

AMENDMENTS TO THE RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

As part of a multi-phase restructuring initiative, the Supreme Court of Ohio is proposing amendments to the Rules of Superintendence. These changes aim to improve the organization, clarity, and alignment of the rules with appropriate rule bodies and drafting standards. The first phase involves repealing rules that are better suited for other bodies of Supreme Court rules and these proposed amendments are now being published for public comment. The table below describes the treatment of each rule being repealed. To view proposed amendments to the Rules of Practice and Procedure, follow this [link](#).

The second phase will address reorganization and renumbering, with an effective date of July 1, 2026 for all proposed amendments.

The Supreme Court of Ohio will accept public comments and questions until October 24, 2025, 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 Keely McWhorter, Supreme Court of Ohio, 65 South Front Street, Columbus, Ohio 43215, or RuleAmendments@sc.ohio.gov. Please include your full name and mailing address in any comments submitted by email.

Key to Adopted Amendments:

1. Unaltered language appears in regular type. Example: text
2. Language that has been deleted appears in strikethrough. Example: ~~text~~
3. New language that has been added appears in underline. Example: text

Starting Line Number	Old Rule or Appendix	New Rule(s) or Appendix	Topic	Treatment
Line 3	Sup.R. 5(A)	Existing Rules: App.R. 41 Civ.R. 83 Crim.R. 57 Evid.R. 101 Juv.R. 45	Local Rules	Each set of Practice and Procedure Rules allows the court to adopt local rules.
Line 151	Sup.R. 6	N/A	Attorney or Pro Hac Vice Registration Number	Substance of rule is present in Rules for the Government of the Bar.
Line 165	Sup.R. 6.01	N/A	Appearance Pro Hac Vice	Substance of rule is present in Rules for the Government of the Bar.
Line 171	Sup.R. 7	Civ.R. 58(A)(1) Crim.R. 32(C)	Judgment Entries	Moved language to Civil and Criminal Rules identified.
Line 191	Sup.R. 10	Civ.R. 65.1 Crim.R. 38	Notifying Law Enforcement Agencies of Criminal or Civil Protection Orders	Moved language to Civil and Criminal Rules identified.
Line 248	Sup.R. 10.01	Civ.R. 65.2	Standard Civil Protection Order Forms – Domestic Relations Division	Moved language to Civil Rule identified.
Line 344	Sup.R. 10.02	Civ.R. 65.2 Crim.R. 38	Standard Domestic Violence Criminal Temporary Protection Order Forms	Moved language to Civil and Criminal Rules identified.
Line 390	Sup.R. 10.03	Civ.R. 65.2 Crim.R. 38	Standard Criminal Protection Order Forms and Standard Civil Stalking or Sexually Oriented Offense Protection Order Forms	Moved language to Civil and Criminal Rules identified.
Line 445	Sup.R. 10.04	Crim.R. 11.1	Standard Notice Concerning Possession or Purchase of a Firearm	Moved language to Criminal Rule identified.
Line 461	Sup.R. 10.05	Civ.R. 65.2	Civil Protection Order Forms- Juvenile Division	Moved language to Civil Rule identified.

Starting Line Number	Old Rule or Appendix	New Rule(s) or Appendix	Topic	Treatment
Line 506	Sup.R. 16 through 16.13	N/A	Commission on Dispute Resolution	Existing Superintendence rules will be repealed and then reestablished in a new standalone set of rules governing the Supreme Court.
Line 808	Sup.R. 16.40 through 16.43	N/A	Government Conflict Resolution Services Program	Existing Superintendence rules will be repealed and then reestablished in a new standalone set of rules governing the Supreme Court.
Line 869	Sup.R. 17	N/A	Assignment of Judges—Municipal and County Courts	Delete the rule as it relates to requirements provided in R.C. 1901.121 and 1907.142.
Line 964	Sup.R. 18	N/A	Municipal and County Court Violations Bureaus	Repeal because it is redundant to Crim.R. 4.1.
Line 992	Sup.R. 35	N/A	Case Management Section	Existing Superintendence rules will be repealed and then reestablished in a new standalone set of rules governing the Supreme Court.
Line 1034	Sup.R. 36	N/A	Designation of Trial Attorney	Repeal because it is redundant to existing local rule authority.
Lines 1040	Sup.R. 36.02 through 36.15	N/A	Commission on Specialized Dockets	Existing Superintendence rules will be repealed and then reestablished in a new standalone set of rules governing the Supreme Court.
Line 1373	Sup.R. 36.33	Civ.R. 53(C)(4) Crim.R. 19(C)(1)(i) Juv.R. 40	Magistrate Authority	Moved language to Civil and Criminal Rules identified.
Line 1390	Sup.R. 41(A)	Civ.R. 6(B) Juv.R. 18	Continuances	Moved language to Civil and Juvenile Rules identified. Modified some of the requirements.

Starting Line Number	Old Rule or Appendix	New Rule(s) or Appendix	Topic	Treatment
Line 1507	Sup.R. 50 through 65 Sup.R. 67 through 79 Sup.R. 51 Probate Forms	Civ.R. 73 through 73.9	Probate Rules & Sup.R. 51 Probate Forms	Moved language to Civil Rules identified. The forms will be transferred to the Appendix of Forms.
Line 1960	Sup.R. 57	Civ.R. 73.8	Form of Filing and Judgment Entries	Moved language to Civil Rule identified.
Line 2022	Sup.R. 58	Civ.R. 73.9	Deposit for Court Costs	Moved language to Civil Rule identified.
Line 2754	Sup.R. 95	Crim.R. 39	Notifying Law Enforcement Agencies of Mental Illness	Moved language to Criminal Rule identified.
Pgs. 65-214	Forms 10-A through 10-G Form 10.01-A through Form 10.01-T Form 10.02-A Form 10.03-A through Form 10.03-H Form 10.04-A Form 10.05-A through Form 10.05-E Form 95	Appendix of Forms	Various Forms	These forms will be transferred to the Appendix of Forms.

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

2

3 **RULE 5. Local Rules.**

4

5 **(A) ~~Adoption of local rules~~**

6

7 ~~(1) Nothing in these rules prevents a court or a division of a court from adopting any~~
8 ~~local rule of practice that promotes the use of any device or procedure to facilitate the~~
9 ~~expeditious disposition of cases. Local rules of practice shall not be inconsistent with rules~~
10 ~~promulgated by the Supreme Court.~~

11

12 ~~(2) A local rule of practice shall be adopted only after a court or division of a court~~
13 ~~provides appropriate notice and an opportunity to comment on the proposed rule. If the~~
14 ~~court or division determines that there is an immediate need for the rule, the court or~~
15 ~~division may adopt the rule without prior notice and opportunity for comment, but~~
16 ~~promptly shall afford notice and opportunity for comment.~~

17

18 **~~(B)~~ Filing of local rules upon adoption**

19

20 Upon adoption of a local rule of practice, a court or division of a court shall file the rule
21 with its clerk, the clerk of the Supreme Court, and, if the rule relates to the use of
22 information technology, the Supreme Court Commission on Technology and the Courts.

23

24 **~~(C)~~(B) Annual filing of local rules**

25

26 On or before the first day of February of each year, each court or division of a court shall
27 do one of the following:

28

29 (1) File with the clerk of the Supreme Court a complete copy of all local rules
30 of practice of the court or division in effect on the immediately preceding first day
31 of January;

32

33 (2) Certify to the clerk of the Supreme Court that there were no changes in the
34 immediately preceding calendar year to the local rules of practice of the court or
35 division.

36

37 **~~(D)~~(C) Case and jury management plans**

38

39 In addition to local rules of practice adopted pursuant to division (A)(1) of this rule and
40 any other Rule of Superintendence, each court or division of a court, as applicable, shall
41 adopt the following by local rule:

42

43 (1) A case management plan for the purposes of ensuring the readiness of cases
44 for pretrial and trial, and maintaining and improving the timely disposition of cases.
45 In addition to any other provisions necessary to satisfy the purposes of division
46 (D)(1) of this rule, the plan shall include provisions for an early case management

conference, referral to appropriate and available alternative dispute resolution programs, establishment of a binding case management schedule, and a pretrial conference in cases where the trial judge determines a conference is necessary and appropriate. A municipal or county court may establish separate provisions or exceptions from the plan for small claims, traffic, and other types of cases that the court determines would not benefit from the case management plan.

(2) A jury management plan for purposes of ensuring the efficient and effective use and management of jury resources. In addition to any other provisions necessary to satisfy the purposes of this division, the plan shall address the provisions of the Ohio Trial Court Jury Use and Management Standards adopted by the Supreme Court on August 16, 1993, and procedures for conducting a trial by jury, whether in whole or in part, remotely.

~~(E)~~(D) Technology plan

In addition to local rules of practice adopted pursuant to division (A)(1) of this rule and any other Rule of Superintendence, each court or division of a court, as applicable, shall adopt the following by local rule:

(1) A technology plan for the purposes of ensuring the efficient and effective use of technology in the delivery of services of the court or division. The plan shall include a comprehensive strategy for implementing and maintaining technology solutions for conducting remote hearings, electronic service, the acceptance of electronic signatures, and any other technology-related solution utilized by the court or division.

(2) Procedures for notifying and providing instructions to the public on how to use the technology solutions implemented by the court or division and how the solutions will comply with any accessibility accommodation requirements, including any applicable requirements of the “Americans with Disabilities Act.”

~~(F)~~(E) Reporting-to-law-enforcement-and-compliance plan

(1) In addition to local rules of practice adopted pursuant to division (A)(1) of this rule and any other Rule of Superintendence, each court or division of a court, as applicable, shall adopt by local rule a reporting-to-law-enforcement-and-compliance plan for the purpose of ensuring complete, accurate, and timely submission of information into the state’s computerized criminal history repository at the Bureau of Criminal Investigation, the Ohio Law Enforcement Automated Data System, and other law enforcement databases. The plan shall be developed with the clerk of the court or division and applicable justice system partners and do all of the following:

(a) Establish procedures and timelines for obtaining and submitting fingerprints and reporting information pursuant to the Revised Code and

Supreme Court rules, including R.C. 109.57(A)(2), 109.60(A), 2151.311, 2151.313, 2152.71(A)(2), 2923.14, 2929.44(B), 2945.402(E)(1), and 5122.311(A), Sup.R. 95(C), and Crim.R. 9(A);

(b) Establish procedures and timelines for reporting information regarding protection orders pursuant to the Revised Code and Supreme Court rules, including R.C. 2151.34, 2903.213, 2903.214, 2919.26, and 3113.31, and Sup.R. 10(A);

(c) Establish procedures and timelines for reporting information to the Bureau of Motor Vehicles, Ohio Department of Public Safety pursuant to R.C. 4510.03, 4513.37, 5502.10, and Supreme Court rules.;

(d) Establish procedures to ensure completeness and accuracy of records in accordance with the statutes and rules listed in divisions (F)(1)(a) and (b) of this rule, 18 U.S.C. 922(g), and R.C. 2923.13 in the event of an audit by the Federal Bureau of Investigation, the Bureau of Criminal Investigation, or state or local auditors.;

(e) Establish procedures and timelines for reporting sealed or expunged records into the state's computerized criminal history repository at the Bureau of Criminal Investigation, the Ohio Law Enforcement Automated Data System, and other law enforcement databases pursuant to the Revised Code, including R.C. Ch. 2151 and 2953, and R.C. 2930.171 and 3113.31.

(2) ~~The court or division of the court shall adopt the initial reporting to law enforcement and compliance plan by July 1, 2026.~~ The court or division shall update the plan at least once every three years.

Commentary (July 1, 1997)

~~This rule consolidates several former provisions relating to the adoption of local rules of court. Division (A)(1) recognizes the rule-making authority granted to local courts by Article IV, Section 5(B) of the Ohio Constitution. Division (A)(2) incorporates provisions of the rules of practice and procedure adopted by the Supreme Court that mandate notice and an opportunity to comment prior to the adoption of local rules of court. See the following rules and accompanying 1994 staff notes: Rule 83(B) of the Ohio Rules of Civil Procedure; Rule 57(A)(2) of the Ohio Rules of Criminal Procedure; Rule 45(A) of the Ohio Rules of Juvenile Procedure; and Rule 31(B) of the Ohio Rules of Appellate Procedure.~~

~~Division (B) incorporates and modifies the former requirement that a court or division file local rules upon adoption with the clerk of the Supreme Court. Division (C) contains a new requirement that each court and division annually file a complete set of its local rules with the clerk of the Supreme Court or certify that there were no changes to the local rules in the prior calendar year. Together with the requirement that local rules be filed with the Supreme Court upon adoption, this provision will ensure that the Supreme Court has a current, comprehensive set of local rules adopted by each court or division.~~

~~Division (D) retains two former requirements that courts and divisions adopt case management and jury management plans as local rules of court. While each court and division must have a case~~

management plan, the requirement of a jury management plan applies only to those courts or divisions that use juries in the hearing and disposition of cases.

Court Security Plans

The former requirement that each court adopt a security plan has been moved to Rule 9 since the plans no longer are required to be included in local rules of court.

RULE 6. Attorney or Pro Hac Vice Registration Number.

Each court shall require an attorney to include the attorney or pro hac vice registration number issued by the Supreme Court on all documents filed with the court. Each court shall use the attorney or pro hac vice registration number issued by the Supreme Court as the exclusive number or code to identify attorneys who file documents with the court.

Commentary (July 1, 1997)

This rule is analogous to former C.P. Sup. R. 9.01 relating to the use of attorney registration numbers assigned by the Supreme Court.

RULE 6.01. Appearance Pro Hac Vice.

A request by an out of state attorney for permission to appear pro hac vice in a proceeding of a court shall be governed by Rule XII of the Rules for the Government of the Bar.

RULE 7. Filing of Judgment Entries.

The judgment entry specified in Civil Rule 58 and in Criminal Rule 32 shall be filed and journalized within thirty days of the verdict, decree, or decision. If the entry is not prepared and presented by counsel, it shall be prepared and filed by the court.

Commentary

This rule implements the provisions of Civ. R. 58, which places the burden on the court to “* * * promptly cause the judgment to be prepared * * *.” The purpose of the rule is to assure the entry of judgment in a civil case is not delayed by failure of counsel to prepare and file the entry. The court need not wait thirty days before acting to make the entry.

Crim. R. 32(B) does not explicitly place the burden for preparation of the judgment entry on the court. In criminal cases, Rule 7 explicitly places the burden on the court to prepare a judgment entry when not otherwise prepared within thirty days of judgment. As in civil cases, the court need not wait thirty days before acting to journalize the judgment.

RULE 10. Notification Regarding Criminal or Civil Protection Orders.

(A) Filing of protection order notice into NCIC

Upon a court's issuance, modification, or termination of a criminal or civil *ex parte* or full hearing protection order or approval of a consent agreement civil protection order pursuant to R.C. 2151.34, 2903.213, 2903.214, 2919.26, or 3113.31 or a no contact order in accordance to 18 U.S.C. 2266(5), the court shall do both of the following:

(1) — Follow the instructions in “Form 10-B” for thorough and accurate completion of a form that is substantially similar to “Form 10-A” and to facilitate the correct entry of the order or agreement into the “National Crime Information Center” database;

(2) — Send a completed form that is substantially similar to “Form 10-A” and a copy of the order or agreement to the local law enforcement agency for entry of the order or agreement into the “National Crime Information Center Protection Order File” and to facilitate nationwide enforcement of the order or agreement.

(B) Protection order notification

(1) A judge or magistrate who, pursuant to R.C. 2919.27(D), provides notice to a respondent or defendant about the existence of a protection order issued by another court shall use a form that is substantially similar to “Form 10-D.” The form shall be returned to the clerk of court of the court that issued the protection order as soon as possible, but no later than three business days from the date the notice was provided.

(2) A court that issued a protection order shall accept a form that is substantially similar to “Form 10-D” from a judge, magistrate, or law enforcement officer who provided the respondent or defendant notice about the existence of the protection order pursuant to R.C. 2919.27(D). The court that issued the protection order shall docket and maintain the form in the protection order case file.

(C) Remote access exception

A municipal court, county court, or a court of common pleas shall not make available through remote access pursuant to Sup.R. 44 through 47 “Form 10-A”, or a form that is substantially similar to “Form 10-A”, that is likely to reveal the identity or location of a petitioner or another party to be protected or could be protected by a protection order. Direct access is permitted subject to Sup.R. 44 through 47, and any statutory restrictions.

Commentary (April 15, 2021)

Form 10-D was adopted, effective April 15, 2021, to implement R.C. 2919.27(D). Section 3 of Sub. S.B. 7 of the 132nd General Assembly states as follows:

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

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

RULE 10.01. Standard Civil Protection Order Forms—Domestic Relations Division.

(A) Distribution of packet

(1) A domestic relations division of a court of common pleas shall distribute, upon request, a forms packet for use in domestic violence civil protection order proceedings under R.C. 3113.31. The packet shall include, at a minimum, forms and instructions that are substantially similar to “Forms 10-C, 10.01-A, 10.01-C, 10.01-D, 10.01-F, and 10.01-H”.

(2) A domestic relations division of a court of common pleas shall distribute, upon request, a forms packet for use in dating violence civil protection order proceedings pursuant to R.C. 3113.31. The packet shall include, at a minimum, forms that are substantially similar to “Forms 10-C, 10.01-C, 10.01-P, and 10.01-Q.”

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

(1) In every domestic violence case in which a domestic relations division of a court of common pleas issues an ex parte or full hearing civil protection order or approves a consent agreement pursuant to R.C. 3113.31, the court shall use, as applicable, forms that are substantially similar to “Forms 10.01-H through 10.01-J” and 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.”

(2) In every dating violence case in which a domestic relations division of a court of common pleas issues an ex parte or full hearing civil protection order or approves a consent agreement pursuant to section R.C. 3113.31, 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-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.”

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

(1) In every case in which 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 R.C. 3113.31(E)(8), 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.”

(2) In every case in which 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 R.C. 3113.31(E)(8), it shall use 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.”

(E) Notice of deadly weapons surrender

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

(F) Remote access exception

A domestic relations division of a court of common pleas shall not make available through remote access pursuant to Sup.R. 44 through 47 any record of a civil protection order case that is likely to reveal the identity or location of a petitioner or another party to be protected or could be protected by a protection order.

Commentary (January 1, 1998)

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

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

The Supreme Court, in consultation with its Domestic Violence Task Force, developed forms in response to the General Assembly's request in Am.Sub.H.B. No. 335.

During its eighteen months of study, the Supreme Court's Domestic Violence Task Force determined that *pro se* victims of domestic violence often do not have access to the forms necessary to obtain a civil protection order pursuant to R.C. 3113.31. The Task Force also found that due to the variety of protection order forms used by Ohio courts, it can be difficult for law enforcement officers to recognize valid protection orders and understand the pertinent provisions of such orders. Further, the Task Force discovered that misconceptions exist in regard to the penalties for violating protection orders. The Court developed this rule to address these concerns.

RULE 10.02. Standard Domestic Violence Criminal Temporary Protection Order Forms.

(A) Distribution of packet

A court that has jurisdiction to issue a temporary protection order pursuant to R.C. 2919.26 shall distribute upon request a forms packet for use in domestic violence temporary protection order proceedings. The packet shall include, at a minimum, forms that are substantially similar to "Forms 10-C, 10.01-A, and 10.02-A."

(B) Temporary protection order form and protection order warning

In every case in which a court issues an ex parte or full hearing temporary protection order pursuant to R.C. 2919.26, it shall use a form that is substantially similar to "Form 10.02-A" and 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."

(C) Notice of deadly weapons surrender

In every case in which a court orders the respondent to surrender deadly weapons, including firearms and ammunition, into the protective custody of law enforcement, it shall enter into the docket a form that is substantially similar to "Form 10-F."

(D) Post-conviction no contact order

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

Commentary (January 1, 1998)

During its eighteen months of study, the Supreme Court's Domestic Violence Task Force determined that due to the variety of protection order forms used by Ohio courts, it can be difficult for law enforcement

officers to recognize valid protection orders and understand the pertinent provisions of such orders. The Task Force also discovered that misconceptions exist in regard to the penalties for violating protection orders. Upon recommendation of the Task Force, the Court developed this rule and Forms 10.02-A and 10-C to address these concerns.

RULE 10.03. ~~Standard Criminal Protection Order Forms, and Standard Civil Stalking Protection Order or Civil Sexually Oriented Offense Protection Order Forms.~~

(A) ~~Distribution of packet for civil stalking protection order or civil sexually oriented offense protection order proceedings~~

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

(B) ~~Civil stalking protection order or civil sexually oriented offense protection order form and protection order warning~~

~~In every case in which a court of common pleas issues an ex parte or full hearing civil stalking protection order or a civil sexually oriented offense protection order pursuant to R.C. 2903.214, it shall use the applicable form that is substantially similar to “Form 10.03-E or 10.03-F” and 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.”~~

(C) ~~Criminal protection order form and protection order warning~~

~~In every case in which a court issues an ex parte or full hearing criminal protection order pursuant to R.C. 2903.213, it shall use a form that is substantially similar to “Form 10.03-B” and 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.”~~

(D) ~~Notice of deadly weapons surrender~~

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

(E) ~~Post-conviction no contact order~~

~~In every case in which a sentencing court imposes community control sanctions that prohibit contact as part of a sentence for a misdemeanor or felony offense for the purpose~~

of preventing violent or threatening acts or harassment against, sexual violence, or contact or communication with or physical proximity to a victim, regardless of the family or household member relationship to the Defendant, it shall use a form that is substantially similar to “Form 10-G” and send to the local law enforcement agency a completed form that is substantially similar to “Form 10-A” and a copy of the order for entry in of the order into the “National Crime Information Center Protection Order File.”

(F) Remote access exception

A court of common pleas shall not make available through remote access pursuant to Sup.R. 44 through 47 any record of a civil protection order case that is likely to reveal the identity or location of a petitioner or another party to be protected or could be protected by a protection order.

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

(A) Requirement

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

(B) Form

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

RULE 10.05. Standard Civil Protection Order Forms – Juvenile Division.

(A) Distribution of packet

A juvenile division of a court of common pleas that has jurisdiction to issue a civil protection order against a minor pursuant to R.C. 2151.34 and 3113.31 shall distribute, upon request, a forms packet for use in juvenile civil protection order proceedings against a juvenile respondent pursuant to R.C. 2151.34 and 3113.31. The packet shall include, at a minimum, forms that are substantially similar to “Forms 10-C, 10.05-A, and 10.05-B.”

(B) Civil protection order form and protection order warning

In every case in which a juvenile division of a court of common pleas issues an ex parte or full hearing civil protection order against a minor pursuant to R.C. 2151.34, it shall use the applicable form that is substantially similar to “Form 10.05-C or 10.05-D” and 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.”

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

In every case in which a juvenile division of a court of common pleas issues an ex parte or full hearing domestic violence civil protection order against a minor pursuant to R.C. 3113.31, it shall use the applicable form that is substantially similar to “Form 10.05-C or 10.05-E” and 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.”

(D) Wireless service transfer order

In every case in which a juvenile 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.”

(E) Remote access exception

A juvenile division of a court of common pleas shall not make available through remote access pursuant to Sup.R. 44 through 47 any record of a civil protection order case that is likely to reveal the identity or location of a petitioner or another party to be protected or could be protected by a protection order.

RULE 16. Creation of Commission on Dispute Resolution.

There is hereby created by the Supreme Court the Commission on Dispute Resolution.

RULE 16.01. Duties and Authority.

(A) Duties

(1) The Commission on Dispute Resolution shall advise the Supreme Court and its staff on all of the following:

(a) The promotion of statewide rules and uniform standards concerning the use of dispute resolution in Ohio courts;

(b) ~~The development and delivery of dispute resolution education and professional development activities for judges, magistrates, court personnel, attorneys, and court-affiliated dispute resolution professionals;~~

(c) ~~The development and delivery of dispute resolution services for disputes arising among state, county, and local public officials throughout Ohio;~~

(d) ~~The consideration of any other issues the commission deems necessary to assist the Supreme Court and its staff regarding the development and delivery of dispute resolution programs and services.~~

(2) ~~The Commission on Dispute Resolution shall operate the Government Conflict Resolution Services Program pursuant to Sup. R. 16.40 through 16.43.~~

(B) Authority

~~The commission shall have no independent policy-setting authority.~~

RULE 16.02. Membership.

(A) Appointments

~~The Commission on Dispute Resolution shall consist of the following twenty-one members appointed by the Chief Justice and Justices of the Supreme Court:~~

(1) ~~Three members who shall be sitting or retired judges;~~

(2) ~~One member who shall be a judge of a court of appeals nominated by the Chief Justice of the Court of Appeals;~~

(3) ~~One member who shall be a judge of a court of common pleas with general jurisdiction nominated by the President of the Ohio Common Pleas Judges Association;~~

(4) ~~One member who shall be a judge of a court of common pleas with probate jurisdiction nominated by the President of the Ohio Association of Probate Judges;~~

(5) ~~One member who shall be a judge of a court of common pleas with juvenile jurisdiction nominated by the President of the Ohio Association of Juvenile Court Judges;~~

(6) ~~One member who shall be a judge of a court of common pleas with domestic relations jurisdiction nominated by the President of the Ohio Association of Domestic Relations Judges;~~

- (7) ~~One member who shall be a judge of a municipal or county court nominated by the President of the Association of Municipal and County Court Judges of Ohio;~~
- (8) ~~Two members, each of whom shall be a full time magistrate with an Ohio court, nominated by the President of the Ohio Association of Magistrates;~~
- (9) ~~One member nominated by the Superintendent of Public Instruction;~~
- (10) ~~Two members nominated by the President of the County Commissioners' Association of Ohio;~~
- (11) ~~Two members, neither of whom shall be a judge or county commissioner, nominated by the President of the Ohio Council of County Officials;~~
- (12) ~~Two members nominated by the President of the Ohio Municipal League;~~
- (13) ~~One member nominated by the President of the Ohio State Bar Association;~~
- (14) ~~One member nominated by the President of the Ohio Mediation Association;~~
- (15) ~~One at-large member.~~

(B) Nominations

~~The Administrative Director of the Supreme Court shall solicit a minimum of two nominees from each individual responsible for nominating a member of the commission pursuant to divisions (A)(2) through (14) of this rule.~~

(C) Qualifications

~~Each commission member shall have an appreciation for the importance of the use of dispute resolution to resolve disputes, which may include education or experience in dispute resolution.~~

(D) Composition

~~Commission membership should be broad based and multidisciplinary to represent a cross section of interests related to dispute resolution and reflect the gender, racial, ethnic, and geographic diversity of the state.~~

RULE 16.03. Terms and Vacancies.

