Respondent may not violate this Order **even with the permission of the organization’s representative.** [NCIC 04]

Organization is located at :

2. RESPONDENT SHALL STAY AWAY FROM PROTECTED PARTIES name in this Order, and not be present within 500 feet or _____ (distance) of Petitioner and any protected persons wherever those protected parties may be found, or any place Respondent knows or should know the protected persons are likely to be, **even with protected parties' permission.** If Respondent accidentally comes in contact with protected parties in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]

3. RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY owned or possessed by the Petitioner.

4. RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT with the Petitioner or protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of Petitioner or a protected person.** [NCIC 05]

5. RESPONDENT SHALL NOT POST any photographs, videos, or other images of Petitioner or protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to protected persons in any way on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.

6. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON to do any act prohibited by this Order.

7. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION at any time while this Order remains in effect, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

8. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND CONCEALED CARRY WEAPON LICENSE owned by Respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____ or as follows:

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons, firearms, and ammunition for protective custody as set forth in this Order.

Any law enforcement agency is authorized to take possession of deadly weapons, firearms, and ammunition pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order, any deadly weapons, firearms, and ammunition held in protective custody by law enforcement pursuant to this Order may be disposed of as unclaimed property pursuant to R.C. 2981.12 unless Respondent files a motion for return with this Court.

9. RESPONDENT SHALL NOT USE OR POSSESS alcohol or illegal drugs.

10. RESPONDENT SHALL BE SUBJECT TO ELECTRONIC MONITORING. Respondent is ordered to report to _____ for placement 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:

11. IT IS FURTHER ORDERED: [NCIC 08]

12. The Clerk of Court shall cause a copy of this Order to be delivered to Respondent as set forth in Civ.R. 5(B) and 65.1(C)(3). The Clerk of Court shall also provide certified copies of this Order to Petitioner upon request.

13. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the Order. Accordingly, the Court adopts the magistrate's granting of this Order.

14. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, or subpoenaing witnesses or obtaining a certified copy of this Order. This Order is granted without bond.

THE COSTS OF THIS ACTION ARE assessed against Respondent waived.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

DATE

DATE

NOTICE TO RESPONDENT

NEITHER PETITIONER NOR A PERSON PROTECTED BY THIS ORDER CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE THE TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

**NOTICE OF FINAL APPEALABLE
FULL HEARING ORDER**

Copies of the foregoing full hearing Order, which is a final appealable order, were served on the parties indicated pursuant to Civ.R. 65.1(C)(3):

_____ / _____ / _____

By: _____

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Petitioner Attorney for Petitioner
- Respondent Attorney for Respondent
- Law Enforcement Agency:

Other: _____

WAIVER

I, _____ understand that I have the right to a full hearing on the Petition for Workplace Violence Civil Protection Order, and acknowledge each of the following:

1. I waive the right to have a full hearing on this Protection Order.
2. I waive the right to cross-examine witnesses and review evidence submitted in support of this Protection Order.
3. I waive the right to present witnesses and evidence on my own behalf.
4. I waive the right to file objections and recognize this may limit my right to appeal the issuance of this Protection Order.

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

RESPONDENT

DATE

IN THE _____ COURT
COUNTY, OHIO

Order of Protection

Per R.C. 2903.213(G)(3), this Order is indexed at

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

STATE OF OHIO/ CITY OF

v.

DEFENDANT

ALLEGED VICTIM:

Organization's Name

v.

DEFENDANT:

First Middle Last

Address where Defendant can be found:

PARTIES PROTECTED BY THIS ORDER:

Alleged Victim _____ EIN: _____

Organization's Employees:

DOB: _____

DOB: _____

DOB: _____

DOB: _____

DEFENDANT IDENTIFIERS

SEX	RACE	HGT	WGT
EYES	HAIR	DOB	
		/	/
DRIVER'S LIC. NO.	EXP. DATE	STATE	

Distinguishing features: _____

WARNING TO LAW ENFORCEMENT: DEFENDANT HAS FIREARMS ACCESS – PROCEED WITH CAUTION

Ex Parte WVCRPO Granted: _____ / _____ / _____ (Date)

WVCRPO Granted: _____ / _____ / _____ (Date)

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 Defendant 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 Defendant be restrained from committing acts of abuse or threats of abuse against the protected persons named in this Order. Additional terms of this Order are set forth below.

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

This matter came before the Court on _____ / _____ / _____ for an **Ex parte WVCRPO** **WVCRPO** hearing on Organization's Motion for a Workplace Violence Criminal Protection Order. The Court finds that the Motion of the Alleged Victim for a Workplace Violence Criminal Protection Order is well-taken. The Court finds that the safety and protection of the Alleged Victim and protected persons named in this Order may be impaired unless the Court acts. The following orders are designed to ensure the safety and protection of the Alleged Victim and protected persons named in this Order and are issued to the Defendant as pretrial conditions, in addition to any bail under Crim.R. 46.

DEFENDANT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO DEFENDANT

- 1. DEFENDANT SHALL NOT ENTER** the Organization named in this Order, including its buildings, grounds, and parking lots. Defendant may not violate this Order **even with the permission of a protected person.** [NCIC 04]

Organization is located at :

- 2. DEFENDANT SHALL STAY AWAY FROM THE PROTECTED PARTIES NAMED IN THIS ORDER**, and shall not be present within 500 feet or _____ (distance) from the location of the organization wherever those protected parties may be found, or any place the Defendant knows or should know the protected parties are likely to be, **even with the protected parties' permission.** If Defendant accidentally comes in contact with protected parties in any public or private place, Defendant must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]

- 3. DEFENDANT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY** owned or possessed by the protected parties named in this Order.

- 4. DEFENDANT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected parties named in this Order at their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social media; blogging; writings; electronic communications; or communications by any other means directly or through another person. Defendant may not violate this Order **even with the permission of a protected parties.** [NCIC 05]

- 5. DEFENDANT SHALL NOT POST** any photographs, videos, or other images of protected parties on any form of social media or otherwise. Defendant shall not refer to protected parties in any way on any form of social media or otherwise. Defendant shall not use any form of electronic surveillance on protected parties.

- 6. DEFENDANT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this Order.

