

FORM 10.01-A: GENERAL INFORMATION ABOUT DOMESTIC VIOLENCE PROTECTION ORDERS

DEFINITIONS YOU NEED TO KNOW

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

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

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

IN A CIVIL DOMESTIC VIOLENCE CASE:

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

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

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

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

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

IN A CRIMINAL DOMESTIC VIOLENCE CASE:

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

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

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

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

FEES

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

DOMESTIC VIOLENCE CIVIL PROTECTION ORDERS (CPO)

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

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

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

Why get a Domestic Violence Civil Protection Order?

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

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

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

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

Who can get a Domestic Violence Civil Protection Order?

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

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

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

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

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

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

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

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

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

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

Full Hearing: The full hearing is the final hearing.

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

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

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

CRIMINAL DOMESTIC VIOLENCE TEMPORARY PROTECTION ORDERS (DVTPO)

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

RESOURCES

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

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

- | | |
|---|--|
| Ohio Domestic Violence Network | www.odvn.org |
| Ohio Legal Help | www.ohiolegalhelp.org |
| National Resource Center on Domestic Violence | www.nrcdv.org |
| Supreme Court of Ohio – Domestic Violence Program | www.supremecourt.ohio.gov/domviol |

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

IN THE _____ COURT
_____ COUNTY, OHIO

Petitioner _____ : Case No. _____

CONFIDENTIAL _____ :

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

City, State, Zip Code _____ :

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

v. _____ :

Respondent _____ :

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

City, State, Zip Code _____ :

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

IF YOU ARE ASKING FOR YOUR ADDRESS TO BE KEPT CONFIDENTIAL, PLEASE PUT A MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE MAIL. IF YOU ARE A PARTICIPANT IN THE SECRETARY OF STATE'S ADDRESS CONFIDENTIALITY PROGRAM, PLEASE USE THE P.O. BOX ADDRESS GIVEN TO YOU. THIS FORM IS A PUBLIC RECORD.

1. I need or witness needs a foreign language interpreter in _____ or an American Sign Language interpreter per Sup.R. 88.

2. I want do not want an **ex parte (emergency) protection order** per R.C. 3113.31. Petitioner further requests a full hearing trial be scheduled, even if the *ex parte* protection order is granted, denied, or not requested.

3. Who needs protection?
 Me
 My minor children
 A family or household member who is not a minor child
 Other _____

4. What is the domestic violence victim's relationship to Respondent?
 Spouse of Respondent Child of Respondent
 Former spouse of Respondent Parent of Respondent
 Natural parent of Respondent's child Foster Parent

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

5. I have listed below all family or household members who need protection, other than me or the person for whom I am filing the Petition. **(Leave blank if you are not including other family or household members.)**

NAME	DATE OF BIRTH	RELATIONSHIP TO PETITIONER	RELATIONSHIP TO RESPONDENT	THIS PERSON LIVES WITH PETITIONER
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

6. Petitioner requests a Domestic Violence Civil Protection Order.

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

7. (Optional) You may describe, **if you want and know**, about any of the following items. Not describing these items in the Petition does not mean domestic violence did not happen. If you need more space, attach an additional page:
- Respondent's history of domestic violence or other violent acts;
 - Respondent's history of violating court orders;
 - Respondent's mental health;
 - Respondent's threats to other persons;
 - Respondent's access to deadly weapons, firearms, and ammunition or use of deadly weapons and acts or threats of violence with deadly weapon;
 - Respondent's abuse alcohol or controlled substances (drugs);
 - Respondent's violence resulted in serious physical injury, forced sex, strangulation (or choking), abuse during pregnancy, abuse of the family's pet, and/or forced entry to gain access to Petitioner or Petitioner's family and household members;
 - Recent separation from Respondent or relationship was recently terminated;
 - Respondent's obsessive and controlling behaviors, including stalking, spying, following, and/or isolating you (Petitioner);
 - Respondent's threats to kill self or others.