(A) Initial terms

Initial terms for members of the Commission on Dispute Resolution shall be as follows:

(1) ~~One of the members who is a sitting or retired judge, the member who is a judge of a court of common pleas with general jurisdiction nominated by the President of the Ohio Common Pleas Judges Association, the member who is a judge of a court of common pleas with juvenile jurisdiction nominated by the President of the Ohio Association of Juvenile Court Judges, the member who is a judge of a municipal or county court nominated by the President of the Association of Municipal and County Court Judges of Ohio, one of the members nominated by the President of the County Commissioners' Association of Ohio, one of the members nominated by the President of the Ohio Municipal League, and the member nominated by the President of the Ohio Mediation Association shall be appointed to a term that ends on December 31, 2012;~~

(2) ~~One of the members who is a sitting or retired judge, the member who is a judge of a court of common pleas with probate jurisdiction nominated by the President of the Ohio Association of Probate Judges, the member who is a judge of a court of common pleas with domestic relations jurisdiction nominated by the President of the Ohio Association of Domestic Relations Judges, one of the members who is a full time magistrate with an Ohio court nominated by the President of the Ohio Association of Magistrates, the member nominated by the Superintendent of Public Instruction, one of the members nominated by the President of the County Commissioners' Association of Ohio, one of the members nominated by the President of the Ohio Council of County Officials, and the member nominated by the President of the Ohio State Bar Association shall be appointed to a term that ends on December 31, 2013;~~

(3) ~~One of the members who is a sitting judge, the member who is a judge of a court of appeals nominated by the Chief Justice of the Court of Appeals, one of the members who is a full time magistrate with an Ohio court nominated by the President of the Ohio Association of Magistrates, one of the members nominated by the president of the Ohio Council of County Officials, one of the members nominated by the President of the Ohio Municipal League, and the at large member shall be appointed to a term that ends on December 31, 2014.~~

(B) Subsequent terms and reappointment

Except as provided in division (A) of this rule, the term of a commission member shall be for three years. A commission member shall be eligible for reappointment, but shall not serve more than three consecutive full terms. A commission member shall be eligible for reappointment after serving three consecutive full terms, but only upon at least a one year

break in service. ~~Abbreviated initial terms and appointments to fill a vacancy shall not constitute a full term.~~

(C) Judge, magistrate, and attorney vacancies

(1) ~~If a commission member who is a judge involuntarily leaves office by reason other than Article IV, Section 6(C) of the Ohio Constitution, the member shall be disqualified and a vacancy shall occur.~~

(2) ~~If a commission member who is a magistrate ceases to serve as a full-time magistrate with an Ohio court, the member shall be disqualified and a vacancy shall occur.~~

(3) ~~If a commission member who is an attorney no longer practices in Ohio, the member shall be disqualified and a vacancy shall occur.~~

(D) Filling of vacancies

~~Vacancies on the commission shall be filled in the same manner as original appointments. A commission member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold the position for the remainder of that term.~~

~~RULE 16.04. Chairperson and Vice-Chairperson.~~

~~The members of the Commission on Dispute Resolution shall elect one member as chairperson and one member as vice chairperson. The chairperson and vice chairperson shall serve for two years and may be reelected to a second two-year term. A commission member shall not serve as chairperson or vice chairperson for more than two consecutive full terms, provided elections to fill a vacancy in the position of chairperson or vice chairperson shall not constitute a full term.~~

~~RULE 16.05. Secretary.~~

~~The Administrative Director of the Supreme Court shall assign a Supreme Court employee to serve as secretary to the Commission on Dispute Resolution. The commission secretary shall assist the commission as necessary, but shall at all times be considered a Supreme Court employee.~~

~~RULE 16.06. Meetings.~~

(A) Manner

~~The Commission on Dispute Resolution may meet in person or by telephonic or other electronic means available to the Supreme Court.~~

(B) Frequency

~~The commission shall meet as often as required to complete its work, provided the commission shall meet a minimum of two times per year. The commission may meet at the call of the chairperson or at the request of a majority of the commission members.~~

(C) Scheduling

~~All commission meetings shall be scheduled for a time and place so as to minimize costs to the Supreme Court and to be accessible to commission members, Supreme Court staff, and the public.~~

(D) Public attendance and notice

~~All commission meetings shall be open to the public. Public notice of all commission meetings shall be provided on the Supreme Court's website.~~

(E) Member attendance

~~For a fully effective commission, a commission member shall make a good faith effort to attend each commission meeting. The commission secretary shall notify the Chief Justice and the Administrative Director of the Supreme Court if a commission member misses three meetings of the commission within a twelve month period. Upon such notice, the Administrative Director shall inform the Justices of the Supreme Court in order that the Justices may consider the replacement of the member.~~

(F) Minutes

~~Minutes shall be kept at every commission meeting and distributed to the commission members for review prior to and approval at the next meeting.~~

(G) Quorum

~~There shall be a quorum of the commission present when a majority of commission members is present for the meeting, including those members participating by telephonic or other electronic means.~~

(H) Actions

~~At any commission meeting at which a quorum is present, the commission members may take action by affirmative vote of a majority of the members in attendance.~~

RULE 16.07. Subcommittees.

(A) Creation

~~The Commission on Dispute Resolution may form such subcommittees it believes necessary to complete the work of the commission. A subcommittee should consist of select commission members and such other persons who the chairperson believes will assist in a full exploration of the issue under the review of the subcommittee.~~

(B) Size

~~A subcommittee should remain relatively small in size, not exceeding eight to twelve members, and have a ratio of commission members to non-commission members not exceeding one to three.~~

(C) Application of rules

~~Sup.R. 16.05, 16.06(A) through (D), (G), and (H), 16.08, and 16.10 through 16.13 shall also apply to the work of a subcommittee.~~

RULE 16.08. Code of Ethics.

~~Members of the Commission on Dispute Resolution shall comply with the Supreme Court's "Code of Ethics for Court Appointees." The commission secretary shall provide each commission member with a copy of the code following the member's appointment to the commission and thereafter at the first meeting each year of the commission.~~

RULE 16.09. Annual Report.

~~By January 31st of each year, the chairperson of the Commission on Dispute Resolution shall issue a report to the Chief Justice and Justices of the Supreme Court detailing the activities and accomplishments of the commission during the previous calendar year. The chairperson shall submit the report to the Administrative Director of the Supreme Court for publication on the Supreme Court's website and distribution to the Chief Justice and Justices.~~

RULE 16.10. Work Product.

~~The work product of the Commission on Dispute Resolution shall be the property of the Supreme Court.~~

RULE 16.11. Budget.

~~The budget of the Commission on Dispute Resolution shall be set by the Supreme Court through its internal budget process and as implemented by the Supreme Court Dispute Resolution Section. The commission shall have no authority to set its own budget.~~

RULE 16.12. Compensation.

~~A member of the Commission on Dispute Resolution shall serve without compensation.~~

RULE 16.13. Reimbursement of Expenses.

~~A member of the Commission on Dispute Resolution shall be reimbursed for expenses incurred in service to the commission as permitted by the Supreme Court's "Guidelines for Travel by Court Appointees."~~

RULE 16.40. Government Conflict Resolution Services Program.

(A) Creation

~~There is hereby established the Government Conflict Resolution Services Program. The program shall assist local and county public officials in resolving and preventing conflicts concerning administrative matters, including but not limited to the following:~~

- ~~(1) Fiscal and budget issues;~~
- ~~(2) Operations management issues;~~
- ~~(3) Facilities maintenance issues;~~
- ~~(4) Other organizational issues.~~

(B) Services

~~The Government Conflict Resolution Services Program shall provide mediation, facilitation, and neutral evaluation at no cost.~~

(C) Uniform Mediation Act

~~Mediation conducted by the Government Conflict Resolution Services Program shall be governed by Chapter 2710 of the Revised Code.~~

~~RULE 16.41. Privilege.~~

~~(A) General and exception~~

~~Except as provided in R.C. 2710.05, mediation communications in connection with the Government Conflict Resolution Services Program are privileged pursuant to R.C. 2710.03.~~

~~(B) Waiver~~

~~Mediation communications in connection with the Government Conflict Resolution Services Program may be waived pursuant to R.C. 2710.04.~~

~~RULE 16.42. Confidentiality.~~

~~(A) General~~

~~Mediation communications in connection with the Government Conflict Resolution Services Program are confidential pursuant to R.C. 2710.07. No one shall disclose such communications unless all mediation parties and the mediator consent to disclosure in writing or on the record in open court.~~

~~(B) Exceptions to confidentiality~~

~~Mediation parties may share mediation communications with their attorneys.~~

~~RULE 16.43. Public Access to Information.~~

~~Information collected from or generated by participating parties in connection with the Government Conflict Resolution Services Program shall not be available for public access pursuant to Sup.R. 44 through 47.~~

~~RULE 17. Assignment of Judges—Municipal and County Courts.~~

~~(A) Definitions~~

~~As used in this rule:~~

~~(1) “Retired judge” means a person who left service on the applicable court either voluntarily by reason of resignation or retirement or involuntarily by reason of Article IV, Section 6(C) of the Ohio Constitution. “Retired judge” does not include either of the following:~~

(a) ~~A person who was removed or suspended without reinstatement from service on any court of the state pursuant to the Rules for the Government of the Judiciary or resigned or retired from service on any court of the state while a complaint was pending against the person under those rules;~~

(b) ~~A person who is engaged in the practice of law.~~

(2) ~~“Sitting judge” means a person who currently holds judicial office by reason of election or gubernatorial appointment.~~

(B) Assignment

~~The Chief Justice or acting Chief Justice of the Supreme Court may assign any of the following persons who consent to temporarily serve as a judge on any municipal or county court:~~

(1) ~~A sitting judge of a municipal or county court;~~

(2) ~~A retired judge of a municipal or county court, provided the judge was not defeated in the judge’s final election for new or continued service on a municipal or county court;~~

(3) ~~A sitting judge of a court of common pleas or court of appeals who formerly served as a judge of a municipal or county court, provided the judge was not defeated in the judge’s final election for new or continued service on a municipal or county court;~~

(4) ~~A retired judge of a court of common pleas or court of appeals who formerly served as a judge of a municipal or county court, provided the judge was not defeated in the judge’s final election for new or continued service on a municipal or county court;~~

(5) ~~A sitting judge of a court of common pleas who has not formerly served as a judge of a municipal or county court, but has completed an educational program established by the Supreme Court of Ohio Judicial College;~~

(6) ~~A retired judge of a court of common pleas who has not formerly served as a judge of a municipal or county court, but has completed an educational program established by the Judicial College.~~

(C) Compensation

~~While serving on assignment pursuant to this rule, an assigned judge shall receive per diem compensation as provided in R.C. 1901.122(B) and 1907.142(B). Payment and~~

reimbursement of the per diem compensation shall be as provided in R.C. 1901.123 and 1907.143.

(D) Expenses

While serving on assignment pursuant to this rule, an assigned judge shall receive actual and necessary expenses for each day assigned. Expenses shall be paid from the municipal treasury or, in the case of a county operated municipal court or a county court, from the county treasury.

(E) Construction

This rule shall not be construed to limit affidavits of disqualification pursuant to R.C. 2701.031 or the assignment of acting judges pursuant to R.C. 1901.121 or 1907.142.

(F) Waiver

The Chief Justice may waive compliance with any requirement of this rule to assist the exercise of the Chief Justice's discretion in making temporary assignments of judges pursuant to the Ohio Constitution and the Revised Code.

Commentary

Assignment of sitting and retired municipal and county court judges

The assignment and compensation of all other sitting and retired judges is addressed in the Ohio Constitution, the Revised Code, and the Guidelines for the Assignment of Judges.

Compensation

The language "actual and necessary expenses" in division (C) of this rule does not appear in the Constitution, but reflects *State, ex rel. Winn v. Galvin* (1974), 39 Ohio St.2d 58, which held actual and necessary expenses are a part of the established compensation of a visiting judge as specified in Article IV, Section 6(C) of the Ohio Constitution. While *Winn* concerned common pleas judges, *State, ex rel. Graves v. Brown* (1969), 18 Ohio St.2d 61 held Article IV, Section 6(C) of the Ohio Constitution also applies to municipal court judges.

RULE 18. Minor Misdemeanors: Violations Bureau--Municipal and County Courts.

Each municipal and county court shall establish a violations bureau for minor misdemeanors utilizing the citation system and procedure set forth in Criminal Rule 4.1.

Commentary (July 1, 1997)

Only nonsubstantive changes were made to former M.C. Sup. R. 11 in the 1997 amendments to this rule.

~~A minor misdemeanor is any offense specifically classified as such or any unclassified offense for which the only penalty is a fine not exceeding one hundred dollars. R.C. 2901.02.~~

~~Crim. R. 4.1 provides that a court may establish a violations bureau for all or particular minor misdemeanors. Thus, each court, by local rule, must specify that all or particular minor misdemeanors are to be processed by violations bureau.~~

~~Crim. R. 4.1 specifies the form of citation to be used and that the citation “* * * shall inform the defendant that, in lieu of appearing at the time and place stated, he may, within that stated time, appear personally at the office of the clerk of court and upon signing a plea of guilty and a waiver of trial pay a stated fine and stated costs, if any.”~~

~~Crim. R. 4.1(E) requires the court to establish a fine schedule listing the fines and court costs for each minor misdemeanor. The fine schedule is to be prominently posted at the place violation fines are paid.~~

~~RULE 35. Case Management Section.~~

~~There shall be a Case Management Section of the Supreme Court. The Case Management Section shall have the authority and responsibility to do all of the following:~~

~~(A) Receive, analyze, maintain, audit, and publish, at the direction of the Chief Justice of the Supreme Court, statistical data from the courts of Ohio, including an annual compilation of the reports required by Sup. R. 37;~~

~~(B) Assist and train judges, court administrators, clerks, and other court personnel in performing the reporting functions required by these rules;~~

~~(C) Monitor statistical reporting by conducting audits of the various courts in accordance with statistical auditing standards and procedures;~~

~~(D) Review audit results with judges and court personnel;~~

~~(E) Prepare and provide an implementation manual that contains commentary and explanatory material pertaining to these rules and the report forms required by these rules;~~

~~(F) Make ongoing recommendations regarding both of the following:~~

~~(1) Amendments to the Rules of Superintendence in order that the rules remain current with changes in the law;~~

~~(2) Auditing standards and procedures so that the Case Management Section can effectively accomplish its stated objectives.~~

~~Commentary (July 1, 1997)~~

~~The purpose of creating the Case Management Section is to provide the administrative staff, structure, and procedure to implement the goals set forth in the Preface to these rules. In addition, the~~

~~Case Management Section assists the administrative judges in resolving docket problems within their courts that the administrative judge has been unable to resolve at the local level.~~

~~The intent of conducting audits is to ensure uniform, accurate, and timely reporting of statistical information by all courts. One of the primary responsibilities of the Case Management Section is to provide continuing education and in-depth training for judges and court personnel in the proper preparation of statistical reports.~~

~~RULE 36. Designation of Trial Attorney.~~

~~A court may require by local rule that the trial attorney individually responsible for trying a case be designated as trial attorney in the pleadings or by separate notice or entry.~~

~~RULE 36.02. Creation of Commission on Specialized Dockets.~~

~~There is hereby created by the Supreme Court the Commission on Specialized Dockets.~~

~~RULE 36.03. Duties and Authority.~~

~~(A) Duties~~

~~The Commission on Specialized Dockets shall advise the Supreme Court and its staff on all of the following:~~

~~(1) The promotion of statewide rules and uniform standards concerning specialized dockets in Ohio courts;~~

~~(2) The development and delivery of specialized docket services to Ohio courts, including training programs for judges and court personnel;~~

~~(3) The consideration of any other issues the commission deems necessary to assist the Supreme Court and its staff regarding specialized dockets in Ohio courts.~~

~~(B) Authority~~

~~The commission shall have no independent policy setting authority.~~

~~RULE 36.04. Membership.~~

~~(A) Appointments~~

~~The Commission on Specialized Dockets shall consist of the following twenty-two members appointed by the Chief Justice and Justices of the Supreme Court:~~

(1) One member who shall be a judge of a court of common pleas assigned to a juvenile drug docket of the court nominated by the President of the Ohio Association of Juvenile Court Judges;

(2) One member who shall be a judge of a court of common pleas assigned to a juvenile family dependency treatment docket of the court nominated by the President of the Ohio Association of Juvenile Court Judges;

(3) One member who shall be a judge of a court of common pleas assigned to a juvenile mental health docket of the court nominated by the President of the Ohio Association of Juvenile Court Judges;

(4) One member who shall be a judge of a court of common pleas assigned to a juvenile specialized docket of the court nominated by the President of the Ohio Association of Juvenile Court Judges;

(5) One member who shall be a judge of a court of common pleas assigned to a drug docket of the court nominated by the President of the Ohio Common Pleas Judges Association;

(6) One member who shall be a judge of a court of common pleas assigned to a mental health docket of the court nominated by the President of the Ohio Common Pleas Judges Association;

(7) Two members, each of whom shall be a judge of a court of common pleas assigned to a specialized docket of the court, nominated by the President of the Ohio Common Pleas Judges Association;

(8) One member who shall be a judge of a municipal court assigned to a drug docket of the court nominated by the President of the Association of Municipal and County Judges of Ohio;

(9) One member who shall be a judge of a municipal court assigned to a mental health docket of the court nominated by the President of the Association of Municipal and County Judges of Ohio;

(10) Three members, each of whom shall be a judge of a municipal court assigned to a specialized docket of the court, nominated by the President of the Association of Municipal and County Judges of Ohio;

(11) One member who shall be a magistrate of a court of common pleas assigned to a juvenile specialized docket of the court nominated by the President of the Ohio Association of Magistrates;

~~(12) One member who shall be a magistrate of a court of common pleas assigned to a family dependency treatment docket of the court nominated by the President of the Ohio Association of Magistrates;~~

~~(13) One member who shall be a prosecutor nominated by the Executive Director of the Ohio Prosecuting Attorneys Association or the President of the Ohio Municipal Prosecuting Attorneys Association;~~

~~(14) One member who shall be a public defender nominated by the Director of the Ohio Public Defender Office;~~

~~(15) One member who shall be an adult probation officer nominated by the President of the Ohio Chief Probation Officers Association;~~

~~(16) One member who shall be a juvenile probation officer nominated by the President of the Ohio Chief Probation Officers Association;~~

~~(17) One program coordinator;~~

~~(18) Two at-large members.~~

(B) Nominations

~~The Administrative Director of the Supreme Court shall solicit a minimum of two nominees from each individual responsible for nominating a member of the commission pursuant to division (A) of this rule.~~

(C) Qualifications

~~Each commission member shall be a member of a treatment team established pursuant to Standard 1(B) of Appendix I to this rule.~~

(D) Composition

Commission membership should be broad based and multidisciplinary to represent a cross section of interests related to specialized dockets and reflect the gender, racial, ethnic, and geographic diversity of the state.

RULE 36.05. Terms and Vacancies.

(A) Initial terms

Initial terms for members of the Commission on Specialized Dockets shall be as follows:

(1) ~~The member who is a judge of a court of common pleas assigned to a juvenile drug docket of the court nominated by the President of the Ohio Association of Juvenile Court Judges; the member who is a judge of a court of common pleas assigned to a juvenile specialized docket of the court nominated by the President of the Ohio Association of Juvenile Court Judges; one of the members who is a judge of a court of common pleas assigned to a specialized docket of the court nominated by the President of the Ohio Common Pleas Judges Association; the member who is a judge of a municipal court assigned to a mental health docket of the court nominated by the President of the Association of Municipal and County Judges of Ohio; one of the members who is a judge of a municipal court assigned to a specialized docket of the court nominated by the President of the Association of Municipal and County Judges of Ohio; the member who is a prosecutor nominated by the Executive Director of the Ohio Prosecuting Attorneys Association or the President of the Ohio Municipal Prosecuting Attorneys Association; the member who is a juvenile probation officer nominated by the President of the Ohio Chief Probation Officers Association; and one of the at-large members shall be appointed to a term that ends on December 31, 2013;~~

(2) ~~The member who is a judge of a court of common pleas assigned to a juvenile family dependency treatment docket of the court nominated by the President of the Ohio Association of Juvenile Court Judges; the member who is a judge of a court of common pleas assigned to a drug docket of the court nominated by the President of the Ohio Common Pleas Judges Association; one of the members who is a judge of a court of common pleas assigned to a specialized docket of the court nominated by the President of the Ohio Common Pleas Judges Association; one of the members who is a judge of a municipal court assigned to a specialized docket of the court nominated by the President of the Association of Municipal and County Judges of Ohio; the member who is a magistrate of a court of common pleas assigned to a juvenile specialized docket of the court nominated by the President of the Ohio Association of Magistrates; the member who is a public defender nominated by the Director of the Ohio Public Defender Commission; and the program coordinator shall be appointed to a term that ends on December 31, 2014;~~

(3) ~~The member who is a judge of a court of common pleas assigned to a juvenile mental health docket of the court nominated by the President of the Ohio Association of Juvenile Court Judges; the member who is a judge of a court of common pleas assigned to a mental health docket of the court nominated by the President of the Ohio Common Pleas Judges Association; the member who is a judge of a municipal court assigned to a drug docket of the court nominated by the President of the Association of Municipal and County Judges of Ohio; one of the members who is a judge of a municipal court assigned to a specialized docket of the court nominated by the President of the Association of Municipal and County Judges of Ohio; the member who is a magistrate of a court of common pleas assigned to a family dependency treatment docket of the court nominated by the President of the Ohio Association of Magistrates; the member who is an adult probation officer nominated by the President of the Ohio Chief Probation Officers Association; and one of the at large members shall be appointed to a term that ends on December 31, 2015.~~

(B) Subsequent terms and reappointment

~~Except as provided in division (A) of this rule, the term of a commission member shall be for three years. A commission member shall be eligible for reappointment, but shall not serve more than three consecutive full terms. A commission member shall be eligible for reappointment after serving three consecutive full terms, but only upon at least a one year break in service. Abbreviated initial terms and appointments to fill a vacancy shall not constitute a full term.~~

(C) Judge, magistrate, and attorney vacancies

(1) ~~If a commission member who is a judge involuntarily leaves office by reason other than Article IV, Section 6(C) of the Ohio Constitution, the member shall be disqualified and a vacancy shall occur.~~

(2) ~~If a commission member who is a magistrate ceases to serve as a magistrate with an Ohio court, the member shall be disqualified and a vacancy shall occur.~~

(3) ~~If a commission member who is an attorney no longer practices in Ohio, the member shall be disqualified and a vacancy shall occur.~~

(D) Filling of vacancies

~~Vacancies on the commission shall be filled in the same manner as original appointments. A commission member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold the position for the remainder of that term.~~

RULE 36.06. Chairperson and Vice-Chairperson.

~~The members of the Commission on Specialized Dockets shall elect one member as chairperson and one member as vice chairperson. The chairperson and vice chairperson shall serve for two years and may be reelected to a second two-year term. The chairperson and vice chairperson shall not serve in that position for more than two consecutive full terms, provided elections to fill a vacancy in the position of chairperson or vice chairperson shall not constitute a full term.~~

RULE 36.07. Staff Support.

~~The Administrative Director of the Supreme Court shall assign to the Commission on Specialized Dockets one or more Supreme Court employees as may be necessary for the commission's work. The Supreme Court employee shall assist the commission as necessary, but shall at all times be considered an employee of the Supreme Court.~~

RULE 36.08. Meetings.

(A) Manner

~~The Commission on Specialized Dockets may meet in person or by telephonic or other electronic means available to the Supreme Court.~~

(B) Frequency

~~The commission shall meet as often as required to complete its work, provided the commission shall meet in person a minimum of two times per year. The commission may meet at the call of the chairperson or at the request of a majority of the commission members.~~

(C) Scheduling

~~All commission meetings shall be scheduled for a time and place so as to minimize costs to the Supreme Court and to be accessible to commission members, Supreme Court staff, and the public.~~

(D) Public attendance and notice

~~All commission meetings shall be open to the public. Public notice of all commission meetings shall be provided on the Supreme Court's website.~~

(E) Member attendance

~~(1) For a fully effective commission, a commission member shall make a good faith effort to attend, in person, by telephone, or by other electronic means, each commission~~

meeting. The Supreme Court employee who staffs the commission shall notify the Chief Justice and the Administrative Director of the Supreme Court if a commission member misses three meetings of the commission within a twelve month period. Upon such notice, the Administrative Director shall inform the Justices of the Supreme Court in order that the Justices may consider the replacement of the member.

(2) A commission member may not designate a replacement for participation in meetings.

(F) Minutes

Minutes shall be kept at every commission meeting and distributed to the commission members for review prior to and approval at the next meeting.

(G) Quorum

There shall be a quorum of the commission present when a majority of commission members is present for the meeting, including those members participating by telephonic or other electronic means.

(H) Actions

At any commission meeting at which a quorum is present, the commission members may take action by affirmative vote of a majority of the members in attendance.

RULE 36.09. Subcommittees.

(A) Creation

The Commission on Specialized Dockets may form such subcommittees it believes necessary to complete the work of the commission. A subcommittee should consist of select commission members and such other persons who the chairperson believes will assist in a full exploration of the issue under the review of the subcommittee.

(B) Size

A subcommittee should remain relatively small in size, not exceeding eight to twelve members, and have a ratio of commission members to non commission members not exceeding one to three.