- 7. DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION** at any time while the Order remains in effect, unless Defendant is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

- 8. DEFENDANT SHALL TURN OVER ALL DEADLY WEAPONS, FIREARMS, AMMUNITION, AND CONCEALED CARRY WEAPON LICENSE** owned by Defendant or in Defendant's possession to the law enforcement agency that serves Defendant with this Order no later than _____ or as follows:

Law enforcement shall immediately notify the Court upon receiving Defendant's deadly weapons, firearms, and ammunition for protective custody as set forth in his Order.

Any law enforcement agency is authorized to take possession of deadly weapons pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

Upon the expiration of this Order and if the Defendant is not otherwise disqualified, any deadly weapons, firearms, and ammunition held in protective custody by law enforcement pursuant to this Order shall be disposed of as unclaimed property pursuant to R.C. 2981.12 unless Defendant files a motion for return with this Court.

9. **DEFENDANT SHALL NOT USE OR POSSESS** alcohol or illegal drugs.

10. **IT IS FURTHER ORDERED:** [NCIC 08]

11. **IT IS FURTHER ORDERED** a copy of this Order shall be delivered to the Defendant on the same day that the Order is entered.

12. **THIS ORDER IS EFFECTIVE** until the occurrence of one of the following: (1) modified by this Court; or (2) the criminal proceeding arising out of the complaint upon which these orders were issued is disposed by this Court or by the court of common pleas to which the Defendant is bound over for prosecution; or (3) a court issues a Workplace Violence Civil Protection Order arising out of the same activities as those that were the basis of the complaint filed in this action pursuant to R.C. 2903.213(B).

IT IS SO ORDERED.

_____ MAGISTRATE	_____ DATE <u>EX PARTE</u> <u>WVCRPO</u>	_____ JUDGE	_____ DATE <u>EX PARTE</u> <u>WVCRPO</u>
_____ MAGISTRATE	_____ DATE WVCRPO	_____ JUDGE	_____ DATE WVCRPO

NOTICE TO DEFENDANT

NO PARTY PROTECTED BY THIS ORDER CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PARTIES' PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

A HEARING on this Order shall be held before
 Judge/Magistrate _____
 on _____ / _____ / _____
 at _____ a.m. p.m.
 at the following location:

TO THE CLERK:
COPIES OF THIS ORDER SHALL BE DELIVERED
TO:
 Prosecutor
 Alleged Victim
 Defendant (by personal service)
 Attorney for Defendant
 Law Enforcement Agency:

 Other: _____

Service acknowledged:

DEFENDANT

DATE

WAIVER OF HEARING

I HAVE BEEN ADVISED OF MY RIGHT TO A HEARING ON THE MOTION FOR A CRIMINAL PROTECTION ORDER AND HEREBY KNOWINGLY AND VOLUNTARILY WAIVE THE HEARING ON THE MOTION AND AGREE TO BE BOUND BY THE TERMS OF THIS ORDER.

DEFENDANT

DATE

FORM 10.04-A: NOTICE CONCERNING POSSESSION OR PURCHASE OF FIREARMS

NOTE: Rule 10.04 of the Rules of Superintendence for the Courts of Ohio requires notice of possible firearm restrictions be provided to the Defendant before entering a guilty plea or plea of no contest to a misdemeanor crime of violence against a family or household member.

Pursuant to R.C. 2943.033, you are advised that if you enter a guilty plea or plea of no contest to a misdemeanor crime involving violence where you are or were any of the following:

- A The spouse, person living as a spouse, former spouse of the Alleged Victim;
- A The parent or child of the Alleged Victim;
- A The parent or child of a spouse, person living as a spouse, or former spouse of the Alleged Victim;
- The natural parent of any child of whom the Alleged Victim is the other natural parent or the putative natural parent

it may be unlawful for you to ship, transport, purchase, or possess a firearm or ammunition as a result of any conviction for a misdemeanor offense of violence pursuant to federal law under 18 U.S.C. 922(g)(9).

If you have any questions whether this law makes it illegal for you to ship, transport, purchase, or possess a firearm or ammunition, you should consult an attorney.

FORM 10.05-A: HOW TO OBTAIN 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 court, 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* and the person you are filing this petition against is called *Respondent*.

SOME HINTS BEFORE YOU BEGIN

- Read these instructions carefully.
- The types of offenses for which a juvenile civil protection order or juvenile domestic violence civil protection order can be obtained are explained in the last section of this Form.
- A juvenile civil protection order or a juvenile domestic violence civil protection order should **ONLY** be requested if the Respondent is less than 18 years old.
- 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.
- All forms must be typed or printed.
- Write your name and Respondent's name the same way throughout the Petition.
- When you write your name on the Petition, use your legal name.
- Fill out the Petition as completely and accurately as possible.
- If you have any questions about completing the Petition, contact your local domestic violence program or the Ohio Domestic Violence Network at 800-934-9840 for assistance.

FILLING OUT THE PETITION

On the front page, leave the "Case No." line and "Judge/Magistrate" lines blank. The Clerk of Court's office 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 want your address or that of the minor for whom you are filing to remain confidential, do not write the address on the Petition. However, you must write another address where you can safely receive notices from the Court.

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

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 names 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 of yours has a child with the Respondent.

Paragraph 7: Provide a description of the Respondent's action(s) that caused you to believe that the Respondent caused or will cause physical or emotional harm to you or another family or household member. State the date(s) of the incident(s) that caused you to file the Petition. An exact date(s) is not necessary. Approximate time frame may be sufficient. You may attach additional pages if you need more room.

Paragraph 8: Provide a description of the impact the Respondent's actions have had on you or your family or household members. You may attach additional pages if you need more room to complete your description.

Paragraph 9: Mark this box if you, your family or household members, or the person for whom you are filing attends the same school or are transported in the same school bus as the Respondent. Please write the name and address of the school AND the school bus number, route, district or any other information which can be helpful to the Court.

Paragraph 10: Complete as much of the chart as you are able by listing all relevant open, pending, or closed court cases involving the Respondent, your family or household members, or you (or the person for whom you are filing).

Paragraph 11 (a)–(h): 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 to a specific location, tell the Court in Paragraph 11(b) of these locations and their addresses.

