

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

Comments Requested: The Supreme Court of Ohio will accept public comments until July 10, 2013 to proposed amendments to Sup.R. 10.03 and Protection Order Forms 10-A through 10.05(F).

Comments on the proposed rule and forms should be submitted in writing to: Diana Ramos-Reardon, Domestic Violence Counsel, Supreme Court of Ohio, 65 South Front Street, 6th Floor, Columbus, Ohio 43215-3431, or Diana.Ramos-Reardon@sc.ohio.gov not later than July 10, 2013. Please include your full name and mailing address in any comments submitted by e-mail.

1 **RULE 10.03. Standard Criminal Protection Order Forms and Standard Civil Stalking**
2 **Protection Order or Civil Sexually Oriented Offense Protection Order Forms.**
3

4 **(A) A Distribution of packet**
5

6 A court that has jurisdiction to issue a ~~criminal~~ civil stalking protection order or civil
7 sexually oriented offense protection order pursuant to section ~~2903.213~~ 2903.214 of the
8 Revised Code shall distribute, upon request, a ~~form~~ forms and instructions packet for use in
9 ~~criminal~~ civil stalking protection order or civil sexually oriented offense protection order
10 proceedings. The packet shall include, at a minimum, a ~~form~~ forms and instructions that
11 ~~is~~are substantially similar to “~~Form 10.03-A~~ Forms 10.03-D, 10.03-E, and 10.03-G.”
12

13 ~~(B) A court that has jurisdiction to issue a civil stalking protection order or civil sexually~~
14 ~~oriented offense protection order pursuant to section 2903.214 of the Revised Code shall distribute,~~
15 ~~upon request, a forms and instructions packet for use in civil stalking protection order or civil~~
16 ~~sexually oriented offense protection order proceedings. The packet shall include, at a minimum,~~
17 ~~forms and instructions that are substantially similar to “Forms 10.03-D, 10.03-E, and 10.03-G.”~~
18

19 ~~(C)~~ **In Criminal protection order form**
20

21 In every case in which a court issues a criminal protection order pursuant to section
22 2903.213 of the Revised Code, it shall use the applicable form that is substantially similar
23 to “Form 10.03-B” and a cover sheet that is substantially similar to “Form 10.03-H.”
24

25 ~~(D)~~ ~~In~~ **(C) Civil stalking protection order or civil sexually oriented offense protection order**
26 **form**
27

28 In every case in which a court issues a civil stalking protection order or civil sexually
29 oriented offense protection order pursuant to section 2903.214 of the Revised Code, it shall
30 use the applicable form that is substantially similar to “Form 10.03-E or 10.03-F” and a
31 cover sheet that is substantially similar to “Form 10.03-H.”

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

Initial NCIC Form
 Modification of Previous Form

(Required fields appear in bold print)

Initial NCIC Form Modification of Previous Form _____ of _____ Pages

Pursuant to Rules 10.01, 10.02, 10.03, and 10.05 of the Rules of Superintendence for the Courts of Ohio, the information contained herein 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 Order protect an intimate partner or child(ren)? YES NO
- Did subject have opportunity to participate in hearing regarding Order? YES NO
- Does Order find subject a credible threat or explicitly prohibit physical force? YES NO

CASE / ORDER NO. _____ (15 DIGIT MAXIMUM)

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

R.C. 2903.213 R.C. 2903.214 R.C. 2151.34 R.C. 2919.26 R.C. 3113.31

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 children named in this Order.
- 07 The subject is prohibited from possessing and/or purchasing a firearm or other weapon.
- 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 children named.

OHP
DATA

ONLY
#EPO

Subject's Name: _____

Case/Order No. _____

LIST ALL PROTECTED PERSONS (Total of 9 allowed, may attach additional forms; **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

MIS/

PROTECTED PERSON _____
(LAST) (FIRST) (M.I.)

DOB _____ / _____ / _____ **SSN** _____ / _____ / _____ **RACE** _____
SEX M F

PROTECTED PERSON _____
(LAST) (FIRST) (M.I.)

DOB _____ / _____ / _____ **SSN** _____ / _____ / _____ **RACE** _____
SEX M F

PROTECTED PERSON _____
(LAST) (FIRST) (M.I.)

DOB _____ / _____ / _____ **SSN** _____ / _____ / _____ **RACE** _____
SEX M F

PROTECTED PERSON _____
(LAST) (FIRST) (M.I.)

DOB _____ / _____ / _____ **SSN** _____ / _____ / _____ **RACE** _____
SEX M F

PROTECTED PERSON _____
(LAST) (FIRST) (M.I.)

DOB _____ / _____ / _____ **SSN** _____ / _____ / _____ **RACE** _____
SEX M F

Authorized by (signature): _____ **Date** _____

Judge/Magistrate (circle one)

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

These instructions are ~~intended to assist the court in the proper completion~~ contemplated in light of Form 10-A, Protection Notice to NCIC, ~~in compliance with requirements of Ohio and federal law~~ to ensure the court's protection order or consent agreement entry is accepted into the protection order database of the National Crime Information Center ("NCIC"). Thorough and accurate completion of Form 10-A is critical, as this form is the sole method ~~used~~ to enter the terms and conditions of ~~the a protection orders issued by the court order~~ into the computerized index of criminal justice information ~~maintained by the National Crime Information Center ("NCIC")~~. Inaccurate or inconsistent information in Form 10-A will result in delay in entering the protection order into the NCIC index and enforcing the order. Form 10-A must be completed each time the court approves, issues, modifies, renews, or terminates a protection order or consent agreement, regardless of whether it is an *ex parte* or full hearing order.

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

ELEMENTS OF FORM 10-A

- (A) The required fields in Form 10-A appear in **BOLD**.
- (B) Form 10-A is the primary method used to inform law enforcement of the terms and conditions of the protection order. The court ~~should be cautious to~~ must mark the appropriate box in the upper right corner of the form "Initial NCIC Form" or "Modification of Previous Form." ~~The court must check the box next to "Initial NCIC Form" anytime the court is issuing a protection order out of the same set of facts for the first time, i.e., an ex parte order or a full hearing order where an ex parte order was not issued. The court must check the box next to "Modification of Previous NCIC" anytime the court has already issued a protection order arising out of the same facts and is now modifying or terminating the order or is making a clerical or orthographical correction to the form.~~

The court must check "Initial NCIC Form" anytime the court is issuing a protection order for the first time based on a current filing, i.e., an *ex parte* order or a full hearing order where an *ex parte* order was not issued. The court must check "Modification of Previous NCIC" for any subsequent change in the terms and conditions of a protection order, including modifications due to a clerical spelling errors or termination of the order.

- (C) **SUBJECT'S NAME, RACE, & SEX INFORMATION.** ~~The subject's full name,~~ including first and last name, ~~race,~~ and sex, ~~are mandatory identifiers that the court must provide to have the form accepted by NCIC pursuant to federal guidelines. The other identifiers under physical description, i.e., height ("HGT"), weight ("WGT"), hair, and eyes, are not mandatory, yet they are helpful information to ensure the correct person is identified if a violation of the order occurs. Similarly, the address is not mandatory information.~~
- (D) **NUMERICAL IDENTIFIER.** ~~The FBI requires the court to provide certain numerical identifiers to properly identify the person subject to the protection order. While completion of all the numerical identifiers is very useful Pursuant to federal guidelines, the FBI mandates that only court must provide at least one of the following four numerical identifiers be entered to have the form accepted by NCIC properly identify the subject of the protection order:~~
1. SOCIAL SECURITY NUMBER ("SSN");
 2. DATE OF BIRTH ("DOB");
 3. DRIVER'S LICENSE NUMBER ("DRIVER'S LIC. NO."): In the instance the driver's license number is ~~to be~~ provided, the state that issued the driver's license and the expiration date of the driver's license must also be included ~~for this entry to be accepted by NCIC;~~

4. VEHICLE LICENSE NUMBER ("VEHICLE LIC. NO."): In the instance the vehicle's license plate is to be provided, the state that issued the license plate and the expiration date of the license plate must also be included for this entry to be accepted by NCIC.

The court should consider providing additional numerical identifiers, if information is available.

- (E) **BRADY DISQUALIFIERS.** ~~Federal law makes it illegal for certain persons subject to a protection order to purchase or possess a firearm, including a rifle, pistol or revolver, or ammunition. This section guides the court in properly identifying those persons subject to a protection order that are also Brady disqualified. An affirmative response to all three questions on Form 10-A results in disqualifying the person subject to a protection order from purchasing or possessing firearms pursuant Pursuant to 18 U.S.C. 922(g)(8). all three factors must be met to be federally disqualified from possessing or purchasing firearms or ammunition due to the issuance of a protection order:~~

1. The parties have an intimate relationship:

- Spouse of the person;
- Former spouse of the person;
- An individual who cohabits or has cohabitated with the person;
- An individual who is a parent of a child of the person.

2. The court observed the parties' due process rights, i.e., notice of hearing and opportunity to be heard; AND

3. A finding that the person subject to the order poses a credible threat of harm to the protected party.

~~Generally, a person The subject to of a protection order is may be Brady disqualified under for other reasons, including the other subsection of 18 U.S.C. 922(g)(8) when the protected party is a spouse, former spouse, person living or who lived as a spouse, a child of the person subject to the protection order or a child of a spouse, former spouse, or person living or who lived as a spouse. The court must afford the person subject to the protection order an opportunity to be heard and, after evaluating all the evidence, find that the person subject to the order poses a credible threat of harm to the protected party state law, or a court order.~~

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

- (G) **COURT ORIGINATING AGENCY IDENTIFIER.** To accept a Form 10-A entry into the federal protection order database, NCIC mandates the court issuing the protection order to include its agency identifier (a.k.a. "ORI"). ~~The agency identifier This is a unique nine digit alphabetic and/or and numeric series issued by the FBI that easily allows identification of to identify the court issuing the order. Although the "Name of Judge" is not a mandatory field, it is prudent to include the name of the judicial officer issuing the protection order. Similarly, NCIC does not require a court to indicate under which Revised Code section the order is being issued. However, this information is useful for law enforcement to quickly determine the relationship between the parties and determine how to assess risk if the order is violated.~~

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

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

~~protection order is terminated before the original expiration, it is critical the court explicitly indicate on Form 10-A the new expiration date to allow proper removal of the order from the database.~~

In a Criminal Protection Order (R.C. 29023.213) or Temporary Domestic Violence Protection Order (R.C. 2919.26), the order terminates by operation of law upon the disposition of the criminal case. Thus, the court may indicate "NONEXP" as the expiration date of the order. In instances where the court has indicated "NONEXP" as the expiration date, it is incumbent on the court to submit to law enforcement another Form 10-A indicating "Modification of Previous Form" and indicate the expiration of the order upon the disposition of the criminal case so that the order can be purged from the NCIC protection order database.

~~If a protection order or consent agreement is terminated before the original expiration, it is critical the court explicitly indicate on the court must also submit to law enforcement another Form 10-A indicating "Modification of Previous Form" and state the new expiration date to allow proper removal of the previous order from the database protection order file.~~

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

~~The court should submit a modified new Form 10-A indicating "Modification of Previous Form" to the appropriate law enforcement reporting agency in every instance that any a term of the court order, i.e., divorce decree or custody order, results in the a modification of a term or a protected party in a the protection order.~~

- (J) **LIST ALL PROTECTED PERSONS.** A maximum of nine persons, including the petitioner, may be listed as protected parties in a protection order. The court must provide the full name and date of birth for all persons who are each protected by the protection order person must be provided. The protected person's social security number, race, and gender are not required entry entries in Form 10-A.
- (K) **AUTHORIZED SIGNATURE.** The judge or magistrate who issued the protection order must sign and date Form 10-A. Pursuant to Civ.R. 65.1, an ex parte civil protection order issued by a magistrate and filed with the clerk of court has the full force and effect of a court order.