(C) Application of rules

Sup.R. 36.07, 36.08(A) through (D), (G), and (H), 36.10, and 36.12 through 36.15 shall also apply to the work of a subcommittee.

RULE 36.10. Code of Ethics.

~~Members of the Commission on Specialized Dockets shall comply with the requirements of the Supreme Court's *Code of Ethics for Court Appointees*. The Supreme Court employee who staffs the commission shall provide each commission member with a copy of the code following the member's appointment to the commission and thereafter at the first meeting each year of the commission.~~

RULE 36.11. Annual Report.

~~By January 31st of each year, the chairperson of the Commission on Specialized Dockets shall issue a report to the Chief Justice and Justices of the Supreme Court detailing the activities and accomplishments of the commission during the previous calendar year. The chairperson shall submit the report to the Administrative Director of the Supreme Court for publication on the Supreme Court's website and distribution to the Chief Justice and Justices.~~

RULE 36.12. Work Product.

~~The work product of the Commission on Specialized Dockets shall be the property of the Supreme Court.~~

RULE 36.13. Budget.

~~The budget of the Commission on Specialized Dockets shall be set by the Supreme Court through its internal budget process and as implemented by the Supreme Court Specialized Dockets Section. The commission shall have no authority to set its own budget.~~

RULE 36.14. Compensation.

~~A member of the Commission on Specialized Dockets shall serve without compensation.~~

RULE 36.15. Reimbursement of Expenses.

~~A member of the Commission on Specialized Dockets shall be reimbursed for expenses incurred in service to the commission as permitted by the Supreme Court's *Guidelines for Travel by Court Appointees*.~~

RULE 36.33. Magistrate Authority.

~~During the temporary absence or disability of the judge of a specialized docket in the general, probate, or domestic relations division of a court of common pleas; a municipal court; a county court; or a division of the court due to the vacation, illness, leave of absence, or unavailability due to judicial obligations of the judge, the following shall apply:~~

~~(A) A magistrate of the court or division may conduct treatment team meetings and status review hearings for the specialized docket;~~

~~(B) The magistrate shall act in accordance with the authority and limitations granted by this rule and the "Specialized Dockets Standards," as set forth in Appendix I to this rule;~~

~~(C) The magistrate shall have the same authority granted to the judge in conducting the proceedings of the specialized docket, excluding the imposition of jail.~~

RULE 41. Conflict of Trial Court Assignment Dates, Continuances and Engaged Counsel.

~~(A) Continuances; granting of. The continuance of a scheduled trial or hearing is a matter within the sound discretion of the trial court for good cause shown.~~

~~No party shall be granted a continuance of a trial or hearing without a written motion from the party or counsel stating the reason for the continuance, endorsed in writing by the party as well as counsel, provided that the trial judge may waive this requirement upon a showing of good cause. No court shall grant a continuance to any party at any time without first setting a definite date for the trial or hearing.~~

~~When a continuance is requested by reason of the unavailability of a witness at the time scheduled for trial or hearing, the court shall consider the feasibility of resorting to the several methods of recording testimony permitted by Civil Rule 30(B) and authorized for use by Civil Rule 32(A)(3).~~

(B) Conflict of Trial Date Assignments

(1) When a continuance is requested for the reasons that counsel is scheduled to appear in another case assigned for trial on the same date in the same or another trial court of this state, the case which was first set for trial shall have priority and shall be tried on the date assigned. Criminal cases assigned for trial have priority over civil cases assigned for trial. The court should not consider any motion for a continuance due to a conflict of trial assignment dates unless a copy of the conflicting assignment is attached to the motion and the motion is filed not less than thirty days prior to trial.

(2) Except as provided in division ~~(B)(3)~~ (A)(3) of this rule, a continuance shall be granted, upon request, under either of the following circumstances:

(a) A party, counsel, or witness under subpoena is scheduled to appear on the same date at a hearing before the Board of Professional Conduct of the Supreme Court as a member of the Board, as a party, as counsel for a party, or as a witness under subpoena for the hearing;

(b) Counsel requesting the continuance will be unavailable to participate in the judicial proceeding because counsel is a member of the General Assembly whose attendance is required at a scheduled voting session or committee meeting of the General Assembly.

(3) In considering a continuance requested pursuant to division ~~(B)(2)(b)~~ (A)(2)(b) of this rule, the court may require counsel to obtain the consent of the client and provide notice to all other parties to the action. The court may deny the requested continuance if either or both of the following apply:

(a) Counsel has been granted prior continuances in the same case based on attendance at scheduled voting sessions or committee meetings of the General Assembly;

(b) The court determines that further delay in the proceeding would result in substantial prejudice to a party.

~~(C)~~**(B) Engaged counsel.** If a designated trial attorney has such a number of cases assigned for trial in courts of this state so as to cause undue delay in the disposition of such cases, the administrative judge may summon such trial attorney who persistently requests continuances and extensions to warn the attorney of the possibility of sanctions and to encourage the attorney to make necessary adjustments in the management of his or her practice. Where such measures fail, restrictions may properly be imposed by the administrative judge on the number of cases in which the attorney may participate at any one time.

~~(D)~~**(C) Continuances; reporting.** Trial continuances shall be reported on a monthly basis to the administrative judge. Where a judge is persistently and unreasonably indulgent in granting continuances or extensions, the administrative judge shall investigate the reasons for the excessive continuances and take appropriate corrective action at the local level. If corrective action at the local level is unsuccessful, the administrative judge shall report that fact to the Case Management Section of the Supreme Court. If it comes to the attention of the Case Management Section that the judge of a single-judge division is persistently and unreasonably indulgent in granting continuances, it shall report the information to the Chief Justice, who shall take appropriate corrective action.

Commentary (July 1, 1997)

~~Rule 41 consolidates the provisions of former C.P. Sup. R. 7 and M.C. Sup. R. 16.~~

Rule 41(A) Continuances; granting of

~~Division (A) provides that the granting of a continuance is within the sound discretion of the court, and only upon a showing of good cause.~~

Written motion must be filed specifying the reason for the continuance. The motion must be signed by the party requesting the continuance, as well as their counsel. The requirement that the motion be signed by the party may be waived by the trial judge, for good cause. If a continuance is granted, the court shall, at that time, reset the trial or hearing for a definite date.

If a continuance is requested because of the unavailability of a witness, the court is required to consider the feasibility of recording testimony as permitted by Civ. R. 30(B).

The standards relating to court delay reduction adopted by the American Bar Association focus, to a great extent, upon the limitation of continuances as a means of expediting case dispositions.

Rule 41(B)(A) Conflict of trial assignment dates

Division (B)(A) sets priorities among all trial courts for resolution of conflicts when counsel is assigned for trial in more than one court on the same date.

When a continuance is requested by reason of conflict, the case first set for trial is to be given priority and tried on the date assigned. Priority is dependent on firm assignment for trial. Thus, a general policy of early assignment to achieve priority would be inconsistent with the purpose of this rule. Within this general system, criminal cases assigned for trial are to be accorded priority over civil cases.

Attached to the motion for a continuance should be a copy of the conflicting assignment, and the motion should be filed not less than thirty days prior to the trial sought to be continued. These provisions are not mandatory, and there may be situations where compliance with one or both is not possible.

Rule 41(C)(B) Engaged counsel

Division (C)(B) gives the administrative judge authority to restrict the number of cases that an attorney may handle at one time if trial counsel has so many cases assigned for trial that undue delay is caused in the disposition of those cases.

Rule 41(D)(C) Continuances; reporting

Division (D)(C) of this rule requires the administrative judge to take action if it appears that a judge grants an inappropriate number of continuances. The administrative judge shall first take corrective action at the local level. If that action is not successful, the administrative judge has the duty to refer the matter to the Case Management Section. The Case Management Section also has the responsibility to refer any matter to the Chief Justice for corrective action if it is brought to its attention that the judge of a single-judge division or court appears to be granting an inappropriate number of continuances.

RULE 50. Definitions.

As used in Sup. R. 50 to 82 “case” means any of the following when filed in the probate division of the court of common pleas:

(A) A civil complaint, petition, or administrative appeal;

(B) A decedent’s estate; a testamentary, inter vivos or wrongful death trust; a guardianship, conservatorship or request for emergency orders pursuant to division (B)(3) of 2111.02 of the Revised Code; an adoption or name change. Each beneficiary of a wrongful death trust, each ward or conservatee, each adoptee and each individual requesting a change of name in those proceedings with multiple interested parties, shall be considered a separate “case.”

(C) Any other proceeding for which a case number is assigned including but not limited to the following: tax filings, filings of wills for probate or record, real estate transfers, and filings of foreign records where an estate is not opened; release from administration; minor's settlements; birth corrections; delayed birth registrations; mental retardation or tuberculosis commitments; petition for protective services; petition to compel HIV testing; an application to appoint a guardian, trustee, protector, or conservator of a mentally retarded or developmentally disabled person; acknowledgment of paternity; a petition for release of adoption information; powers of attorney including those for health care; declarations concerning life sustaining treatment; proceedings to designate heir; applications to disinter or to oppose disinterment; and voluntary assignment for the benefit of creditors.

Commentary (July 1, 1997)

Rule 50 is a new rule that defines "case" as used in the rules applicable to the probate division of the court of common pleas.

Commentary (March 25, 2002)

The March 25, 2002 amendment deleted an obsolete reference to the recording of chiropractic licenses in the probate division of the court of common pleas. See former R.C. 4734.08, repealed in H.B. 506 of the 123rd General Assembly.

RULE 51. Standard Probate Forms.

(A) **Applicability.** This rule prescribes the format, content, and use of standard forms for designated applications, pleadings, waivers, notices, entries, and other filings in certain proceedings in the probate division of the courts of common pleas.

Where a standard form has not been prescribed by this rule, the form used shall be that required by the Civil Rules, or prescribed or permitted by the probate division of the court of common pleas in which it is being filed.

(B) **Effective date; use of standard and nonstandard forms.**

(1) This rule takes effect July 1, 1977 and applies to proceedings had on and after that date, including proceedings in pending cases.

(2) The standard forms shall be used on and after January 1, 1978, and nonstandard forms shall be rejected for filing.

(C) **Modification of standard forms; pleadings and filings prepared for particular cases.**

(1) A printed, blank standard form may be modified by deletion or interlineation to meet the circumstances of a particular case or proceeding, if the modification can be accomplished

neatly and conveniently. No court shall require the modification of a standard form as a routine matter. If any allegation, statement, data, information, pleading, or filing is required by an appropriate local rule of court and a standard form does not make provision therefor, it shall be provided in a separate or supplemental filing.

(2) Even though a standard form is prescribed, an original instrument may be prepared for filing. Any such instrument shall be typed on eight and one half by eleven inch paper. The caption prescribed in Sup. R. 52 shall be used, and the instrument shall follow the format prescribed for the standard forms. Any such instrument may modify the language of the standard form, omit inapplicable matter required by the standard form, and add matter not included in the standard form to the extent required by the circumstances of the particular case or proceeding.

(D) Standard probate forms. The standard forms prescribed for use in the probate division of the courts of common pleas are as follows.

Commentary (October 1, 1997)

This rule is identical to former C.P. Sup. R. 16.

This rule was amended effective December 13, 1989, to add a temporary provision suspending the use of Standard Probate Forms 15.0 through 17.5, the guardianship forms. This was necessitated by the revisions to the guardianship laws embodied in Substitute Senate Bill 46 of the 118th General Assembly, effective January 1, 1990. New guardianship forms were adopted effective September 1, 1991 and the temporary provision was repealed. In addition, additional estate forms were adopted as the result of Amended Substitute House Bill 346 of the 118th General Assembly, effective May 31, 1990. See R.C. 2113.03 and 2113.533.

The December 1989 amendment to this rule also added new Standard Probate Forms 18.0 through 19.1, which are used for adoptions.

RULE 52. Specifications for Printing Probate Forms.

(A) Applicability.

(1) The specifications in this rule govern the reproduction of blank forms intended for, or used in, the administration of decedents' estates, guardianships, and adoptions in this state, including:

(a) Standard forms prescribed in Sup. R. 51;

(b) Commercially prepared blank forms, including standard and nonstandard forms, designed for use in any aspect of the administration of decedents' estates, guardianships, and adoptions;

(c) Blank forms prescribed by local rule of court for use in situations for which no standard form is prescribed.

(2) This rule does not apply to any of the following:

(a) Any pleading, application, entry, waiver, notice, or other filing that is prepared ad hoc for use in a particular case or proceeding, or that is not reproduced in any manner for use as a blank form;

(b) Any routing slip, memorandum index, cost bill, or other form designed solely for internal administrative or clerical use;

(c) Forms intended for use in matters other than the administration of decedents' estates, guardianships, or adoptions;

(d) Estate tax returns, reports, and other forms prescribed by the Department of Taxation.

(B) Size of forms; stock. All forms shall be on paper size eight and one-half by eleven inches, printed on twenty-four pound bond or heavier stock.

(C) Margins. Right and left margins shall be approximately one-half to three-quarters of one inch, and shall be justified. The top margin shall be approximately seven-eighths to one and one-eighth inches, measured from the top edge of the paper to the top of the first line of the caption. The distance between the bottom of the repeat of the main heading at the foot of the first page shall be as required by division (K) of this rule.

(D) Type styles.

(1) All type shall be sans-serif. Bold face type shall be used only as required or permitted by division (D)(2) of this rule. Italics shall not be used. Except as provided in division (D)(3) of this rule, all type shall be upper and lower case.

(2) Bold face type shall be used for the main heading immediately following the caption, and for the form number and repeat of the main heading at the foot of the first page. In addition bold face type may be used for:

(a) The caption;

(b) Subheadings;

(c) Directions enclosed in brackets;

(d) Instructions or identification under a blank line, indicating what is to be inserted in the line or identifying the office or status of a signer;

(e) Column headings;

(f) Any matter not covered in division (D)(2)(a) to (e) of this rule, for which the use of bold face type is expressly indicated on a standard form in Sup. R. 51.

- (3) ~~The following shall be printed in all capital letters:~~
- (a) ~~The first two lines of the caption;~~
- (b) ~~The main heading immediately following the caption;~~
- (c) ~~All subheadings;~~
- (d) ~~The form number and repeat of the main heading at the foot of the first page;~~
- (e) ~~Any matter not covered in division (D)(3)(a) to (d) of this rule, for which the use of all capital letters is expressly indicated on a standard form in Sup. R. 51.~~
- (E) Type sizes.**
- (1) ~~The following type sizes shall be used:~~
- (a) ~~Main headings immediately following the caption shall use sixteen point or larger type;~~
- (b) ~~The first line of the caption, and all subheadings, shall use not smaller than twelve-point nor larger than sixteen point type;~~
- (c) ~~The last two lines of the caption, the body, and the form number and repeat of the main heading at the foot of the first page, shall use not smaller than eight point nor larger than twelve point type;~~
- (d) ~~Instructions or identification under a blank line, indicating what is to be inserted in the line or identifying the office or status of a signer, shall use not larger than eight point type.~~
- (2) ~~Whatever type size is used with the limitations of division (E)(1) of this rule:~~
- (a) ~~The first line of the caption and all subheadings shall use type at least two points smaller than the main heading immediately following the caption;~~
- (b) ~~The last two lines of the caption, the body, and the form number and repeat of the main heading at the foot of the first page, shall use type at least two points smaller than the subheadings;~~
- (c) ~~Instructions or identification under a blank line, indicating what is to be inserted in the line or identifying the office or status of a signer, shall use type at least two points smaller than the body.~~

1706 **(F) Vertical spacing.**

1707
1708 (1) ~~The vertical spacing on all forms shall be in units of one pica, to conform to~~
1709 ~~standard typewriter vertical spacing.~~

1710
1711 (2) ~~In order to permit optimum placement and promote visual appeal, the main heading~~
1712 ~~and any subheading may be moved up or down within the available area without regard to the~~
1713 ~~vertical spacing of the rest of the form, provided the rest of the form from head to foot maintains~~
1714 ~~vertical spacing in units of one pica.~~

1715
1716 **(G) Centering.** ~~The first line of the caption, the main heading, any explanatory~~
1717 ~~information supplementing the main heading and appearing directly below it, subheadings, and~~
1718 ~~the form number and repeat of the main heading at the foot of the first page of a form, shall be~~
1719 ~~centered.~~

1720
1721 **(H) Blank lines; length; vertical spacing in series.**

1722
1723 (1) ~~Blanks to be filled in shall be indicated by a printed solid line. Wherever possible,~~
1724 ~~such lines shall be of sufficient length to accommodate comfortably all characters included in any~~
1725 ~~word, phrase, name, date, or other information that might reasonably be expected to be placed in~~
1726 ~~the blank. Spaces and punctuation shall be included in counting characters. It shall be assumed~~
1727 ~~that six pica will accommodate ten characters in calculating the length of a line.~~

1728
1729 (2) ~~Wherever possible, blank lines shall be a minimum length of:~~

1730
1731 (a) ~~Eight pica, when the name of a county is to be inserted;~~

1732
1733 (b) ~~Eighteen pica, when a date is to be inserted;~~

1734
1735 (c) ~~Twenty pica, when a name or signature is to be inserted;~~

1736
1737 (d) ~~Eight pica, not counting the dollar sign, when a dollar amount is to be inserted.~~

1738
1739 (3) ~~One, or two or more blank lines may be used for the insertion of an address.~~
1740 ~~Wherever possible, such lines shall be a minimum length of:~~

1741
1742 (a) ~~Forty pica when a single line is used;~~

1743
1744 (b) ~~Twenty pica per line when two or more lines are used.~~

1745
1746 (4) ~~When a series of signature lines, lines for tabulating particular information, or other~~
1747 ~~blank lines in vertical series are called for in a form, then except where expressly indicated on a~~
1748 ~~standard form in Sup. R. 51, the vertical spacing between lines shall be two pica. This spacing~~
1749 ~~shall be maintained without regard to instructions or identification printed below a line.~~

(I) Boxes to be checked.

(1) Where a form calls for a “check” or “X” to be inserted, a box shall be used for the purpose. The box shall precede the information to which it refers.

(2) When a series of “checks” or “X’s” are called for in the same sentence or paragraph, each box and the information to which it refers shall be set apart visually from the preceding and following information in the same sentence or paragraph. Any device that provides visual separation and minimizes possible confusion may be used, including without limitation space-hyphen-space or a double or triple space, as in the following example:

“~~[check one of the following]~~—~~[]~~Decedent’s will has been admitted to probate in this court—~~[]~~To applicant’s knowledge decedent did not leave a will.”

(J) Caption.

(1) Except as provided in division (J)(3) of this rule, the following captions shall be used, respectively, on all forms for the administration of decedents’ estates, guardianships, and adoptions:

PROBATE COURT OF _____ COUNTY, OHIO

ESTATE OF _____ DECEASED

CASE NO. _____;

PROBATE COURT OF _____ COUNTY, OHIO

GUARDIANSHIP OF _____

CASE NO. _____;

PROBATE COURT OF _____ COUNTY, OHIO

ADOPTION OF _____
(Name after adoption)

CASE NO. _____.

(2) The first line of the caption shall be centered. The second and third lines shall begin at the left margin and end at the right margin. The vertical space between the first and second lines may be two or three pica. The vertical space between the second and third lines shall be two pica.

(3) The following variations from the caption prescribed in division (J)(1) and (2) of this rule are permitted:

(a) The blank line in the first line of the caption may be replaced by the imprinted name of a particular county.

(b) The caption may be expanded to include the address of a particular court, using type of any suitable size. In such case, the blank lines intended for the court's address in the body of any form and introductory material for the address such as, "the court is located at _____," shall be omitted.

(c) In Standard Decedents' Estates Form 5.5, and in any other decedents' estates form dealing with two or more estates, the last two lines of the caption shall be omitted.

(K) Form number and repeat of main heading.

(1) The main heading of a form, which appears immediately below the caption on the first page of a form, shall be repeated at the foot of the first page. If the form is a standard form, the repeat of the main heading shall be preceded on the same line by the form number.

(2) The form number and repeat of the main heading shall be centered, and located not higher than three eighths inch above the bottom edge of the form.

~~(L) Printing front and back.~~ When a standard probate form consists of more than one page, each page shall contain the case number in the upper portion of the page.

(M) Standard forms to govern; variations.

(1) Matters not specifically covered in this rule are governed by the standard forms prescribed in Sup. R. 51. Overall, the format of all printed blank forms, whether standard or nonstandard, shall conform substantially to the standard forms. Except as provided in division (M)(2) of this rule, no additions to, deletions from, or changes in the form, content, or language of the standard forms are permitted when printing blank standard forms.

(2) The following variations from the standard forms in Sup. R. 51 are permitted:

(a) In any form calling for a court's address, the blank lines intended for the insertion of such information may be replaced by the imprinted information itself. If the court's address is imprinted in the caption, the blank lines in the body of the form for the address and introductory material for the address shall be omitted as provided in division (J)(3) of this rule.

(b) The name as well as the title of the probate judge may be imprinted below a judge's signature line on any form.

(c) In any form calling for the attorney's typed or printed name, address, telephone number, and attorney identification number, the blank lines intended for the insertion of that

information may be replaced by the imprinted information itself. The signature line for the attorney shall be retained.

(d) In Standard Decedents' Estates Form 4.2, the portion of the form below the date line and principal's signature line, and above the repeat at the foot of the page, may be replaced by the imprinted name and address of a corporate surety, identified in some appropriate manner as the surety on the particular bond, and including a signature line for the attorney in fact. The last paragraph of the body of the form, relating to justification of personal sureties, shall be omitted.

(e) When standard forms are generated by computer, they shall conform to all specifications for standard forms stated in this rule. A court may accept for filing nonstandard computer generated forms for the receipts and disbursements attached to a standard account form or the schedule of assets attached to a standard inventory and appraisal form.

(f) All forms may include suitable coding for optical or magnetic scanning, or similar system designed to aid docketing, indexing, cost accounting, or other administrative or clerical activities.

(g) On all forms, the publisher may add its name, logotype, or other suitable identification. The size, style, and placement shall be such as not to detract from, interfere with, or overpower any part of the form.

(h) Wherever a form contains "19__" or "199__", a blank line shall be substituted to accommodate the correct year.

(N) Effective date.

(1) This rule takes effect July 1, 1977.

(2) On and after January 1, 1978, any pleading, application, entry, waiver, notice, or other filing, prepared using a blank form to which this rule applies, shall not be accepted for filing by the probate division of a court of common pleas of this state unless such blank form complies with the specifications in this rule.

(3) The amendment to division M(2)(h) shall take effect on November 16, 1999.

Commentary (November 16, 1999)

This amendment permits the change of preprinted dates on existing standard probate forms.

Commentary (October 1, 1997)

This rule is unchanged substantively from former C.P. Sup. R. 17.

RULE 53. Hours of the Court.

~~Each court shall establish hours for the transaction of business.~~

Commentary (October 1, 1997)

~~This rule is unchanged from former C.P. Sup. R. 18.~~

RULE 54. Conduct in the Court.

~~(A) Proper decorum in the court is necessary to the administration of the court's function. Any conduct that interferes or tends to interfere with the proper administration of the court's business is prohibited.~~

~~(B) No radio or television transmission, voice recording device, other than a device used by a court reporter making a record in a proceeding, or the making or taking of pictures shall be permitted without the express consent of the court in advance and pursuant to Sup. R. 12.~~

Commentary (October 1, 1997)

~~This rule is identical to former C.P. Sup. R. 19.~~

RULE 55. Examination of Probate Records.

~~(A) Records shall not be removed from the court, except when approved by the judge. Violation of this rule may result in the issuance of a citation for contempt.~~

~~(B) Copies of records may be obtained at a cost per page as authorized by the judge.~~

~~(C) Adoption, mental illness, and mental retardation proceedings are confidential. Records of those proceedings, and other records that are confidential by statute, may be accessed as authorized by the judge.~~

~~(D) A citation for contempt of court may be issued against anyone who divulges or receives information from confidential records without authorization of the judge.~~

Commentary (October 1, 1997)

~~This rule is analogous to former C.P. Sup. R. 20 and summarizes local practice and current law. In general, see R.C. 2101.11(A)(1), 2101.12, 2101.13, 3107.17, 5122.31, 5122.34.~~

~~Sup. R. 55 has been amended to make the rule grammatically correct and to make the rule applicable to all confidential records as opposed to specific enumerated confidential records.~~

RULE 56. Continuances.

(A) Motions for continuance shall be submitted in writing with the proper caption and case number.

(B) Except on motion of the court, no continuance shall be granted in the absence of proof of reasonable notice to, or consent by, the adverse party or the party's counsel. Failure to object to the continuance within a reasonable time after receiving notice shall be considered consent to the continuance.

(C) A proposed entry shall be filed with a motion for continuance, leaving the time and date blank for the court to set a new date.

Commentary (October 1, 1997)

Sup. R. 56 is analogous to former C.P. Sup. R. 23 and is the basic continuance rule within Sup. R. 50 through Sup. R. 78.

Sup. R. 56 has been amended to be gender neutral and to require a "proposed" entry as opposed to a "judgment" entry to be submitted to the court with all motions for a continuance.

RULE 57. Filings and Judgment Entries.

(A) All filings, except wills, shall be on eight and one half by eleven inch paper, without backings, of stock that can be microfilmed.

(B) All filings shall contain the name, address, telephone number, e-mail address, and attorney registration number of the individual counsel representing the fiduciary and, in the absence of counsel, the name, address, and telephone number of the fiduciary. Any filing not containing the above requirements may be refused.

(C) Failure of the fiduciary to notify the court of the fiduciary's current address shall be grounds for removal. Not less than ten days written notice of the hearing to remove shall be given to the fiduciary by regular mail at the last address contained in the case file or by other method of service as the court may direct.

(D) Filings containing partially or wholly illegible signatures of counsel, parties or officers administering oaths may be refused, or, if filed, may be stricken, unless the typewritten or printed name of the person whose signature is purported to appear is clearly indicated on the filing.

(E) All pleadings, motions, or other filings are to be typed or printed in ink and correctly captioned.