If you do **NOT** want the Respondent to contact you or your family or household members at all by landline, cordless, or cellular telephone; text; instant message; fax; e-mail; voice mail; delivery service; social network media (like Twitter, My Space, Facebook, etc.); blogging; writings; electronic communications; or communications by any other means regardless if directly or through another person, mark Paragraph 11(c).

If you want the Respondent to be electronically monitored, make sure you mark Paragraph 11(f) and provide a description of the Respondent's conduct that puts your and/or your family or household members' health, welfare, and safety at risk.

Write any special court orders you believe would help protect you and your family or household members in Paragraph 11(h).

Paragraph 12: Mark this box if you want to request the Court grant you an emergency (*Ex Parte*) protection order because you and/or your family and household members are in immediate and present danger.

SIGNING THE PETITION

Try to fill out the Petition before you go to the courthouse. **AFTER YOU HAVE FILLED OUT THE PETITION, TAKE THE PETITION TO A NOTARY PUBLIC OR DEPUTY CLERK OF COURT TO HAVE YOUR SIGNATURE NOTARIZED. DO NOT SIGN THE PETITION UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL NOTARIZE THE PETITION FOR YOU.**

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, if one has been requested, will take place.

FEES

You **cannot** be charged any costs or fees for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, or obtaining a protection order.

DISCOVERY

Unless you have received an order from the Court regarding discovery, you have no obligation to comply with a deposition notice, interrogatories, request for production of documents, physical or mental examination, or request for admissions.

If ordered, the Court will indicate each of the following:

1. The time and place where discovery will be held;
2. The name of persons who can be in the room during discovery, including a victim advocate;
3. The necessary terms and conditions to keep everyone safe, including keeping the Petitioner's address confidential.

Discovery must be completed prior to the full hearing.

RENEWAL

A juvenile civil protection order and juvenile domestic violence civil protection order can be renewed in the same manner as the initial protection order was issued.

EXPIRATION OF CIVIL PROTECTION ORDER

A juvenile civil protection order and juvenile domestic violence civil protection order will terminate on a specific date as determined by the Court, but no later than the Respondent's 19th birthday.

SEALING OF RECORDS

The Court will automatically seal all of the records of the juvenile civil protection order or juvenile domestic violence civil protection order proceeding if a full hearing or consent agreement civil protection order is not granted.

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

If the Respondent did not comply with all the terms of the juvenile civil protection order or juvenile domestic violence civil protection order, the Court may consider sealing the records two years after the order expires. The Court must provide you notice of the hearing to seal the juvenile civil protection order or juvenile domestic violence civil protection order records.

APPOINTMENT OF COUNSEL

The Court may appoint a lawyer to represent the interests of the Respondent.

NOTICE TO PARENT, GUARDIAN, OR LEGAL CUSTODIAN

The Court **may** provide your parent, guardian, or legal custodian notice that you (if you are a minor) or someone else on your behalf has filed a petition for a juvenile civil protection order or a juvenile domestic violence civil protection order.

The Court **must** provide the parent, guardian, or legal custodian of the Respondent notice of the full hearing on a petition to obtain a juvenile civil protection order or juvenile domestic violence civil protection order.

OFFENSES

A juvenile civil protection order or juvenile domestic violence civil protection order can **ONLY** be issued for specific behavior under R.C. 2151.34 and 3113.31. Below is a summary of the specific behaviors identified in the law.

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 serious physical harm to another or to another's unborn. [R.C. 2903.12(A)(1)]

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)]

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)]

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)]

Assault

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

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

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

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

(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 or 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)]

Felonious Assault

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)]

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)]

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)]

Menacing by Stalking

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)]

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)]

Sexually Oriented Offense

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

FORM 10.05-A is reserved for future use

**TIPS FOR FILING A JUVENILE CIVIL PROTECTION ORDER (JCPO) OR
JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER (JDVCPO) PETITION**

- If you have any questions about completing the Petition, contact your local victim assistance program, domestic violence program, or the Ohio Domestic Violence Network at 800-934-9840 for assistance.
- Respondent is the person you need to be protected from and is less than 18 years old at the time the Petition is filed. If you do not know Respondent's date of birth, try to estimate at least year of birth.
- Once completed, take the petition and other necessary documents to the Clerk of Court's Office at the juvenile court or the juvenile division of the court of common pleas in the county where Petitioner reside.
- There is **NO FEES OR COSTS** to file this Petition.
- Neither the Clerk of Court's Office nor the local domestic violence program can give you legal advice. **Only a lawyer can give you legal advice.**
- If you want an emergency order, also known as an *Ex Parte* protection order, check "requests" in paragraph 4.
- The Court will consider the request for an *Ex Parte* protection order and may ask you questions.
- The Court **may** provide Petitioner's parent, guardian, or legal custodian notice a JCPO or JDVCPO petition has been filed on your behalf.
- The Court **must** provide Respondent's parent, guardian, or legal custodian notice of the full hearing.
- Regardless if an *Ex Parte* protection order was requested, granted, or denied, a full hearing will be scheduled.
- Unless you have received a court order signed by a judge or magistrate, you do not have to give discovery, answer any questions, or give information to Respondent or Respondent's lawyer. [Civ.R. 65.1(D)]
- You must attend the full hearing. Your victim advocate may also be present at the hearing.
- On the day of the full hearing, be prepared to (1) tell the Court what happened, (2) ask Respondent questions, and (3) bring with you any witnesses, evidence, and documentation to prove your case.
- Respondent may be represented by a lawyer. You may ask for a continuance to obtain a lawyer.
- Respondent or Respondent's lawyer may present evidence and ask you questions.
- If your petition for a JCPO or JDVCPO is granted, the Court will use Form 10.05-D or 10.05-E. You will receive the order on the day of the full hearing or by mail.
- The Court cannot issue a protection order against you unless Respondent has filed a separate Petition.