FORM 10.01-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 ~~division of the Court~~ 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 ~~Criminal~~ 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 victim(s) 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

~~UNDER FEDERAL AND STATE LAW YOU CANNOT BE CHARGED ANY COSTS OR FEES FOR OBTAINING A PROTECTION ORDER.~~ Under federal and state law, you **cannot** be charged any costs or fees for filing and 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 ~~division of the Court~~ 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 ~~five~~ 5 years. If the Respondent violates the CPO, you can call the police, go back to the domestic relations ~~division of the Court~~ 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~~ 5 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 ~~division of the Court~~ 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~~ 5 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 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 ~~seven~~ 7 business days. Otherwise, a full hearing will be set within ~~ten~~ 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 five 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 CRIMINAL TEMPORARY PROTECTION ORDERS (DVTOP)

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 ~~division of the Court~~ 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 ~~Websites~~ websites:

Ohio Domestic Violence Network	www.odvn.org
Ohio State Legal Services Association's DV Resource Center	www.ohiodvresources.org
National Resource Center on Domestic Violence	www.nrcdv.org
<u>Supreme Court of Ohio – Domestic Violence Program</u>	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, ~~which can be found through www.ctcnet.org, would~~ may be safer computers.

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

FORMS TO FILL OUT FOR A DOMESTIC VIOLENCE CPO

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

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

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

FILING THE PETITION FOR A DOMESTIC VIOLENCE CPO FORM

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

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

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

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

VICTIM ADVOCATE

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

ATTENDING THE *EX PARTE* COURT HEARING

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

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

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

1. Order the Respondent to stay away from you;
2. Order the Respondent to be removed from your home;
3. Order the Respondent to get counseling;
4. Award you custody of any children;
5. Order the Respondent to have visitation only under conditions that will keep you and the children safe;
6. Order the Respondent to pay you child support and/or spousal support (alimony);
7. Order the Respondent to be prohibited from having any weapons;
8. Award you possession of a car for your use;
9. Award you possession of your personal property and the children’s personal property.

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

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

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

DISCOVERY

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

If ordered, the Court will (1) indicate the time and place where discovery will be held; (2) indicate the person who can be present during discovery, including a victim advocate, and (3) state necessary terms and conditions to keep Petitioner safe. This may include maintaining the confidentiality of the Petitioner’s address.

Discovery has to be completed prior to the full hearing.

YOU MUST ATTEND THE FULL HEARING

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

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

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

After the hearing, if the judge or magistrate decides you are entitled to a CPO, the Court issues a new CPO called a “Domestic Violence Civil Protection Order ‘CPO’ Full Hearing.” This CPO is usually more detailed than the *Ex Parte* CPO issued after the first hearing. The judge or magistrate could also deny your Petition for a CPO if the Court decides you are not entitled to a CPO. The law does not allow the Court to issue a protection order against you, unless the Respondent has filed a separate action against you.

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

ENFORCING YOUR CPO

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

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

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

CRIMINAL COURT

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

Tell the domestic relations ~~division of the Court~~ court about any pending criminal cases. Tell the criminal court about any pending domestic relations ~~division of the Court~~ court cases.

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

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

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

SOME HINTS BEFORE YOU BEGIN

- All forms must be typed or printed.
- When you write your name on the Petition, use the same name you use when you write your signature.
- Write your name and the Respondent's name the same way throughout the Petition.
- Fill out the Petition as completely and accurately as possible.
- If you have any questions about completing the Petition, ~~ask the Clerk of Court's office for assistance or~~ contact your local victim assistance program, domestic violence program, or the Ohio Domestic Violence Network at 800-934-9840.
- ~~Under federal and state law you cannot be charged any fees to obtain a protection order.~~

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

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

There is a separate form and instructions for the Parenting Proceeding Affidavit, Form 10.01-E and Form 10.01-F.

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

SIGNING THE PETITION

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

FILING THE PETITION

FILING THE PETITION: After you have your signature notarized, file your Petition at the Clerk of Court's office. The Clerk of Court's office will tell you when and where your *ex parte* hearing will take place, if one has been requested. ***There is no filing fee for a Petition for a CPO.***

FEES

Under federal and state law, you **cannot** be charged any costs or fees for filing and obtaining a protection order.

DISCOVERY

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

If ordered, the Court will (1) indicate the time and place where discovery will be held; (2) indicate the person who can be present during discovery, including a victim advocate, and (3) state necessary terms and conditions to keep Petition safe. This may include maintaining the confidentiality of the Petitioner's address.

Discovery has to be completed prior to the full hearing.

IN THE _____ COURT
 _____ COUNTY, OHIO

Petitioner : Case No. _____

 Address : Judge/Magistrate _____

 City, State, Zip Code :

Date of Birth _____ / _____ / _____ :
PETITION FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER (R.C. 3113.31)

v. :

Respondent : **Notice to Petitioner: Throughout this form, check every that applies.**

 Address : **DO NOT WRITE YOUR ADDRESS ON THIS FORM IF YOU ARE REQUESTING CONFIDENTIALITY.**

 City, State, Zip Code : **PLEASE PROVIDE AN ADDRESS WHERE YOU CAN RECEIVE NOTICES FROM THE COURT.**

Date of Birth _____ / _____ / _____ :

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

1. Petitioner is a family or household member of Respondent and a victim of domestic violence and seeks relief on Petitioner's own behalf. The relationship of Petitioner to Respondent is that of:
- | | |
|--|---|
| <input type="checkbox"/> Spouse of Respondent | <input type="checkbox"/> Child of Respondent |
| <input type="checkbox"/> Former spouse of Respondent | <input type="checkbox"/> Parent of Respondent |
| <input type="checkbox"/> The natural Natural parent of Respondent's child | <input type="checkbox"/> Foster Parent |
| <input type="checkbox"/> Other relative (by blood or marriage) of Respondent/ Petitioner who has lived with Respondent at any time | <input type="checkbox"/> Person "living as a spouse of Respondent" is defined as: |
| | <ul style="list-style-type: none"> • now cohabiting; • or cohabited within five years before the alleged act of domestic violence |

2. Petitioner seeks relief on behalf of the following family or household members:

NAME	DATE OF BIRTH	HOW RELATED TO		RESIDES WITH
		PETITIONER	RESPONDENT	

Case No. _____

3. Respondent has engaged in the following act(s) of domestic violence (describe the acts as fully as possible, add additional pages if necessary): _____

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

 - (c) Divides household and family personal property and directs Respondent not to remove, damage, hide, or dispose of any property or funds that Petitioner owns or possesses.
 - (d) Temporarily allocates parental rights and responsibilities for the care of the following minor children and suspends Respondent's visitation rights until a full hearing is held (include names and birth dates of the minor children): _____

 - (e) Establishes temporary visitation rights with the following minor children and requires visitation to be supervised or occur under such conditions that the Court determines will insure the safety of Petitioner and the minor children (include names and birth dates of the minor children): _____

 - (f) Requires Respondent to provide financial support for Petitioner and the other family or household members named in this Petition.
 - (g) Requires Respondent to complete batterer counseling, substance abuse counseling, or other counseling as determined necessary by the Court.
 - (h) Requires Respondent to refrain from entering, approaching, or contacting (~~including contact by telephone, fax, e-mail, and voice mail~~ by any means) the residence, school, business, and place of employment of or approaching or contacting (by any means) Petitioner and the family or household members named in this Petition.
 - (i) Requires Respondent to permit Petitioner or other family or household member to have exclusive use of the following motor vehicle: _____
 - (j) Includes the following additional provisions: _____

Case No. _____

- 5. Petitioner further requests that the Court issue an *ex parte* (emergency) protection order under R.C. 3113.31(D) and (E) and this Petition.
- 6. Petitioner further requests that the Court issue no mutual protection orders or other orders against Petitioner unless all of the conditions of R.C. 3113.31(E)(4) are met.
- 7. Petitioner further requests that if Petitioner has a victim advocate, the Court permit the victim advocate to accompany Petitioner at all stages of these proceedings as required by R.C. 3113.31(M).
- 8. Petitioner further requests that the Court grant such other relief as the Court considers equitable and fair.
- 9. Petitioner lists here all present court cases and pertinent past court cases (including civil, criminal, divorce, juvenile, custody, visitation, and bankruptcy cases) that relate to the Respondent, you, your children, your family, or your household members:

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

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

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

SIGNATURE OF PETITIONER

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

NOTARY PUBLIC

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

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

Case No. _____

Signature of Attorney for Petitioner (if applicable)

Name

Address

City, State, Zip Code

Attorney Registration Number

~~Phone Number~~ Telephone

Fax

Email

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

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

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

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

SIGNING THE FORM

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

~~SIGNING THE FORM: AFTER YOU HAVE FILLED OUT THE FORM, TAKE THE FORM TO THE CLERK OF COURT'S OFFICE OR TO A NOTARY PUBLIC TO HAVE YOUR SIGNATURE NOTARIZED. DO NOT SIGN THE FORM UNLESS YOU ARE IN FRONT OF A NOTARY PUBLIC.~~

IN THE _____ COURT
 _____ COUNTY, OHIO

 Petitioner : Case No. _____
 :
 :
 v. : Judge/Magistrate: _____
 :
 :
 _____ : INFORMATION FOR PARENTING
 Respondent : PROCEEDING AFFIDAVIT (R.C. 3127.23(A))
 :
 : ~~(Filed with Petition for Domestic Violence~~
 : ~~Civil Protection Order)~~

NOTE: By law, an affidavit **must** be filed and served with the first pleading filed by each party in every parenting (custody/visitation) proceeding in this Court. Therefore, an affidavit must be filed with a Petition for a Domestic Violence Civil Protection Order if child(ren) are involved. Each party has a continuing duty while this case is pending to inform the Court of any parenting proceeding concerning the child(ren) in any other court in this or any other state. **If more space is needed, attach an additional page.**

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

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

2. (Number): _____ Minor child(ren) are subject to this case as follows:

(Insert the information requested below. The residence information must be given for the last FIVE years.)

a. Child's name		Place of birth	Date of birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F
Period of residence	<input type="checkbox"/> Address Confidential	Person child lived with (name & address)		Relationship
to present				
to				
to				
to				

Case No. _____

b. Child's name		Place of birth	Date of birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F
Period of residence	<input type="checkbox"/> Address Confidential	Person child lived with (name & address)		Relationship
to present				
to				
to				
to				

c. Child's name		Place of birth	Date of birth	Sex <input type="checkbox"/> M <input type="checkbox"/> F
Period of residence	<input type="checkbox"/> Address Confidential	Person child lived with (name & address)		Relationship
to present				
to				
to				
to				

e. Additional children are listed on Attachment 2(d). (Provide requested information for additional children on an attachment labeled 2d.)

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 _____

Case No. _____

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	CHARGE

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

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

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 _____

Case No. _____

b. Name and address of person _____
 has physical custody claims custody rights claims visitation rights
Name of each child _____

c. Name and address of person _____
has physical custody claims custody rights claims visitation rights
Name of each child _____

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

OATH OF AFFIANT

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

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

AFFIANT

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

NOTARY PUBLIC

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

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

WARNING TO RESPONDENT / DEFENDANT

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

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

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

Only the Court can change this Order. The Petitioner/Alleged Victim cannot give you legal permission to change this Order. If you go near the Petitioner/Alleged Victim, even with the Petitioner's/Alleged Victim's consent, you may be arrested. ~~If you and the Petitioner/Alleged Victim want to resume your relationship you must ask~~ Only the Court to may modify or terminate this Protection Order. Unless the Court modifies or terminates this Order, you can 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 can allow the Respondent/Defendant to contact you or return to your residence. This Order **cannot** be changed by either party without obtaining a written court order.

NOTICE ABOUT FIREARMS AND OTHER DEADLY WEAPONS

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

This Order may be subject to the exceptions pursuant to 18 U.S.C. 925(a)(1) with respect **only** to the official use of government-issued firearms or ammunition for the use of any department or agency of the United States, Ohio, or its political subdivision. This exception does not apply if the Defendant/ Respondent has been convicted of an offense of violence against a family or household member pursuant to 18 U.S.C. 922 (g)(9).

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

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

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 _____

County

State

OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

**DOMESTIC VIOLENCE CIVIL PROTECTION ORDER CPO)
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 (May attach additional forms):

DOB: _____

DOB: _____

DOB: _____

DOB: _____

RESPONDENT:

First

Middle

Last

Relationship to Petitioner: _____

Address where Respondent can be found: _____

RESPONDENT IDENTIFIERS

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

Distinguishing features: _____

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

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

The terms of this Order shall be effective until _____ / _____ / _____ (DATE CERTAIN).