(F) Unless the court otherwise directs, counsel for the party in whose favor a judgment is rendered, shall prepare the proposed judgment entry and submit the original to the court with a copy to counsel for the opposing party. The proposed judgment entry shall be submitted within

seven days after the judgment is rendered. Counsel for the opposing party shall have seven days to object to the court. If the party in whose favor a judgment is rendered fails to comply with this division, the matter may be dismissed or the court may prepare and file the appropriate entry.

(G) When a pleading, motion, judgment entry or other filing consists of more than one page, each page shall contain the case number in the upper portion of the page.

Commentary (October 1, 1997)

Sup. R. 57 is analogous to former C.P. Sup. R. 24.

Sup. R. 57(A) is unchanged.

Sup. R. 57(B) has been amended to require the attorney's Supreme Court Registration Number on all filings in addition to the name, address and telephone number of the attorney.

Sup. R. 57 (B) and (D) have been amended to substitute the term "filings" for "papers" as being more descriptive of the documents received by the court.

Sup. R. 57(C) has been amended to provide for removal of a fiduciary who fails to keep the court apprised of a current address. Sup. R. 57(C) has also been amended to reflect the notice requirements of R.C. 2109.24 requiring ten days notice upon the removal of the fiduciary. Sup. R. 57(C) has been amended to allow for service of notice to be by regular mail at the fiduciary's last known address instead of pursuant to Civil Rule 73(E). The amendment is to expedite the removal of dilatory fiduciaries and to timely complete the administration of estates by avoiding the eventual requirement of publication pursuant to Civil Rule 73(E)(6) and the requirement for certified mail notice when such notice is being given by the court.

See, generally R.C. 2109.02, 2109.06, 2109.18, 2109.19, 2109.24, 2109.31, 2109.53.

Sup. R. 57(E) has been amended to reflect recent case law that has noted a distinction between motions, pleadings and filings. The rule now requires all filings to be in ink.

Former C.P. Sup. R. 24(F) and (G) have been combined into new Sup. R. 57(F) since both matters were interrelated. There were no substantive changes made.

RULE 58. Deposit for Court Costs.

(A) Deposits in the amount set forth in a local rule shall be required upon the filing of any action or proceeding and additional deposits may be required.

(B) The deposit may be applied as filings occur.

Commentary (October 1, 1997)

Sup. R. 58 summarizes local practice and is analogous to former C.P. Sup. R. 25.

The reference to R.C. 2101.16 has been deleted as unnecessary in that the statute delegates the amount of the deposit to local rule.

RULE 59. Wills.

(A) ~~Before an application is made to admit the will to probate, to appoint an estate fiduciary, or to relieve an estate from administration, each applicant or the applicant's attorney shall examine the index of wills deposited pursuant to section 2107.07 of the Revised Code. Wills deposited pursuant to section 2107.07 of the Revised Code previous to the will offered for probate shall be filed in the estate proceedings for record purposes only.~~

(B) ~~Fiduciaries appointed to administer testate estates shall file a Certificate of Service of Notice of Probate of Will (Standard Probate Form 2.4) within two months of their appointment or be subject to removal proceedings. If required by the court, proof of service shall consist of either waivers of notice of the probate of will or certified mail return receipt cards as provided under Civil Rule 73(E)(3), or if necessary, under Civil Rule 73(E)(4) and (5). A waiver of notice may not be signed by any minor, or on behalf of a minor sixteen or seventeen years of age. See Civil Rule 4.2.~~

Commentary (October 1, 1997)

~~This rule substantially revises former C.P. Sup. R. 26. The title of Sup. R. 59 has been amended because the subject matter of the rule is more inclusive.~~

~~The provisions of former C.P. Sup. R. 26(A) and (D) have been deleted to reflect the repeal of R.C. 2107.13 and 2107.14 and reflect the revised method of admitting a will to probate effective May 31, 1990.~~

~~Sup. R. 59(A) has been amended to reflect wills in safekeeping pursuant to R.C. 2107.07. Sup. R. 59(A) imposes a duty upon the applicant or his or her attorney to ascertain before applying to administer an estate if a will is in safekeeping. The purpose of this division is to: (1) make certain that an estate is not administered intestate when a will in safekeeping does exist, (2) make certain the decedent's last will and testament has been offered for probate, and (3) remove all prior wills of a decedent from safekeeping.~~

~~Sup. R. 59(B) is amended to require a timely filing of the "Certificate of Service of Notice of Probate of Will" so that the will contest period will expire prior to the time for the filing of the account. The amended rule also confirms that waivers of notice of probate of wills shall conform to Civil Rule 4(D).~~

~~Former C.P. Sup. R. 26(C) has been entirely deleted. The requirement of R.C. 109.26 and 109.29 are adequately provided for in Standard Probate Form 2.0.~~

RULE 60. Application for Letters of Authority to Administer Estate and Notice of Appointment.

(A) ~~Notice of an application for appointment of administrator shall be served at least seven days prior to the date set for hearing. If there is no known surviving spouse or next of kin resident of the state, the notice shall be served upon persons designated by the court.~~

(B) ~~The administrator shall give notice of the appointment within seven days after the appointment to all persons entitled to inherit, including persons entitled to an allowance for support, unless those persons have been provided notice of the hearing on the appointment or have waived notice.~~

(C) The probate court shall serve by certified mail the spousal citation and summary of rights required by R.C. 2106.02 to the surviving spouse within 7 days of the initial appointment of the administrator or executor, unless a different time is established by local court rule.

Commentary (October 1, 1997)

This rule is analogous to former C.P. Sup. R. 27. The title to Sup. R. 60 has been amended to be more descriptive of the rule's requirements.

Former C.P. Sup. R. 27(A) and (B) have been joined and incorporated under amended Sup. R. 60(A). Any language changes were merely grammatical and not substantive.

Amended Sup. R. 60(B) is a new division that deals with notice of the appointment of a fiduciary. Sup. R. 60(B) reflects local practice requiring that notice of the appointment be given to all persons interested in the decedent's estate, so that they may properly monitor their particular interests.

RULE 61. Appraisers.

(A) Without special application to the court, a fiduciary may allow to the appraiser as compensation for services a reasonable amount agreed upon between the fiduciary and the appraiser, provided the compensation does not exceed the amount allowed by local court rule. If no local court rule exists, the compensation shall be subject to court approval.

(B) If, by reason of the special and unusual character of the property to be appraised, the fiduciary is of the opinion that the appraisal requires the services of persons qualified in the evaluation of that property, a qualified appraiser may be appointed and allowed compensation as provided in division (A) of this rule.

Commentary (October 1, 1997)

This rule is analogous to former C.P. Sup. R. 28. The title to Sup. R. 61 has been amended to be more inclusive and applies to appraisers in all probate matters. The term "appointment" in the title has been deleted since the rule no longer deals with this issue.

Former law required three disinterested appraisers. Former C.P. Sup. R. 28(A) was intended to clarify the transition from three appraisers to one appraiser. The rule is no longer needed and has been deleted.

Former divisions (B), (C), (D), and (F) attempted to set guidelines for appraiser fees when the court did not set forth a local rule. Division (A) now permits the compensation to be set by agreement of the fiduciary and appraiser unless set by local rule. All disputes shall be settled by the probate court.

Former C.P. Sup. R. 28(A), (B), (C), (D), and (F) are unnecessary since the appraiser's compensation is adequately addressed by R.C. 2115.06.

Former C.P. Sup. R. 28(E) has been redesignated as Sup. R. 61(B) without substantive changes.

RULE 62. Claims Against Estate.

(A) ~~When a claim has been filed with the court pursuant to section 2117.06 of the Revised Code, the fiduciary shall file a copy of any rejection of the claim with the court.~~

(B) ~~If the court requires a hearing on claims or the fiduciary requests a hearing on claims or insolvency, the fiduciary shall file a schedule of all claims against the estate with the court. The schedule of claims shall be filed with the fiduciary's application for hearing or within ten days after the court notifies the fiduciary of a court initiated hearing.~~

Commentary (October 1, 1997)

~~The rule is analogous to former C.P. Sup. R. 30. The title of Sup. R. 62 has been amended to be more inclusive and descriptive. R.C. 2117.06 neither limits nor requires that claims be filed with the court. Filing with the court is merely one alternative pursuant to R.C. 2117.06(A)(2).~~

~~The last sentence of former C.P. Sup. R. 30(A) has been deleted because the issue is adequately addressed by R.C. 2117.06(I).~~

~~The statutory reference in Sup. R. 62(B) has been deleted as limiting the former rule. Insolvency hearings have been added to the requirement of Sup. R. 62(B). There is no statutory provisions regarding advising the court of the specific claims in an insolvent estate. The court requires this information and the rule supplements this void.~~

RULE 63. Application to Sell Personalty.

~~An application to sell personal property shall include an adequate description of the property. Except for good cause shown, an order of sale shall not be granted prior to the filing of the inventory.~~

Commentary (October 1, 1997)

~~This rule is analogous to former C.P. Sup. R. 31. Sup. R. 63 has been amended to delete requirements that are currently required by statute. See, R.C. 2109.45.~~

~~The first and last sentences of former C.P. Sup. R. 31 have been deleted as they duplicate the requirements of the statute. The second sentence has been amended to permit an order of sale to issue upon the filing of the inventory as opposed to the previous version, which permitted the order to be granted upon the approval of the inventory. This would expedite the administration by permitting the order to be granted at an earlier date.~~

RULE 64. Accounts.

(A) ~~The vouchers or other proofs required by section 2109.302 and 2109.303 of the Revised Code and receipts filed or exhibited pursuant to section 2109.32(B)(1)(b) of the Revised Code, shall be referenced to the account by number, letter, or date.~~

(B) ~~If land has been sold during the accounting period, the account shall show the gross amount of the proceeds and include a copy of the closing statement itemizing all of the disbursements.~~

(C) ~~Receipts for distributive shares signed by persons holding power of attorney may be accepted, provided the power of attorney is recorded in the county in which the estate is being administered and a copy of the recorded power is attached to the account.~~

(D) Exhibiting assets.

(1) ~~The court may require that all assets be exhibited at the time of filing a partial account.~~

(2) ~~Cash balances may be verified by exhibiting a financial institution statement, passbook, or a current letter from the financial institution in which the funds are deposited certifying the amount of funds on deposit to the credit of the fiduciary. Assets held in a safe deposit box of a fiduciary or by a surety company on fiduciary's bond may be exhibited by filing a current inventory of the assets. The inventory shall be certified by the manager of the safe deposit box department of the financial institution leasing the safe deposit box or by a qualified officer of the surety company if the assets are held by a surety. If the assets are held by a bank, trust company, brokerage firm, or other financial institution, exhibition may be made by proper certification as to the assets so held. For good cause shown, the court may designate a deputy clerk of the court to make an examination of the assets located in the county, not physically exhibited to the court or may appoint a commissioner for that purpose if the assets are located outside the county. The commissioner appointed shall make a written report of findings to the court.~~

(E) ~~A final or distributive account shall not be approved until all court costs have been paid.~~

Commentary (October 1, 1997)

This rule revises former C.P. Sup. R. 32.

Former C.P. Sup. R. 32(A) and (B) have been deleted. This subject matter is more appropriately addressed in proposed Sup. R. 78, the case management rule.

Former C.P. Sup. R. 32(C) has been changed grammatically and relettered as division (A). The substance has remained the same in that it requires the vouchers to be cross referenced to the account entries. Former divisions (A)(1) to (4) have been deleted in that they describe the parameters of the probate forms created under Sup. R. 52(D) and are therefore superfluous.

Former C.P. Sup. R. 32(D) has been relettered as division (B). The rule has been amended to require a closing statement to be submitted in lieu of the reporting requirements under the former rule.

Former C.P. Sup. R. 32(E) has been deleted to reflect local practice where each guardianship of a minor's estate is administered in a separate case file and a separate corresponding case number.

Former C.P. Sup. R. 32(F) has been relettered as division (C) and amended to require that when a power of attorney is used for the receipt of assets, the instrument must be recorded in the county of the court accepting the account. The previous rule required the instrument to be recorded in the State of Ohio.

Former C.P. Sup. R. 32(G) has been relettered as division (D). The term “safety deposit box” has been amended to “safe deposit box” to parallel Revised Code references. The term “financial institution” has been substituted for “bank” in order to be consistent with the terminology of Title XI of the Revised Code and to be more inclusive.

Former C.P. Sup. R. 32(H) has been relettered as division (E), and no amendments or language changes have been made.

Commentary (April 8, 2004)

This Rule Amendment is necessary because of the adoption of Sub. H.B. 85, effective October 31, 2004.

RULE 65. Land Sales—R.C. Chapter 2127.

(A) In all land sale proceedings, the plaintiff, prior to the issuance of an order finding the sale necessary, shall file with the court evidence of title showing the record condition of the title to the premises described in the complaint and prepared by a title company licensed by the state of Ohio, an attorney’s certificate, or other evidence of title satisfactory to the court. Evidence of title shall be to a date subsequent to the date on which the complaint was filed.

(B) The plaintiff shall give notice of the time and place of sale by regular mail at least three weeks prior to the date of a public sale to all defendants at their last known addresses. Prior to the public sale, the plaintiff shall file a certificate stating that the required notice was given to the defendants and the sale was advertised pursuant to section 2127.32 of the Revised Code.

(C) In all private land sale proceedings by civil action, the judgment entry confirming sale, ordering issuance of deed, and ordering distribution shall show the gross amount of the proceeds and include a copy of the proposed closing statement itemizing all of the proposed disbursements.

(D) The court may appoint a disinterested person, answerable to the court, who shall investigate the circumstances surrounding the proposed transaction, view the property, ascertain whether the proposed sale is justified and report findings in writing. The report shall be a part of the record. The compensation for the person performing these services shall be fixed by the court, according to the circumstances of each case, and shall be taxed as costs.

Commentary (October 1, 1997)

This rule is analogous to former C.P. Sup. R. 33 and has been amended to be inclusive and to apply to all land sale proceedings. Former C.P. Sup. R. 33(A) only applied to public land sale, and not private land sale proceedings. The rule has been amended to require that evidence of title prepared by a title company must be prepared by a title company that is licensed in the State of Ohio.

Former C.P. Sup R. 33(B) has been amended to delete the requirement of giving notice by posting the notice of sale upon the premises. This appeared unnecessary since actual notice of the sale must be given to all defendants, and R.C. 2127.32 requires notice by publication to the general public.

~~Reference to the filing of an affidavit has been amended to refer to a “certificate,” to reflect Civil Rule 73(H), which does not require certificates and pleadings to be under oath. An affidavit, by definition, is under oath. The content of the “certificate” has been amended to comply with the amended notice requirements of division (B).~~

~~Former C.P. Sup. R. 33(C) has been deleted in that the requirements are unnecessary and adequately covered by R.C. 2127.23 and 2127.35.~~

~~Amended division (C) requires that a proposed closing statement be attached to the order of confirmation of sale issued pursuant to R.C. 2127.35. The inclusion of the proposed closing statement provides the court with the details of the costs associated with the land sale proceedings.~~

~~Division (D) has been amended in order to be made gender neutral. No substantive changes have been made.~~

~~RULE 67. Estates of Minors of Not More Than Twenty-Five Thousand Dollars.~~

~~(A) Each application relating to a minor shall be submitted by the parent or parents or by the person having custody of the minor and shall be captioned in the name of the minor.~~

~~(B) Each application shall indicate the amount of money or property to which the minor is entitled and to whom such money or property shall be paid or delivered. Unless the court otherwise orders, if no guardian has been appointed for either the receipt of an estate of a minor or the receipt of a settlement for injury to a minor, the attorney representing the interests of the minor shall prepare an entry that orders all of the following:~~

- ~~(1) The deposit of the funds in a financial institution in the name of the minor;~~
- ~~(2) Impounding the principal and interest;~~
- ~~(3) Releasing the funds only upon an order of the court or to the minor at the age of majority.~~

~~(C) The entry shall be presented at the time the entry dispensing with appointment of a guardian or approving settlement is approved. The attorney shall be responsible for depositing the funds and for providing the financial institution with a copy of the entry. The attorney shall obtain a Verification of Receipt and Deposit (Standard Probate Form 22.3) from the financial institution and file the form with the court within seven days from the issuance of the entry.~~

Commentary (October 1, 1997)

~~This rule is analogous to former C.P. Sup. R. 35. The title of the rule has been amended to include only the estates of minor wards, since the substantive rules even under former C.P. Sup. R. 35 only spoke of minors. The amended title is more descriptive of the subject matter covered by the rule.~~

~~Division (A) has been amended to delete any reference to one application being permitted to be filed on behalf of all minors of the same parent. This amendment is to reflect local practice whereby a separate application and corresponding case number is required for each minor ward. The rationale for~~

the amendment is that the amount of funds received and the dates of majority are rarely the same for each ward. The remainder of the amendments to this division are grammatical and not substantive.

Divisions (B) and (C) set forth the requirements of the judgment entry counsel presents to the court for estates of minors less than \$10,000. The words "unless the court otherwise orders" has been added in division (B) to alert counsel to the fact that specific circumstances or local court rule may alter these requirements. In addition, the former version of the rule required the attorney to deposit all funds within seven days of the approval of the entry and to obtain a receipt from the financial institution. As amended the rule requires the receipt to be filed with the court within seven days of the issuance of the entry and references the uniform form number of the receipt. The term "bank" has been changed to "financial institution" to reflect the term utilized in Title XI of the Revised Code and to recognize that funds are invested in institutions other than banks.

Commentary (June 6, 2017)

The rule has been amended to reflect Sub.S.B. 106 of the 128th General Assembly, which amended R.C. 2111.18 to increase from \$10,000 or less to \$25,000 or less the amount of an estate of a ward that the court may terminate upon application by the guardian, for which the court may distribute the estate assets without a guardianship, and for which the court may authorize the settlement of claims of minors or adult incompetents without the appointment of a guardian.

RULE 68. Settlement of Injury Claims of Minors.

(A) An application for settlement of a minor's claim shall be brought by the guardian of the estate. If there is no guardian appointed and the court dispenses with the need for a guardian, the application shall be brought by the parents of the child or the parent or other individual having custody of the child. The noncustodial parent or parents shall be entitled to seven days notice of the application to settle the minor's claim which notice may be waived. The application shall be captioned in the name of the minor.

(B) The application shall be accompanied by a current statement of an examining physician in respect to the injuries sustained, the extent of recovery, and the permanency of any injuries. The application shall state what additional consideration, if any, is being paid to persons other than the minor as a result of the incident causing the injury to the minor. The application shall state what arrangement, if any, has been made with respect to counsel fees. Counsel fees shall be subject to approval by the court.

(C) The injured minor and the applicant shall be present at the hearing.

Commentary (October 1, 1997)

This rule is analogous to former C.P. Sup. R. 36 and 37. Former C.P. Sup. R. 36 and 37 dealt with claims to minors and bifurcated the claims into claims brought by the guardian and claims of less than \$10,000 where there was no guardian. The former rules were virtually identical and thus the issues relating to minors have been consolidated into Sup. R. 68 to avoid duplication.

Division (A) has been amended to incorporate the provisions of former C.P. Sup. R. 37(A). In addition, the rule has been amended to require notice to the parents of the minor regardless of their county of residence and to increase the notice time requirement to the parents from three days to seven days in order that the notice is more meaningful.

2389 Division (B) has been amended to provide that the statement of the examining physician is
2390 mandatory as opposed to discretionary. Former C.P. Sup. R. 36(D) and (E) have been consolidated into
2391 division (B)
2392

2393 Division (C) has been amended to make the applicant's and the minor's appearance at the hearing
2394 mandatory. This is to comply with prevailing local practice where the court wishes to view the minor in
2395 order to evaluate the nature of the injuries. Pursuant to Sup. R. 76, the court has the ability to waive the
2396 appearance of the minor for good cause.
2397

2398
2399 **RULE 69. Settlement of Claims of or Against Adult Wards.**
2400

2401 (A) An application for settlement of a claim in favor of or against an adult ward shall
2402 be brought by the guardian of the estate. Notice of the hearing on the application shall be given to
2403 all persons who are interested parties to the proposed settlement, as determined by the court. The
2404 court may authorize or direct the guardian of the ward's estate to compromise and settle claims as
2405 the court considers to be in the best interest of the ward. The court may dispense with notice of
2406 hearing.
2407

2408 (B) The application for settlement of an injury claim shall be accompanied by a current
2409 statement of an examining physician describing the injuries sustained, the extent of recovery from
2410 those injuries, and permanency of any injuries. The application shall state what additional
2411 consideration, if any, is being paid to persons other than the ward as a result of the incident causing
2412 the injury to the ward. The application shall state what arrangement, if any, has been made with
2413 respect to counsel fees. Counsel fees shall be subject to approval by the court.
2414

2415
2416 **Commentary (October 1, 1997)**
2417

2418 This rule is not analogous to former C.P. Sup. R. 37, which has been incorporated in Sup. R. 68.
2419

2420 Sup. R. 69 is basically a new rule as it applies to all claims of incompetent adult wards. The purpose
2421 for the amended rule is to provide the court with information necessary to make an informed decision
2422 regarding a proposed settlement.
2423

2424 Division (A) provides for the application to settle a claim to be brought by the ward's guardian.
2425 Absent a guardianship, the "ward" is competent to settle the claim without court approval. Division (A)
2426 further gives the court discretion to require notice to interested parties or to dispense with notice with court
2427 approval.
2428

2429 Division (B) is similar to Sup. R. 68(B), which provides the court with adequate information to make
2430 an informed decision. Division (C) is similar to the last sentence of Sup. R. 68 (B) and requires disclosure
2431 to the court and approval of the court of counsel fees in pursuing the adult ward's claim.
2432

2433
2434 **RULE 70. Settlement of Wrongful Death and Survival Claims.**
2435

2436 (A) An application to approve settlement and Distribution of Wrongful Death and
2437 Survival Claims (Standard Probate Form 14.0) shall contain a statement of facts, including the
2438 amount to be allocated to the settlement of the claim and the amount, if any, to be allocated to the

settlement of the survival claim. The application shall include the proposed distribution of the net proceeds allocated to the wrongful death claim.

(B) The fiduciary shall give written notice of the hearing and a copy of the application to all interested persons who have not waived notice of the hearing. Notwithstanding the waivers and consents of the interested persons, the court shall retain jurisdiction over the settlement, allocation, and distribution of the claims.

(C) The application shall state what arrangements, if any, have been made with respect to counsel fees. Counsel fees shall be subject to approval by the court.

Commentary (October 1, 1997)

This rule is analogous to former C.P. Sup. R. 38. The title has been amended to stress the existence and recognition of survival claims in a decedent's estate and to be in compliance with Standard Probate Forms Series 14.

Division (A) has been amended to incorporate the title of the uniform form as the description of the application to which the rule applies. The phrase "right of action for conscious pain and suffering" has been changed to "survival claim" as being a more complete description of the personal claim of the decedent. The remaining changes are grammatical and intended to stress the need for an allocation between the survival claim and the wrongful death claim.

Division (A) now requires a copy of the proposed distribution in addition to the notice of hearing to be served upon all interested persons who have not waived notice of the hearing. Those who have waived notice are required to receive a copy of the proposed distribution by the requirements of Form 14.1. The amended paragraph contains instructional language to remind interested persons and counsel that the court retains jurisdiction over the settlement notwithstanding an agreement by the parties as to the distribution.

Division (C) has been amended grammatically. There are no substantive changes.

RULE 71. Counsel Fees.

(A) Attorney fees in all matters shall be governed by Rule 1.5 of the Ohio Rules of Professional Conduct.

(B) Attorney fees for the administration of estates shall not be paid until the final account is prepared for filing unless otherwise approved by the court upon application and for good cause shown.

(C) Attorney fees may be allowed if there is a written application that sets forth the amount requested and will be awarded only after proper hearing, unless otherwise modified by local rule.

(D) The court may set a hearing on any application for allowance of attorney fees regardless of the fact that the required consents of the beneficiaries have been given.

(E) ~~Except for good cause shown, attorney fees shall not be allowed to attorneys representing fiduciaries who are delinquent in filing the accounts required by section 2109.30 of the Revised Code.~~

(F) ~~If a hearing is scheduled on an application for the allowance of attorney fees, notice shall be given to all parties affected by the payment of fees, unless otherwise ordered by the court.~~

(G) ~~An application shall be filed for the allowance of counsel fees for services rendered to a guardian, trustee, or other fiduciary. The application may be filed by the fiduciary or attorney. The application shall set forth a statement of the services rendered and the amount claimed in conformity with division (A) of this rule.~~

(H) ~~There shall be no minimum or maximum fees that automatically will be approved by the court.~~

(I) ~~Prior to a fiduciary entering into a contingent fee contract with an attorney for services, an application for authority to enter into the fee contract shall be filed with the court, unless otherwise ordered by local court rule. The contingent fee on the amount obtained shall be subject to approval by the court.~~

Commentary (October 1, 1997)

This rule is analogous to former C.P. Sup. R. 40. Divisions (A), (B), (C), (D), (E), (F), and (G) have not been amended substantively.

The second sentence of division (H), pertaining to contingent fee contracts, has been transferred to a new division (I) where it has been combined with former C.P. Sup. R. 39.

Division (I) recognizes that unless a governing instrument has given the power to the fiduciary, the fiduciary has no inherent authority to enter into a contingent fee contract on behalf of the trust. Authority must be granted by the court. The rule as amended adopts the previous rule which required the fiduciary to file an application to enter into a contingent fee contract prior to the contract becoming enforceable. The rule has been amended to permit courts to establish their own procedure in the contingent fee approval process. The second sentence of division (I) was a portion of former C.P. Sup. R. 39 and restates the court's authority to review the contingent fee contract to ascertain whether it meets with the additional standards of this rule.