OFFENSES

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 serious physical harm to another or to another's unborn. [R.C. 2903.12(A)(1)]

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. 2093.12(A)(2)]

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)]

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)]

ASSAULT

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

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

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; or 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 Respondent, such as a spouse, a person living as a spouse, or a former spouse of Respondent; a parent, a foster parent, or a child of Respondent, or another person related by consanguinity or affinity (blood or marriage) to Respondent; a parent or a child of a spouse, person living as a spouse, or former spouse of Respondent, or another person related by consanguinity or affinity (blood of marriage) to a spouse, person living as a spouse, or former spouse of Respondent. [R.C. 3113.31(A)(3)(a)]

(b) The natural parent of any child of whom 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 Respondent in a common law marital relationship, who otherwise is cohabiting with Respondent, or who otherwise has cohabited with Respondent within five years prior to the date of the alleged occurrence of the act in question. [R.C. 3113.31(A)(4)]

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)]

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)]

MENACING BY STALKING

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 a family or household member of the other person OR cause mental distress to the other person or a family or household member of the other person. [R.C. 2903.211(A)(1)]

No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, r-computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to (a) violate division (A)(1) OR (b) urge or incite another to violate division (A)(1). [R.C. 2903.211(A)(2)]

No person, with a sexual motivation, shall violate division (A)(1) or (2). [R.C. 2903.211(A)(3)]

PATTERN OF CONDUCT

Pattern of conduct means two or more actions or incidents closely related in time. [R.C. 2903.211(D)(1)]

MENTAL DISTRESS

Mental distress means: (a) any mental illness or condition that involves some temporary substantial incapacity OR (b) any mental illness or condition that would normally require psychiatric treatment, psychological treatment, or other mental health services, regardless if psychiatric treatment, psychological treatment, or other mental health services was requested or received. [R.C. 2903.211(D)(2)]

SEXUALLY ORIENTED OFFENSE

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

IN THE COURT OF COMMON PLEAS, _____ DIVISION
_____ COUNTY, OHIO

Petitioner : Case No. _____

Address (Safe mailing address) : Judge/Magistrate _____

City, State, Zip Code :

Date of Birth: ____ / ____ / ____ :

v. :

PETITION FOR JUVENILE CIVIL PROTECTION ORDER
OR JUVENILE DOMESTIC VIOLENCE CIVIL
PROTECTION ORDER (R.C. 2151.34 and 3113.31)

Respondent :

Address (If home address unknown, put the school or work address) :

City, State, Zip Code :

Date of Birth: ____ / ____ / ____ :

CHECK EVERY THAT APPLIES. IF YOU ARE REQUESTING ASKING FOR YOUR ADDRESS REMAIN TO BE KEPT CONFIDENTIAL, DO NOT WRITE YOUR ADDRESS ON THIS FORM. PLEASE PROVIDE ANOTHER PUT A MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE NOTICES FROM THE COURT MAIL. IF YOU ARE A PARTICIPANT IN THE SECRETARY OF STATE'S ADDRESS CONFIDENTIALITY PROGRAM, PLEASE USE THE P.O. BOX ADDRESS GIVEN TO YOU. THIS FORM IS A PUBLIC RECORD.

- 1. Petitioner or a witness needs a foreign language interpreter in _____ or a sign language interpreter per Sup.R. 88.
- 2. Petitioner wants do not want an **ex parte (emergency) protection order** per R.C. 2151.34 or 3113.31. I understand the Court will schedule a full hearing trial, no matter if the ex parte protection order is granted, denied, or not requested.
- 3. Petitioner seeks relief on his or her own behalf. Who needs protection?
 - Me
 - My minor child
 - A family or household member, who is not a minor child
 - Other: _____
- 2.4. Petitioner seeks relief on behalf of _____, who is a minor. The minor is not a family or household member relationship of the Petitioner pursuant to R.C. 3113.31(A)(3)(a) - (b). Respondent is that of:
 - Parent or foster parent of Respondent
 - Respondent is the parent of my child
 - Relative by blood or marriage of Respondent or Petitioner and has lived with Respondent (please specify how you are related): _____
 - Petition is not related to respondent (please specify how you know Respondent): _____

3.5. ~~Petitioner seeks relief on behalf of the following I have listed below all family or household members: who need protection other than me or the person for whom I am filing the Petition (Leave blank if you are not seeking protection for other family or household members).~~

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

4. ~~Petitioner is not a family or household member of Respondent.~~

5.6. ~~Petitioner is a family or household member of Respondent and a victim of domestic violence is in fear and in continuing danger and requests the Court grant Juvenile Civil Protection Order or Juvenile Domestic Violence Civil Protection Order. Definition of the acts for which a protection order may be granted are on page 2 and 3. The relationship of Petitioner to Respondent is that of:~~

~~Parent of Respondent~~
 ~~Foster Parent of Respondent~~
 ~~Other relative by blood or marriage of Respondent or Petitioner/ who has lived with Respondent at any time (describe relationship):~~

6.7. ~~Petitioner and/or a family or household member of Petitioner has a child in common with the Respondent-(1) Describe the threats or acts that made you or your family or household members afraid, include if children were present when the acts happened. (2) When did it happen? (if you do not know exact dates, give approximate dates). (3) Explain why you believe you or your family or household members are in danger. If you need more space, attach an additional page.~~

7. ~~Please describe in detail the action(s) of the Respondent that causes you to believe that he/she will cause or has caused you and/or your family or household members physical or emotional harm. Attach additional page if you need more room.~~

~~This conduct may include domestic violence, felonious assault, aggravated assault, assault, aggravated menacing, stalking, menacing, aggravated trespass, or sexually oriented offense. (See Form 10.05-A for a definition of these terms.)~~

Case No. _____

8. Please describe how the Respondent's conduct affected you and/or your family or household members. Attach additional page if you need more room.

9. Petitioner further states that Respondent attends the same school or is transported to school on the same school bus as Petitioner and/or the family or household member of the Petitioner.