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

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

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

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

- 1. **RESPONDENT SHALL NOT ABUSE** ~~the protected persons named in this Order by harming, harm, attempting attempt to harm, threatening threaten, following follow, stalking stalk, harassing harass, forcing force~~ sexual relations upon ~~them~~, or ~~by committing commit~~ sexually oriented offenses against ~~them~~ the protected persons named in this Order. [NCIC 01 and 02]
- 2. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence: _____

- 3. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at: _____
_____ is granted to: _____ . Respondent shall not interfere with this individual's right to occupy the residence including, but not limited to canceling utilities or insurance, interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]
- 4. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the above residence at the earliest possible opportunity after service of this Order to the law enforcement agency that serves Respondent with this Order or as follows: _____

- 5. **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]
- 6. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected persons wherever those protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with Petitioner's permission.** If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]

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

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 OR PETS** owned or possessed by the protected persons named in this Order. Personal property shall be apportioned as follows: _____

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

11. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** Respondent shall turn over all deadly weapons in Respondent's possession to the law enforcement agency that serves Respondent with this Order or as follows: at any time while the Order remains active, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). _____

RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS AND CONCEALED CARRY WEAPON LICENSE in Respondent's possession to the law enforcement agency that serves Respondent with this Order or as follows: _____

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

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

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

13. **VISITATION ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.**
 (A) Respondent's visitation rights are suspended; or

(B) As a limited exception to paragraphs 6 and 7, temporary visitation rights are established as follows: [NCIC 06] _____

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

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

15. **RESPONDENT SHALL SUPPORT** the protected persons named in this Order as follows: _____

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

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

18. **IT IS FURTHER ORDERED:** [NCIC 08] _____

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

20. IT IS FURTHER ORDERED that the Clerk of Court shall cause a copy of the Petition and this Order to be delivered to the Respondent as required by law Civ.R. 65.1. The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request. This Order is granted without bond. Under federal and state law, the Clerk shall not charge any fees for filing, issuing, registering, or serving this protection order.

20 21. ALL OF THE TERMS OF THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL _____ unless earlier modified by or dismissed by order of this Court. Except for paragraphs 12, 13, 14, and 15 above, this Order survives a divorce, dissolution of marriage, or legal separation.

IT IS SO ORDERED.

JUDGE/MAGISTRATE

JUDGE

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

NOTICE TO RESPONDENT

THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. 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 _____
or Magistrate _____

on the _____ day of _____, 20 _____
at _____ a.m./p.m. at the following location:

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Petitioner
- Respondent
- Police Department Where Petitioner Resides:

- _____ County Sheriff's Office:

- Police Department Where Petitioner Works:

- CSEA
- Other:

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Order of Protection

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

Case No.

Judge

County

State

OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

PHONE NUMBER

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

WITH SUPPORT ORDER

PETITIONER:

Empty box for Petitioner name

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: DOB:
Petitioner's Family or Household Members (May attach additional forms):

DOB:
DOB:
DOB:
DOB:

RESPONDENT:

Empty box for Respondent name

First Middle Last

RESPONDENT IDENTIFIERS

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

Relationship to Petitioner:

Address where Respondent can be found:

Distinguishing features:

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

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

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

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

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

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

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

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

2. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence: _____

3. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at: _____
_____ is granted to: _____. Respondent shall not interfere with this individual’s right to occupy the residence including, but not limited to canceling utilities or insurance, interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]

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

5. **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]

6. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order, and not be present within 500 feet ____ (distance) of any protected persons wherever or those protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with Petitioner’s permission**. If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]

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

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 OR PETS** owned or possessed by the protected persons named in this Order. Personal property shall be apportioned as follows: _____

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

11. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** ~~Respondent shall turn over all deadly weapons in Respondent’s possession to the law enforcement agency that serves Respondent with this Order or as follows: at any time while the Order remains active, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1).~~ _____

RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS AND CONCEAL CARRY WEAPON LICENSE in Respondent’s possession to the law enforcement agency that serves Respondent with this Order or as follows: _____

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

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

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

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

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

- (A) Respondent's visitation rights are suspended; or
 - (B) As a limited exception to paragraphs 6 and 7, temporary visitation rights are established as follows: [NCIC 06] _____
- _____
- _____

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

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

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

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

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

18. **IT IS FURTHER ORDERED:** [NCIC 08] _____

19. **RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:**

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

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

20. IT IS FURTHER ORDERED that the Clerk of Court shall cause a copy of this Order to be delivered to the Respondent as required by law Civ.R. 65.1. The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request. This Order is granted without bond. Under federal and state law, the Clerk shall not charge any fees for filing, issuing, registering, or serving this Protection Order.

21. ALL OF THE TERMS OF THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF FIVE YEARS FROM ISSUANCE, OR UNTIL _____ unless earlier modified or terminated by ~~order~~ Order of this Court. Except for paragraphs 12, 13, 14, and 15 above, this Order survives a divorce, dissolution of marriage, or legal separation. Until this Order is ~~delivered to~~ served upon the Respondent, the terms of the Ex Parte CPO remain in effect.

22. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of the protection 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 protection order.

IT IS SO ORDERED.

~~APPROVED and ADOPTED by:~~

MAGISTRATE

JUDGE

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

NOTICE TO RESPONDENT

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NOTICE OF FINAL APPEALABLE ORDER

Copies of ~~the foregoing~~ this Order, which is a final appealable order, were ~~mailed by ordinary US mail or hand-delivered to~~ served on the parties indicated pursuant to Civ.R. 65.1(C)(3) on the -- day of - , 20 --

By: _____
CLERK OF COURT

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED

TO:

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

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Order of Protection

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

Case No.

Judge

County

State

OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

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

WITH SUPPORT ORDER

PERSON(S) PROTECTED BY THIS ORDER:

PETITIONER:

First Middle Last

Petitioner: _____ DOB: _____
Petitioner's Family or Household Members (May attach additional forms):

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

v.

RESPONDENT:

First Middle Last

RESPONDENT IDENTIFIERS

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

Relationship to Petitioner: _____

Address where Respondent can be found: _____

Distinguishing features: _____

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

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

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

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

Case No. _____

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

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

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

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

2. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence: _____

3. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at: _____
is granted to: _____. Respondent shall not interfere with this individual's right to occupy the residence including, but not limited to canceling utilities or insurance, interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]

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

5. **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]

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

Case No. _____

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

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 OR PETS** owned or possessed by the protected persons named in this Order. Personal property shall be apportioned as follows: _____

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

11. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** Respondent shall turn over all deadly weapons in Respondent's possession to the law enforcement agency that serves Respondent with this Order or as follows: at any time while the Order remains active, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). _____

RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS AND CONCEALED CARRY WEAPON LICENSE in Respondent's possession to the law enforcement agency that serves Respondent with this Order or as follows: _____

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

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

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

Case No. _____

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

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

(A) Respondent's visitation rights are suspended; or

(B) As a limited exception to paragraphs 6 and 7, temporary visitation rights are established as follows: [NCIC 06] _____

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

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

15. **RESPONDENT SHALL SUPPORT** the protected persons named in this Order as follows: _____

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

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

18. **IT IS FURTHER ORDERED:** [NCIC 08] _____

19. **RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:**

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

Respondent is ordered to appear before Judge _____ or Magistrate _____ on _____ at _____ a.m. / p.m., to review Respondent's compliance

Case No. _____

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.

20. IT IS FURTHER ORDERED that the Clerk of Court shall cause a copy of this Order to be delivered to the Respondent as required by law Civ.R. 65.1. The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request. This Order is granted without bond. Under federal and state law, the Clerk shall not charge any fees for filing, issuing, registering, or serving this Protection Order.

21. ALL OF THE TERMS OF THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF FIVE YEARS FROM ISSUANCE, OR UNTIL _____ unless earlier modified or terminated by order of this Court. Except for paragraphs 12, 13, 14, and 15 above, this Order survives a divorce, dissolution of marriage, or legal separation. Until this Order is ~~delivered to~~ served upon the Respondent, the terms of the *Ex Parte* CPO remain in effect.

22. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of the protection 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 protection order.

IT IS SO ORDERED.

APPROVED and ADOPTED by:

MAGISTRATE

JUDGE

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

NOTICE TO RESPONDENT

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

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

SIGNATURE OF PETITIONER

SIGNATURE OF RESPONDENT

Case No. _____

Address of Petitioner (Safe Mailing Address)

Address of Respondent

Signature of Attorney for Petitioner

Signature of Attorney for Respondent

Address of Attorney for Petitioner

Address of Attorney for Respondent

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable order, were ~~mailed by ordinary U.S. mail or hand-delivered to~~ served on the parties indicated pursuant to Civ.R. 65.1(C)(3) on the

_____ day of _____, 20__

By: _____
CLERK OF COURT

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Petitioner
- Respondent
- Counseling Program: _____
- _____ County Sheriff's Office: _____
- Police Department Where Petitioner Resides: _____
- Police Department Where Petitioner Works: _____
- CSEA
- Other: _____

IN THE _____ COURT
_____ COUNTY, OHIO

Petitioner : Case No. _____

Address : Judge/Magistrate _____

City, State, Zip Code :

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

Respondent : **DO NOT WRITE YOUR ADDRESS ON THIS**

Address : **FORM IF YOU ARE REQUESTING**

City, State, Zip Code : **CONFIDENTIALITY. PLEASE PROVIDE AN
ADDRESS WHERE YOU CAN RECEIVE NOTICES
FROM THE COURT.**

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

Petitioner/ Respondent moves this Court to modify or terminate the Domestic Violence Civil Protection Order or Consent Agreement issued 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. If you are the Petitioner, you cannot be assessed Pursuant to R.C. 3113.31(J), court fees or other costs cannot be assessed for filing a Motion to Modify or Terminate Domestic Violence Civil Protection Order or Consent Agreement, which is in connection with a previously issued protection order or consent

agreement.

Respectfully submitted,

SIGNATURE OF PETITIONER/RESPONDENT

~~Address~~ Safe mailing address where ~~Petitioner/Respondent~~ the moving party (YOU) can be contacted: _____

DO NOT WRITE your address on this form if you are requesting confidentiality. Please provide an address where you can receive notices from the Court.

Signature of Attorney for Petitioner/Respondent (if applicable)

Name

Address

Attorney Registration ~~Number~~

Telephone ~~Number~~

Fax ~~Number~~

Email

REQUEST FOR SERVICE

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

~~by certified mail or personal service~~ pursuant to Civ.R. 65.1(C)(3) at the following address: _____

FORM 10.01-L: JUDGMENT ENTRY ON MOTION TO MODIFY/TERMINATE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER OR CONSENT AGREEMENT

IN THE _____ COURT
_____ COUNTY, OHIO

Petitioner : Case No. _____

Date of Birth: _____ : Judge _____

v. : **JUDGMENT ENTRY ON MOTION TO MODIFY/ OR**
TERMINATE DOMESTIC VIOLENCE CIVIL PROTECTION
: **ORDER OR CONSENT AGREEMENT**

Respondent

Date of Birth: _____

Upon the motion of Petitioner Respondent, this proceeding came on for a hearing on _____
before the Court to modify / terminate the Domestic Violence Civil Protection Order or Consent Agreement
issued on _____ .

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

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

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

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

The Court has considered the following factors:

1. Petitioner consents does not consent to the modification termination of the Domestic Violence Civil Protection Order or Consent Agreement.
2. Petitioner continues to fear does not fear the Respondent.
3. The current nature of the relationship between the Petitioner and Respondent is as follows:

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

Case No. _____

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

- 14. The last incident of abuse, threat of harm, or commission of a sexually oriented offense occurred on:

- 15. Other information considered concerning the safety and protection of the Petitioner or other protected parties:

- 16. Based on all relevant factors, including those set forth in R.C. 3113.31(E)(8), the Court finds:
 - The terms of the original civil protection order or consent agreement are no longer appropriate. The Order shall be **modified** as follows: _____

 - The civil protection order or consent agreement is no longer needed. ~~The Order is~~ **The Order is terminated.**

Case No. _____

The civil protection order or consent agreement remains in full force and effect. ~~The motion is~~ **The Motion is denied.**

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

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

18. The costs of this action are assessed against the Respondent waived.

19. **IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE,** the Court has reviewed the magistrate's granting of the protection 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 protection order.

IT IS SO ORDERED.