RULE 72. ~~Executor's and Administrator's Commissions.~~

(A) ~~Additional compensation for extraordinary services may be allowed upon an application setting forth an itemized statement of the services rendered and the amount of compensation requested. The court may require the application to be set for hearing with notice given to interested persons in accordance with Civil Rule 73(E).~~

(B) ~~The court may deny or reduce commissions if there is a delinquency in the filing of an inventory or an account, or if, after hearing, the court finds that the executor or administrator has not faithfully discharged the duties of the office.~~

~~(C) The commissions of co-executors or co-administrators in the aggregate shall not exceed the commissions that would have been allowed to one executor or administrator acting alone, except where the instrument under which the co-executors serve provides otherwise.~~

~~(D) Where counsel fees have been awarded for services to the estate that normally would have been performed by the executor or administrator, the executor or administrator commission, except for good cause shown, shall be reduced by the amount awarded to counsel for those services.~~

Commentary (October 1, 1997)

~~This rule is analogous to former C.P. Sup. R. 41. Division (A) has primarily been amended for grammatical purposes. The term "parties" has been replaced with the more descriptive term "interested person". The manner of service pursuant to Civil Rule 4.1 has been replaced with the more appropriate reference to Civil Rule 73(E), which incorporates by reference Civil Rule 4.1.~~

~~Division (B) has been amended to parallel R.C. 2113.35. The rule defines the delinquent filing of inventories and accounts as acts that are included within the phrase "not faithfully discharged the duties of the office".~~

~~Division (D) has been amended to be more inclusive and to apply to all counsel fees and not only extraordinary fees. The rule continues to allow the probate court discretion to reduce fiduciary fees by the amount of attorney fees charged in performing fiduciary services. The remaining language changes in the division are grammatical and not substantive.~~

RULE 73. Guardian's Compensation.

(A) Setting of compensation

~~Guardian's compensation shall be set by local rule.~~

(B) Itemization of expenses

~~A guardian shall itemize all expenses relative to the guardianship of the ward and shall not charge fees or costs in excess of those approved by the probate division of a court of common pleas.~~

(C) Additional compensation

~~Additional compensation for extraordinary services, reimbursement for expenses incurred and compensation of a guardian of a person only may be allowed upon an application setting forth an itemized statement of the services rendered and expenses incurred and the amount for which compensation is applied. The probate division of a court of common pleas may require the application to be set for hearing with notice given to interested persons in accordance with Civ.R. 73(E).~~

(D) Co-guardians

~~The compensation of co-guardians in the aggregate shall not exceed the compensation that would have been allowed to one guardian acting alone.~~

(E) Denial or reduction of compensation

~~The probate division of a court of common pleas may deny or reduce compensation if there is a delinquency in the filing of an inventory or account, or after hearing, the court finds the guardian has not faithfully discharged the duties of the office.~~

RULE 74. Trustee's Compensation.

~~(A) Trustee's compensation shall be set by local rule.~~

~~(B) Additional compensation for extraordinary services may be allowed upon application setting forth an itemized statement of the services rendered and the amount of compensation requested. The court may require that the application be set for hearing with notice given to interested parties in accordance with Civil Rule 73(E).~~

~~(C) The compensation of co-trustees in the aggregate shall not exceed the compensation that would have been allowed to one trustee acting alone, except where the instrument under which the co-trustees are acting provides otherwise.~~

~~(D) Except for good cause shown, neither compensation for a trustee nor fees to counsel representing the trustee shall be allowed while the trustee is delinquent in the filing of an account.~~

~~(E) The court may deny or reduce compensation if there is a delinquency in the filing of an inventory or account, or after hearing, the court finds the trustee has not faithfully discharged other duties of the office.~~

Commentary (October 1, 1997)

~~This rule is analogous to former C.P. Sup. R. 43. The statement requiring the filing of the local rule with the Supreme Court has been deleted from division (A) in that the filing is required by Sup. R. 5(A) and Sup. R. 75.~~

~~Former C.P. Sup. R. 43(C) has been deleted as being unnecessary.~~

~~Former C.P. Sup. R. 43(D) has been relettered division (C) and amended to clarify the requirements and procedure for extraordinary compensation for the trustee. The procedure parallels the procedure that was previously in place for extraordinary compensation to an executor or administrator. Division (C) incorporates the requirements of former C.P. Sup. R. 43(C), which has been deleted. The reference to service in accordance with Civil Rule 4.1 has been revised, since service is controlled by Civil Rule 73.~~

~~Former C.P. Sup. R. 43(E) has been relettered as division (D) and has been amended grammatically without substantive changes.~~

Division (E) is new and parallels R.C. 2113.35. It defines the delinquent filing of inventories and accounts as acts that are included within the phrase "not faithfully discharged other duties of the office."

RULE 75. Local Rules.

Local rules of the court shall be numbered to correspond with the numbering of these rules and shall incorporate the number of the rule it is intended to supplement. For example, a local rule that supplements Sup. R. 61 shall be designated County Local Rule 61.1.

Commentary (October 1, 1997)

This rule is analogous to former C.P. Sup. R. 44. Former C.P. Sup. R. 44(A) has been deleted entirely as its provisions are addressed adequately by Sup. R. 5.

RULE 76. Exception to the Rules.

Upon application, and for good cause shown, the probate division of the court of common pleas may grant exception to Sup. R. 53 to 79.

Commentary (October 1, 1997)

This rule is identical to former C.P. Sup. R. 45.

RULE 77. Compliance.

Failure to comply with these rules may result in sanctions as the court may direct.

Commentary (October 1, 1997)

This rule is identical to former C.P. Sup. R. 46.

RULE 78. Probate Division of the Court of Common Pleas — Case Management in Decedent's Estates, Guardianship, and Trusts.

(A) Each fiduciary shall adhere to the statutory or court-ordered time period for filing the inventory, account, and, if applicable, guardian's report. The citation process set forth in section 2109.31 of the Revised Code shall be utilized to ensure compliance. The attorney of record and the fiduciary shall be subject to the citation process. The court may modify or deny fiduciary commissions or attorney fees, or both, to enforce adherence to the filing time periods.

2682 ~~(B)(1) If a decedent's estate must remain open more than six months pursuant to R.C.~~
2683 ~~2109.301(B)(1), the fiduciary shall file an application to extend administration (Standard Probate~~
2684 ~~Form 13.8).~~

2685
2686 ~~(2) An application to extend the time for filing an inventory, account, or guardian's~~
2687 ~~report, shall not be granted unless the fiduciary has signed the application.~~

2688
2689 ~~(C) The fiduciary and the attorney shall prepare, sign, and file a written status report~~
2690 ~~with the court in all decedent's estates that remain open after a period of thirteen months from the~~
2691 ~~date of the appointment of the fiduciary and annually thereafter. At the court's discretion, the~~
2692 ~~fiduciary and the attorney shall appear for a status review.~~

2693
2694 ~~(D) The court may issue a citation to the attorney of record for a fiduciary who is~~
2695 ~~delinquent in the filing of an inventory, account, or guardian's report to show cause why the~~
2696 ~~attorney should not be barred from being appointed in any new proceeding before the court or~~
2697 ~~serving as attorney of record in any new estate, guardianship, or trust until all of the delinquent~~
2698 ~~pleadings are filed.~~

2699
2700 ~~(E) Upon filing of the exceptions to an inventory or to an account, the exceptor shall~~
2701 ~~cause the exceptions to be set for a pretrial within thirty days. The attorneys and their clients, or~~
2702 ~~individuals if not represented by an attorney, shall appear at the pretrial. The trial shall be set as~~
2703 ~~soon as practical after pretrial. The court may dispense with the pretrial and proceed directly to~~
2704 ~~trial.~~

2705
2706
2707 **Commentary (October 1, 1997)**
2708

2709 ~~This rule imposes case management standards for actions filed in the probate division of the court~~
2710 ~~of common pleas. In addition to establishing time periods for filing of documents and conducting pretrials~~
2711 ~~and trials, the rule requires that an application for a continuance must be signed by the fiduciary and that~~
2712 ~~written status reports be filed in estates that are open for more than one year. The rule also contains a~~
2713 ~~citation procedure that may be employed to bar an attorney who is delinquent in the filing of an inventory,~~
2714 ~~account, or guardian's report from being appointed or serving as attorney of record in any new proceeding~~
2715 ~~until all delinquent pleadings have been filed.~~

2716
2717
2718 **RULE 79. Dispute Resolution.**
2719

2720 ~~The probate division of a court of common pleas or a family court exercising probate jurisdiction~~
2721 ~~may encourage the use of alternative dispute resolution in any matter the court deems appropriate.~~
2722 ~~A judge is authorized to facilitate the use of voluntary alternative dispute resolution processes by~~
2723 ~~taking any one or more of the following actions in disputes brought to the attention of the court:~~

2724
2725 ~~(A) Suggesting that the parties engage in settlement negotiations and appropriately~~
2726 ~~participate in such negotiations;~~

2727
2728 ~~(B) Informing the parties about eldercaring coordination, if available, and, upon~~
2729 ~~agreement of the parties, entering an appropriate order either referring the dispute to~~

~~eldercaring coordination or implementing the result of the eldercaring coordination process. As used in this rule, “eldercaring coordination” means a dispute resolution process modeled after the concept of parenting coordination for high conflict families regarding the care and safety of elders.~~

~~(C) Referring the parties to mediation consistent with Sup.R. 16 and a local rule governing mediation, if any;~~

~~(D) Informing the parties about the availability of early neutral evaluation programs, including those offered by local bar associations, and, upon agreement of the parties, entering an appropriate order doing any of the following:~~

~~(1) Referring the dispute to early neutral evaluation;~~

~~(2) Staying the proceedings in the litigation for up to sixty days pending completion of the early neutral evaluation process;~~

~~(3) Implementing the result of the early neutral evaluation process.~~

~~(E) Upon request of the parties to the litigation, evidenced by a written certification of agreement from all parties, entering such orders to refer the dispute to any other alternative dispute resolution method as the judge deems to be consistent with the interest of justice.~~

~~RULE 95. Notifying Law Enforcement Agencies of Mental Illness.~~

~~(A) Definitions~~

~~As used in this rule:~~

~~(1) “Local law enforcement agency” means the police department of a municipal corporation in which an offense occurred or, if the offense did not occur in a municipal corporation, the sheriff of the county in which the offense occurred.~~

~~(2) “Mental illness” has the same meaning as in R.C. 5122.01.~~

~~(3) “Offense of violence” has the same meaning as in R.C. 2901.01.~~

~~(B) Completion of form~~

~~A court shall complete “Form 95” upon issuance, modification, or termination of a court order doing any of the following:~~

~~(1) Ordering a person who pled guilty to or who was convicted of an offense of violence to receive a mental health evaluation;~~

(2) ~~Ordering a person who pled guilty to or who was convicted of an offense of violence to receive treatment for mental illness;~~

(3) ~~Approving a conditional release of a person who was found not guilty by reason of insanity;~~

(4) ~~Approving a conditional release of a person who was found incompetent to stand trial with no substantial probability of becoming competent again even with a course of treatment.~~

(C) Filing of form

~~Upon completion of "Form 95," a court shall submit a copy of the court order and the form to the local law enforcement agency for entrance of the information into the "National Crime Information Center Supervised Release File" through the "Law Enforcement Automated Data System" pursuant to R.C. 2929.44(B) and 2945.402(E)(1).~~

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

- ☐ Initial NCIC Form
 ☐ 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)? ☐ YES ☐ NO
 * Did the subject have 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) **Is order term of probation/ community control?** ☐ YES ☐ NO
COURT ORIGINATING AGENCY IDENTIFIER _____ (9-DIGIT ORI ASSIGNED BY NCIC)
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) 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 child(ren) 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: _____

- ☐ 09 The protected person is awarded temporary exclusive custody of the child(ren) named.

OHP
DATA

ONLY

#EPO

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): __________
Judge/Magistrate (circle one)_____
Date

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

Form 10-A, Protection Order Notice to NCIC, is the mechanism to enter protection orders or consent agreements into the FBI's National Crime Information Center ("NCIC") Protection Order file. Inaccurate or inconsistent information on Form 10-A will delay entering the court order into the NCIC index; 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, modifies, renews, or terminates a criminal or civil *ex parte* or full hearing protection order or consent agreement or otherwise makes a clerical correction on a previously issued order or agreement.

Courts are encouraged to verify that orders are timely entered.

ELEMENTS OF FORM 10-A

- (A) Although Form 10-A is the primary method to inform law enforcement of the terms and conditions of a protection order or consent agreement, it is not a substitution for a protection order or judgement entry.
- (B) The court must mark the appropriate box:
- **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.
 - **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 clerical 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 is 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. The protection order should be entered promptly regardless of service.
- (C) **NUMERICAL IDENTIFIER.** Although the FBI only requires one numerical identifier, the court should provide additional numerical identifiers, if available, to facilitate identification of the subject of the protection order.
- (D) **BRADY DISQUALIFIERS.** 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 or Defendant, i.e., spouse, former spouse, an individual who cohabits or has cohabited with Respondent or Defendant, and an individual who is a parent of a child of the Respondent or Defendant;
 - Respondent or Defendant had actual notice of the hearing and an opportunity to participate;
 - The court made a finding in the order that Respondent or Defendant poses a credible threat of harm or the order explicitly prohibits Respondent or Defendant from the use, attempted use, or threatened use of physical force against an intimate partner or child.

In addition to the firearms and ammunition prohibition per 18 U.S.C. 922(g)(8), a Respondent or Defendant may be firearms and ammunition disqualified as result of other circumstances, e.g., 18 U.S.C. 922(g)(1) through (9), state law, or a court order.

- (E) **DATE OF ORDER AND EXPIRATION OF ORDER.** ~~The NCIC protection order database will automatically render a record inactive on the order's expiration date. Protection orders issued pursuant to R.C. 2903.213 or 2919.26 may indicate "NONEXP." Upon disposition of the criminal case or the issuance of a civil protection order arising out of the same facts, the court must send to law enforcement another Form 10-A indicating Removal from the NCIC and state the expiration date of the order.~~
- (F) **TERMS 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 in Form 10-A does not correspond to the sequence of 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.~~

~~In every instance that the court 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 Form 10-A or a form that is substantially similar, indicate the applicable terms to law enforcement and mark "Amended NCIC Form."~~

**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.

NOTICE TO RESPONDENT OR DEFENDANT ABOUT EXISTENCE OF PROTECTION ORDER

THIS NOTICE IS NOT A PROTECTION ORDER. 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, upon being served with it. This Notice is **not** the Protection Order issued against you.

- ~~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 contacting 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 may be prohibited from possessing or purchasing deadly weapons, including firearms, and ammunition.~~

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/Defendant (signature)

Date

Respondent's/Defendant'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

This Notice shall be returned to the Clerk of Court of the court that issued the protection order for entry into the docket as soon as possible, but no later than three business days from the date the Notice was provided.

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 or reseller agent 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**REQUEST FOR SERVICE**A copy of this Order shall be served pursuant to R.C. 3113.454 on the wireless service provider or reseller agent listed with the Ohio Secretary of State:

IN THE COURT OF

COUNTY, OHIO

_____ ÷ Case No. _____
Petitioner

_____ ÷ **NOTICE OF RECEIPT**

v.

_____ ÷

_____ ÷
Respondent

~~Pursuant to an ex parte or full hearing civil or criminal protection order issued pursuant to 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, including firearms, and ammunition for protective custody.~~

~~I hereby notify the Court that on _____ Respondent turned in deadly weapons, including firearms, and ammunition for protective custody. Attached is a copy of the receipt.~~

☐ ~~The deadly weapons, firearms, and ammunition were not turned in for protective custody in accordance with the Order. Respondent reported the deadly weapons, including firearms, and ammunition were:~~

☐ ~~Transferred to a federal firearms licensee: _____~~

☐ ~~Other: _____~~

 Officer and Badge Number

 Law Enforcement Agency

 Date

~~This Notice shall be returned to the Clerk of Court for entry into the docket~~

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

SEX	RACE	HGT	WGT
EYES	HAIR	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 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 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 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]
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; posting a message; 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** use any form of electronic surveillance on persons named in this Order.
- ☐ 6. **DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, INCLUDING FIREARMS, AND AMMUNITION. THE SENTENCE INCLUDES A COMMUNITY CONTROL SANCTION THAT DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, INCLUDING FIREARMS, AND 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 Defendant with new crimes.~~
- ~~Defendant is advised that visitation orders do not permit Defendant to violate any of the terms of this Order, except as otherwise ordered in paragraph 7.~~
- ~~Only the Court can change the terms of this Order.~~

I acknowledge receipt of this Order and warning contained herein.

DEFENDANT

DATE

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- ☐ ~~Prosecutor~~
- ☐ ~~Victim shall receive a certified copy:~~

- ☐ ~~Victim's Representative:~~ _____
- ☐ ~~Defendant~~
- ☐ ~~Defendant's Attorney / Public Defender~~
- ☐ ~~Law Enforcement Agency:~~

- ☐ ~~Probation / Community Control:~~ _____
- ☐ ~~Other:~~ _____

NOTICE TO LAW ENFORCEMENT

~~Pursuant to R.C. 2951.08(A), during the 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-A: GENERAL INFORMATION ABOUT DOMESTIC VIOLENCE PROTECTION ORDERS

DEFINITIONS YOU NEED TO KNOW

Domestic violence is when a family or household member uses physical violence, threats, intimidation, and/or emotional, sexual, and economic abuse to maintain power and control over the other person, usually within an intimate relationship. Domestic violence is most often a combination of psychological and physical actions; the physical results are just the most visible. Domestic violence is a pattern of conduct in which one intimate partner uses force or threats of force to control the other person.

State law has determined that some forms of abuse do not constitute criminal behavior or behavior requiring the Court's intervention. For example, psychological battering, economic abuse, or verbal harassment without evidence of threats or physical harm are not recognized by Ohio law as domestic violence that allows a petitioner to obtain a protection order or request that criminal charges be filed.

When a family or household member tries to cause you bodily harm by hitting, pushing, beating, or physically hurting you, that is domestic violence. When a family or household member makes you afraid that you will be harmed, that is domestic violence. When a family or household member stalks, commits sexually oriented offenses against you, or forces sexual relations on you, that is domestic violence. When a family or household member abuses your children, that is domestic violence.

IN A CIVIL DOMESTIC VIOLENCE CASE:

Petition for Domestic Violence Civil Protection Order ("CPO") is the document a domestic violence victim, the victim's parent, or an adult household member of the victim must file with the domestic relations court to obtain a civil protection order against an alleged offender.

Domestic Violence Civil Protection Order ("CPO") Ex Parte is an emergency order the Court issues in response to the Petition for a Civil Protection Order after an *ex parte* hearing. The *ex parte* hearing is described in this form on page 3.

Domestic Violence Civil Protection Order ("CPO") Full Hearing is the final order the Court issues after a full hearing. The full hearing is described in this form on page 3. The full hearing CPO replaces the *ex parte* CPO. Sometimes the final order issued by the Court is a **Consent Agreement and Domestic Violence Civil Protection Order**, Form 10.01-J, upon terms agreed to by the parties.

Petitioner is the person asking or "petitioning" the Court for protection. By filing the Petition for a CPO, YOU are the Petitioner.

Respondent is the alleged domestic violence offender. Petitioner seeks protection from the Respondent by filing for a CPO.

IN A CRIMINAL DOMESTIC VIOLENCE CASE:

Motion for a Criminal Domestic Violence Temporary Protection Order ("DVTPO") is the document that must be filed in a criminal case if a victim of domestic violence or victim of a sexually oriented offense wishes to obtain a protection order against an alleged offender, who is a family or household member. The criminal case must allege the offender committed negligent assault, criminal damaging or endangering, criminal mischief, burglary, aggravated trespass, endangering children, any offense of violence, or any sexually oriented offense against a family or household member. The prosecutor has a form for this purpose.

Domestic Violence Temporary Protection Order ("DVTPO") is the order the Court issues in response to the Motion for Temporary Protection Order. The DVTPO requires the offender to stop abusing and to stay away from the victims named in the Motion for Temporary Protection Order. A DVTPO expires when the alleged offender's criminal case ends or when a new CPO is issued based on the same facts.

Alleged Victim is the person asking the Court for protection in the Motion for a DVTPO.

Defendant is the person the Motion for a DVTPO is filed against. The Defendant is the person accused of the crimes of negligent assault, criminal damaging or endangering, criminal mischief, burglary, aggravated trespass, endangering children, any sexually oriented offense, or any offense of violence against a family or household member.

FEES

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

DOMESTIC VIOLENCE CIVIL PROTECTION ORDERS (CPO)

What is a Domestic Violence Civil Protection Order ("CPO")?

A CPO is issued by a domestic relations court to protect a victim of domestic violence. A CPO is intended to prevent further domestic violence. It orders someone who has been abusive to do or not do certain things in the future. You may want to consider getting a CPO even if you have a DVTPO from a criminal court because a CPO lasts longer and provides more benefits—such as child custody and support orders. Domestic violence includes the commission of sexually oriented offenses.

Violating a CPO is a crime. If the Respondent violates the CPO, he or she may be arrested, jailed, and fined for disobeying the CPO. A CPO can remain in effect for up to 5 years. If the Respondent violates the CPO, you can call the police, go back to the domestic relations court to file a contempt charge, and go to the prosecutor's office to have the Respondent charged with the crime of violating the CPO.

Why get a Domestic Violence Civil Protection Order?

If you are a victim of domestic violence, a CPO may help you. Once domestic violence starts, the violence often happens more often and gets increasingly severe. A CPO may stop this cycle of violence because the Court orders the Respondent to stop hurting or threatening you and your family or household members. The Court can use a CPO to order the Respondent to stay away from you for up to five years. A CPO can give you time to "sort things out" and decide what you want to do next without having to be afraid all of the time. If your children have seen domestic violence, a CPO may give all of you a chance to get some help so that you and your children are safe.

Domestic violence is a crime. A CPO tells the Respondent you and the Court are serious about requiring the Respondent to stop his or her abusive behavior and not to hurt or threaten you again.

A CPO sets some "rules" that the Respondent must obey while the CPO is in effect. These rules may require the Respondent to pay child or spousal support; give up possession of a home or car; and/or obey the Court's orders about visitation.

A CPO issued by a domestic relations court may last longer than a DVTPO issued by a criminal court and can provide more kinds of help. You should know that if you get a CPO based upon the same facts as the DVTPO, the DVTPO from the criminal court will automatically end, even if the criminal case continues.

Who can get a Domestic Violence Civil Protection Order?

You can apply for a CPO if you are related to the Respondent by blood or marriage AND have lived with Respondent at any time; OR you are living with or have lived with the Respondent during the past five years; OR you used to be married to the Respondent; OR you have a child with the Respondent, whether or not you ever married or lived together.

You can also get a CPO for any member of your household.

You may be able to get a CPO if you have been dating the Respondent; if you share family or financial responsibilities with the Respondent; AND you have an intimate relationship with the Respondent.

Remember that a CPO has limits. If you suspect that the Respondent will not obey the terms of a CPO, contact your local domestic violence program or the Ohio Domestic Violence Network at 800-934-9840.

Do I need an attorney for me to obtain a Domestic Violence Civil Protection Order?

No, but you are often better off having legal representation in your CPO proceeding. Neither the Clerk of Court nor other Court employees can give you legal advice. Having an attorney represent you is especially helpful when your case involves contested custody and visitation and/or when an attorney represents the Respondent. If you cannot afford an attorney, contact your local legal aid office at 866-LAWOHIO (toll free), bar association, or Ohio State Legal Services (800-589-5888) for information on low cost or free legal representation.

Must there be a court hearing for me to obtain a Domestic Violence Civil Protection Order?

~~Yes. There are two hearings involved in a CPO case: the *ex parte* hearing and the full hearing.~~

***Ex Parte* Hearing:** ~~At this hearing, only you are present. The Respondent is not present.~~

~~An *ex parte* hearing is held on the same day a Petition for Civil Protection Order is filed. If a Petition for a CPO is filed early enough in the day, an *ex parte* hearing is held that same day. At the *ex parte* hearing, you take an oath to tell the truth and a judge or magistrate hears your statement of what happened. If the judge or magistrate finds that the events you described meet the requirements of the law, the Court will issue an *Ex Parte* CPO and schedule a full hearing. If the Respondent is asked to vacate the home in which you live, there will be a full hearing within 7 business days. Otherwise, a full hearing will be set within 10 business days. The Court can hold a full hearing only after the Respondent has been served with the *Ex Parte* CPO. You may need to fill out forms for the Clerk of Court to cause service.~~

Full Hearing: ~~The full hearing is the final hearing.~~

~~At this hearing, both you and the Respondent can testify. You must be present at the full hearing. You should bring any witnesses and other evidence to support your case. If the Court issues a Full Hearing CPO, it remains in force until the date indicated in the CPO, with 5 years being the maximum.~~

~~If the Respondent does not show up for the full hearing, you can still obtain a final CPO. However, if the Respondent is not served with the *Ex Parte* CPO before the full hearing, the Court postpones the full hearing until the Respondent is served. If the full hearing is postponed, the *Ex Parte* CPO remains in effect until the full hearing is held.~~

~~You may bring an advocate with you to the *ex parte* and full hearings for support. Some domestic violence shelters and victim assistance programs can provide advocates to go with you to these hearings. Contact your local domestic violence program or the Ohio Domestic Violence Network, 800-934-9840, for program and shelter information.~~

CRIMINAL DOMESTIC VIOLENCE TEMPORARY PROTECTION ORDERS (DVTPO)

~~Your local criminal court grants a DVTPO. You ask the Court for a DVTPO when a criminal complaint is filed alleging someone has committed domestic violence or a sexually oriented offense against you. The DVTPO orders someone who has abused you to do or stop doing certain things in the future. Violating a DVTPO is a crime. If the Defendant violates the DVTPO, the Defendant may be arrested, jailed, and fined for disobeying the DVTPO. Violating a DVTPO is also a reason for the Court to revoke the Defendant's bail. A DVTPO lasts only until the criminal case is ended or a CPO, based on the same facts, is issued by a domestic relations court.~~

RESOURCES

~~You can find information about Domestic Violence Civil Protection Orders in R.C. 3113.31 and information about Domestic Violence Temporary Protection Orders in R.C. 2919.26.~~

~~You may be able to find additional information about domestic violence at the following web sites:~~

~~Ohio Domestic Violence Network~~

~~www.odvn.org~~

~~Ohio Legal Help~~

~~www.ohiolegalhelp.org~~

~~National Resource Center on Domestic Violence~~

~~www.nrcdv.org~~

~~Supreme Court of Ohio—Domestic Violence Program~~

~~www.supremecourt.ohio.gov/domviol~~

PLEASE NOTE: ~~Computer use can be monitored. It is impossible to completely clear all website footprints. If you are in danger, please use a safer computer that your abuser cannot access directly or remotely. For example, computers at a public library, internet café, domestic violence shelter, or community technology center, may be safer computers.~~

~~FORM 10.01-B is reserved for future use~~

FORM 10.01-C: INFORMATION ABOUT FILING A DOMESTIC VIOLENCE OR DATING VIOLENCE CIVIL PROTECTION ORDER PETITION

- If you have any questions about completing the Petition for a Domestic Violence Civil Protection Order (Form 10.01-D) or the Dating Violence Civil Protection Order (Form 10.01-P), contact the local victim assistance program, domestic violence program, or Ohio Domestic Violence Network at 800-934-9840.
- Neither the Clerk of Court's Office nor the local domestic violence program can give legal advice. If you need legal advice, talk to a lawyer. Only a lawyer can give you legal advice.
- There is NO FEE for filing the Petition.
- Once completed, take the Petition and other necessary documents to the Clerk of Court's Office.
- If you want an emergency order, also known as an *Ex Parte* Protection Order, check "want" in paragraph 2 of the Petition.
- The Court will consider your request for an *Ex Parte* Protection Order and may ask you questions.
- 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) bring with you any witnesses, evidence, and documentation to prove your case, and (3) ask Respondent questions.
- Respondent may be represented by a lawyer. You may represent yourself or ask for a continuance to obtain a lawyer. [R.C. 3113.31(D)(2)(a)(iii)]
- 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	
Domestic Violence [R.C. 3113.31]	"Domestic violence" means the occurrence of one or more of the following acts against a family or household member or a person with whom Petitioner has a dating relationship: 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 menacing by stalking or aggravated trespass; committing any act with respect to a child that would result in the child being an abused child, as defined [by law]; or committing a sexually oriented offense.
Person with Whom Respondent Is or Was in a Dating Relationship [R.C. 3113.31(A)(9)]	An adult who, at the time of the conduct in question, is in a dating relationship with Respondent who also is an adult or who, within the twelve months preceding the conduct in question, has had a dating relationship with Respondent who also is an adult.