8. Petitioner is in fear and in continuing danger.

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

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

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

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

(d) Directs Respondent to leave, not return to, or interfere with Petitioner's right to occupy the residence, including but not limited to cancelling any utilities or insurance or interrupting phone service, mail delivery, or the delivery of any other documents or items, and grants Petitioner exclusive possession of the following residence:

- (e) Allocates temporary parental rights and responsibilities for the care of the following minor children to Petitioner until further Order of the Court (include names and birth dates of the minor children):

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

- (f) Establishes or modifies parenting time with the following minor children and requires parenting time to be suspended or supervised or to occur under such conditions that the Court determines will ensure the safety of Petitioner and the minor children (include names and birth dates of the minor children):

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

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

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

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

- (j) Divides household and family personal property as follows:

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

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

- (m) Directs the wireless service provider to separate Petitioner's account from Respondent's account, per R.C. 3113.45 through 3113.459. Petitioner will assume all financial responsibility for any costs associated with the wireless service number and any costs for the device associated with the wireless service number.

Respondent's billing telephone number is: _____

Petitioner's contract information is on page 1 of this Petition. The wireless service numbers to be transferred to Petitioner which are used by Petitioner or the minor children in the care of Petitioner are: _____

(n) Includes the following additional provisions:

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

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

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

SIGNATURE OF PETITIONER

DATE

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

Signature of Attorney

Attorney's Registration Number

Name of Attorney

Attorney's Telephone

Attorney's Address

Attorney's Fax

City, State, Zip Code

Attorney's Email

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Petitioner _____ : Case No. _____

v. _____ : Judge/Magistrate _____

Respondent _____ :

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

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

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

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

SPECIAL INSTRUCTIONS TO SHERIFF:

SIGNATURE OF ATTORNEY OR PETITIONER

RETURN OF SERVICE

Respondent was served on _____ .

Officer and Badge Number Law Enforcement Agency

Date

CLERK'S CERTIFICATE OF MAILING

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

Attest: _____ Deputy Clerk

IN THE COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION
PORTAGE COUNTY, OHIO

CASE NO. _____

PLAINTIFF/PETITIONER 1

vs.

JUDGE PAULA C. GIULITTO

DEFENDANT/PETITIONER 2

NOTICE OF FILING

* * *

Notice is hereby given that on the _____ day of _____, 20____,
_____ filed the following document(s):

_____.

In accordance with Rule of Superintendence 44 (C)(2)(h), said document(s) is/are filed in the Court's Family File. Notice of Filing of said document, without attachment of the actual document, is hereby submitted.

Respectfully submitted,

(name - sign on line and print name under line)

Supreme Court Registration: _____

Address: _____

Telephone: _____

PROOF OF SERVICE

A copy of the foregoing Notice of Filing was sent by regular U.S. Mail to _____, at _____, _____, _____, on this _____ day of _____, 20____.

(name - sign on line and print name under line)

IN THE _____ COURT
 _____ COUNTY, OHIO

Petitioner : **Case No.** _____
 :
 : **Judge:** _____
 v. :
 : **INFORMATION FOR PARENTING**
 : **PROCEEDING AFFIDAVIT (R.C. 3127.23)**
 _____ :
Respondent : **(Filed with Form 10.01-D: Petition for**
 : **Domestic Violence Civil Protection Order)**

Use this form if you are requesting a parenting (custody or visitation) order in your Domestic Violence Civil Protection Order Petition (Form 10.01-D). If another court is already addressing or has addressed custody issues involving the children, custody and visitation issues may be handled in that case. By law, this form **must** be filed and served with the first pleading filed by each party in every parenting (custody or visitation) proceeding in this Court including a Petition for a Domestic Violence Civil Protection Order. **If you need more space, attach an additional page.**

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

1. Pursuant to R.C. 3127.23(D), I am requesting that the Court not disclose my current address or that of the children. My address is confidential and should be placed under seal because my health, safety, or liberty or that of the children would be jeopardized by the disclosure of the identifying information.
2. _____ (number) **Minor children are subject to this case as follows:**

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

a. Child's Name:		Date of Birth:	
Period of Residence		Address (Do not list your address if confidential)	Person with whom Child Lived and Relationship to Child

Case No. _____

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

b. Child's Name:	Date of Birth:
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Check this box if the information requested below is the same as above.