School Name & Address: _____

School Bus: _____

10.8. The following is a list of all past and present court cases, that Petitioner knows of, which involve the parties, their children, or other family or household member and are relevant to this matter has listed court cases (including custody, visitation, paternity, child support, children service case, pending criminal case or conviction for domestic violence, felonious assault, aggravated assault, assault, aggravated menacing, menacing by stalking, menacing, or aggravated trespass; no contact order; stay away order; or other protection order) and other legal matters regarding Respondent, which may relate to this case:

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

41.9. Petitioner requests the Court grant relief under R.C. 2151.34 or 3113.31. Check all that apply.

a. ~~Require the Directs Respondent to not to abuse, harm Petitioner and other persons named in this Petition by harming, attempt attempting to harm, threaten, follow, stalk, harass, contact, force threatening, following, stalking, harassing, contacting, forcing sexual relations upon, or commit committing sexually oriented offenses against the Petitioner and/or the Petitioner's family or household members named in this Petition them.~~

b. ~~Require the Directs Respondent to not to enter or have limited access to the following places (include name and address, as applicable) where Petitioner and Petitioner's family or household members the persons named in this Petition may be found, including the buildings, grounds, and parking lots at these places.~~

Residence: _____

School: _____

Business or Place of Employment: _____

Other (specify): _____

c. ~~Require the Directs Respondent to not to approach or have contact by any means with Petitioner and/or Petitioner's family or household members~~ persons named in this Petition ~~by any means whatsoever.~~

d. ~~Require the Directs Respondent not to remove, damage, hide, or dispose of any property, companion animals, or pets owned or possessed by the Petitioner and Petitioner's family or household members~~ named in this Petition.

e. Grants Petitioner permission to take Petitioner's companion animals or pets, as described below, away from the possession of Respondent:

f. ~~Require the Directs Respondent to not to possess, use, carry, or obtain any deadly weapon, firearms, and ammunition.~~

f.g. ~~Require the Directs Respondent to be electronically monitored. Please explain why the because Respondent's conduct is a past, present, and future danger to has put or puts the health, welfare, or safety of the Petitioner and/or the Petitioner's family or household members. Attach additional page if you need more room~~ persons named in this Petition at risk. Describe Respondent's conduct and how Respondent continues to present a danger to Petitioner and the persons named in this Petition. **If you need more space, attach an additional page.**

g.h. ~~Require the Directs Respondent to complete batterer counseling, substance abuse counseling, or other counseling as determined necessary by the Court.~~

i. Directs the wireless service provider to separate Petitioner's account from Respondent's account, per R.C. 3113.45 to 3113.459. Petitioner will assume all financial responsibility for any costs associated with the wireless service number and any costs for the device associated with the wireless service number. Respondent's billing telephone number is _____.

Petitioner's contact information is on page 1 of this Petition. Following are the wireless service numbers to be transferred to Petitioner which are used by Petitioner or the minor children in the care of Petitioner:

h.j. Includes the following additional provisions:

12. ~~Petitioner further requests that the Court issue an ex parte (emergency) protection order.~~

~~13.~~ 10. 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 or adjudication of delinquency for perjury under R.C. 2921.11 or falsification under R.C. 2921.13.

~~DO NOT SIGN THIS FORM UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL NOTARIZE THE PETITION FOR YOU.~~

SIGNATURE OF PETITIONER

DATE

Sworn to and subscribed before me on this _____ day of _____, 20 _____

NOTARY PUBLIC/DEPUTY CLERK OF COURT

IF YOU ARE REQUESTING YOUR ADDRESS REMAIN CONFIDENTIAL, DO NOT WRITE YOUR ADDRESS ON THIS FORM. PLEASE PROVIDE ANOTHER MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE NOTICES FROM THE COURT. THIS FORM IS A PUBLIC RECORD.

Petitioner's Safe Address:

Name of Lawyer (if applicable)

Name of Attorney (if applicable) Lawyer's Fax

Signature of Petitioner's Lawyer

Signature of Attorney for Petitioner (if applicable)
Lawyer's Registration Number

Lawyer's Address

Attorney's Address Lawyer's Telephone

City, State, Zip Code

City, State, Zip Code Lawyer's Email

Attorney Registration Number

Attorney's Telephone

Attorney's Fax

Attorney's Email

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Petitioner : Case No. _____

v. : Judge/Magistrate _____

Respondent :

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Pursuant to Civ.R. 65.1(C)(2), please serve Respondent a copy of the Petition, *ex parte* protection order, if granted, and any other accompanying documents to the address below and as follows:

Personal service

Certified Mail, Return Receipt Requested

Other (specify) _____

Other (address): _____

Personal Service

Certified Mail, Return Receipt Requested

Other (specify) _____

SPECIAL INSTRUCTIONS TO SHERIFF:

SIGNATURE OF ATTORNEY OR PETITIONER

RETURN OF SERVICE

Respondent was served on _____

Officer and Badge Number

Law Enforcement Agency

Date

CLERK'S CERTIFICATE OF MAILING

Service of Process was sent by _____ this _____ day of _____

Attest: _____ Deputy Clerk

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

Order of Protection

Per R.C. 2151.34(F)(3) or 3113.31(F)(3),
 this Order is indexed at _____

LAW ENFORCEMENT AGENCY WHERE INDEXED
 () -

PHONE NUMBER

Case No. _____

Judge/Magistrate _____

State

OHIO

**JUVENILE CIVIL PROTECTION ORDER OR JUVENILE
 DOMESTIC VIOLENCE CIVIL PROTECTION ORDER
 EX PARTE (R.C. 2151.34 or 3113.31)**

PETITIONER:

First Middle Initial Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____
 Petitioner's Family or Household Members:
 Additional forms attached
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____

RESPONDENT:

First Middle Initial Last

RESPONDENT IDENTIFIERS

SEX	RACE	HGT	WGT
EYES	HAIR	DATE OF BIRTH DOB	
		/	/
DRIVER'S LIC. NO	EXP. DATE	STATE	

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. Additional terms of this Order are set forth below.

**DATE CERTAIN — NO LATER
 THAN UNLESS EXTENDED BY
 SEPARATE ENTRY OR UNTIL
 RESPONDENT ATTAINS 19
 YEARS OF AGE**

The terms of this Order shall be effective until _____ / _____ / _____
 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 or juvenile domestic violence civil protection order against the Respondent, pursuant to R.C. 2151.34 and or 3113.31. The Court held an *ex parte* hearing in accordance with R.C. 2151.34(D)(1) and or 3113.31(D)(1).

The Court finds that protected persons 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.