Dating Relationship [R.C. 3113.31(A)(8)]	<p>A relationship between adults who have, or have had, a relationship of a romantic or intimate nature.</p> <p>"Dating relationship" does not include a casual acquaintanceship or ordinary fraternization in a business or social context.</p>
Family or Household Member [R.C. 3113.31(A)(3)-(4)]	<p>"Family or household member" means either of the following:</p> <p>(1) — 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 or marriage) to a spouse, person living as a spouse, or former spouse of Respondent.</p> <p>(2) — The natural parent of any child of whom Respondent is the other natural parent or is the putative other natural parent.</p> <p>"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.</p>

IN THE _____ COURT

COUNTY, OHIO

Petitioner _____ Case No. _____

Address (Safe mailing address) _____ Judge/Magistrate _____

City, State, Zip Code _____

Date of Birth ____/____/____ PETITION FOR DOMESTIC VIOLENCE CIVIL

v. _____ PROTECTION ORDER (R.C. 3113.31)

Respondent _____

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

City, State, Zip Code _____

Date of Birth ____/____/____ ☐ Respondent is 18 years old or older

IF YOU ARE ASKING FOR YOUR ADDRESS TO BE KEPT CONFIDENTIAL, PLEASE PUT A MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE 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. I need or witness needs a foreign language interpreter in _____ or an American Sign Language interpreter per Sup.R. 88.

☐ 2. I ☐ want ☐ do not want an **ex parte (emergency) protection order** per R.C. 3113.31. Petitioner further requests a full hearing trial be scheduled, even 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. What is the domestic violence victim's relationship to Respondent?

☐ 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

5. ~~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 including other family or household members.)~~

NAME	DATE OF BIRTH	RELATIONSHIP TO PETITIONER	RELATIONSHIP TO RESPONDENT	THIS PERSON LIVES 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

~~6. Petitioner requests a Domestic Violence Civil Protection Order.~~

You **must** describe Respondent's threats or actions that made you request a protection order, including if children were present when the acts took place. When did it happen? (If you do not know exact dates, give approximate dates). Explain why you believe you or your family or household members are in danger. **If you need more space, attach an additional page.**

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

7. (Optional) You may describe, ~~if you want and know~~, about any of the following items. Not describing these items in the Petition does not mean domestic violence did not happen. If you need more space, attach an additional page:

- ~~• Respondent's history of domestic violence or other violent acts;~~
- ~~• Respondent's history of violating court orders;~~
- ~~• Respondent's mental health;~~
- ~~• Respondent's threats to other persons;~~
- ~~• Respondent's access to deadly weapons, firearms, and ammunition or use of deadly weapons and acts or threats of violence with deadly weapon;~~
- ~~• Respondent's abuse alcohol or controlled substances (drugs);~~
- ~~• 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 to gain access to Petitioner or Petitioner's family and household members;~~
- ~~• Recent separation from Respondent or relationship was recently terminated;~~
- ~~• Respondent's obsessive and controlling behaviors, including stalking, spying, following, and/or isolating you (Petitioner);~~
- ~~• Respondent's threats to kill self or others.~~

8. ~~Petitioner is in fear and in continuing danger.~~

9. ~~Petitioner further requests that the Court grant relief under R.C. 3113.31 to protect 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 Petitioner and the family or household members named in this Petition.~~
- ☐ ~~(d) 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) ~~Allocates temporary parental rights and responsibilities for the care of the following minor children to Petitioner until further Order of the Court (include names and birth dates of the minor children):~~

- ☐ ~~Petitioner has completed and attached the **Information for Parenting Proceeding, Form 10.01-F** and it is incorporated herein.~~

- ☐ (f) ~~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 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 it is incorporated herein.~~

- ☐ (g) ~~Directs Respondent to provide financial support for Petitioner and the family or household members named in this Petition (Court may request additional information).~~

- ☐ (h) ~~Directs Respondent to not remove, damage, hide, harm, or dispose of any property, companion animals, or pets owned or possessed by Petitioner.~~

- ☐ (i) ~~Grants Petitioner permission to take Petitioner's companion animals or pets, as described below, away from the possession of Respondent:~~

- ☐ (j) ~~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. The wireless service numbers to be transferred to Petitioner which are used by Petitioner or the minor children in the care of Petitioner are: _____

☐ (n) Includes the following additional provisions:

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.
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).
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.
13. Petitioner has listed court cases (including divorce, custody, visitation, paternity, child support, children service/CPS case, animal cruelty, sexually oriented offense, no contact order, and protection order) and other legal matters regarding Respondent that may relate to this case: (Attach additional pages, if necessary.)

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

The information above is true, complete, and accurate to the best of my knowledge. I understand that knowingly providing false information in this document may result in a contempt of court finding against me which could result in a jail sentence and fine, or criminal penalties under R.C. 2921.13.

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

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 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)**

**(Filed with Form 10.01-D: Petition for
 Domestic Violence Civil Protection Order)**

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, 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 including a Petition for a Domestic Violence Civil Protection Order. **If you need more space, attach an additional page.**

I (full legal name) _____,

state under oath or affirmation that these cases involve the custody of a child or children and the following statements are true:

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

2. _____ (number) Minor children are subject to this case as follows:

(NOTE: Provide residence information for the last FIVE years.)

a. Child's Name:		Date of Birth:	
Period of Residence		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:		Date of Birth:	
<input type="checkbox"/> Check this box if the information requested below is the same as above.			
Period of Residence		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		
to	<input type="checkbox"/> Address Confidential <input type="checkbox"/> Secretary of State Address Confidentiality Program		

Case No. _____

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		

c. Child's Name:		Date of Birth:	
<input type="checkbox"/> Check this box if the information requested below is the same as above.			
Period of Residence		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		
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		

- d.** List additional children on a page titled **Attachment 2(d)**. (Provide the following information for each additional child: 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.)

Case No. _____

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

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

6. Persons not a party to this case:

☐ 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.

Case No. _____

☐ **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 have a continuing duty to 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 domestic violence case concerning the children in this state or in any other state that could affect the current case.~~

OATH OR AFFIRMATION

~~I swear or affirm that the answers above are true, complete, and accurate to the best of my knowledge. I understand that making false statements in this document may result in a contempt of court finding against me which could result in a jail sentence and fine, and 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.~~

~~Signature of Petitioner~~

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

NOTARY PUBLIC

~~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

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -
PHONE NUMBER

Case No. _____

Judge/Magistrate _____

State

OHIO**DOMESTIC VIOLENCE CIVIL PROTECTION ORDER
(DVCPO) *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	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.

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.**

~~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.~~

[illegible]

☐ ~~Additional findings on a separate page are included and attached herein.~~

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~~

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

is granted to: _____ Respondent shall not interfere with the protected persons' right to occupy the residence including, but not limited to cancelling utilities or insurance or interrupting telecommunication (e.g., telephone, 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 within 24 hours of 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 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]☐ **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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; 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** 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.

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

☐ **10. 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.

- ☐ **11. 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:

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

- ☐ **13. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** at any time while the Order remains in effect in order to bring about a cessation of violence. Furthermore, Respondent may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2923.13. [NCIC 07]

RESPONDENT IS EXCEPTED only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition prohibitions apply.

- ☐ **14. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS** 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 accept possession of deadly weapons pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

Upon the expiration or termination of this Order and if a full hearing order is not issued or consent agreement approved, Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

- ☐ **15. RESPONDENT'S CONCEALED CARRY WEAPON LICENSE**, if any, is now subject to R.C. 2923.128.

- ☐ **16. 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.

- ☐ **17. PARENTAL RIGHTS AND RESPONSIBILITIES ARE TEMPORARILY ALLOCATED AS FOLLOWS:**
 [NCIC 09] _____

This Order applies to the following ☐ child ☐ children:

- ☐ **18. PARENTING TIME ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.**

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

This Order applies to the following ☐ child ☐ children:

☐ **19. LAW ENFORCEMENT AGENCIES**, including but not limited to, _____
 are ordered to assist Petitioner in gaining physical custody of the ☐ child ☐ children, if necessary.

☐ **20. RESPONDENT SHALL SUPPORT** the protected persons named in this Order as follows:

☐ **21. 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:

☐ **22. RESPONDENT SHALL NOT USE OR POSSESS** ☐ alcohol or ☐ illegal drugs.

☐ **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, Wireless Service Transfer Order (Form 10-E).

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

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

26. THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENT to be served on 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.

27. 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. 3113.31(D)(2)(b).

Case No. _____

28. ~~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 16, 17, 18, and 19.

29. ~~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

~~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:

~~On the day of the Full Hearing, come prepared to (1) tell the Court what happened, (2) bring with you any witnesses, evidence, and documentation to prove your case, and (3) be aware that the other party or the party's attorney may ask you questions. If you do not have an attorney, you may ask for a brief continuance to obtain an attorney per R.C. 3113.31(D)(2)(a)(iii) or you may represent yourself.~~

Parties do not have to give discovery, answer questions, or give information to the other party or the other party's lawyer unless ordered by judge or magistrate (Civ.R. 65.1(D)(2)).

TO THE CLERK

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

COPIES OF THIS ORDER AND OTHER ACCOMPANYING DOCUMENTS SHALL BE DELIVERED TO:

- ☐ Petitioner
☐ Petitioner's Attorney
☐ Law Enforcement Agency Where Petitioner Resides:

☐ Sheriff's Office:

☐ Law Enforcement Agency 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:**

_____	_____	_____
-------	-------	-------

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	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 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 image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

FORM 10.01-I: DOMESTIC VIOLENCE CIVIL PROTECTION ORDER (DVCPO) FULL HEARING
Amended: April 15, 2024
Discard all previous versions of this form

The Court further finds by a preponderance of the evidence that 1) Petitioner and Petitioner's family or household members are in danger and have been a victim of domestic violence 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 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 the protected persons' right to occupy the residence including, but not limited to canceling utilities or insurance or interrupting telecommunication (e.g. telephone, 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 within 24 hours of 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 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]

- ☐ 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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; 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~~ 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.

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

☐ **10. 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.☐ **11. 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:

☐ **12. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this Order.☐ **13. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, INCLUDING FIREARMS, AND AMMUNITION** at any time while this Order remains in effect in order to bring about a cessation of violence. Furthermore, Respondent may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2023.13. [NCIC 07]**RESPONDENT IS EXCEPTED** only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition prohibitions apply.☐ **14. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, INCLUDING FIREARMS, AND AMMUNITION** 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 accept possession of deadly weapons, including firearms, and ammunition pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

Upon the expiration or termination of this Order, Respondent may reclaim any deadly weapons, including firearms, and ammunition held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

15. RESPONDENT'S CONCEALED CARRY WEAPON LICENSE, if any, is now subject to R.C. 2023.128.

Case No. _____

☐ **16. 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.

☐ **17. PARENTAL RIGHTS AND RESPONSIBILITIES ARE TEMPORARILY ALLOCATED AS FOLLOWS:**

[NCIC 09]

This Order applies to the following ☐ child ☐ children:

☐ **18. PARENTING TIME ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.**

☐ (A) Respondent's parenting time rights are suspended; or

☐ (B) As a limited exception to paragraphs 5 and 6, temporary parenting time rights are established as follows:

[NCIC 06]

This Order applies to the following ☐ child ☐ children:

☐ **19. LAW ENFORCEMENT AGENCIES**, including but not limited to, _____
 are ordered to assist Petitioner in gaining physical custody of the ☐ child ☐ children, if necessary.

☐ **20. RESPONDENT SHALL SUPPORT** the protected persons named in this Order as follows:

☐ **21. 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:

☐ **22. RESPONDENT SHALL NOT USE OR POSSESS** ☐ alcohol or ☐ illegal drugs.

☐ **23. RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:**

Respondent shall contact this program within _____ days after receiving

Case No. _____

~~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.

☐ **24. 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.**

☐ **25. 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,
 Wireless Service Transfer Order (Form 10-E).

☐ **26. IT IS FURTHER ORDERED:** [NCIC-08]

27. THE CLERK OF COURT SHALL CAUSE A COPY OF THIS ORDER to be served on 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.

28. 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 16, 17, 18, and 19.

29. 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.

30. 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.

31. 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.**

Case No. _____

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable order, were served on or delivered to 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:

A COPY OF THIS ORDER SHALL BE SERVED ON RESPONDENT PURSUANT TO CIV.R. 65.1(C)(3).

COPIES OF THIS ORDER SHALL BE DELIVERED ON:

- ☐ Petitioner
- ☐ Petitioner's Attorney
- ☐ Respondent's Attorney
- ☐ Counseling Program: _____
- ☐ Sheriff's Office: _____
- ☐ Law Enforcement Agency Where Petitioner Resides: _____
- ☐ Law Enforcement Agency 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. [REDACTED]

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	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 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 image shows a single sheet of white paper with horizontal blue or grey ruling lines, typical of notebook paper. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

FORM 10.01-J: CONSENT AGREEMENT AND DOMESTIC VIOLENCE CIVIL PROTECTION ORDER
Amended: April 15, 2021
Discard all previous versions of this form

Case No. _____

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

is granted to: _____. 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, 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 within 24 hours of 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 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]☐ **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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; 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** 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.

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

Case No. _____

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

☐ 11. ~~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:~~

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

☐ 13. ~~RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, INCLUDING FIREARMS, AND AMMUNITION~~ at any time while this Order remains in effect in order to bring about a cessation of violence. Furthermore, Respondent may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2023.13. [NCIC 07]

~~RESPONDENT IS EXCEPTED~~ only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition prohibitions apply.

☐ 14. ~~RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, INCLUDING FIREARMS AMMUNITION~~ 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 accept possession of deadly weapons, including firearms, and ammunition pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

Upon the expiration or termination of this Order, Respondent may reclaim any deadly weapons, including firearms, and ammunition held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

☐ 15. ~~RESPONDENT'S CONCEALED CARRY WEAPON LICENSE~~, if any, is now subject to R.C. 2023.128.

☐ 16. ~~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.

☐ 17. ~~PARENTAL RIGHTS AND RESPONSIBILITIES ARE TEMPORARILY ALLOCATED AS FOLLOWS:~~ [NCIC 09]

Case No. _____

This Order applies to the following ☐ child ☐ children:

☐ **18. PARENTING TIME ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.**

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

This Order applies to the following ☐ child ☐ children:

☐ **19. LAW ENFORCEMENT AGENCIES**, including but not limited to, _____
are ordered to assist Petitioner in gaining physical custody of the ☐ child ☐ children, if necessary.

☐ **20. RESPONDENT SHALL SUPPORT** the protected persons named in this Order as follows:

☐ **21. 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:

☐ **22. RESPONDENT SHALL NOT USE OR POSSESS** ☐ alcohol or ☐ illegal drugs.

☐ **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 Wireless Service Transfer Order (Form 10-E).

☐ **24. RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:**

Case No. _____

~~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.~~

- ☐ **25. 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 or the Court may issue a warrant
for your arrest.

- ☐ **26. IT IS FURTHER ORDERED:** [NCIC 08]

- 27. THE CLERK OF COURT SHALL CAUSE A COPY OF THIS ORDER** to be served on 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.

- 28. 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 16, 17, 18, and 19.

- 29. 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.

- 30. 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.

- 31. 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.

Case No. _____

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

SIGNATURE OF PETITIONER

 Address of Petitioner (Safe Mailing Address)

 Signature of Attorney for Petitioner

 Address of Attorney for Petitioner

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

SIGNATURE OF RESPONDENT

 Address of Respondent

 Signature of Attorney for Respondent

 Address of Attorney for Respondent

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable order, were served on or delivered to 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:

A COPY OF THIS ORDER SHALL BE SERVED ON RESPONDENT PURSUANT TO CIV.R. 65.1(C)(3).

COPIES OF THIS ORDER SHALL BE DELIVERED ON:

- ☐ Petitioner
☐ Petitioner's Attorney
☐ Respondent's Attorney
☐ Counseling Program: _____
☐ Sheriff's Office: _____
☐ Law Enforcement Agency Where Petitioner Resides: _____
☐ Law Enforcement Agency 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 OR DATING VIOLENCE
CIVIL PROTECTION ORDER OR CONSENT**

Respondent

÷

AGREEMENT

(R.C. 3113.31)

Address

÷

City, State, Zip Code

÷

IF YOU ARE ASKING FOR YOUR ADDRESS TO BE KEPT CONFIDENTIAL, PLEASE PUT A MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE 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 following Order:

☐ Domestic Violence Civil Protection Order granted on _____

☐ Dating Violence Civil Protection Order granted on _____

☐ Consent Agreement Domestic Violence Civil Protection Order approved on _____

☐ Consent Agreement Dating Violence Civil Protection Order 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 Petitioner for filing a Motion to Modify or Terminate Civil Protection Order or Consent Agreement, which is in connection with a previously issued or approved protection order or consent agreement, pursuant to R.C. 3113.31(J)(1).~~

Respectfully submitted,

SIGNATURE OF PETITIONER/RESPONDENT

~~Safe mailing address where the Court may 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

Attorney's Telephone

Attorney's Fax

Attorney's Email

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)(4), please serve ☐ Petitioner ☐ Respondent a copy of the Motion 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 / RESPONDENT****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. _____

-DOB: _____ / _____ / _____

÷ Judge _____

v.

÷ JUDGMENT ENTRY ON MOTION TO MODIFY OR
TERMINATE CIVIL PROTECTION ORDER OR
÷ CONSENT AGREEMENT
(R.C. 3113.31)_____
Respondent

÷

-DOB: _____ / _____ / _____

Upon the motion of ☐ Petitioner ☐ Respondent, this proceeding came on for a hearing on _____
before the Court to ☐ modify ☐ terminate the following Order:☐ Domestic Violence Civil Protection Order granted on _____☐ Dating Violence Civil Protection Order granted on _____☐ Consent Agreement Domestic Violence Civil Protection Order approved on _____☐ Consent Agreement Dating Violence Civil Protection Order approved on _____☐ Petitioner was ☐ present ☐ not present, but had reasonable notice and opportunity to be heard.☐ 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 Civil Protection Order or Consent Agreement.
2. Petitioner ☐ continues to fear ☐ does not fear Respondent.
3. The current nature of the relationship between Petitioner and Respondent is as follows:

4. Relative proximity of 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 Respondent pursuant to R.C. 3113.31 or 2919.26, any other provision of state law, or the laws of any other state.
10. Respondent ☐ participated ☐ has not participated in treatment, intervention program, or other counseling as set forth in the Court's order or approved agreement.
11. Respondent ☐ completed ☐ has not completed treatment, intervention program, or other counseling 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 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 Petitioner or other protected parties:

Based on all relevant factors, including those set forth in R.C. 3113.31(E)(8), the Court finds:

☐ **THE ORDER ISSUED ON** _____ **SHALL BE MODIFIED** per the ☐ Modified Domestic Violence Civil Protection Order (Form 10.01-M) ☐ 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. Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

☐ **THE MOTION IS DENIED.** The civil protection order or consent agreement remains in full force and effect.

The Court has prepared a Protection Order Notice to NCIC (Form 10-A) to show the modification or early termination of the prior order or agreement.

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.

Case No. _____

~~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

~~NOTICE OF FINAL APPEALABLE ORDER~~

~~Copies of this Order, which is a final appealable order, were served on or delivered to the parties indicated above pursuant to Civ. R. 5(B) and 65.1(C)(4), including ordinary mail, on~~

_____ day of _____, 20 _____

By: _____
CLERK OF COURT

~~TO THE CLERK:~~

~~A COPY OF THIS ORDER SHALL BE SERVED ON RESPONDENT PURSUANT TO CIV.R. 65.1(C)(3).~~

~~COPIES OF THIS ORDER SHALL BE DELIVERED ON:~~

- ☐ ~~Petitioner~~
- ☐ ~~Petitioner's Attorney~~
- ☐ ~~Respondent's Attorney~~
- ☐ ~~Counseling Program: _____~~
- ☐ ~~Law Enforcement Agency Where Petitioner Resides: _____~~
- ☐ ~~Law Enforcement Agency 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****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:

_____**RESPONDENT IDENTIFIERS**

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.

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

**(SHALL BE SAME EXPIRATION DATE AS IN CIVIL
PROTECTION ORDER OR CONSENT AGREEMENT
UNLESS EXTENDED BY SEPARATE ENTRY)****WARNING TO RESPONDENT: See the warning page attached to the front of this Order.**

is granted to: _____ 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, 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 within 24 hours of 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 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]

- ☐ 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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; 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** 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.

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

- ☐ 10. **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.

- ☐ 11. **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:

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

13. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, INCLUDING FIREARMS, AND AMMUNITION** at any time while this Order remains in effect in order to bring about a cessation of violence. Furthermore, Respondent may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2923.13. [NCIC-07]

RESPONDENT IS EXCEPTED only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition prohibition apply.

- ☐ 14. **RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS, INCLUDING FIREARMS AND AMMUNITION**, 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 accept possession of deadly weapons, including firearms, and ammunition pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC-07]

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

Upon the expiration or termination of this Order, Respondent may reclaim any deadly weapons, including firearms, and ammunition held in protective custody by law enforcement pursuant to this Order, unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

- ☐ 15. **RESPONDENT'S CONCEALED CARRY WEAPON LICENSE**, if any, is now subject to R.C. 2923.128.

- ☐ 16. **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.

- ☐ 17. **PARENTAL RIGHTS AND RESPONSIBILITIES ARE TEMPORARILY ALLOCATED AS FOLLOWS:** [NCIC-09]

This Order applies to the following ☐ child ☐ children:

☐ **18. ~~PARENTING TIME ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.~~**☐ (A) Respondent's parenting time rights are suspended; or☐ (B) As a limited exception to paragraphs 5 and 6, temporary parenting time rights are established as follows: [NCIC 06]

This Order applies to the following ☐ child ☐ children:

☐ **19. ~~LAW ENFORCEMENT AGENCIES~~**, including but not limited to, _____
are ordered to assist Petitioner in gaining physical custody of the ☐ child ☐ children, if necessary.☐ **20. ~~RESPONDENT SHALL SUPPORT~~** the protected persons named in this Order as follows:

☐ **21. ~~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:

☐ **22. ~~RESPONDENT SHALL NOT USE OR POSSESS~~** ☐ alcohol or ☐ illegal drugs.☐ **23. ~~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.

☐ **24. ~~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, or the Court may issue a warrant for your arrest.
☐ **25. ~~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, Wireless Service Transfer Order (Form 10-E).~~

26. IT IS FURTHER ORDERED: [NCIC 08]

27. THE CLERK OF COURT SHALL CAUSE A COPY of this Order to be served on 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.

28. 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 16, 17, 18, and 19.

29. 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. Accordingly, the Court adopts the magistrate's granting of the Order.

30. 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.

31. 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 this Order, which is a final appealable order, were served or delivered on the parties indicated pursuant to Civ.R. 65.1(C)(4)(b), including ordinary mail, on

_____ day of _____, 20 _____

By: _____
CLERK OF COURT

TO THE CLERK:

A COPY OF THIS ORDER SHALL BE SERVED ON RESPONDENT PURSUANT TO CIV.R. 65.1(C)(4).