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

Case No. _____

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

c. Child's Name:	Date of Birth:
-------------------------	-----------------------

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

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

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

Case No. _____

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

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

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

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

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

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

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

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

6. **Persons not a party to this case:**

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

Case No. _____

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

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

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

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

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

OATH OR AFFIRMATION

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

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

Signature of Petitioner

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

NOTARY PUBLIC

PLEASE HAVE THE RESPONDENT FILL IN THE BOTTOM OF THE ATTACHED FORM AND RETURN IT TO THE PORTAGE COUNTY DOMESTIC RELATIONS CLERKS OFFICE AT 203 W MAIN ST, RAVENNA, OHIO. IF YOU ARE MAILING IN RETURN TO PORTAGE COUNTY DOMESTIC RELATIONS CLERKS OFFICE AT PO BOX 1035, RAVENNA, OHIO 44266.

IN THE COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION
PORTAGE COUNTY, OHIO

PETITIONER,

vs.

RESPONDENT.

CASE NO. _____

JUDGE PAULA C. GIULITTO

ORDER AND NOTICE
TO RESPONDENT

* * *

Upon service of this Order, you are required to give a current address to receive notice of the full hearing in this matter. The deputy making service will request this information from you. This current address will be submitted to the Domestic Relations Clerks.

Failure to provide a current and valid address at which you can receive notice will subject you to contempt of court proceedings in addition to possible arrest and detention.

Upon receipt of your current address, the Domestic Relations Court Administrator will send notice for your appearance in court on the date and at the time specified. That will be your only notice of the hearing date. It is your responsibility to contact the Domestic Relations Clerks of Courts if the address you give now has changed before the full hearing.

IT IS SO ORDERED.

MAGISTRATE

NAME _____

ADDRESS _____

CITY, STATE, ZIP CODE _____

PHONE NUMBER _____

EMAIL ADDRESS _____

ACKNOWLEDGEMENT OF RECEIPT OF ORDER

_____ SIGNATURE OF RESPONDENT

_____ DATE OF SIGNATURE

**IN THE COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION
PORTAGE COUNTY, OHIO**

PETITIONER,

vs.

RESPONDENT.

CASE NO. _____

JUDGE PAULA C. GIULITTO

**ORDER AND NOTICE
TO RESPONDENT**

* * *

Upon service of this Order, you are required to give a current address to receive notice of the full hearing in this matter. The deputy making service will request this information from you. This current address will be submitted to the Domestic Relations Clerks.

Failure to provide a current and valid address at which you can receive notice will subject you to contempt of court proceedings in addition to possible arrest and detention.

Upon receipt of your current address, the Domestic Relations Court Administrator will send notice for your appearance in court on the date and at the time specified. That will be your only notice of the hearing date. It is your responsibility to contact the Domestic Relations Clerks of Courts if the address you give now has changed before the full hearing.

IT IS SO ORDERED.

MAGISTRATE

NAME _____

ADDRESS _____

CITY, STATE, ZIP CODE _____

PHONE NUMBER _____

EMAIL ADDRESS _____

ACKNOWLEDGEMENT OF RECEIPT OF ORDER

_____ SIGNATURE OF RESPONDENT

_____ DATE OF SIGNATURE

IN THE COURT OF COMMON PLEAS
DOMESTIC RELATIONS COURT
PORTAGE COUNTY, OHIO

CASE NO: _____

DATE: _____

PLAINTIFF

-VS-

DEFENDANT

PETITIONER LISTS ALL COURT CASES THAT RELATE TO THE RESPONDENT,
YOU OR YOUR CHILDREN (INCLUDING DIVORCE, JUVENILE, CUSTODY, OR
VISITATION).