APPROVED and ADOPTED by:

MAGISTRATE

JUDGE

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

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

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Order of Protection

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

Case No. _____

Judge _____

County _____

State

OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

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

PETITIONER:

First

Middle

Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____
Petitioner's Family or Household Members (May attach additional forms):

DOB: _____

DOB: _____

DOB: _____

DOB: _____

RESPONDENT:

First

Middle

Last

RESPONDENT IDENTIFIERS

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

Relationship to Petitioner: _____

Address where Respondent can be found: _____

Distinguishing features: _____

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

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

The terms of this Order shall be effective until _____ / _____ / _____ (SHALL BE SAME EXPIRATION DATE AS IN CIVIL PROTECTION ORDER OR CONSENT AGREEMENT)

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

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

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

- 1. **RESPONDENT SHALL NOT ABUSE** ~~the protected persons named in this Order by harming~~ harm, ~~attempting attempt~~ to harm, ~~threatening threaten~~, ~~following follow~~, ~~stalking stalk~~, ~~harassing harass~~, ~~forcing force~~ sexual relations upon ~~them~~, or ~~by committing commit~~ sexually oriented offenses against ~~them~~ the protected persons named in this Order. [NCIC 01 and 02]
- 2. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence: _____
- 3. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at: _____
is granted to: _____. Respondent shall not interfere with this individual's right to occupy the residence including, but not limited to canceling utilities or insurance, interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]
- 4. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the above residence at the earliest possible opportunity after service of this Order to the law enforcement agency that serves Respondent with this Order or as follows: _____
- 5. **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]
- 6. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected persons wherever those protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with Petitioner's permission**. If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]
- 7. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular, or digital telephone;

text; instant messaging; fax; e-mail; voice mail; delivery service; social networking media; blogging; writings; or communications by any other means in-person directly or through another person.
Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 05]

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 OR PETS owned or possessed by the protected persons named in this Order. Personal property shall be apportioned as follows: _____

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

11. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON
~~Respondent shall turn over all deadly weapons in Respondent's possession to the law enforcement agency that serves Respondent with this Order or as follows:~~ at any time while the Order remains active, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). _____

RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS AND CONCEALED CARRY WEAPON LICENSE in Respondent's possession to the law enforcement agency that serves Respondent with this Order or as follows: _____

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

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

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

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

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

(A) Respondent's visitation rights are suspended; or

(B) As a limited exception to paragraphs 6 and 7, temporary visitation rights are established as follows: [NCIC 06]

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

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

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

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

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

18. **IT IS FURTHER ORDERED:** [NCIC 08] _____

19. **RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:**

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

Respondent is ordered to appear before Judge _____ or Magistrate _____

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

20. **IT IS FURTHER ORDERED** that the Clerk of Court shall cause a copy of this Order to be delivered to the Respondent as required by law Civ.R. 65.1. The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request. This Order is granted without bond. Under federal and state law, the Clerk shall not charge any fees for filing, issuing, registering, or serving this Protection Order.

21. **ALL OF THE TERMS OF THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF FIVE YEARS FROM ISSUANCE, OR UNTIL _____** unless earlier modified or terminated by order of this Court. Except for paragraphs 12, 13, 14, and 15 above, this Order survives a divorce, dissolution of marriage, or legal separation. Until this Order is delivered to Respondent, the terms of the *Ex Parte* CPO remain in effect.

22. **IF THE HEARING WAS REFERRED TO A MAGISTRATE**, the Court has reviewed the magistrate's granting of the protection 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 protection order.

IT IS SO ORDERED.

APPROVED and ADOPTED by:

MAGISTRATE

JUDGE

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

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

NOTICE OF FINAL APPEALABLE ORDER

Copies of the foregoing Order, which is a final appealable order, were ~~mailed by ordinary U.S. mail or hand-delivered to~~ served on the parties indicated pursuant to Civ. R. 65.1(C)(3) on the _____ day of _____, 20__.

By: _____
CLERK OF COURT

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

Petitioner Attorney for Petitioner
 Respondent Attorney for Respondent
 Counseling Program: _____
 _____ County Sheriff's Office:

 Police Department Where Petitioner Resides: _____

Case No. _____

Police Department Where Petitioner Works:

CSEA

Other:

IN THE _____ COURT
_____ COUNTY, OHIO

Petitioner : Case No. _____

Address : Judge/Magistrate _____

City, State, Zip Code :

v. : **MOTION TO FOR CONTEMPT OF A DOMESTIC
VIOLENCE PROTECTION ORDER**

Respondent : **Notice: Throughout this form, check every**
: **that applies**

Address :

City, State, Zip Code :

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

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

Petitioner Respondent moves this Court to find _____
in contempt of this Court's Domestic Violence Civil Protection Order dated issued on _____
for the reasons below.

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

- 1. Respondent violated the Domestic Violence Civil Protection Order by engaging in one or more of the following acts against me and/or another protected person:
 - Harmed or attempted to harm
 - Threatened
 - Followed
 - Stalked
 - Harassed
 - Forced sexual relations upon _____
 - Committed a sexually oriented offense
 - Other: _____

Case No. _____

2. Respondent failed to vacate the residence at _____

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

Furthermore, Respondent interfered with my right to occupy the residence by

- Cancelling utilities
- Cancelling insurance
- Interrupted telephone service
- Interrupted mail delivery
- Interrupted delivery of any other documents or items

4. Respondent failed to surrender keys and/or garage door openers to the residence for which exclusive use was ordered in the Domestic Violence Civil Protection Order.

5. Respondent entered or interfered with the residence, school, business, place or employment, day care center, or child care provider of the protected persons.

6. Respondent violated the stay away provision of the Domestic Violence Civil Protection Order.

7. Respondent violated the no contact provision of the Domestic Violence Civil Protection Order.

8. Respondent failed to surrender the keys to the motor vehicle for which exclusive use was granted to the Petitioner in the Domestic Violence Civil Protection Order.

9. Respondent removed, damaged, hid or disposed of personal property or pets in violation of the Domestic Violence Civil Protection Order.

10. Respondent caused or encouraged another person to do acts prohibited by the Domestic Violence Civil Protection Order.

11. Respondent violated the Domestic Violence Civil Protection Order by possessing, using, carrying, obtaining or failing to turn over a deadly weapon.

12. Petitioner Respondent violated the temporary allocation of parental rights and responsibilities (custody).

13. Petitioner Respondent violated the visitation order.

14. Petitioner Respondent violated the support provision of the Domestic Violence Civil Protection Order.

15. Respondent used or possessed alcohol and/or illegal drugs in violation of the Domestic Violence Civil

Case No. _____

Protection Order.

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

17. List other violations of the Domestic Violence Civil Protection Order here: _____

18. Additional explanation here: _____

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

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

SIGNATURE OF PETITIONER/RESPONDENT

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

NOTARY PUBLIC

NOTARY PUBLIC

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

Signature of Attorney for Petitioner (if applicable)

Name

Address

Attorney Registration Number

Phone Number Telephone

INSTRUCTIONS REQUEST FOR SERVICE

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

by certified mail or personal service pursuant to Civ.R. 65.1(C)(3) at the following address:

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

DEFENDANT:

First Middle Last

Address where Defendant can be found:

Case No. _____

Judge _____

County _____ 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:

DOB: _____

DOB: _____

DOB: _____

DEFENDANT IDENTIFIERS

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

Distinguishing Features: _____

WARNING TO LAW ENFORCEMENT: RESPONDENT 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 has been or 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 Defendant be restrained from committing acts of abuse or threats of abuse against the Alleged Victim and other protected persons named in this Order, ~~as set forth below.~~ Additional terms of this Order are set forth below.

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

(Ex Parte DVTPPO)

(DVTPO)

Upon a hearing held on _____ OR _____ the Court finds that the Motion for a Domestic Violence Temporary Protection Order is well taken. The Court finds that the safety and protection of protected persons named in this Order may be impaired by the continued presence of Defendant. Therefore, the following orders, which are designed to ensure the safety and protection of protected persons named in this Order, are issued to Defendant as pretrial conditions in addition to any bail set under Crim.R. 46.

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE DEFENDANT

1. **DEFENDANT SHALL NOT ABUSE** ~~protected persons named in this Order by harming, harm, attempting attempt to harm, threatening threaten, following follow, stalking stalk, harassing harass, forcing force sexual relations upon them, or by committing commit sexually oriented offenses against them~~ the protected persons named in this Order. [NCIC 01 and 02]
2. **DEFENDANT SHALL NOT ENTER** the residence, school, business, place of employment, day care centers, or child care providers of the protected persons named in this Order, including the buildings, grounds, and parking lots at those locations. Defendant may not violate this Order **even with the permission of a protected person**. [NCIC 04]
3. **DEFENDANT SHALL NOT INTERFERE** with protected persons' right to occupy any residence by canceling utilities or insurance and interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]
4. **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 Defendant with this Order or as follows: _____

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

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

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

9. **DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** Defendant shall turn over all deadly weapons in Defendant's possession to the law enforcement agency that serves Defendant with this Order as follows: at any time while the Order remains active, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). _____

DEFENDANT SHALL TURN OVER ALL DEADLY WEAPONS AND CONCEALED CARRY WEAPON LICENSE in Defendant's possession to the law enforcement agency that serves Defendant with this Order as follows: _____

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

10. **DEFENDANT MAY PICK UP CLOTHING** and personal items from the following residence: _____
only in the company of a uniformed law enforcement officer within seven 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: _____

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

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

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

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

15. **THIS ORDER REMAINS IN EFFECT:** (1) until modified by this Court; or (2) until the criminal proceeding arising out of the complaint upon which these orders were issued is disposed of by this Court or by the court of common pleas to which the defendant is bound over for prosecution; or (3) until a Court issues a Domestic Violence Civil Protection Order ("CPO") arising out of the same activities as those that were

the basis of the complaint filed in this action.

IT IS SO ORDERED.

MAGISTRATE – DATE OF *EX PARTE* DVTPPO

JUDGE – DATE OF *EX PARTE* DVTPPO

MAGISTRATE – DATE OF DVTPPO

JUDGE – DATE OF DVTPPO

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

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

A HEARING on this Order shall be held before

Judge/Magistrate _____ of

Magistrate _____

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

(~~the next court day~~) at the following location:

TO THE CLERK:
COPIES OF THIS ORDER SHALL BE DELIVERED TO:

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

- Police Department Where Alleged Victim Works:

- _____ County Sheriff's Office;

- CSEA
- Other:

Service acknowledged: _____
SIGNATURE OF DEFENDANT

DATE

WAIVER OF HEARING

I HAVE BEEN ADVISED OF MY RIGHT TO HAVE 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.

Case No. _____

DEFENDANT: _____
DEFENDANT

DATE: _____
DATE

IN THE _____ COURT
_____ COUNTY, OHIO

STATE OF OHIO/CITY OF _____

÷

Case No. _____

÷

v.

÷

Judge _____

÷

DEFENDANT

÷

MOTION FOR CRIMINAL PROTECTION ORDER (CRPO) (R.C. 2903.213)

(Name of person), moves the Court to issue a protection order containing terms designed to ensure the safety and protection of the complainant or the alleged victim in the above captioned case, in relation to the named defendant, pursuant to its authority to issue a protection order under R.C. 2903.213.

A complaint, a copy of which has been attached to this motion, has been filed in this Court charging the named defendant with a violation of R.C. 2903.11 (*Felonious Assault*), 2903.12 (*Aggravated Assault*), 2903.13 (*Assault*), 2903.21 (*Aggravated Menacing*), 2903.211 (*Menacing by Stalking*), 2903.22 (*Menacing*), or 2911.211 (*Aggravated Trespass*) or a violation of a municipal ordinance substantially similar to R.C. 2903.13, 2903.21, 2903.211, 2903.22, or 2911.211, or the commission of sexually oriented offenses as defined in R.C. 2950.01.

I understand that I must appear before the Court, at a time set by the Court not later than the next day that the Court is in session after the filing of this motion, for a hearing on the motion, and that any protection order granted pursuant to this motion is a pretrial condition of release and is effective only until the disposition of the criminal proceeding arising out of the attached complaint or until the issuance under R.C. 2903.214 of a protection order arising out of the same activities as those that were the basis in the attached complaint.