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE RESPONDENT

1. RESPONDENT SHALL NOT ENTER the places indicated in this Order, including the buildings, grounds, and parking lots at those locations, except as specifically provided. [NCIC 04]

Residence:

School:

Business or Place of Employment:

Other:

RESPONDENT IS A MINOR AND WILL RESIDE at the following address until the Court determines otherwise:

2. RESPONDENT SHALL STAY AWAY FROM the protected persons named in this Order or as follows [NCIC 04]:

3. RESPONDENT IS ALLOWED CONTACT WITH protected persons as follows:

4. RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY, COMPANION ANIMALS, OR PETS owned or possessed by the protected persons named in this Order.

RESPONDENT MAY REMOVE THE FOLLOWING:

5. PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS owned by Petitioner from the possession of Respondent:

Exchange of the listed companion animals or pets shall take place as follows:

6. 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; instant messaging; fax; e-mail; voice mail; delivery service; social network media; writings; blogging; electronic communications; or communications by any other means regardless if directly or through another person, and as follows: [NCIC 05]

7. RESPONDENT SHALL NOT POST any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to protected persons in a threatening or harassing manner on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.

6.8. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY OTHER PERSON to do any act prohibited by this Order.

9. RESPONDENT SHALL NOT INTERFERE with wireless service transfer, prevent the functionality of a device on the network, or incur further contractual or financial obligations related to the transferred numbers.

Wireless service rights to and billing responsibility for the wireless service number or numbers in use by Petitioner shall be transferred to Petitioner, pursuant to R.C. 3113.31(E)(1)(k), by separate order.

7.10. IT IS FURTHER ORDERED: [NCIC 08]

8.11. ALL DISCOVERY SHALL STRICTLY COMPLY with Civ.R. 65.1(D).

9.12. ~~IT IS FURTHER ORDERED~~ that a copy of the Petition and this Order THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENT to be delivered to the Respondent and Respondent's parent, guardian, or legal custodian as ~~required by~~ set forth in Civ.R. 65.1(C)(2). ~~No costs or fees shall be charged for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this protection order.~~

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

11.13. SUBJECT TO FURTHER ORDER OF THIS COURT, this Order and all records of the proceeding shall be sealed upon the happening of the earliest of the following: (1) Dismissal of this Petition; (2) Expiration of the Order, **or** (3) Respondent's 19th birthday.

14. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION at any time while this Order is active.

15. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

16. THIS ORDER DOES NOT EXPIRE because of a failure to serve notice of the full hearing upon Respondent before the date set for the full hearing or because the Court grants a continuance, as set forth in R.C. 2151.34(D)(2)(b) and 3113.31(D)(2)(b).

17. RESPONDENT WILL ATTAIN 19 years of age on: _____ / _____ / _____.

IT IS SO ORDERED.

JUDGE/MAGISTRATE

NOTICE TO RESPONDENT, PARENTS, GUARDIAN, OR LEGAL CUSTODIAN

- 1. ~~THE PERSONS~~ NO PERSON PROTECTED BY THIS ORDER ~~CANNOT~~ CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.**
- 2. ~~RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON~~ at any time while this Order is active.**

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

Judge/Magistrate _____

on _____ / _____ / _____

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

TO THE CLERK

COPIES A COPY OF PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENTS SHALL BE DELIVERED SERVED PURSUANT TO CIV.R. 65.1(C)(2):

Petitioner Attorney for Petitioner

Petitioner's Parent 1: _____

Petitioner's Parent 2: _____

Petitioner's Guardian or Legal Custodian: _____

Respondent _____

Respondent's Parent 1: _____

Respondent's Parent 2: _____

Respondent's Guardian or Legal Custodian: _____

~~Police Department Where Petitioner Resides~~ Law Enforcement Agency: _____

~~Police Department Where Petitioner Works:~~ _____

~~Sheriff's Office:~~ _____

School: _____

~~Police Department Where School is Located:~~ _____

Other: _____

IN THE COURT OF COMMON PLEAS, _____ DIVISION
 _____ COUNTY, OHIO

Order of Protection

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

LAW ENFORCEMENT AGENCY WHERE INDEXED
 () -
 PHONE NUMBER

Case No. _____

Judge/Magistrate _____

State

OHIO

**JUVENILE CIVIL PROTECTION ORDER FULL HEARING
 (R.C. 2151.34)**

PETITIONER:

First Middle Initial Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____
 Petitioner's Family or Household Members:
 Additional forms attached
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____

RESPONDENT:

First Middle Initial Last

Distinguishing Features: _____

RESPONDENT IDENTIFIERS

SEX	RACE	HGT	WGT
EYES	HAIR	DATE OF BIRTH DOB	
		/	/
DRIVER'S LIC. NO		EXP. DATE	STATE

{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. Additional terms of this Order are set forth below.

The terms of this Order shall be effective until _____ / _____ / _____
 Respondent will attain 19 years of age on _____ / _____ / _____

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

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

This proceeding came 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 facts:

The Court finds by a preponderance of the evidence that 1) ~~the~~ Petitioner and/or ~~the~~ Petitioner's family or household members are in danger of being or have been harmed by ~~the~~ Respondent as defined in R.C. 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, 2911.211, and 2950.01; and 2) the following orders are equitable, fair, and necessary to protect the persons named in this Order from offenses of violence.

~~The~~ Pursuant to R.C. 2151.34(E)(1)(b), ~~the~~ Court finds by clear and convincing evidence that 1) ~~the~~ Petitioner ~~or~~ and Petitioner's family or household members reasonably believed ~~the~~ Respondent's conduct before the filing of the Petition endangered the health, welfare, or safety of ~~the~~ Petitioner ~~or~~ and Petitioner's family or household members, 2) ~~the~~ Respondent presents a continuing danger to ~~the~~ Petitioner ~~or~~ and Petitioner's family or household members, and 3) the following orders are equitable, fair, and necessary to protect the persons named in this Order. ~~This finding is necessary for electronic monitoring of the Respondent.~~

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO ~~THE~~ RESPONDENT

1. RESPONDENT SHALL NOT ENTER the places indicated in this Order, including the buildings, grounds, and parking lots at those locations, except as specifically provided. [NCIC 04]

Residence:

School:

Business or Place of Employment:

Other:

RESPONDENT IS A MINOR AND WILL RESIDE at the following address until the Court determines otherwise:

2. RESPONDENT SHALL STAY AWAY FROM the protected persons named in this Order or as follows [NCIC 04]:

3. RESPONDENT IS ALLOWED CONTACT with the protected persons as follows:

4. RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY, COMPANION ANIMALS, OR PETS owned or possessed by the protected persons named in this Order.