CASE NUMBER COURT/COUNTY TYPE OF CASE

PETITIONER

PORTAGE COUNTY CLERK OF COURTS
DOMESTIC RELATIONS DIVISION
COMMON PLEAS COURT

CASE NO. _____

PETITIONER

VS.

RESPONDENT

RESPONDENTS HOME ADDRESS / PHONE NUMBER

RESPONDENTS WORK ADDRESS / PHONE NUMBER

RESPONDENTS VEHICLE DESCRIPTION

WORKING HOURS _____

YEAR _____ COLOR _____

MAKE _____

LICENSE NO. _____

SPECIAL INSTRUCTIONS AS NEEDED FOR THE TIME AND PLACE:

SIGNATURE OF PETITIONER

PHONE NUMBER

OUT OF COUNTY SHERIFF SERVICE

IN ORDER FOR SERVICE TO BE PERFECTED BY ANY OTHER COUNTY,
BESIDES PORTAGE, WE WILL NEED THE FOLLOWING INFORMATION.

WHAT COUNTY SHERIFF? _____

ADDRESS? _____

PHONE? _____

AREA CODE

NUMBER

FAX? _____

AREA CODE

NUMBER

Portage County Clerk of Courts

Domestic Relations Division

Common Pleas Court

Confidential address

For Petitioner only

Name _____

Address _____

Phone Number _____

Email Address _____

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Case No. _____

Petitioner : Judge/Magistrate _____

v.

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

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

Wireless service provider or reseller agent is _____

The account holder name and billing telephone number: _____

THE COURT HEREBY ORDERS:

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

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

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

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

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

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

IT IS SO ORDERED.

MAGISTRATE

JUDGE

REQUEST FOR SERVICE

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

IN THE COURT OF _____ COUNTY, OHIO

_____ : Case No. _____
Petitioner

: NOTICE OF RECEIPT

v. _____
: _____
Respondent

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

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

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

Transferred to a federal firearms licensee: _____

Other: _____

Officer and Badge Number

Law Enforcement Agency

Date

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

IN THE COURT OF _____
_____ COUNTY, OHIO

_____ : Case No. _____
Petitioner

: **NOTICE OF RECEIPT**

v.

Respondent

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

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

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

Transferred to a federal firearms licensee: _____

Other: _____

Officer and Badge Number

Law Enforcement Agency

Date

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

NOTICE TO RESPONDENT OR DEFENDANT ABOUT EXISTENCE OF PROTECTION ORDER

THIS NOTICE IS NOT A PROTECTION ORDER. Pursuant to R.C. 2919.27(D), I am orally notifying you that a Protection Order was issued against you on _____ by _____ Court and assigned Case No. _____ for the safety and protection of the following parties: _____

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

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

Acknowledgement of Respondent or Defendant

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

Respondent/Defendant (signature) _____ Date _____

Respondent's/Defendant's Address: _____

Telephone _____ Email _____

Certificate of Notice

Respondent refused to sign acknowledgment.

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

Officer and Badge Number _____ Law Enforcement Agency _____

Judge/Magistrate _____ Court _____

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

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

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

WARNING TO RESPONDENT / DEFENDANT

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

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

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

WARNING TO PETITIONER / ALLEGED VICTIM

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

NOTICE ABOUT FIREARMS AND OTHER DEADLY WEAPONS

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

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

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

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

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Order of Protection

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

LAW ENFORCEMENT AGENCY WHERE INDEXED
() -
PHONE NUMBER

Case No. []

Judge/Magistrate _____

State **OHIO**

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

PETITIONER:

[]

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

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

DOB: _____

DOB: _____

DOB: _____

DOB: _____

RESPONDENT:

[]

First Middle Last

Relationship to Petitioner: _____

Address where Respondent can be found: _____

RESPONDENT IDENTIFIERS

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

Distinguishing Features: _____

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

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

The terms of this Order shall be effective until _____ / _____ / _____ **UNLESS EXTENDED BY SEPARATE ENTRY.**

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

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

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

3. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the above residence within 24 hours of service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

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

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

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

Respondent may not violate this Order **even with the permission of a protected person.** [NCIC 05]

7. **RESPONDENT SHALL NOT** use any form of electronic surveillance on protected persons.