Signature of Alleged Victim

Address of Alleged Victim

NOTES: (1) ~~This form must be provided by the Clerk of Court, per R.C. 2903.213(B).~~

(2) ~~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 Domestic Violence Temporary Protection Order (DVTPO) forms and procedures under R.C. 2919.26, and/or Civil Protection Order (CPO) forms and procedures under R.C. 3113.31.~~

IN THE _____ COURT
 _____ COUNTY, OHIO

Order of Protection

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

LAW ENFORCEMENT AGENCY WHERE INDEXED
 () -

PHONE NUMBER

STATE OF OHIO/ CITY OF _____
 v. _____

DEFENDANT

ALLEGED VICTIM:

First Middle Last

Case No. _____

Judge _____

County _____

State

OHIO

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

New Order Modification of Previous Order

Modification of Previous Order

PERSON(S) PROTECTED BY THIS ORDER:

Alleged Victim _____ DOB: _____

Alleged Victim's Family or Household Members:

DOB: _____

DOB: _____

DOB: _____

DOB: _____

DEFENDANT:

First Middle Last

Address where Defendant can be found:

DEFENDANT IDENTIFIERS

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

Distinguishing Features: _____

WARNING TO LAW ENFORCEMENT: RESPONDENT 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 has been or 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 Defendant be restrained from committing acts of abuse or threats of abuse against the Alleged Victim and other protected persons named in this Order, ~~as set forth below.~~ Additional terms of this Order are set forth below.

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

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

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE DEFENDANT

- 1. **DEFENDANT SHALL NOT ABUSE** ~~protected persons named in this Order by harming, harm, attempting attempt to harm, threatening threat, following follow, stalking stalk, harassing harass, forcing force sexual relations upon them, or by committing commit sexually oriented offenses against them the protected persons named in this Order.~~ [NCIC 01 and 02]
- 2. **DEFENDANT SHALL NOT ENTER** the residence, school, business, place of employment, day care centers, or child care providers of the protected persons named in this Order, including the buildings, grounds, and parking lots at those locations. Defendant may not violate this Order **even with the permission of a protected person.** [NCIC 04]
- 3. **DEFENDANT SHALL NOT INTERFERE** with protected persons' right to occupy any residence by canceling utilities or insurance and interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]
- 4. **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 Defendant with this Order or as follows: _____

- 5. **DEFENDANT SHALL STAY AWAY FROM PROTECTED PERSONS NAMED IN THIS ORDER**, and shall not be present within 500 feet or _____ (distance) of any protected persons wherever those protected persons may be found, or any place the Defendant knows or should know the protected persons are likely to be, **even with the protected persons’ permission.** If Defendant accidentally comes in contact with protected persons in any public or private place, Defendant must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]
- 6. **DEFENDANT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in this Order.
- 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; fax; e- mail; voice mail; delivery service; social networking media; writings; or communications

by any other means ~~in person~~ 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 CAUSE OR ENCOURAGE ANY OTHER PERSON** to do any act prohibited by this Order.

9. **DEFENDANT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** Defendant shall turn over all deadly weapons at any time while the Order remains active, unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1).

DEFENDANT SHALL TURN OVER ALL DEADLY WEAPONS AND CONCEALED CARRY WEAPON LICENSE in Defendant's possession to the law enforcement agency that serves Defendant with this Order as follows: _____

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

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

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

12. **THIS ORDER REMAINS IN EFFECT:** (1) until modified by this Court; or (2) until the criminal proceeding arising out of the complaint upon which these orders were issued is disposed of by this Court or by the court of common pleas to which the defendant is bound over for prosecution; or (3) until 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.

IT IS SO ORDERED.

MAGISTRATE – DATE OF *EX PARTE* CRPO

JUDGE – DATE OF *EX PARTE* DRPO

MAGISTRATE – DATE OF CRPO

JUDGE– DATE OF CRPO

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

NOTICE TO DEFENDANT

THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. 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") forms and procedures under R.C. 2919.26, and/or Domestic Violence Civil Protection Order ("DVCPO") forms and procedures under R.C. 3113.31.

A HEARING on this Order shall be held before

Judge/Magistrate _____ or

Magistrate _____

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

(~~the next court day~~) at the following location:

TO THE CLERK:

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

Prosecutor

Alleged Victim

Defendant (~~by personal service~~)

Attorney for Defendant

Police Department Where Alleged Victim Resides:

Police Department Where Alleged Victim Works:

_____ County Sheriff's Office;

Other: _____

Service acknowledged: _____ **SIGNATURE OF DEFENDANT** _____ **DATE** _____

WAIVER OF HEARING

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

DEFENDANT: _____ **DEFENDANT** _____ **DATE:** _____ **DATE** _____

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Petitioner	:	Case No.	
Address	:	Judge/Magistrate	
City, State, Zip Code	:	PETITION FOR CIVIL STALKING PROTECTION ORDER OR CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER (R.C. 2903.214)	
Date of Birth: _____	:	Notice to Petitioner: Check every <input type="checkbox"/> that applies.	
v.	:	DO NOT WRITE YOUR ADDRESS ON THIS FORM IF YOU ARE REQUESTING CONFIDENTIALITY.	
Respondent	:	PLEASE PROVIDE ANOTHER ADDRESS WHERE YOU CAN RECEIVE NOTICES FROM THE COURT.	
Address	:		
City, State, Zip Code	:	The Respondent does NOT have to be related to Petitioner in any way for Petitioner to be eligible for relief.	
Date of Birth: _____	:		

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

- 1. Petitioner seeks relief on Petitioner's own behalf.
- 2. Petitioner seeks relief on behalf of the following family or household members:

NAME	DATE OF BIRTH	HOW RELATED TO PETITIONER

Ohio law defines "Menacing by Stalking" as follows:

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

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

Ohio law defines "~~Sexually oriented offenses~~ Oriented Offenses" are defined in R.C. 2950.01.

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

(a) For a civil stalking protection order due to menacing by stalking, describe the nature and extent of the pattern of conduct that causes you to believe that Respondent will cause you physical harm or causes (or has caused) mental distress. Also describe any previous convictions of Respondent for the crime of Menacing by Stalking, if known.

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

(c) For electronic monitoring of the Respondent, describe the nature and extent of the Respondent's conduct before the filing of this Petition that puts you or your family or household members' health, welfare, or safety at risk. Also describe how the Respondent presents a continuing danger to you or your family or household members.

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

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

(b) Requires Respondent to refrain from entering the residence, school, business, place of employment, child care providers, or day care centers of Petitioner and the family or household members named in this Petition, including the buildings, grounds, and parking lots at those locations.

- (c) Requires Respondent not to interfere with Petitioner's right to occupy the residence including, but not limited to canceling any utilities, insurance, interrupting phone service, mail delivery, or the delivery of any other documents or items.
- (d) Requires Respondent not to remove, damage, hide, or dispose of any property or pets owned or possessed by the Petitioner and Petitioner's family or household members named in this Petition.
- (e) Requires Respondent not to possess, use, carry, or obtain any deadly weapon.
- (f) Requires Respondent to be electronically monitored.
- (g) Includes the following additional provisions: _____

- 5. Petitioner further requests that the Court issue an *ex parte* (emergency) protection order under R.C. 2903.214(D) and this Petition.
- 6. Petitioner further requests that the Court not issue any mutual protection orders or other orders against Petitioner unless all of the conditions of R.C. 2903.214(E)(3) are met.
- 7. Petitioner further requests that if Petitioner has a victim advocate, the Court permit the victim advocate to accompany Petitioner at all stages of these proceedings as required by R.C. 2903.214(L).
- 8. Petitioner further requests that the Court grant such other relief as the Court considers equitable and fair.
- 9. The following is a list of all present and past court cases involving Respondent, that Petitioner knows of:

CASE NAME	CASE NUMBER	COURT/COUNTY	OUTCOME OF CASE

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

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

SIGNATURE OF PETITIONER

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

NOTARY PUBLIC

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

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

Signature of Attorney for Petitioner (if applicable)

Name

Address

City, State, Zip Code

Attorney Registration

Telephone Number

Fax

Email

IN THE COURT OF COMMON PLEAS
 _____ COUNTY, OHIO

Order of Protection

Case No.

Per R.C. 2903.214(F)(3), this Order is indexed at _____

Judge/Magistrate _____

County State OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED _____

() -

 PHONE NUMBER

- CIVIL STALKING PROTECTION ORDER *EX PARTE* (R.C. 2903.214)
 CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER *EX PARTE* (R.C. 2903.214)

PETITIONER:

PERSON(S) PROTECTED BY THIS ORDER:

First Middle Last

Petitioner: _____ DOB: _____
 Petitioner's Family or Household Member(s): _____
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____

v.

RESPONDENT:

RESPONDENT IDENTIFIERS

First Middle Last

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

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

Distinguishing features: _____

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

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

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

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

The terms of this Order shall be effective until ____ / ____ / ____ (DATE CERTAIN).

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

This proceeding came on for an *ex parte* hearing on _____ (Respondent not being present), upon the filing of a Petition by Petitioner for a civil stalking protection order or civil sexually oriented offense protection order against the Respondent, pursuant to R.C. 2903.214. In accordance with R.C. 2903.214(D)(1), the Court held an *ex parte* hearing not later than the next day that the Court was in session after the Petition was filed.

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

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

1. **RESPONDENT SHALL NOT ABUSE** ~~the protected persons named in this Order by harming, harm, attempting attempt to harm, threatening threaten, following follow, stalking stalk, harassing harass, forcing force sexual relations upon them, or by committing commit sexually oriented offenses against them~~ the protected persons named in this Order. [NCIC 01 and 02]
2. **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]
3. **RESPONDENT SHALL NOT INTERFERE** with protected persons' right to occupy the residence including, but not limited to canceling utilities, insurance, interrupting telephone service, mail delivery, or the delivery of any other documents or items.
4. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the following residence:

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

5. **RESPONDENT SHALL STAY AWAY FROM** 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 Respondent knows or should know the protected persons are likely to be, **even with protected persons' permission.** If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]
6. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in this Order.
7. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order at their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone_; text; instant messaging; fax_; e-mail_; voice mail_; delivery service_; social networking media; blogging; writings_; or communications by any other means ~~in person~~ 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 CAUSE OR ENCOURAGE ANY OTHER PERSON** to do any act prohibited by this Order.

9. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON.** Respondent shall turn over all deadly weapons in Respondent's possession to the law enforcement agency that serves Respondent with this Order or as follows: _____

RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS AND CONCEALED CARRY WEAPON LICENSE in Respondent's possession to the law enforcement agency that serves Respondent with this Order or as follows: _____

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

10. **IT IS FURTHER ORDERED:** [NCIC 08] _____

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

12. IT IS FURTHER ORDERED that the Clerk of Court shall cause a copy of the Petition and this Order to be delivered to the Respondent as required by law Civ.R. 65.1. The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request. This Order is granted without bond. Under federal and state law, the Clerk shall not charge any fees for filing, issuing, registering, or serving this Protection Order.

13. ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT UNTIL
_____ , _____ .

IT IS SO ORDERED.

JUDGE/MAGISTRATE

JUDGE

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

NOTICE TO RESPONDENT
THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR

VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. 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 _____
or Magistrate _____

on the _____ day of _____, 20____
at _____ a.m./p.m. at the following location:

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Petitioner
- Respondent
- Police Department Where Petitioner Resides:

- _____ County Sheriff's Office;

- Police Department Where Petitioner Works:

- Other: _____

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Order of Protection

Per R.C. 2903.214(F)(3), this Order is indexed at

Case No.

[Empty box for Case No.]

Judge

County

State

OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

() - PHONE NUMBER

CIVIL STALKING PROTECTION ORDER FULL HEARING (R.C. 2903.214)

CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER FULL HEARING (R.C. 2903.214)

PETITIONER:

[Empty box for Petitioner Name]

First Middle Last

v.

RESPONDENT:

[Empty box for Respondent Name]

First Middle Last

Address where Respondent can be found:

PERSON(S) PERSONS PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

Petitioner's Family or Household Member(s): _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

RESPONDENT IDENTIFIERS

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

Distinguishing Features: _____

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

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

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

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

This proceeding came on for a hearing on _____ before the Court and the Civil Stalking Protection Order *Ex Parte* or Civil Sexually Oriented Offense Protection Order *Ex Parte* filed on _____ all in accordance with R.C. 2903.214.