RESPONDENT MAY REMOVE THE FOLLOWING:

5. PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS owned by Petitioner from the possession of Respondent:

Exchange of listed companion animals or pets shall take place as follows:

6. 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; instant messaging; fax; e-mail; voice mail; delivery service; social network media; writings; blogging; electronic communications; or communications by any other means regardless if directly or through another person, and as follows: [NCIC 05]

7. RESPONDENT SHALL NOT POST any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to protected persons in a threatening or harassing manner on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.

6.8. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY OTHER PERSON to do any act prohibited by this Order.

7.9. 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 program is requested to provide the Court a written notice when the Respondent attends the initial appointment, if the Respondent fails to attend or is discharged, and when the Respondent completes the program. The 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 the 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.

8.10. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION while this Order remains in effect.

9.11. RESPONDENT SHALL BE ELECTRONICALLY MONITORED. The Court having found the factors set forth in R.C. 2151.34(E)(1)(b). The 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:

10.12. IT IS FURTHER ORDERED: [NCIC 08]

11.13. IT IS FURTHER ORDERED that a copy of the Petition and this Order **THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION AND THIS ORDER** to be delivered to the Respondent as set forth in Civ.R. 5(B) and 65.1(C)(3) and Respondent's parent, guardian, or legal custodian as required by Civ.R. 65.1. ~~No costs or fees shall be charged for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this Order.~~

14. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

THE COSTS OF THIS ACTION ARE assessed against Respondent waived.

12. ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT UNTIL A DATE

~~_____ / _____ / _____ OR UNTIL RESPONDENT ATTAINS 19 YEARS OF AGE.~~
Until this Order is served upon the Respondent pursuant to Civ. R. 65.1, the *Ex Parte* CPO remains in effect.

13-15. THE COURT WILL SEAL THIS RECORD ON THE RESPONDENT'S 19TH BIRTHDAY, unless the Court determines otherwise.

14-16. RESPONDENT WILL ATTAIN 19 years of age on: _____ / _____ / _____.

15-17. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the Order. Accordingly, the Court adopts the magistrate's granting of the Order as set forth in Civ.R. 65.1.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT, PARENTS, GUARDIAN, OR LEGAL CUSTODIAN

THE PERSONS NO PERSON PROTECTED BY THIS ORDER CANNOT CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable Order, were mailed by ordinary U.S. mail served on the parties pursuant to Civ.R. 5(b) and 65.1(C)(3), including by ordinary mail, on the a following date:

_____ / _____ / _____ .

By: _____

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED SERVED PURSUANT TO CIV.R. 65.1(C)(3) TO:

- Petitioner Attorney for Petitioner
- Petitioner's Parent 1:
- _____
- Petitioner's Parent 2:
- _____
- Petitioner's Guardian or Legal Custodian:
- _____
- Respondent
- Respondent's Parent 1:
- _____
- Respondent's Parent 2:
- _____
- Respondent's Guardian or Legal Custodian:
- _____
- Police Department Where Petitioner Resides Law Enforcement Agency:
- _____
- Police Department Where Petitioner Works:
- _____

<input type="checkbox"/> Sheriff's Office: _____
<input type="checkbox"/> School: _____
<input type="checkbox"/> Police Department Where School is Located: _____
<input type="checkbox"/> Other: _____

IN THE COURT OF COMMON PLEAS, _____ DIVISION
 _____ 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/Magistrate _____

State OHIO

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

JUVENILE DOMESTIC VIOLENCE CONSENT AGREEMENT CIVIL PROTECTION ORDER (R.C. 3113.31)

PETITIONER:

First Middle Initial Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

Petitioner's Family or Household Members: _____

Additional forms attached

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

RESPONDENT:

First Middle Initial Last

Distinguishing Features: _____

RESPONDENT IDENTIFIERS

SEX	RACE	HGT	WGT
EYES	HAIR	DATE OF BIRTH DOB	
DRIVER'S LIC. NO	EXP. DATE	STATE	

{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. 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 a hearing on _____ / _____ / _____ before the Court and the ~~Ex Parte Order~~ Petition filed on _____ / _____ / _____. The following individuals were present:

The Court hereby makes the following findings of facts:

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

The parties agree to waive their notice and hearing rights. Therefore, the Court approves the Juvenile Domestic Violence Consent Agreement Protection Order pursuant to R. C. 3113.31(E)(1).

RESPONDENT SHALL NOT ABUSE, harm, attempt to harm, threaten, follow, stalk, harass, force sexual relations upon, or commit sexually oriented offenses against the protected persons named in this Order. [NCIC 01 and 02]

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE RESPONDENT

1. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence:

2. **RESPONDENT IS A MINOR AND WILL RESIDE** at the following address until the Court determines otherwise:

3. **RESPONDENT SHALL NOT INTERFERE WITH THE PROTECTED PERSONS PERSONS' RIGHT** to occupy the residence, including, but not limited to canceling utilities or insurance or interrupting telecommunications (e.g., telephone service, internet, cable) services, mail delivery, or the delivery of any other documents or items. [NCIC 03]

4. **RESPONDENT SHALL NOT ENTER** the places indicated in this Order, including the buildings, grounds, and parking lots at those locations, except as specifically provided. [NCIC 04]

Residence:

School:

Business or Place of Employment:

Other:

5. RESPONDENT SHALL STAY AWAY FROM the protected persons named in this Order or as follows [NCIC 04]:

6. RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY, COMPANION ANIMALS, OR PETS owned or possessed by the protected persons named in this Order.

7. PETITIONER IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS, owned by Petitioner, from the possession of Respondent:

Exchange of listed companion animals or pets shall take place as follows:

8. 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; instant messaging; fax; e-mail; voice mail; delivery service; social network media; writings; blogging; electronic communications; or communications by any other means regardless if directly or through another person, and as follows: [NCIC 05]

9. RESPONDENT SHALL NOT POST any photographs, videos, or other images of protected persons anywhere, including but not limited to, any form of social media or otherwise. Respondent shall not refer to protected persons in a threatening or harassing manner on any form of social media or otherwise. Respondent shall not use any form of electronic surveillance on protected persons.