COPIES OF THIS ORDER SHALL BE DELIVERED ON:

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

~~FORM 10.01-N is reserved for future use~~

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 OR DATING VIOLENCE CIVIL
PROTECTION ORDER (R.C. 3113.31)**

÷

Respondent

÷

Address

÷

City, State, Zip Code

÷

IF YOU ARE ASKING FOR YOUR ADDRESS TO BE KEPT CONFIDENTIAL, PLEASE GIVE ANOTHER MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE 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 court for violating one or more of the provisions of the ☐ Domestic Violence Civil

 Protection Order ☐ Dating Violence Civil Protection Order issued on _____ / _____ / _____

for the reasons below:

☐ 1. Respondent violated the Civil Protection Order by

(check all that apply):

☐ Abusing me or another protected person

☐ Harming me or attempting to harm me or another protected person

☐ Threatening me or another protected person

☐ Following me or another protected person

☐ Stalking me or another protected person

☐ Harassing me or another protected person

☐ Forcing sexual relations upon _____ me or another protected person

☐ Committing a sexually oriented offense against me or another protected person

☐ 2. Respondent failed to vacate the residence at _____

☐ 3. Respondent interfered with my exclusive possession of the residence located at _____

Case No. _____

Furthermore, Respondent did the following (check all that apply):

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

- ☐ 4. ~~Respondent failed to surrender keys or garage door openers to the residence for which the Civil Protection Order Grants Petitioner exclusive use.~~

- ☐ 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 Civil Protection Order.~~

- ☐ 7. ~~Respondent violated the no contact provision of the 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 Civil Protection Order grants Petitioner exclusive use.~~

- ☐ 9. ~~Respondent removed, damaged, hid, or disposed of personal property, companion animals, or pets in violation of the Civil Protection Order.~~

- ☐ 10. ~~Respondent impeded Petitioner from removing Petitioner's companion animal or pet in violation of the Civil Protection Order.~~

- ☐ 11. ~~Respondent caused or encouraged another person to do acts prohibited by the Civil Protection Order.~~

- ☐ 12. ~~Respondent violated the Civil Protection Order by possessing, using, carrying, obtaining, or failing to turn over a deadly weapon, including firearms, and ammunition.~~

- ☐ 13. ☐ Petitioner ☐ Respondent violated the temporary allocation of parental rights and responsibilities (custody).

- ☐ 14. ☐ Petitioner ☐ Respondent violated the visitation order.

- ☐ 15. ~~Respondent violated the child or spousal support provision in the Civil Protection Order.~~

- ☐ 16. ~~Respondent used or possessed alcohol or illegal drugs in violation of the Civil Protection Order.~~

- ☐ 17. ☐ Petitioner ☐ Respondent failed to attend the ordered counseling program in violation of the Civil Protection Order.

- ☐ 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 in violation of the Civil Protection Order.~~

- ☐ 19. **Other violations of the Civil Protection Order or additional explanation (if you need more space, attach an additional page):**

Case No. _____

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

SIGNATURE OF PETITIONER/RESPONDENT DATE

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

Signature of Attorney for Petitioner

Name

Address

Attorney Registration Number

Telephone

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)(4), please serve Respondent a copy of the Motion 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. _____

Judge/Magistrate _____

Address (Safe mailing address)_____
City, State, Zip CodePETITION FOR DATING VIOLENCE CIVIL
PROTECTION ORDER (R.C. 3113.31)

Date of Birth ____ / ____ / ____

v.

Respondent_____
Address (If home address unknown, put work
address)_____
City, State, Zip Code

Date of Birth ____ / ____ / ____

CHECK ALL BOXES THAT APPLY. IF YOU ARE ASKING FOR YOUR ADDRESS TO BE KEPT CONFIDENTIAL, PLEASE PUT A MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE 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.

☐ I need or a witness needs a foreign language interpreter in _____
or an American Sign Language interpreter per Sup.R. 88.

1. I ☐ want ☐ do not want an ~~ex parte (emergency)~~ protection order per R.C. 3113.31. Petitioner further requests a full hearing trial be scheduled, even if the ~~ex parte~~ protection order is granted, denied, or not requested.

2. I am filing the Petition because I am in fear of continuing danger. I was 18 years old or older when the violence took place, and I am or was in a dating relationship with Respondent within one year before the violence took place.

☐ 3. I have listed below all family or household members who need protection other than me (Leave blank if you are not seeking protection for other family or household members.)

NAME	DATE OF BIRTH	RELATIONSHIP TO PETITIONER
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. Respondent committed an act of violence against me.
5. Respondent was 18 years old or older when the violence took place.
6. I have or had a romantic or intimate relationship with the Respondent.
7. My relationship with Respondent was **neither** a casual acquaintanceship **nor** an ordinary business or social relationship.
8. You **must** describe the relationship with Respondent. You may include: (If you need more space, attach an additional page.)
- Whether you developed a special bond beyond a casual acquaintanceship or an ordinary business or social relationship
 - Length of the relationship with Respondent
 - Nature and frequency of contact with Respondent, including whether you had an intimate relationship with Respondent and communications that would show the relationship with Respondent was more than a casual acquaintanceship or an ordinary business or social relationship
 - Expectations about the relationship with Respondent
 - Statements or conduct by Respondent or you that could show to the Court the depth of or commitment to the relationship
 - Any other reason or explanation to prove the dating relationship

9. You **must** describe Respondent's threats or actions that made you afraid. When did it happen (if you do not know exact dates, give approximate dates)? Explain why you believe you are in danger. **If you need more space, attach an additional page.**

10. You may want to describe, **if you want and know**, about any of the following. Not describing these items in the Petition does not mean dating violence did not happen. **If you need more space, attach an additional page.**

- ~~• Respondent's history of domestic violence or other violent acts~~
- ~~• Respondent's history of violating court orders~~
- ~~• Respondent's mental health~~
- ~~• Respondent's threats to other persons~~
- ~~• Respondent's access to deadly weapons, firearms, and ammunition or use of deadly weapons and acts or threats of violence with deadly weapon~~
- ~~• Respondent's abuse alcohol or controlled substances (drugs)~~
- ~~• 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 to gain access to Petitioner or Petitioner's family and household members~~
- ~~• Recent separation from Respondent or relationship was recently terminated~~
- ~~• Respondent's obsessive and controlling behaviors, including stalking, spying, following, and/or isolating you (Petitioner)~~
- ~~• Respondent's threats to kill self or others~~

11. Petitioner further requests that the Court grant relief under R.C. 3113.31 to protect 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 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. The wireless service numbers to be transferred to Petitioner which are used by Petitioner or the minor children in the care of Petitioner is:~~

- ☐ h. Includes the following additional provisions:

12. ~~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.~~
13. ~~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).~~
14. ~~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.~~
15. ~~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: (If you need more space, attach an additional page.)~~

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

~~I swear or affirm that the answers above are true, complete, and accurate to the best of my knowledge. I understand that making false statements in this document may result in a contempt of court finding against me, which could result in a jail sentence and fine, and 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

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

Case No. _____

Judge/Magistrate _____

State

OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED _____

(____) _____ - _____

PHONE NUMBER

PETITIONER:

--	--	--

First

Middle

Last

v.

**DATING VIOLENCE CIVIL PROTECTION ORDER
(DTCPO) EX PARTE (R.C. 3113.31)****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

RESPONDENT IDENTIFIERS

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

Petitioner is or was in a dating relationship with Respondent within 12 months preceding the conduct resulting in this Order being requested.

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.**

~~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]~~

~~The Court also finds:~~

This image shows a full page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, typical of notebook paper. There are no margins, text, or other markings on the page.

☐ ~~Additional findings on a separate page are included and attached herein.~~

- ☐ 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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; 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~~ 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.
- ☐ 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~~ at any time while the Order remains in effect in order to bring about a cessation of violence. Furthermore, Respondent may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2923.13. [NCIC 07]

~~RESPONDENT IS EXCEPTED~~ only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition prohibitions apply.

- ☐ 9. ~~RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS~~ 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 accept possession of deadly weapons pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

Upon the expiration or termination of this Order and if a full hearing order is not issued or consent agreement approved, Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

10. ~~RESPONDENT'S CONCEALED CARRY WEAPON LICENSE~~, if any, is not subject to R.C. 2923.128.

- ☐ 11. ~~RESPONDENT SHALL NOT USE OR POSSESS~~ ☐ alcohol or ☐ illegal drugs.

- ☐ 12. ~~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).~~

- ☐ 13. ~~IT IS FURTHER ORDERED:~~ [NCIC 08]

14. ~~ALL DISCOVERY SHALL STRICTLY COMPLY~~ with Civ.R. 65.1(D).
15. ~~THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENT~~ to be served on 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.
16. ~~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).
17. ~~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:

On the day of the Full Hearing, come prepared to (1) tell the Court what happened, (2) bring with you any witnesses, evidence, and documentation to prove your case, and (3) be aware that the other party or party's attorney may ask you questions. If you do not have an attorney, you may ask for a brief continuance to obtain an attorney per R.C. 3113.31(D)(2)(a)(iii) or you may represent yourself.

Parties do not have to give discovery, answer questions, or give information to the other party or the other party's lawyer unless ordered by judge or magistrate (Civ.R. 65.1(D)(2)).

TO THE CLERK:

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

COPIES OF THIS ORDER AND ANY OTHER ACCOMPANYING DOCUMENTS SHALL BE DELIVERED TO:

- ☐ Petitioner
- ☐ Petitioner's Attorney
- ☐ Law Enforcement Agency Where Petitioner Resides:
- _____
- ☐ Sheriff's Office: _____
- ☐ Law Enforcement Agency Where Petitioner Works:
- _____
- ☐ 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:**

_____	_____	_____
-------	-------	-------

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

RESPONDENT IDENTIFIERS

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

Petitioner is or was in a dating relationship
with Respondent within 12 months preceding the
conduct resulting in this Order being requested.

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:

☐ ~~Additional findings on a separate page are included and attached herein.~~

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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; 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** 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.

- ☐ **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**, at any time while this Order remains in effect in order to bring about a cessation of violence. Furthermore, Respondent may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2923.13. [NCIC 07]

RESPONDENT IS EXCEPTED only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition prohibitions apply.

- ☐ **9. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS** 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 accept possession of deadly weapons pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

Upon the expiration or termination of this Order, Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

- ☐ **10. RESPONDENT'S CONCEALED CARRY WEAPON LICENSE**, if any, is now subject to R.C. 2923.128.

- ☐ **11. RESPONDENT SHALL NOT USE OR POSSESS** ☐ alcohol or ☐ illegal drugs.

- ☐ **12. 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.

☐ **13. 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.

☐ **14. 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, Wireless Service Transfer Order (Form 10-E).

☐ **15. IT IS FURTHER ORDERED:** [NCIC 08]

16. THE CLERK OF COURT SHALL CAUSE A COPY OF THIS ORDER to be served on 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.

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 as set forth in Civ.R. 65.1. Accordingly, the Court adopts the magistrate's granting of the Order.

18. 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.

19. 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 or delivered to the parties indicated above 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:

~~A COPY OF THIS ORDER SHALL BE SERVED ON RESPONDENT PURSUANT TO CIV.R. 65.1(C)(3).~~

COPIES OF THIS ORDER SHALL BE DELIVERED ON:

- ☐ Petitioner
- ☐ Petitioner's Attorney
- ☐ Respondent's Attorney
- ☐ Counseling Program: _____
- ☐ Sheriff's Office
- ☐ Law Enforcement Agency Where Petitioner Resides: _____
- ☐ Law Enforcement Agency Where Petitioner Works: _____
- ☐ 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

Petitioner is or was in a dating relationship with Respondent within 12 months preceding the conduct resulting in this Order being requested.

Address where Respondent can be found:

RESPONDENT IDENTIFIERS

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 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 image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

~~FORM 10.01-S: CONSENT AGREEMENT AND DATING VIOLENCE CIVIL PROTECTION ORDER~~
~~Adopted: April 15, 2021~~

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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; 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~~ 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.
- ☐ 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~~ at any time while this Order remains in effect in order to bring about a cessation of violence. Furthermore, Respondent may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2023.13. [NCIC 07]

~~RESPONDENT IS EXCEPTED~~ only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition prohibitions apply.

- ☐ 9. ~~RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS~~ 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 accept possession of deadly weapons pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

Upon the expiration or termination of this Order, Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

- ☐ 10. ~~RESPONDENT'S CONCEALED CARRY WEAPON LICENSE~~, if any, is now subject to R.C. 2023.128.
- ☐ 11. ~~RESPONDENT SHALL NOT USE OR POSSESS~~ ☐ alcohol or ☐ illegal drugs.
- ☐ 12. ~~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

Case No. _____

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.

☐ **13. 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.**

☐ **14. 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,
 Wireless Service Transfer Order (Form 10-E).

☐ **15. IT IS FURTHER ORDERED:** [NCIC-08]

16. THE CLERK OF COURT SHALL CAUSE A COPY OF THIS ORDER to be served on 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.

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 as
 set forth in Civ.R. 65.1. Accordingly, the Court adopts the magistrate's granting of the Order.

18. 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.

19. 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.**

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

SIGNATURE OF PETITIONER

 Address of Petitioner (Safe Mailing Address)

 Signature of Attorney for Petitioner

 Address of Attorney for Petitioner

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

SIGNATURE OF RESPONDENT

 Address of Respondent

 Signature of Attorney for Respondent

 Address of Attorney for Respondent

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable order, were served on or delivered to the parties indicated above 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:

A COPY OF THIS ORDER SHALL BE SERVED ON RESPONDENT PURSUANT TO CIV.R. 65.1(C)(3).

COPIES OF THIS ORDER SHALL BE DELIVERED ON:

- ☐ ~~Petitioner~~
- ☐ ~~Petitioner's Attorney~~
- ☐ ~~Respondent's Attorney~~
- ☐ ~~Counseling Program:~~ _____
- ☐ ~~Sheriff's Office~~
- ☐ ~~Law Enforcement Agency Where Petitioner Resides:~~

- ☐ ~~Law Enforcement Agency Where Petitioner Works:~~

- ☐ ~~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**MODIFIED 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

RESPONDENT IDENTIFIERS

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

Petitioner is or was in a dating relationship with Respondent within 12 months preceding the conduct resulting in this Order being requested.

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.

(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.

~~The Court also finds:~~

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

~~**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]~~

☐ 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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; 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~~** 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.

☐ **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,~~** at any time while this Order remains in effect in order to bring about a cessation of violence. Furthermore, Respondent may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2923.13. [NCIC 07]

RESPONDENT IS EXCEPTED only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition prohibitions apply.

☐ **9. ~~RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS~~** 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 accept possession of deadly weapons pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

Upon the expiration or termination of this Order, Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

10. RESPONDENT'S CONCEALED CARRY WEAPON LICENSE, if any, is now subject to R.C. 2923.128.

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

☐ **12. 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.

☐ **13. 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.

☐ **14. 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, Wireless Service Transfer Order (Form 10-E).

15. IT IS FURTHER ORDERED: [NCIC 08]

16. THE CLERK OF COURT SHALL CAUSE A COPY of this Order to be served on 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.

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 as set forth in Civ.R. 65.1 Order. Accordingly, the Court adopts the magistrate's granting of the Order.

18. 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.

19. 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 this Order, which is a final appealable order, were served on or delivered to the parties indicated above pursuant to Civ.R. 65.1(C)(4)(b), including ordinary mail, on

_____ day of _____, 20 _____

By: _____
CLERK OF COURT

TO THE CLERK:

A COPY OF THIS ORDER SHALL BE SERVED ON RESPONDENT PURSUANT TO CIV.R. 65.1(C)(4).

COPIES OF THIS ORDER SHALL BE DELIVERED ON:

- ☐ Petitioner
- ☐ Petitioner's Attorney
- ☐ Respondent's Attorney
- ☐ Counseling Program: _____
- ☐ Sheriff's Office
- ☐ Law Enforcement Agency Where Petitioner Resides: _____
- ☐ Law Enforcement Agency Where Petitioner Works: _____
- ☐ Other: _____

IN THE _____ COURT

COUNTY, OHIO

Order of Protection

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

LAW ENFORCEMENT AGENCY WHERE INDEXED

(_____) _____ - _____

PHONE NUMBER

STATE OF OHIO/
CITY OF _____

v.

DEFENDANT

ALLEGED VICTIM:

First Middle Last

v.

DEFENDANT:

First Middle Last

Address where Defendant can be found:

Case No. _____

Judge _____

State

OHIO

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

☐ New Order ☐ Modification of Previous Order

PERSON(S) PROTECTED BY THIS ORDER:

Alleged Victim _____ DOB: _____

Alleged Victim's Family or Household Members:

(☐ Additional forms attached)

_____ 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 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 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.

☐ ~~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 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.

This image shows a full page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, typical of notebook paper. There are no margins, text, or other markings on the page.

~~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]~~

☐ **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, 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 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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; or communications by any other means directly or through another person. Defendant may not violate this Order **even with the permission of a protected person**. [NCIC 05]
- ☐ 6. **DEFENDANT SHALL NOT** use any form of electronic surveillance on protected persons.
- ☐ 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 ALLEGED VICTIM IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS** owned by Alleged Victim, from the possession of Defendant:

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

- ☐ 9. **DEFENDANT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this Order.
- ☐ 10. **DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, INCLUDING FIREARMS, AND AMMUNITION** at any time while the Order remains in effect to bring about a cessation of violence pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2923.13. [NCIC 07]

DEFENDANT IS EXCEPTED only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition disability applies.

- ☐ 11. **DEFENDANT SHALL TURN OVER ALL DEADLY WEAPONS, INCLUDING FIREARMS AND AMMUNITION**, 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:

Any law enforcement agency is authorized to accept possession of deadly weapons, including firearms, and ammunition pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

Upon the expiration or termination of this Order and if a civil protection order or consent agreement has not been issued or approved arising out of the same activities as those that were the basis of the complaint filed in this action, Defendant may reclaim any deadly weapons, including firearms, and ammunition held in protective custody by law enforcement pursuant to this Order, unless Defendant is otherwise disqualified as verified by a check of the NCIC protection order file.

12. **DEFENDANT'S CONCEALED CARRY WEAPON LICENSE**, if any, is now subject to R.C. 2923.128.

- ☐ 13. **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:

- ☐ 14. **DEFENDANT SHALL NOT USE OR POSSESS** ☐ alcohol or ☐ illegal drugs.

- ☐ 15. **IT IS FURTHER ORDERED:** [NCIC 08]

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

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

18. **THIS ORDER IS EFFECTIVE** until the occurrence of one of the following: (1) it is modified by this Court; or (2) the criminal proceeding arising out of the complaint upon which 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.

Case No. _____

IT IS SO ORDERED._____
MAGISTRATE_____
**DATE
EX-PARTE
DVTPO**_____
JUDGE_____
**DATE
EX-PARTE
DVTPO**_____
MAGISTRATE_____
DATE DVTPO_____
JUDGE_____
DATE DVTPO**NOTICE TO DEFENDANT**

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 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:**A COPY OF THIS ORDER SHALL BE SERVED ON DEFENDANT (by personal service).****COPIES OF THIS ORDER SHALL BE DELIVERED TO:**

- ☐ -Prosecutor
- ☐ -Alleged Victim
- ☐ -Defendant's Attorney /Public Defender
- ☐ -Law Enforcement Agency Where Alleged Victim Resides:

- ☐ -Law Enforcement Agency Where Alleged Victim Works:

- ☐ -Sheriff's Office / Police Department:

- ☐ -Other: _____

Service acknowledged:_____
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

~~FORM 10.03-A is reserved for future use~~

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

Case No. _____

Judge _____

State **OHIO**

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

☐ New Order ☐ Modification of Previous Order

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

Address where Defendant can be found:

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 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 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.

~~The Court also finds:~~

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

-

- ~~Discard all previous versions of this form~~

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. ~~THE ALLEGED VICTIM IS AUTHORIZED TO REMOVE THE FOLLOWING COMPANION ANIMALS OR PETS~~ owned by Alleged Victim from the possession of the Defendant:

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

- ☐ 7. ~~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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; or communications by any other means directly or through another person. Defendant may not violate this Order ~~even with the permission of a protected person~~. [NCIC 05]
- ☐ 8. ~~DEFENDANT SHALL NOT~~ use any form of electronic surveillance on protected persons.
- ☐ 9. ~~DEFENDANT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON~~ to do any act prohibited by this Order.
- ☐ 10. ~~DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON~~ at any time while the Order remains in effect for the safety and protection of the protected persons named in this Order. Furthermore, Defendant may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2923.13. [NCIC 07]

~~DEFENDANT IS EXCEPTED~~ only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition prohibitions apply.

- ☐ 11. ~~DEFENDANT SHALL TURN OVER ALL DEADLY WEAPONS~~ 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:

Any law enforcement agency is authorized to accept possession of deadly weapons pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

Upon the expiration or termination of this Order and if a civil protection order has not been issued arising out of the same activities as those that were the basis of the complaint filed in this action, Defendant may

~~reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Defendant is otherwise disqualified as verified by a check of the NCIC protection order file.~~

~~12. DEFENDANT'S CONCEALED CARRY WEAPON LICENSE~~, if any, is now subject to R.C. 2923.128.

☐ ~~13. DEFENDANT SHALL NOT USE OR POSSESS~~ ☐ alcohol or ☐ illegal drugs.

☐ ~~14. IT IS FURTHER ORDERED: [NCIC 08]~~

☐ ~~15. IT IS FURTHER ORDERED~~ a copy of this Order shall be delivered to the Defendant on the same day that the Order is entered.

☐ ~~16. THIS ORDER IS EFFECTIVE~~ until the occurrence of one of the following: (1) it is 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 (CSOPO) 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	_____ JUDGE	_____ DATE
_____ EX PARTE	_____ EX PARTE	_____ EX PARTE	_____ EX PARTE
_____ CRPO	_____ CRPO	_____ CRPO	_____ CRPO
_____ MAGISTRATE	_____ DATE CRPO	_____ JUDGE	_____ DATE CRPO

NOTICE TO DEFENDANT

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 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.

Case No. _____

A HEARING on this Order shall be held before

Judge/Magistrate _____

on _____ / _____ / _____

at _____ ☐ a.m. ☐ p.m.,

at the following location:

TO THE CLERK:**A COPY OF THIS ORDER SHALL BE SERVED ON****DEFENDANT (by personal service):****COPIES OF THIS ORDER SHALL BE DELIVERED TO:**

- ☐ Prosecutor
- ☐ Alleged Victim
- ☐ Defendant's Attorney / Public Defender
- ☐ Law Enforcement Agency Where Alleged Victim Resides:

- ☐ Law Enforcement Agency Where Alleged Victim Works:

- ☐ Sheriff's Office / Police Department:

- ☐ 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

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Petitioner

÷

Case No. _____

÷

Address (Safe mailing address)

÷

Judge/Magistrate _____

City, State, Zip Code

÷

Date of Birth: ____ / ____ / ____

÷

v.

÷

☐ PETITION FOR CIVIL STALKING 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: ____ / ____ / ____

☐ Respondent is 18 years old or older

IF YOU ARE ASKING YOUR ADDRESS TO BE KEPT CONFIDENTIAL, PLEASE PUT A MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE 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. I need or a witness needs a foreign language interpreter in _____ or an American Sign Language interpreter per Sup.R. 88.

2. I ☐ want ☐ do not want an **ex parte (emergency) protection order** per R.C. 2903.214(D). Petitioner further requests a full hearing trial be scheduled, even 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. 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** including other family or household members.)

NAME	DATE OF BIRTH	RELATIONSHIP TO PETITIONER	LIVES 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

☐ 5. ~~Petitioner requests a Civil Stalking Protection Order.~~

~~You must describe two or more incidents closely related in time that made you believe that Respondent will cause you physical harm or cause (or has caused) you mental distress. When did they happen (if you do not know exact dates, give approximate dates)?~~

~~If you need more space, attach an additional page.~~

☐ 6. ~~Petitioner requests a Civil Sexually Oriented Offense Protection Order.~~

~~You must describe what Respondent did to you or the persons named in this Petition as fully as possible. You do not need to prove a pattern of conduct. One act may be enough.~~

~~If you need more space, attach an additional page.~~

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

- ☐ (a) ~~Directs Respondent to not abuse Petitioner and 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) ~~Directs Respondent to not enter the residence, school, business, place of employment, child care providers, or day care centers of Petitioner and persons named in this Petition, including the buildings, grounds, and parking lots at those locations.~~
- ☐ (c) ~~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) ~~Directs Respondent not to remove, damage, hide, or dispose of any property, companion animals, or pets owned or possessed by Petitioner and 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) ~~Directs Respondent not to possess, use, carry, or obtain any deadly weapon, firearms, and ammunition.~~
- ☐ (g) ~~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. **If you need more space, attach an additional page.**~~

- ☐ (h) Includes the following additional provisions:

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.~~
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).~~
10. ~~Petitioner further requests that the Court grant such other relief designed to ensure the safety and protection of Petitioner and persons named in this Petition.~~
11. ~~Petitioner has listed court cases (including divorce, custody, visitation, children service case; pending criminal case or conviction for felonious assault, aggravated assault, assault, aggravated menacing, menacing by stalking, menacing, aggravated trespass; animal cruelty; sexually oriented offenses; no contact order; stay away order, and other protection order) and other legal matters involving Respondent, that may relate to this case: **(If you need more space, attach an additional page.)**~~

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

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

 SIGNATURE OF PETITIONER

 DATE

Case No. _____

IF YOU DO NOT HAVE A LAWYER, PLEASE LEAVE THE INFORMATION BELOW BLANK.

Signature of Petitioner's Attorney

Attorney's Registration Number

Name of Attorney

Attorney's Telephone

Attorney's Address

Attorney's Fax

City, State, Zip Code

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 _____

LAW ENFORCEMENT AGENCY WHERE INDEXED(____) ____ - ____
PHONE NUMBER

Case No. _____

Judge/Magistrate _____

State

OHIO☐ ~~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	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.

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.**

~~FORM 10.03-E: CIVIL STALKING PROTECTION ORDER OR CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER *EX PARTE*~~
Amended: April 15, 2021
Discard all previous versions of this form

☐ **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, 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:

 within 24 hours of 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 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]

☐ **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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; 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** use any form of electronic surveillance on protected persons.

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

☐ **10. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** at any time while the Order remains in effect for the safety and protection of the protected persons named in this Order. Furthermore, Respondent may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2923.13. [NCIC-07]

RESPONDENT IS EXCEPTED only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition prohibitions apply.