The following individuals were present: _____

The Court hereby makes the following findings of fact: _____

- The Court finds by a preponderance of the evidence that 1) the Respondent has knowingly engaged in a pattern of conduct that caused Petitioner to believe that the Respondent will cause physical harm or cause or has caused mental distress; and 2) the following orders are equitable, fair, and necessary to protect the persons named in this Order from stalking offenses.
- The Court finds by a preponderance of the evidence that 1) the Petitioner or Petitioner's family or household ~~member(s)~~ members are in danger of or have been a victim of a sexually oriented offense as defined in R.C. 2950.01, committed by Respondent; and 2) the following orders are equitable, fair, and necessary to protect the persons named in this Order from sexually oriented offenses.
- The Court finds by clear and convincing evidence that 1) the Petitioner or Petitioner's family or household member reasonably believed the Respondent's conduct before the filing of the Petition endangered the health, welfare, or safety of the Petitioner or Petitioner's family or household ~~member(s)~~ members; 2) the Respondent presents a continuing danger to the Petitioner or Petitioner's family or household ~~member(s)~~ members; and 3) the following orders are equitable, fair, and necessary to protect the ~~person(s)~~ persons named in this Order.

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

- 1. **RESPONDENT SHALL NOT ABUSE** ~~the protected persons named in this Order by harming, harm, attempting attempt to harm, threatening threaten, following follow, stalking stalk, harassing harass, forcing force sexual relations upon them, or by committing commit sexually oriented offenses against them~~ the protected persons named in this Order. [NCIC 01 and 02]
- 2. **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 ~~03~~ 04]
- 3. **RESPONDENT SHALL NOT INTERFERE** with protected persons' right to occupy the residence, including but not limited to canceling utilities, insurance, interrupting telephone service, mail delivery, or the delivery of any other documents or items.
- 4. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the following residence:

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

- 5. **RESPONDENT SHALL STAY AWAY FROM** 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 Respondent knows or should know the protected persons are likely to be, **even with protected persons' permission**. If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This Order includes encounters on public and private roads, highways, and thoroughfares. [NCIC 04]
- 6. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in this Order.
- 7. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order at their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social networking media; blogging; writings; or communications by any other means ~~in person~~ 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 CAUSE OR ENCOURAGE ANY OTHER PERSON** to do any act prohibited by this Order.
- 9. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON.** Respondent shall turn over all deadly weapons in Respondent's possession to the law enforcement agency that serves Respondent with this Order or as follows: _____

RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS AND CONCEALED CARRY WEAPON LICENSE in Respondent's possession to the law enforcement agency that serves Respondent with this Order or as follows: _____

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

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

- 10. **IT IS FURTHER ORDERED:** [NCIC 08] _____
- 11. **RESPONDENT IS ORDERED TO COMPLETE** the following counseling program:

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

Respondent is ordered to appear before Judge _____ or Magistrate _____ on _____ at _____ a.m. / p.m., to review Respondent’s compliance with this Counseling Order. Respondent is warned: If you fail to attend the 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.

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

13. **RESPONDENT SHALL BE SUBJECT TO ELECTRONIC MONITORING.** Respondent is ordered to report to _____ for the 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:

14. **IT IS FURTHER ORDERED** that the Clerk of Court shall cause a copy of the Petition and this Order to be delivered to the Respondent as required by law Civ.R. 65.1. The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request. This Order is granted without bond. Under federal and state law, the Clerk shall not charge any fees for filing, issuing, registering, or serving this Protection Order.

15. **ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF FIVE YEARS FROM ISSUANCE, OR UNTIL _____ .** Until this Order is served upon the Respondent, the terms of the Ex Parte CPO remain in effect.

16. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate’s granting of the protection 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 protection order.

IT IS SO ORDERED.

~~APPROVED and ADOPTED by:~~

MAGISTRATE

JUDGE

~~**NOTICE TO RESPONDENT: THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER, EVEN WITH THE PROTECTED PERSON’S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT**~~

**FORM 10.03-G:
HOW TO OBTAIN COMPLETE A PETITION FOR A
CIVIL STALKING PROTECTION ORDER
OR CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER**

These instructions are intended to assist you in preparing the Petition for a Civil Stalking Protection Order or Sexually Oriented Offense Protection Order, which can only be heard by the court of common pleas in your county. **Throughout the Petition you are called *Petitioner* and the person you are filing this Petition against is called *Respondent*.**

SOME HINTS BEFORE YOU BEGIN

- All forms must be typed or printed.
- Write your name and the Respondent's name the same way throughout the Petition.
- When you print your name on the Petition, use the same name you use when you write your signature.
- ~~Write your name and the Respondent's name the same way throughout the Petition.~~
- Fill out the Petition as completely and accurately as possible.
- If you have any questions about completing the Petition, ~~ask the Clerk of Court's office for assistance or~~ contact your local domestic violence program or the Ohio Domestic Violence Network at 800-934-9840.
- ~~Under federal and state law no fees may be charged to obtain a protection order.~~

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

- On the front page, leave the "Case No." line and "Judge/Magistrate" lines blank.** The Clerk of Court's office will fill in this information.
- On the top left-hand side of the front page, fill in the requested information about yourself.** If you do not want your present address to be known, write "remain confidential" in the space for your address, but list someone else's, do not write your address on the Petition. However, you must write another mailing address where you can safely receive notices from the Court.
- Also on the top left-hand side of the front page, fill in the requested information about Respondent as best you can.** You may use the Respondent's work address if you do not know the Respondent's home address. If you do not know Respondent's date of birth, leave that line blank. Do not attempt to obtain this information unless it is safe to do so.
- Paragraph 1:** If you are filing the Petition on behalf of yourself, mark the first box.
- Paragraph 2:** If you are filing the Petition on behalf of a family or household member, mark the box and fill in their name(s) and the other information requested in the chart. The Petitioner and the Respondent need not be related in any way for the Petitioner to obtain the protection order. You may attach additional pages if you need more room.

Paragraph 3(a): State the date(s) of the incident(s) that caused you to file the Petition. Exact date(s) is not necessary; ~~approximate.~~ Approximate time frame may be sufficient. If you are requesting a civil stalking protection order due to menacing by stalking, provide a brief description of the pattern of conduct (two or more instances) that caused you to believe that the Respondent will cause physical harm or cause mental distress to you or another family member. ~~(NOTE: Petitioner and/or Respondent need not be related in any way for Petitioner to obtain the protection order.)~~ If you are aware of any prior convictions of the Respondent for menacing by stalking or similar offenses, or prior convictions of the Respondent for any sexually oriented offenses, list what information you know about those convictions. You may attach additional pages if you need more room to complete your description.

Paragraph 3(b): State the date(s) of the incident(s) that caused you to file the Petition. Exact date(s) is not necessary; ~~approximate.~~ Approximate timeframe may be sufficient. If you are requesting a civil sexually oriented offense protection order due to a sexually oriented offense, you do not have to provide a description of a pattern of conduct. A brief description of what happened that caused you to request the protection order will be enough. ~~(NOTE: Petitioner and/or Respondent need not be related in any way for Petitioner to obtain the protection order.)~~ If you are aware of any prior convictions of the Respondent for menacing by stalking or similar offenses, or prior convictions of the Respondent for any sexually oriented offenses, list what information you know about those convictions. You may attach additional pages if you need more room to complete your description.

Paragraph 3(c): State the date(s) of the incident(s) that caused you to file the Petition and request electronic monitoring of the Respondent. Exact date(s) is not necessary; ~~approximate.~~ Approximate timeframe may be sufficient. If you are requesting electronic monitoring of the Respondent, describe the nature and extent of the Respondent's conduct before ~~the filing of~~ this Petition that puts you or your family or household members' health, welfare, or safety at risk. Also describe how the Respondent presents a continuing danger to you or your family or household members.

See definition section on Offenses on the last page for the legal definition of *menacing by stalking* and *sexually oriented offense*.

Paragraph 4: Indicate the action you want the Court to take by marking the boxes next to the numbered paragraphs that apply to your situation.

Paragraph 4(f): Write any special court orders you believe would help protect you and your family or household members.

Paragraph 5: ~~Be sure to mark the box next to Paragraph 5 if~~ If you need an emergency ("ex parte") protection order, mark the box next to Paragraph 5.

Paragraph 9: List ALL present ~~or~~ and pertinent past court cases or investigations that involve the Respondent. This includes all civil, criminal, divorce, custody, visitation, and any other case that may have a bearing on ~~the safety of you~~ your or your family or household ~~members~~ members' safety. Write the case name, the court, the case number, and the ~~outcome~~ result of the case, if known. If the case is not over, write "pending". You may attach additional pages if you need more room.

SIGNING THE PETITION

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

FILING THE PETITION

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

FEES

Under federal and state law, you ~~cannot~~ cannot be charged any costs or fees for filing and obtaining a protection order.

DISCOVERY

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

If ordered, the Court will (1) indicate the time and place where discovery will be held; (2) indicate the person who can be present during discovery, including a victim advocate, and (3) state necessary terms and conditions to keep Petitioner safe. This may include maintaining the confidentiality of the Petitioner's address.

Discovery has to be completed prior to the full hearing.

OFFENSES

A Civil Stalking Protection Order or Civil Sexually Oriented Offense Protection Order can **ONLY** be issued for specific behaviors listed below.

Menacing by Stalking

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

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

Sexually Oriented Offense

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

FORM 10.03-H: WARNING CONCERNING THE ATTACHED PROTECTION ORDER

NOTE: *Rule 10.03 of the Rules of Superintendence for the Courts of Ohio requires this Warning to be attached to the FRONT of all protection orders issued pursuant to R.C. 2903.213 and 2903.214 by the courts of the State of Ohio. TO BE USED WITH FORMS 10.03-B, 10.03-E, and 10.03-F.*

WARNING TO RESPONDENT/ DEFENDANT

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

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

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

Only the Court can change this Order. The Petitioner/Alleged Victim cannot give you permission to violate this order. If you go near the Petitioner or other protected persons, even with their consent, you may be arrested. You act at your own risk if you disregard this WARNING. ~~If you want to change the Order you must ask the Court.~~

WARNING TO PETITIONER / ALLEGED VICTIM

You cannot change the terms of this Order by your words or actions. This Order **cannot** be changed by either party without obtaining a written court order.

NOTICE ABOUT FIREARMS AND DEADLY WEAPONS

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

This Order may be subject to the exceptions pursuant to 18 U.S.C. 925(a)(1) with respect **only** to the official use of government-issued firearms or ammunition for the use of any department or agency of the United States, Ohio, or its political subdivision. This exception does not apply if the Defendant/Respondent has been convicted of an offense of violence against a family or household member pursuant to 18 U.S.C. 922(g)(9).

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

The attached Protection Order is enforceable in all jurisdictions. Violating this Protection Order, whether it is a criminal or civil Protection Order, is a crime under R.C. 2919.27. Law enforcement officers with powers to arrest for violations of the Ohio Revised Code must enforce the terms of this Protection Order as required by R.C. 2919.27, 2903.213, and 2903.214. If you have reasonable grounds to believe that Respondent/Defendant has violated this Protection Order, in Ohio under R.C. 2935.03, you should arrest and detain Respondent/ Defendant until you can obtain a warrant. Federal and state laws prohibit charging a fee for service of this order.

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

These instructions are intended to assist you in preparing the Petition for a Juvenile Civil Protection Order or Juvenile Domestic Violence Civil Protection Order, which can be heard only by the juvenile ~~division of the court of common pleas~~ in the county where you reside. If your county does not have a juvenile ~~division in the court of common pleas~~, the Petition will be heard in the court of common pleas in the county where you reside.

Throughout the Petition, you (the party to be protected) are called *Petitioner* and the person you are filing this petition against is called *Respondent*.

SOME HINTS BEFORE YOU BEGIN

- Read these instructions carefully.
- The types of offenses for which a juvenile civil protection order or juvenile domestic violence civil protection order can be obtained are explained in the last section of this Form.
- A juvenile civil protection order or a juvenile domestic violence civil protection order should **ONLY** be requested if the Respondent is less than 18 years old.
- If the Respondent is 18 years old or older, then you must file ~~another~~ a petition for a civil protection order in the appropriate court of common pleas.
- ~~Fill out the Petition as completely and accurately as possible~~ All forms must be typed or printed.
- ~~All forms must be typed or printed~~ Write your name and Respondent's name the same way throughout the Petition.
- When you write your name on the Petition, use ~~the same~~ your legal name ~~you use when you write your signature.~~
- ~~Write your name and Respondent's name the same way throughout the Petition~~ Fill out the Petition as completely and accurately as possible.
- If you have any questions about completing the Petition, contact your local domestic violence program or the Ohio Domestic Violence Network at 800-934-9840 for assistance.
- ~~Under federal and state law, no fees may be charged to obtain a protection order.~~

FILLING OUT THE PETITION

On the front page, leave the "Case No." line and "Judge/Magistrate" lines blank. The Clerk of Court's office will fill in this information.