~~8-10.~~ **RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY OTHER PERSON** to do any act prohibited by this Order.

~~9-11.~~ **RESPONDENT IS ALLOWED CONTACT** with the protected persons as follows:

10.12. RESPONDENT MAY PICK UP CLOTHING and personal items effects from the above residence only in the company of a uniformed law enforcement officer seven or _____ within _____ days of the filing of this Order. Arrangements may be made by contacting: _____

11.13. RESPONDENT SHALL IMMEDIATELY SURRENDER to law enforcement or _____ the following personal property: _____

12.14. 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 program is requested to provide the Court a written notice when the Respondent attends the initial appointment, if the Respondent fails to attend or is discharged, and when the Respondent completes the program. The 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/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.

13.15. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, FIREARMS, OR AMMUNITION while this Order remains in effect.

16. RESPONDENT SHALL NOT INTERFERE with wireless service transfer, prevent the functionality of a device on the network, or incur further contractual or financial obligations related to the transferred numbers.
Wireless service rights to and billing responsibility for the wireless service number or numbers in use by Petitioner or any minor children in the care of Petitioner shall be transferred to Petitioner by separate order.

14.17. IT IS FURTHER ORDERED: [NCIC 08]

15.18. IT IS FURTHER ORDERED that a copy of the Petition and this Order **THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION AND THE ORDER** to be delivered to the Respondent as set forth in Civ.R. 5(B) and 65.1(C)(3) and Respondent's parent, guardian, or legal custodian as required by Civ.R. 65.1. No costs or fees shall be charged for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this Order.

16. ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT UNTIL A DATE

~~_____ / _____ / _____ OR UNTIL RESPONDENT ATTAINS 19 YEARS OF AGE.~~
Until this Order is served upon the Respondent pursuant to Civ. R. 65.1, the *Ex Parte* CPO remains in

19. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

THE COSTS OF THIS ACTION ARE assessed against Respondent waived.

17:20. THE COURT WILL SEAL THIS RECORD ON THE RESPONDENT'S 19TH BIRTHDAY, unless the Court determines otherwise.

18:21. RESPONDENT WILL ATTAIN 19 years of age on: _____ / _____ / _____ .

19:22. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the Order. Accordingly, the Court adopts the magistrate's granting of the Order as set forth in Civ.R. 65.1.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT, PARENTS, GUARDIAN, OR LEGAL CUSTODIAN

THE PERSONS NO PERSON PROTECTED BY THIS ORDER CANNOT CAN GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THE TERMS OF THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE HELD IN CONTEMPT OR ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.

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

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

SIGNATURE OF PETITIONER

SIGNATURE OF RESPONDENT

Address of Petitioner

Address of Respondent

Signature of Attorney for Petitioner

Signature of Attorney for Respondent

Address of Attorney for Petitioner

Address of Attorney for Respondent

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable

Order, were mailed by ordinary U.S. mail served on the parties pursuant to Civ.R. 5(B) and 65.1(C)(3), including ordinary mail, on the following date:

_____/_____/_____.

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED SERVED PURSUANT TO CIV.R. 65.1(C)(3) TO:

TO:

Petitioner Attorney for Petitioner

Petitioner's Parent 1:

Petitioner's Parent 2:

Petitioner's Guardian or Legal Custodian:

Respondent

Respondent's Parent 1:

Respondent's Parent 2:

Respondent's Guardian or Legal Custodian:

~~Police Department Where Petitioner Resides~~ Law Enforcement Agency:

~~Police Department Where Petitioner Works:~~

Sheriff's Office:

School:

~~Police Department Where School is Located:~~

CSEA:

Other:

**FORM 10.05-F: ~~WARNING CONCERNING THE ATTACHED
JUVENILE CIVIL PROTECTION ORDER OR
JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER~~**

~~NOTE: Rule 10.05 of the Rules of Superintendence for the Courts of Ohio requires this Warning to be attached to the FRONT of all civil protection orders issued by the courts of the State of Ohio. TO BE USED WITH FORMS 10.05-C TO 10.05-E.~~

~~WARNING TO RESPONDENT~~

~~Violating the attached Civil Protection Order is a crime, punishable by imprisonment or fine or both, and may result in a contempt of court citation against you.~~

~~This Protection Order is enforceable in all 50 states, the District of Columbia, tribal lands, and U.S. territories pursuant to the Violence Against Women Act, 18 U.S.C. Section 2265. Violating this Civil Protection Order may subject you to federal charges and punishment.~~

~~Only the Court may change this Order. The Petitioner cannot give you legal permission to violate this Order. If you go near the Petitioner or other protected persons, even with their permission, you may be arrested. **You act at your own risk if you disregard this WARNING.**~~

~~WARNING TO PETITIONER~~

~~You **cannot** change the terms of this Order by your words or actions. Only the Court may allow the juvenile Respondent to contact you or return to your residence. This Order **cannot** be changed by either party without obtaining a written court order.~~

~~NOTICE ABOUT FIREARMS AND DEADLY WEAPONS~~

~~As a result of this Order, it may be unlawful for you to possess or purchase a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to federal law, 18 U.S.C. 922(g)(8). If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult a lawyer.~~

~~This Order may be subject to the exceptions pursuant to 18 U.S.C. 925(a)(1) with respect **only** to the official use of government-issued firearms or ammunition for the use of any department or agency of the United States, Ohio, or its political subdivision. This exception does not apply if the Respondent has been convicted of an offense of violence, for example domestic violence, menacing by stalking, etc., against a family or household member~~

~~NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS~~

~~The attached Protection Order is enforceable in all jurisdictions. Violation of this Protection Order is a crime under R.C. 2919.27. Law enforcement officers with powers to arrest under R.C. 2935.03 for violations of the Ohio Revised Code must enforce the terms of this Protection Order as required by R.C. 2151.34, 2919.27, and 3113.31. Federal and state law prohibits charging a fee for service of this Order.~~

FORM 10.05-F is reserved for future use