☐ **11. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS** 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 accept possession of deadly weapons pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

Upon the expiration or termination of this Order and if a full hearing order is not granted, Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

12. ~~RESPONDENT'S CONCEALED CARRY WEAPON LICENSE~~, if any, is now subject to R.C. 2923.128.

☐ **13. IT IS FURTHER ORDERED:** [NCIC 08]

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

15. ~~THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENTS~~ to be served on 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.

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. 2903.214(D)(2)(b).

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.

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 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:

~~On the day of the Full Hearing, come prepared to (1) tell the Court what happened, (2) bring with you any witnesses, evidence, and documentation to prove your case, and (3) be aware that the other party or party's attorney may ask you questions. If you do not have an attorney, you may ask for a brief continuance to obtain an attorney per R.C. 2903.214(D)(2)(a)(iii) or you may represent yourself.~~

~~Parties do not have to give discovery, answer questions, or give information to the other party or the other party's lawyer unless ordered by judge or magistrate (Civ.R. 65.1(D)(2)).~~

TO THE CLERK

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

~~DELIVERED TO:~~

- ☐ Petitioner
☐ Petitioner's Attorney
☐ Law Enforcement Agency Where Petitioner Resides:

☐ Sheriff's Office:

☐ Law Enforcement Agency Where Petitioner Works:

☐ Other: _____

4

☐ The Court finds by clear and convincing evidence that 1) Petitioner or Petitioner's family or household members reasonably believed Respondent's conduct before the filing of the Petition endangered the health, welfare, or safety of Petitioner or Petitioner's family or household members; 2) Respondent presents a continuing danger to 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.

FORM 10.03-F: CIVIL STALKING PROTECTION ORDER OR CIVIL SEXUALLY-ORIENTED OFFENSE PROTECTION ORDER FULL HEARING
Amended: April 15, 2021
Discard all previous versions of this form

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO 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 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:

 within 24 hours of 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 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]
- ☐ 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; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; 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~~ use any form of electronic surveillance on protected persons.
- ☐ 9. ~~RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON~~ to do any act prohibited by this Order.
- ☐ 10. ~~RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON~~ at any time while this Order remains in effect for the safety and protection of the protected persons named in this Order. Furthermore, Respondent may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2923.13. [NCIC 07]

Case No. _____

RESPONDENT IS EXCEPTED only for official use pursuant to 18 U.S.C. 925(a)(1), if no other firearms and ammunition prohibitions apply.

- ☐ **11. RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS 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 accept possession of deadly weapons pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

Law enforcement shall immediately notify the Court upon receiving Respondent's deadly weapons into protective custody as set forth in this Order.

Upon the expiration or termination of this Order, Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

- 12. RESPONDENT'S CONCEALED CARRY WEAPON LICENSE**, if any, is now subject to R.C. 2923.128.

- ☐ **13. IT IS FURTHER ORDERED:** [NCIC 08]

- ☐ **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 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.

- ☐ **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.

- ☐ **15. RESPONDENT SHALL NOT USE OR POSSESS** ☐ alcohol or ☐ illegal drugs.

- ☐ **16. 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:

Case No. _____

- ☐ 17. The Clerk of Court shall cause a copy of this Order to be served on 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.

18. ~~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.

19. ~~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.

20. ~~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 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 or delivered to the parties indicated pursuant to Civ.R. 5(B) and 65.1(C)(3), including ordinary mail

on _____ / _____ / _____

By: _____

CLERK OF COURT

TO THE CLERK

~~A COPY OF THIS ORDER SHALL BE SERVED ON RESPONDENT PURSUANT TO CIV.R. 65.1(C)(3).~~

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

Petitioner

☐ Petitioner's Attorney

☐ Respondent's Attorney

☐ Law Enforcement Agency Where Petitioner Resides:

☐ Law Enforcement Agency Where Petitioner Works:

☐ Sheriff's Office

☐ Other: _____

WAIVER

I, _____ (Respondent) 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.~~

Case No. _____

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

FORM 10.03-G: INFORMATION ABOUT FILING A CIVIL STALKING PROTECTION ORDER AND A CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER

- If you have any questions about completing the Petition for a Civil Stalking Protection Order (CSPO) or a Civil Sexually Oriented Offense Protection Order (Form 10.03-D), contact the local victim assistance program, domestic violence program, or Ohio Domestic Violence Network at 800-934-9840.
- Neither the Clerk of Court's Office nor the local domestic violence program can give legal advice. If you need legal advice, talk to a lawyer. Only a lawyer can give you legal advice.
- There is NO FEE for filing the Petition.
- Once completed, take the Petition and other necessary documents to the Clerk of Court's Office.
- If you want an emergency order, also known as an Ex Parte Protection Order, check "want" in paragraph 2 of the Petition.
- The Court will consider your request for an Ex Parte Protection Order and may ask you questions.
- 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) bring with you any witnesses, evidence, and documentation to prove your case, and (3) ask Respondent questions.
- Respondent may be represented by a lawyer. You may ask for a continuance to obtain a lawyer per R.C. 2903.214(D)(2)(iii).
- 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) through (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 cause mental distress to 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, or 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 commit a violation of [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 at R.C. 2950.01.

~~FORM 10.03-H is reserved for future use~~

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:

- The spouse, person living as a spouse, former spouse of the Alleged Victim;
- The parent or child of the Alleged Victim;
- 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: INFORMATION ABOUT FILING A JUVENILE CIVIL PROTECTION ORDER OR A JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER PETITION

- If you have any questions about completing the Petition for a Juvenile Civil Protection Order or Domestic Violence Juvenile Civil Protection Order (Form 10.05-B), contact the local victim assistance program, domestic violence program, or Ohio Domestic Violence Network at 800-934-9840.
- Neither the Clerk of Court's Office nor the local domestic violence program can give legal advice. If you need legal advice, talk to a lawyer. Only a lawyer can give you legal advice.
- There is NO FEE for filing the Petition.
- Once completed, take the Petition and other necessary documents to the Clerk of Court's Office.
- If you want an emergency order, also known as an Ex Parte Protection Order, check "want" in paragraph 2 of the Petition.
- The Court will consider your request for an Ex Parte Protection Order and may ask you questions.
- 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) bring with you any witnesses, evidence, and documentation to prove your case, and (3) ask Respondent questions.
- Respondent may be represented by a private lawyer or a court-appointed lawyer. [R.C. 2151.34(O)] You may represent yourself or ask the Court for a continuance to obtain a lawyer. [R.C. 2151.34(D)(2)(a)(iii) or 3113.31(D)(2)(a)(iii)]
- Respondent or Respondent's lawyer may present evidence and may ask you questions.
- The Court cannot issue a protection order against you unless Respondent has filed a Petition.

DEFINITIONS

Aggravated Assault [R.C. 2903.12]

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.

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 [the law].

Aggravated Menacing [R.C. 2903.21]

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.

Aggravated Trespass [R.C. 2911.211]

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.~~

Assault

~~[R.C. 2903.13]~~

~~No person shall knowingly cause or attempt to cause physical harm to another or to another's unborn. No person shall recklessly cause serious physical harm to another or to another's unborn.~~

Domestic Violence

~~[R.C. 3113.31]~~

~~"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 [menacing by stalking or aggravated trespass]; committing any act with respect to a child that would result in the child being an abused child, as defined [by law]; or committing a sexually oriented offense.~~

Family or Household Member

~~[R.C. 3113.31(A)(3) through (4)]~~

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

~~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 or marriage) to a spouse, person living as a spouse, or former spouse of Respondent.~~

~~The natural parent of any child of whom Respondent is the other natural parent or is the putative other natural parent.~~

~~"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.~~

Felonious Assault

~~[R.C. 2903.11]~~

~~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.~~

~~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.~~

Menacing

~~[R.C. 2903.22]~~

~~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.~~

Menacing by Stalking

~~[R.C. 2903.211]~~

~~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.~~

~~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 [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 at 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: _____ / _____ / _____	÷	
	—	<input type="checkbox"/> Respondent is under 18 years old

IF YOU ARE ASKING FOR YOUR ADDRESS TO BE KEPT CONFIDENTIAL, PLEASE PUT A MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE 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. I need or a witness needs a foreign language interpreter in _____
or an American Sign Language interpreter per Sup.R. 88.
2. I ☐ want ☐ do not want an ~~ex parte (emergency)~~ protection order per R.C. 2151.34 or 3113.31.
Petitioner further requests a full hearing trial even if the ex parte protection order is granted, denied, or not requested.
3. Who needs protection?
☐ Me
☐ My minor child
☐ A family or household member, who is not a minor child
☐ Other: _____
4. The relationship of Petitioner to 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): _____

☐ 5. 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 including other family or household members)**.

NAME (first, middle initial, and last)	DATE OF BIRTH	RELATIONSHIP TO PETITIONER
_____	____/____/____	_____
_____	____/____/____	_____
_____	____/____/____	_____
_____	____/____/____	_____

- ~~-6. Petitioner is in fear and in continuing danger and requests the Court grant ☐ **Juvenile Civil Protection Order** or ☐ **Juvenile Domestic Violence Civil Protection Order**.~~
- ~~-7. You **must** describe the threats or acts that made you or your family or household members afraid, include if children were present when the acts happened. When did it happen? (If you do not know exact dates, give approximate dates). Explain why you believe you or your family or household members are in danger. **If you need more space, attach an additional page.**~~

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

8. ~~Petitioner 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

9. Petitioner requests the Court grant relief under R.C. 2151.34 or 3113.31. Check all that apply.

- ☐ a. ~~Directs Respondent to not abuse Petitioner and the other persons named in this Petition by harming, attempting to harm, threatening, following, stalking, harassing, contacting, forcing sexual relations upon, or committing sexually oriented offenses against them.~~
- ☐ b. ~~Directs Respondent to not enter or have limited access to the following places (include name and address, as applicable) where Petitioner and 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. ~~Directs Respondent to not approach or have contact by any means with Petitioner and persons named in this Petition.~~
- ☐ d. ~~Directs Respondent not to remove, damage, hide, or dispose of any property, companion animals, or pets owned by Petitioner.~~
- ☐ e. ~~Grants Petitioner permission to take Petitioner's companion animals or pets, as described below, away from the possession of Respondent:~~
- _____
- _____
- ☐ f. Directs Respondent to not possess, use, carry, or obtain any deadly weapon, firearms, and ammunition.
- ☐ g. Directs Respondent to be electronically monitored because Respondent's conduct has put or puts the health, welfare, or safety of Petitioner and the 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.**
- _____
- _____
- _____
- _____
- ☐ h. 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. The wireless service numbers to be transferred to Petitioner which are used by Petitioner or the minor children in the care of Petitioner is:~~

- ☐ j. ~~Includes the following additional provisions:~~ _____

10. ~~Petitioner further requests that the Court grant such other relief as the Court considers equitable and fair.~~

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

SIGNATURE OF PETITIONER

DATE

 Name of Attorney (if applicable)

 -Attorney's Fax

 Signature of Petitioner's Attorney

 -Attorney's Registration Number

 Attorney's Address

 Attorney's Telephone

 City, State, Zip Code

 -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 ProtectionPer 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

Distinguishing Features: _____

RESPONDENT IDENTIFIERS

SEX	RACE	HGT	WGT
_____	_____	_____	_____
EYES	HAIR	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 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 _____ / _____ / _____
Respondent will attain 19 years of age
on _____ / _____ / _____**UNLESS EXTENDED BY
SEPARATE ENTRY OR UNTIL
RESPONDENT ATTAINS 19
YEARS OF AGE****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 Respondent, pursuant to R.C. 2151.34 or 3113.31. The Court held an *ex parte* hearing in accordance with R.C. 2151.34(D)(1) 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 RESPONDENT

- ☐ **1. RESPONDENT SHALL NOT ENTER** the places indicated in this Order, including the buildings, grounds, and parking lots at these 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; voicemail; delivery service; social media; writings; blogging; electronic communications; posting a message; or communications by any other means regardless if directly or through another person, and as follows: [NCIC 05]

- ☐ **7. RESPONDENT SHALL NOT** use any form of electronic surveillance on protected persons.

- ☐ **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.

- ☐ **10. IT IS FURTHER ORDERED:** [NCIC 08]

- 11. ALL DISCOVERY SHALL STRICTLY COMPLY** with Civ.R. 65.1(D).

12. ~~THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENT to be served on Respondent and Respondent's parent, guardian, or legal custodian as set forth in Civ.R. 65.1(C)(2).~~
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, INCLUDING FIREARMS, OR AMMUNITION at any time while this Order remains in effect for the safety and protection of the protected persons named in the Order.~~
- Upon the expiration or termination of this Order and if a full hearing order is not issued or consent agreement approved, Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.
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

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.

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:

~~On the day of the Full Hearing, come prepared to (1) tell the Court what happened, (2) bring with you any witnesses, evidence, and documentation to prove your case, and (3) be aware that the other party or party's attorney may ask you questions. If you do not have an attorney, you may ask for a brief continuance to obtain an attorney per R.C. 2151.34(D)(2)(a)(iii) or 3113.31(D)(2)(a)(iii). The Court may, at its discretion, appoint an attorney for the Respondent per R.C. 2151.34(O).~~

~~Parties do not have to give discovery, answer questions, or give information to the other party or the other party's lawyer unless ordered by judge or magistrate (Civ.R. 65.1(D)(2)).~~

TO THE CLERK

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

- ☐ ~~Respondent~~
- ☐ ~~Respondent's Parent 1:~~

- ☐ ~~Respondent's Parent 2:~~

- ☐ ~~Respondent's Guardian or Legal Custodian:~~

~~COPIES OF THIS ORDER SHALL BE DELIVERED TO:~~

- ☐ ~~Petitioner~~
- ☐ ~~Petitioner's Parent 1:~~

- ☐ ~~Petitioner's Parent 2:~~

- ☐ ~~Petitioner's Guardian or Legal Custodian:~~

- ☐ ~~Petitioner's Guardian or Legal Custodian:~~

- ☐ ~~Petitioner's Attorney:~~

- ☐ ~~Law Enforcement Agency Where Petitioner Works:~~

- ☐ ~~Sheriff's Office:~~

- ☐ ~~Law Enforcement Agency Where School is Located:~~

- ☐ ~~Other:~~

IN THE COURT OF COMMON PLEAS, _____

DIVISION _____

COUNTY, OHIO

Order of ProtectionPer 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 LastDistinguishing Features: _____
_____**RESPONDENT IDENTIFIERS**

SEX	RACE	HGT	WGT
_____	_____	_____	_____
EYES	HAIR	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 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 ____/____/____

**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.

[illegible]

☐ Pursuant to R.C. 2151.34(E)(1)(b), the Court finds by clear and convincing evidence that 1) Petitioner and Petitioner's family or household members reasonably believed Respondent's conduct before the filing of the Petition endangered the health, welfare, or safety of Petitioner and Petitioner's family or household members, 2) Respondent presents a continuing danger to Petitioner 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.

☐ **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; voicemail; delivery service; social media; writings; blogging; electronic communications; posting a message; or communications by any other means regardless if directly or through another person, and as follows: [NCIC 05]

- ☐ **7. RESPONDENT SHALL NOT** use any form of electronic surveillance on protected persons.

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

- ☐ **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 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 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.

- 10. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, INCLUDING FIREARMS, OR AMMUNITION** while this Order remains in effect for the safety and protection of the protected persons named in this Order.

Upon the expiration or termination of this Order, Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent otherwise disqualified as verified by a check of the NCIC protection order file.

- ☐ **11. RESPONDENT SHALL BE ELECTRONICALLY MONITORED.** The Court having found the factors set forth in R.C. 2151.34(E)(1)(b). Respondent is ordered to report to

 for the installation of a global positioning system for the purpose of electronic monitoring for the duration of this Order or until _____ / _____ / _____ whichever expires first. The Court further imposes the following terms and conditions:

- ☐ **12. IT IS FURTHER ORDERED:** [NCIC 08]

~~13. THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION AND THIS ORDER to be served on Respondent as set forth in Civ.R. 5(B) and 65.1(C)(3) and Respondent's parent, guardian, or legal custodian.~~

~~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.~~

~~15. THE COSTS OF THIS ACTION ARE ☐ assessed against Respondent ☐ waived.~~

~~16. THE COURT WILL SEAL THIS RECORD ON RESPONDENT'S 19TH BIRTHDAY, unless the Court determines otherwise.~~

~~17. RESPONDENT WILL ATTAIN 19 years of age on: _____ / _____ / _____.~~

~~18. 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

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 this Order, which is a final appealable Order, were served on or delivered to the parties indicated pursuant to Civ.R. 5(b) and 65.1(C)(3), including by ordinary mail, on a following date:

_____ / _____ / _____.

By: _____

TO THE CLERK:

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

☐ Respondent

☐ Respondent's Parent 1:

☐ Respondent's Parent 2:

☐ Respondent's Guardian or Legal Custodian:

☐ Respondent's Attorney

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

☐ Petitioner

☐ Petitioner's Parent 1:

Case No. _____

- ☐ ~~Petitioner's Parent 2:~~

- ☐ ~~Petitioner's Guardian or Legal Custodian:~~

- ☐ ~~Law Enforcement Agency Where Petitioner Resides:~~

- ☐ ~~Law Enforcement Agency Where Petitioner Works:~~

- ☐ ~~Sheriff's Office~~

- ☐ ~~School:~~ _____
- ☐ ~~Law Enforcement Agency Where School is Located:~~

- ☐ ~~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	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 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 _____ / _____ / _____

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
 Petition filed on _____ / _____ / _____. The following individuals were present:

The Court hereby makes the following findings of facts:

☐ ~~Additional findings on a separate page are included and attached herein.~~

☐ ~~The Court finds by a preponderance of the evidence that 1) Petitioner and 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 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 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' RIGHT** to occupy the residence, including, but not limited to canceling utilities or insurance or interrupting telecommunications (e.g., telephone, 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; voicemail; delivery service; social media; writings; blogging; electronic communications; posting a message; or communications by any other means regardless if directly or through another person, and as follows: [NCIC 05]

- ☐ **9. RESPONDENT SHALL NOT** use any form of electronic surveillance on protected persons.
- ☐ **10. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY OTHER PERSON** to do any act prohibited by this Order.

- ☐ **11. RESPONDENT IS ALLOWED CONTACT** with the protected persons as follows:

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

- ☐ **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 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 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.

- ☐ **14. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, INCLUDING FIREARMS, OR AMMUNITION** while this Order remains in effect in order to bring about the cessation of violence.

Upon the expiration or termination of this Order, Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent otherwise disqualified as verified by a check of the NCIC protection order file.

- ☐ **15. 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.

☐ **16. IT IS FURTHER ORDERED:** [NCIC 08]

17. THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION AND THE ORDER to be served on Respondent as set forth in Civ.R. 5(B) and 65.1(C)(3) and Respondent's parent, guardian, or legal custodian.

18. 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.

19. THE COSTS OF THIS ACTION ARE ☐ assessed against Respondent ☐ waived.

20. THE COURT WILL SEAL THIS RECORD ON RESPONDENT'S 19TH BIRTHDAY, unless the Court determines otherwise.

21. RESPONDENT WILL ATTAIN 19 years of age on: _____ / _____ / _____.

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

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.

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 Petitioner's Attorney

 Signature of Respondent's Attorney

 Address of Petitioner's Attorney

 Address of Respondent's Attorney

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable

Order, were served on or delivered to the parties indicated 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 SERVED PURSUANT TO CIV.R. 65.1(C)(3) TO:****TO:**

____ Respondent

☐ Respondent's Parent 1:

☐ Respondent's Parent 2:

☐ Respondent's Guardian or Legal Custodian:

☐ Respondent's Attorney

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

Petitioner

☐ Petitioner's Parent 1:

☐ Petitioner's Parent 2:

☐ Petitioner's Guardian or Legal Custodian:

☐ Petitioner's Attorney

☐ Law Enforcement Agency Where Petitioner Resides:

☐ Law Enforcement Agency Where Petitioner Works:

☐ Sheriff's Office

☐ School: _____

☐ Law Enforcement Agency Where School is Located:

☐ Other: _____

FORM 95: NCIC MENTAL HEALTH NOTICE☐ Initial NCIC Notice☐ Modification of Previous Notice☐ Termination of Previous Notice**NAME**

Last

First

M.I.

ADDRESS

Street

City

State

Zip

PHYSICAL DESCRIPTION

HGT

WGT

Hair

Eyes

Race

Sex

NUMERICAL IDENTIFIER (Only one identifier is required. Complete the entire line for identifiers #3 and #4.)

1. SSN _____ 2. DOB _____ / _____ / _____

3. Driver's Lic. No. _____ State _____ Expiration YR. _____

4. Vehicle Lic. No. _____ State _____ Expiration YR. _____ Lic. Type _____

COURT NAME**CASE/ORDER NO.****COURT ORI**

(9 digit number assigned by NCIC)

OFFENSES

<input type="checkbox"/> R.C. 2903.01 Aggravated Murder	<input type="checkbox"/> R.C. 2903.02 Murder	<input type="checkbox"/> R.C. 2903.03 Voluntary Manslaughter	<input type="checkbox"/> R.C. 2903.04 Involuntary Manslaughter
<input type="checkbox"/> R.C. 2903.11 Felonious Assault	<input type="checkbox"/> R.C. 2903.12 Aggravated Assault	<input type="checkbox"/> R.C. 2903.13 Assault	<input type="checkbox"/> R.C. 2903.15 Permitting Child Abuse
<input type="checkbox"/> R.C. 2903.21 Aggravated Menacing	<input type="checkbox"/> R.C. 2903.211 Menacing by Stalking	<input type="checkbox"/> R.C. 2903.22 Menacing	<input type="checkbox"/> R.C. 2905.01 Kidnapping
<input type="checkbox"/> R.C. 2905.02 Abduction	<input type="checkbox"/> R.C. 2905.11 Extortion	<input type="checkbox"/> R.C. 2905.32 Trafficking in Persons	<input type="checkbox"/> R.C. 2907.02 Rape
<input type="checkbox"/> R.C. 2907.03 Sexual Battery	<input type="checkbox"/> R.C. 2907.05 Gross Sexual Imposition	<input type="checkbox"/> R.C. 2909.02 Aggravated Arson	<input type="checkbox"/> R.C. 2909.03 Arson
<input type="checkbox"/> R.C. 2909.24 Terrorism	<input type="checkbox"/> R.C. 2911.04 Aggravated Robbery	<input type="checkbox"/> R.C. 2911.02 Robbery	<input type="checkbox"/> R.C. 2911.11 Aggravated Burglary
<input type="checkbox"/> R.C. 2911.12(A)(1) Burglary	<input type="checkbox"/> R.C. 2911.12(A)(2) Burglary	<input type="checkbox"/> R.C. 2911.12(A)(3) Burglary	<input type="checkbox"/> R.C. 2917.04 Inciting Violence
<input type="checkbox"/> R.C. 2917.02 Aggravated Riot	<input type="checkbox"/> R.C. 2917.03 Riot	<input type="checkbox"/> R.C. 2917.31 Inducing Panic	<input type="checkbox"/> R.C. 2919.22(B)(1) Endangering Children
<input type="checkbox"/> R.C. 2919.22(B)(2) Endangering Children	<input type="checkbox"/> R.C. 2919.22(B)(3) Endangering Children	<input type="checkbox"/> R.C. 2919.22(B)(4) Endangering Children	<input type="checkbox"/> R.C. 2919.25 Domestic Violence
<input type="checkbox"/> R.C. 2921.03 Intimidation	<input type="checkbox"/> R.C. 2921.04 Intimidate Witness/ Attorney	<input type="checkbox"/> R.C. 2921.34 Escape	
<input type="checkbox"/> Former R.C. 2907.12 Felonious Sexual Penetration	<input type="checkbox"/> R.C. 2923.161 Discharging Firearm in School or Home	<input type="checkbox"/> Other: <i>Indicate offense below</i>	

☐ A violation of an existing or former municipal ordinance or law of this or any other state or the United States, substantially equivalent to any section, division, or offense listed as an offense of violence. R.C. or Ord. _____

☐ An offense, other than a traffic offense, under an existing or former municipal ordinance or law of this or any other state or the United States, committed purposely or knowingly, and involving physical harm to persons or a risk of serious physical harm to persons. R.C. or Ord. _____

☐ A conspiracy or attempt to commit, or complicity in committing, any offense of violence. R.C. or Ord. _____

MISCELLANEOUS FIELD

☐ Defendant pled guilty to or was convicted of an offense of violence and was ordered by the court to receive a mental health evaluation.

☐ Defendant pled guilty to or was convicted of an offense of violence and was ordered by the court to receive treatment for mental illness.

☐ Defendant was found not guilty by reason of insanity. If you have contact with this person, please notify the Department of Mental Health and Addiction Services at mha.notify@mha.ohio.gov. The court approved the conditional release for the following reasons:

☐ Defendant was found incompetent to stand trial with no substantial probability of becoming competent again even with a course of treatment. If you have contact with this person, please notify the Department of Mental Health and Addiction Services at mha.notify@mha.ohio.gov. The court approved conditional release for the following reasons:

DATE OF ORDER: _____ / _____ / _____

NOTE: Indicate date on which the court ordered the defendant to received mental health evaluation or treatment or approved conditional release.

TERMINATION OF ORDER FOR MENTAL HEALTH EVALUATION OR TREATMENT:

☐ **NONEXPIRING (NONEXP) OR** _____ / _____ / _____

TERMINATION OF CONDITIONAL RELEASE OR COMMITMENT:

☐ **NONEXPIRING (NONEXP) OR** _____ / _____ / _____

NOTE: Indicate "NONEXPIRING" if the date on which the order for mental health evaluation, mental health treatment, or conditional release or commitment would terminate is not known to the court at the time the order is issued. When the termination date is known, complete a new Form 95 and check "Termination of Previous Notice" on page 1.

POINT OF CONTACT:

Last Name

First Name

Agency/Department

Telephone

E-mail

NOTE: "POINT OF CONTACT" may be a probation officer or forensic monitor to whom the defendant report.