On the top left-hand side of the front page, fill in the requested information about yourself or minor for whom you are filing. If you ~~do not~~ want your present address or that of the minor for whom you are filing to be known remain confidential, ~~do not write in the space provided someone else's the address on the Petition.~~ However, you must write another address where you can safely receive notices from the Court. **Also on the top left-hand side of the front page, fill in the requested information about the Respondent as best as you can.** You may use the Respondent's work or school address if you do not know the Respondent's home address. If you do not know the Respondent's date of birth, try to estimate at least year of birth. **Do not attempt to obtain this information unless it is safe to do so.**

Paragraph 1: Mark the first box if you are filing the Petition on your own behalf.

Paragraph 2: If you are filing the Petition on behalf of a minor who is not your family or household member,

mark the box and write the minor's name.

- Paragraph 3:** If you are filing the Petition on behalf of a family or household member, mark the box and fill in their names and the other information requested in the chart. You may attach additional pages if you need more room.
- Paragraph 4:** Mark this box if you are ~~NOT~~ **NOT** related to the Respondent by blood or marriage.
- Paragraph 5:** Mark this box if you ~~ARE~~ **ARE** related to the Respondent in one of the three ways shown in the Petition. Please mark the appropriate box to show your relation to the Respondent and indicate your relationship.
- Paragraph 6:** Mark this box if you or a family or household member of yours has a child with the Respondent.
- Paragraph 7:** Provide a description of the Respondent's action(s) that caused you to believe that the Respondent caused or will cause physical or emotional harm to you or another family or household member. State the date(s) of the incident(s) that caused you to file the Petition. An exact date(s) is not necessary; ~~approximate~~. Approximate timeframe may be sufficient. You may attach additional pages if you need more room.
- Paragraph 8:** Provide a description of the impact of the Respondent's actions have had on you or your family or household members. You may attach additional pages if you need more room to complete your description.
- Paragraph 9:** Mark this box if you, your family or household members, or the person for whom you are filing attends the same school or are transported in the same school bus as the Respondent. Please write the name and address of the school AND the school bus number, route, district or any other information which can be helpful to the Court.
- Paragraph 10:** Complete as much of the chart as you are able by listing all relevant open, pending, or closed court cases involving the Respondent, your family or household members, or you (or the person for whom you are filing).
- Paragraph 11 (a)–(h):** Indicate the action you want the Court to take by marking the boxes next to the lettered paragraphs that apply to your situation.
- If you do **NOT** want the Respondent to come to a specific location, tell the Court in Paragraph 11(b) of these locations and their addresses.
- If you do **NOT** want the Respondent to contact you or your family or household members at all by landline, cordless, or cellular telephone; text; instant message; fax; e-mail; voice mail; delivery service; social ~~network~~ networking media (like Twitter, My Space, Facebook, etc.); blogging; writings; or communications by any other means regardless if directly or through another person, mark Paragraph 11(c).
- If you want the Respondent to be electronically monitored, make sure you mark Paragraph 11(f) and provide a description of the Respondent's conduct that puts your and/or your family or household members' health, welfare, and safety at risk.
- Write any special court orders you believe would help protect you and your family or household members in Paragraph 11(h).
- Paragraph 12:** Mark this box if you want to request the Court grant you an emergency (*Ex Parte*) protection order because you and/or your family and household members are in immediate and present danger.

SIGNING THE PETITION

Try to fill out the Petition before you go to the courthouse. AFTER YOU HAVE FILLED OUT THE PETITION, TAKE IT TO A NOTARY PUBLIC OR DEPUTY CLERK OF COURT TO HAVE YOUR SIGNATURE NOTARIZED. **DO NOT SIGN THE PETITION UNLESS YOU ARE IN FRONT OF A NOTARY PUBLIC OR DEPUTY CLERK OF COURT.**

FILING THE PETITION

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

FEES

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

DISCOVERY

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

If ordered, the Court will (1) indicate the time and place where discovery will be held; (2) indicate the person who can be present during discovery, including a victim advocate, and (3) state necessary terms and conditions to keep Petitioner safe. This may include maintaining the confidentiality of the Petitioner's address.

Discovery has to be completed prior to the full hearing.

RENEWAL

A juvenile civil protection order and juvenile domestic violence civil protection order can be renewed in the same manner as the initial protection order was issued. ~~{R.C. 2151.34(E)(2)(b) and 3113.31(E)(3)(c)}~~

EXPIRATION OF CIVIL PROTECTION ORDER

A juvenile civil protection order and juvenile domestic violence civil protection order will terminate on a specific date as determined by the Court, but no later than the Respondent's 19th birthday. ~~{R.C. 2151.34(E)(2)(a) and 3113.31(E)(3)(a)}~~

SEALING OF RECORDS

The Court will automatically seal all of the records of the juvenile civil protection order or juvenile domestic violence civil protection order proceeding if a full hearing or consent agreement civil protection order is not granted.

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

If the Respondent did not comply with all the terms of the juvenile civil protection order or juvenile domestic violence civil protection order, the Court may consider sealing the records two years after the order expires. The Court must provide you notice of the hearing to seal the juvenile civil protection order or juvenile domestic violence civil protection order records.

APPOINTMENT OF COUNSEL

The Court may appoint a lawyer ~~for~~ to represent the interests of the Respondent.

NOTICE TO PARENT, GUARDIAN, OR LEGAL CUSTODIAN

The Court **may** provide your parent, guardian, or legal custodian notice that you (if you are a minor) or someone else on your behalf has filed a petition for a juvenile civil protection order or a juvenile domestic violence civil protection order.

The Court **must** provide the parent, guardian, or legal custodian of the Respondent notice of the full hearing on a petition to obtain a juvenile civil protection order or juvenile domestic violence civil protection order.

OFFENSES

A juvenile civil protection order or juvenile domestic violence civil protection order can **ONLY** be issued for specific behavior under R.C. 2151.34 and 3113.31. Below is a summary of the specific behaviors identified in the law.

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

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

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

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

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

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

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

Family or Household Member "Family or household member" means any of the following:

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

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

Felonious Assault

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

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

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

Menacing

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

Menacing by Stalking

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

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

Sexually Oriented Offense

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

IN THE COURT OF COMMON PLEAS, _____ DIVISION
 _____ COUNTY, OHIO

Petitioner : **Case** _____

 Address : **Judge/Magistrate** _____

 City, State, Zip Code :

Date of Birth: ____ / ____ / ____ : **PETITION FOR JUVENILE CIVIL PROTECTION ORDER
 OR JUVENILE DOMESTIC VIOLENCE CIVIL
 PROTECTION ORDER (R.C. 2151.34 and 3113.31)**

v. :

Respondent : **~~DO NOT WRITE YOUR ADDRESS ON THIS FORM IF
 YOU ARE REQUESTING CONFIDENTIALITY. PLEASE
 PROVIDE ANOTHER ADDRESS WHERE YOU CAN
 RECEIVE NOTICES FROM THE COURT.~~**

 Address :

 City, State, Zip Code : **Notice to Petitioner: Throughout this form, check
 every that applies.**

Date of Birth: ____ / ____ / ____ :

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

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

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

- 4. Petitioner is not a family or household member of Respondent.
- 5. Petitioner is a family or household member of Respondent and a victim of domestic violence. The relationship of Petitioner to Respondent is that of:

School Bus: _____

10. The following is a list of all past and present court cases, that Petitioner knows of, which involve the parties, their children, or other family or household member and are relevant to this matter:

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

11. Petitioner requests the Court grant relief under R.C. 2151.34 or 3113.31. Check all that apply.

- a. Require the Respondent not to harm, attempt to harm, threaten, follow, stalk, harass, contact, force sexual relations upon, or commit sexually oriented offenses against the Petitioner and/or the Petitioner's family or household members named in this Petition.

- b. Require the Respondent not to enter or have limited access to the following places (include name and address, as applicable) where Petitioner and Petitioner's family or household members named in this Petition may be found, including the buildings, grounds, and parking lots at these places.

Residence: _____

School: _____

Business or Place of Employment: _____

Other (specify): _____

- c. Require the Respondent not to have contact with Petitioner and/or Petitioner's family or household members named in this Petition by any means whatsoever.

- d. Require the Respondent not to remove, damage, hide, or dispose of any property or pets owned or possessed by the Petitioner and Petitioner's family or household members named in this Petition.

- e. Require the Respondent not to possess, use, carry, or obtain any deadly weapon.

- f. Require the Respondent to be electronically monitored. Please explain why the Respondent's conduct is a past, present, and future danger to the health, welfare, or safety of the Petitioner and/or the Petitioner's family or household members. Attach additional page if you need more room.

g. Require the Respondent to complete batterer counseling, substance abuse counseling, or other counseling as determined necessary by the Court.

h. Includes the following additional provisions: _____

12. Petitioner further requests that the Court issue an *ex parte* (emergency) protection order.

13. Petitioner further requests that the Court grant such other relief as the Court considers equitable and fair.

I hereby swear or affirm that the answers above are true, complete, and accurate to the best of my knowledge. I understand that falsifying this document may result in a contempt of court finding against me which could result in a jail sentence and fine and that falsifying this document may also subject me to criminal penalties or adjudication of delinquency for perjury under R.C. 2921.11 or falsification under R.C. 2921.13.

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

Sworn to and subscribed before me on this day of _____

SIGNATURE OF PETITIONER

NOTARY/DEPUTY CLERK OF COURT

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

NOTARY PUBLIC/DEPUTY CLERK OF COURT

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

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

Address: _____

Name of Attorney (if applicable)

Signature of Attorney for Petitioner (if applicable)

Address: _____
Address

City, State, Zip Code

Attorney Registration Number

Telephone Number:

Signature of Attorney for Petitioner (if applicable) Fax

Email

IN THE COURT OF COMMON PLEAS, _____ DIVISION
 _____ COUNTY

Order of Protection

Per R.C. 2151.34(F)(3) or 3113.31(F)(3),
 this Order is indexed at

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)**

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -
 PHONE NUMBER

PETITIONER:

First Middle Initial Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

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

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

RESPONDENT:

First Middle Initial Last

RESPONDENT IDENTIFIERS

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

Distinguishing Features: _____

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

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

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

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

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

This proceeding came for an *ex parte* hearing on _____ (Respondent not being present), upon the filing of a Petition by Petitioner for a juvenile civil protection order or juvenile domestic violence civil protection order against the Respondent, pursuant to R.C. 2151.34 and 3113.31. The Court held an *ex parte* hearing in accordance with R.C. 2151.34(D)(1) and 3113.31(D)(1).

The Court finds that protected ~~person(s)~~ 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.

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

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]

2. **RESPONDENT SHALL NOT ENTER** the places indicated in this Order, including the buildings, grounds, and parking lots at those locations, except as specifically provided. [NCIC 04]

Residence: _____

School: _____

Business or Place of Employment: _____

Other: _____

RESPONDENT IS A MINOR AND WILL RESIDE at the following address until the Court determines otherwise: _____

3. **RESPONDENT SHALL STAY AWAY FROM** the protected persons named in this Order or as follows [NCIC 04]:

4. **RESPONDENT IS ALLOWED CONTACT WITH** protected ~~person(s)~~ persons as follows:

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

RESPONDENT MAY REMOVE THE FOLLOWING: _____

6. RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT with the protected persons named in this Order. Contact includes, but is not limited to, landline, cordless, or cellular telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social network ~~network~~ networking media; writings; blogging; or communications by any other means regardless if directly or through another person, and as follows: [NCIC 05]

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

8. NOTICE TO RESPONDENT AND RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN: RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON while this Order remains in effect.

9. IT IS FURTHER ORDERED: [NCIC 08] _____

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

10. IT IS FURTHER ORDERED that a copy of the Petition and this Order to be delivered to the Respondent and Respondent's parent, guardian, or legal custodian as required by law Civ.R. 65.1. Under federal and state law, no fees shall be charged for filing, issuing, registering, or serving this protection order.

