

WARNING CONCERNING THE ATTACHED PROTECTION ORDER

NOTE: Rule of Superintendence 10.03 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. Section 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. Section 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 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, R.C. 2903.213 and R.C. 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.

This proceeding came on for a hearing on _____, _____ before the Court and the Civil Stalking or 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) are in danger of or have been a victim of a sexually oriented offense as defined in Ohio Revised Code 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.

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT

- 1. **RESPONDENT SHALL NOT ABUSE** the protected persons named in this Order by harming, attempting to harm, threatening, following, stalking, harassing, forcing sexual relations upon them, or by committing sexually oriented offenses against them. [NCIC 01 and 02]
- 2. **RESPONDENT SHALL NOT ENTER** the residence, school, business, place of employment, 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]
- 3. **RESPONDENT SHALL NOT INTERFERE** with protected persons' right to occupy the residence including, but not limited to canceling utilities, insurance, interrupting phone 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 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, telephone, fax, e-mail, voice mail, delivery service, writings, or communications by any other means in person or through another person. Respondent may not violate this order even with the permission of a protected person. [NCIC 05]
- 8. **RESPONDENT 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: _____

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. **RESPONDENT IS ORDERED TO COMPLETE** the following counseling, rehabilitation, or batterer's treatment program: _____

Respondent shall contact this program within 7 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 _____ 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.

12. **RESPONDENT SHALL NOT CONSUME, USE, OR POSSESS** illegal drugs or beverages containing alcohol.

13. **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. 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.

14. **ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF FIVE YEARS FROM ISSUANCE, OR UNTIL _____, _____** unless earlier modified or dismissed by order of this Court.

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.

Signature of Attorney for Petitioner (if applicable)

Signature of Attorney for Respondent (if applicable)

Print Name & Attorney Registration Number

Print Name & Attorney Registration Number

Case # _____

Address _____

Address _____

City, State, Zip _____

City, State, Zip _____

Phone _____

Phone _____

NOTICE OF FINAL APPEALABLE ORDER

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

By: _____
CLERK OF COURT

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Petitioner
- Respondent
- Police Department Where Petitioner Resides: _____
- Police Department Where Petitioner Works: _____
- The _____ Sheriff's Department
- Other: _____
- Attorney for Petitioner
- Attorney for Respondent

WAIVER OF HEARING

I have been advised of my right to have a hearing on the motion for a civil stalking protection order and hereby knowingly and voluntarily waive the hearing on the motion and agree to be bound by the terms set forth above.

RESPONDENT: _____

DATE: _____

FORM 10-A: PROTECTION NOTICE TO NCIC

(Required fields appear in bold print)

- New Form
- Modification of Previous Form

SUBJECT NAME _____
 (LAST) (FIRST) (M.I.)

ADDRESS _____
 (STREET) (CITY) (STATE) (ZIP)

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

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

1. SSN _____ / _____ / _____ 2. DOB _____ / _____ / _____

3.* DRIVERS LIC. NO. _____ STATE _____ EXPIRATION YR. _____

4.* VEHICLE LIC. NO. _____ STATE _____ EXPIRATION YR. _____ LIC. TYPE _____

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

BRADY HANDGUN DISQUALIFIERS:

(18 U.S.C. § 922(d)(8) requires all "yes" to disqualify subject from purchasing a handgun)

- 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
- IS THE SUBJECT BRADY DISQUALIFIED?** 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 NAME OF JUDGE _____
- R.C. 2919.26 R.C. 3113.31

DATE OF ORDER _____ / _____ / _____ **EXPIRATION OF ORDER** _____ / _____ / _____
 (IN R.C. 2919.26 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 the order.
Miscellaneous comments: _____
- 09 The protected person is awarded temporary exclusive custody of the children named.

OHP
DATA
ONLY
#EPO

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 _____

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

MIS/ PROTECTED PERSON _____
 (LAST) (FIRST) (M.I.)
 DOB _____ / _____ / _____ SSN _____ / _____ / _____ RACE _____ SEX _____

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

NOTICE CONCERNING POSSESSION OR PURCHASE OF FIREARMS

NOTE: Rule of Superintendence 10.04 requires notice of possible firearm restrictions be provided to the defendant prior to entering a guilty plea or plea of no contest to a misdemeanor crime of violence against a family or household member.

Pursuant to Ohio Revised Code section 2943.033, you are advised that if you enter a guilty plea or plea of no contest to a misdemeanor crime involving violence where you are or were

- A spouse, person living as a spouse, former spouse of the alleged victim;
- A parent or child of the alleged victim;
- A parent or child of a spouse, person living as a spouse, or former spouse of the alleged victim; or
- The natural parent of any child of whom the alleged victim is the other natural parent or the putative natural parent

it may be unlawful for you to ship, transport, purchase, or possess a firearm or ammunition as a result of any conviction for a misdemeanor offense of violence pursuant to federal law under 18 U.S.C. section 922(g)(9).

If you have any questions whether this law makes it illegal for you to ship, transport, purchase, or possess a firearm or ammunition, you should consult an attorney.