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

12. 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.

13. RESPONDENT WILL ATTAIN 19 years of age on: _____ / _____ / _____.

IT IS SO ORDERED.

JUDGE/MAGISTRATE

JUDGE

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

NOTICE TO RESPONDENT, PARENTS, GUARDIAN, OR LEGAL CUSTODIAN

- 1. THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.**
- 2. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON AT ANY TIME WHILE THIS ORDER IS ACTIVE.**

A FULL HEARING on this Order, and all other issues raised by the Petition, shall be held before Judge/Magistrate _____ of _____ Magistrate _____ on _____ at _____ a.m. / p.m. at the following location:

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

Petitioner Attorney for Petitioner

Petitioner's Mother: _____

Petitioner's Father: _____

Petitioner's Guardian or Legal Custodian: _____

Respondent _____

Respondent's Mother: _____

Respondent's Father: _____

Respondent's Guardian or Legal Custodian: _____

Police Department Where Petitioner Resides: _____

Police Department Where Petitioner Works: _____

The _____ County Sheriff's Office: _____

School: _____

Police Department Where School is Located: _____

Other: _____

IN THE COURT OF COMMON PLEAS, _____ DIVISION
 _____ COUNTY

Order of Protection

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

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -
 PHONE NUMBER

Case No. _____

Judge _____

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 Member(s) Members
 (First, MI, Last May attach additional form):

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

RESPONDENT:

First Middle Initial Last

RESPONDENT IDENTIFIERS

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

Distinguishing Features: _____

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

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

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

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

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

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

The following individuals were present: _____

The Court hereby makes the following findings of facts: _____

The Court finds by a preponderance of the evidence that 1) the Petitioner and/or the Petitioner's family or household ~~member(s)~~ members are in danger of being or have been harmed by the Respondent as defined in R.C. 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, 2911.211, and 2950.01; and 2) the following orders are equitable, fair, and necessary to protect the ~~person(s)~~ persons named in this Order from offenses of violence.

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

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

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]

2. RESPONDENT SHALL NOT ENTER the places indicated in this Order, including the buildings, grounds, and parking lots at those locations, except as specifically provided. [NCIC 04]

Residence: _____

School: _____

Business or Place of Employment: _____

Other: _____

RESPONDENT IS A MINOR AND WILL RESIDE at the following address until the Court determines otherwise: _____

3. RESPONDENT SHALL STAY AWAY FROM the protected persons named in this Order or as follows:
[NCIC 04]:

4. RESPONDENT IS ALLOWED CONTACT WITH protected ~~person(s)~~ persons as follows:

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

 RESPONDENT MAY REMOVE THE FOLLOWING: _____

6. RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT with the protected persons named in this Order. Contact includes, but is not limited to, landline, cordless, or cellular telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social ~~network~~ networking media; blogging; writings; or communications by any other means regardless if directly or through another person, and as follows:
[NCIC 05]

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

8. ~~IT IS FURTHER ORDERED:~~ [NCIC 08] - _____

9. RESPONDENT SHALL COMPLETE the following counseling program(s) **THE FOLLOWING**

COUNSELING PROGRAMS:

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

Respondent is ordered to appear before Judge/ _____ of 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. NOTICE TO RESPONDENT AND RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN: RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON while this Order remains in effect.~~

~~11. 9. 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: _____

~~10. IT IS FURTHER ORDERED: [NCIC 08]~~ _____

~~11. IT IS FURTHER ORDERED~~ that a copy of the Petition and this Order to be delivered to the Respondent and Respondent's parent, guardian, or legal custodian as required by law Civ.R. 65.1. Under federal and state law, no fees shall be charged for filing, issuing, registering, or serving this protection order.

~~12. ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT UNTIL A DATE CERTAIN, _____ / _____ / _____ OR UNTIL RESPONDENT ATTAINS 19 YEARS OF AGE.~~ Until this Order is served upon the Respondent, the Ex Parte CPO remains in effect.

~~13. THE COURT WILL SEAL THIS RECORD ON THE RESPONDENT'S 19TH BIRTHDAY,~~ unless otherwise determined by the Court.

~~14. RESPONDENT WILL ATTAIN~~ 19 years of age on: _____ / _____ / _____

15. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of the protection 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 protection order.

IT IS SO ORDERED.

APPROVED and ADOPTED by:

MAGISTRATE

JUDGE

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

**NOTICE TO RESPONDENT AND
RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN**

- 1. THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.**

- 2. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON AT ANY TIME WHILE THIS ORDER IS ACTIVE.**

NOTICE OF FINAL APPEALABLE ORDER

Copies of the foregoing this Order, which is a final appealable Order, were mailed by ordinary U.S. mail or hand-delivered to served on the parties indicated pursuant to Civ.R. 65.1(C)(3) on the following date: _____

By: _____

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Petitioner Attorney for Petitioner
- Petitioner's Mother: _____
- Petitioner's Father: _____
- Petitioner's Guardian or Legal Custodian: _____
- Respondent Attorney for Respondent
- Respondent's Mother: _____
- Respondent's Father: _____
- Respondent's Guardian or Legal Custodian: _____

<input type="checkbox"/> Police Department Where Petitioner Resides: _____
<input type="checkbox"/> Police Department Where Petitioner Works: _____
<input type="checkbox"/> Sheriff's Office: _____
<input type="checkbox"/> School: _____
<input type="checkbox"/> Police Department Where School is Located: _____
<input type="checkbox"/> Other: _____

IN THE COURT OF COMMON PLEAS, _____ DIVISION
 _____ COUNTY

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

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 Member(s) Members
 (First, MI, Last May attach additional form):
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____

RESPONDENT:

First Middle Initial Last

Relationship to Petitioner: _____

Address where Respondent can be found: _____

RESPONDENT IDENTIFIERS

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

Distinguishing Features: _____

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

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

The terms of this Order shall be effective until _____ / _____ / _____
 Respondent will attain 19 years of age on _____ / _____ / _____

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

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

The Court further makes the following findings of fact: _____

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

The parties agree to waive their notice and hearing rights ~~and their rights under Civ. R. 53, including the right to request findings of facts and conclusions of law and to file objections to the Magistrate's Decision in this matter.~~ Therefore, the Court approves a Juvenile Domestic Violence Consent Agreement Civil Protection Order pursuant to R.C. 3113.31(E)(1).

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

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]

2. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence: _____

3. **RESPONDENT IS A MINOR AND WILL RESIDE** at the following address until the Court determines otherwise: _____

4. **RESPONDENT SHALL NOT INTERFERE WITH THE PROTECTED PERSONS RIGHT** to occupy the residence, including, but not limited to canceling utilities or insurance, interrupting telephone service, mail delivery, or the delivery of any other documents or items. [NCIC-03]

5. **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: _____

6. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other the protected persons named in this Order or as follows: [NCIC 04]: _____

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

8. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected person named in this Order. Contact includes , but is not limited to, land line, cordless, or cellular telephone; text; instant messaging; fax; e-mail; voice mail; delivery service; social ~~network~~ networking media; blogging; writings; or communications by any other means directly or through another person and as follows:- [NCIC 05]

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

10. **RESPONDENT IS ALLOWED CONTACT WITH** protected ~~person(s)~~ persons as follows:

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

12. **RESPONDENT SHALL IMMEDIATELY SURRENDER** to law enforcement or _____ the following personal property: _____

13. **RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:**

Respondent shall contact this program within _____ seven 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 the Respondent attends the initial appointment, if the Respondent fails to attend or is discharged, and when the Respondent completes the program. The Respondent is required

to sign all necessary waivers to allow the Court to receive information from the ~~counseling~~ program.

Respondent is ordered to appear before Judge/ _____ or Magistrate _____ on _____ at _____ a.m./p.m., to review Respondent's compliance with the ~~counseling~~ this Order. Respondent is warned: If you fail to attend the ~~counseling~~ above-named 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.~~

~~14. NOTICE TO RESPONDENT AND RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN: RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON~~ while this Order remains in effect.

~~15. IT IS FURTHER ORDERED: [NCIC 08]~~ _____

~~16. 15. IT IS FURTHER ORDERED~~ that a copy of the Petition and this Order ~~to~~ be delivered to the Respondent and ~~the~~ Respondent's parent, guardian, or legal custodian as required by ~~law~~ Civ.R. 65.1. Under federal and state law, no fees shall be charged for filing, issuing, registering, or serving this protection order.

~~17. 16. ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT UNTIL A DATE CERTAIN, / / OR UNTIL RESPONDENT ATTAINS THE AGE OF 19 YEARS OF AGE.~~ Until this Order is served upon the Respondent, the *Ex Parte* CPO remains in effect.

~~18. 17. THE COURT WILL SEAL THIS RECORD ON THE RESPONDENT'S 19TH BIRTHDAY,~~ unless otherwise determined by the Court.

~~19. 18. RESPONDENT WILL ATTAIN 19 years of age on: / / .~~

20. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE, the Court has reviewed the magistrate's granting of the protection 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 protection order.

IT IS SO ORDERED.

~~APPROVED and ADOPTED by:~~

MAGISTRATE

JUDGE

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

**NOTICE TO RESPONDENT AND
RESPONDENT'S PARENT, GUARDIAN, OR LEGAL CUSTODIAN**

- 1. THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.**

- 2. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON AT ANY TIME WHILE THIS ORDER IS ACTIVE.**

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

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

SIGNATURE OF PETITIONER

SIGNATURE OF RESPONDENT

Address of Petitioner

Address of Respondent

Signature of Attorney for Petitioner

Signature of Attorney for Respondent

Address of Attorney for Petitioner

Address of Attorney for Respondent

NOTICE OF FINAL APPELABLE ORDER

Copies of the foregoing this Order, which is a final appealable order, were mailed by ordinary U.S. mail or hand delivered served to on the parties indicated pursuant to Civ. R. 65.1 on the following date: _____

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Petitioner Attorney for Petitioner
- Petitioner's Mother: _____
- Petitioner's Father: _____
- Petitioner's Guardian or Legal Custodian: _____
- Respondent Attorney for Respondent
- Respondent's Mother: _____
- Respondent's Father: _____
- Respondent's Guardian or Legal Custodian: _____
- Counseling Program

<input type="checkbox"/>	Police Department Where Petitioner Resides:	_____
<input type="checkbox"/>	Police Department Where Petitioner Works:	_____
<input type="checkbox"/>	Sheriff's Office:	_____
<input type="checkbox"/>	School:	_____
<input type="checkbox"/>	Police Department Where School Is Located:	_____
<input type="checkbox"/>	CSEA:	-----
<input type="checkbox"/>	Other:	_____

**FORM 10.05-F: WARNING CONCERNING THE ATTACHED JUVENILE CIVIL
PROTECTION ORDER OR JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION
ORDER**

NOTE: *Rule 10.05 of the Rules of Superintendence for the Courts of Ohio requires this Warning to be attached to the FRONT of all civil protection orders issued by the courts of the State of Ohio. TO BE USED WITH FORMS 10.05-C TO 10.05-E.*

WARNING TO RESPONDENT

Violating the attached Civil Protection Order (1) is a crime, punishable by imprisonment or fine or both, and (2) can result in a contempt of court citation against you.

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

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

Only the Court can change this Order. If you want to change the Order you must ask the Court. The Petitioner cannot give you legal permission to change this Order. If you go near the Petitioner, even with the Petitioner's permission, you may be arrested. You act at your own risk if you disregard this WARNING.

WARNING TO PETITIONER

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

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

The attached Protection Order is enforceable in all jurisdictions. Violation of this Protection Order is a crime under R.C. 2919.27. Law enforcement officers with powers to arrest under R.C. 2935.03 for violations of the Ohio Revised Code must enforce the terms of this Protection Order as required by R.C. 2151.34 and 3113.31.

NOTICE ABOUT FIREARMS AND DEADLY WEAPONS

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

This Order may be subject to the exceptions pursuant to 18 U.S.C. 925(a)(1) with respect **only** to the official use of government-issued firearms or ammunition for the use of any department or agency of the United States, Ohio, or its political subdivision. This exception does not apply if the Defendant/Respondent has been convicted of an offense of violence against a family or household member pursuant to 18 U.S.C. 922(g)(9).