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

and Petitioner is granted exclusive use of this motor vehicle.

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

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

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

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

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

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

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

14. **RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS** owned by Respondent or in Respondent's possession to the law enforcement agency that serves Respondent with this Order no later than _____ or as follows:

Any law enforcement agency is authorized to accept possession of deadly weapons pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

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

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

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

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

_____ This Order applies to the following child children:

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

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

This Order applies to the following child children:

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

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

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

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

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

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

24. IT IS FURTHER ORDERED: [NCIC 08]

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

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

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

28. **THIS ORDER SURVIVES** a divorce, dissolution of marriage, or legal separation. Any subsequent order from this Court, another domestic relations court, or juvenile court may modify paragraphs 16, 17, 18, and 19.

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

IT IS SO ORDERED.

JUDGE/MAGISTRATE

NOTICE TO RESPONDENT

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

A FULL HEARING on this Order, and on all other issues raised by the Petition, shall be held before Judge or Magistrate:

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

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

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

TO THE CLERK

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

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

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

 Sheriff's Office:

 Law Enforcement Agency Where Petitioner Works:

- CSEA
- Other: _____

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

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

WARNING TO RESPONDENT / DEFENDANT

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

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

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

WARNING TO PETITIONER / ALLEGED VICTIM

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

NOTICE ABOUT FIREARMS AND OTHER DEADLY WEAPONS

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

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

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

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

IN THE COURT OF COMMON PLEAS
 COUNTY, OHIO

Order of Protection

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

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

Case No.

Judge

State

OHIO

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

WITH SUPPORT ORDER

PETITIONER:

First

Middle

Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner _____ DOB: _____

Petitioner's Family or Household Members:

(Additional forms attached)

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

RESPONDENT:

First

Middle

Last

Relationship to Petitioner: _____

Address where Respondent can be found: _____

RESPONDENT IDENTIFIERS

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

Distinguishing Features: _____

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

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

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

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

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

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

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO RESPONDENT

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

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

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

3. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the above residence within 24 hours of service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

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

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

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

Respondent may not violate this Order **even with the permission of a protected person**. [NCIC 05]

7. **RESPONDENT SHALL NOT** use any form of electronic surveillance on protected persons.

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

and Petitioner is granted exclusive use of this motor vehicle.

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

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

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

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

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

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

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

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

Any law enforcement agency is authorized to accept possession of deadly weapons, including firearms, and ammunition pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

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

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

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

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

This Order applies to the following child children:

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

This Order applies to the following child children:

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

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

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

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

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

Respondent shall contact this program within _____ days after receiving

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

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

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

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

26. IT IS FURTHER ORDERED: [NCIC 08]

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

28. THIS ORDER SURVIVES a divorce, dissolution of marriage, or legal separation. Any subsequent order from this Court, another domestic relations court, or juvenile court may modify paragraphs 16, 17, 18, and 19.

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

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

31. THE COSTS OF THIS ACTION ARE assessed against Respondent waived.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT

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

NOTICE OF FINAL APPEALABLE ORDER

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

_____ day of _____, 20 _____

By: _____
CLERK OF COURT

TO THE CLERK:

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

COPIES OF THIS ORDER SHALL BE DELIVERED ON:

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

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

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

WARNING TO RESPONDENT / DEFENDANT

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

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

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

WARNING TO PETITIONER / ALLEGED VICTIM

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

NOTICE ABOUT FIREARMS AND OTHER DEADLY WEAPONS

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

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

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

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

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Order of Protection

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

Case No.

Judge

State

OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

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

WITH SUPPORT ORDER

PETITIONER:

PERSON(S) PROTECTED BY THIS ORDER:

Empty box for Petitioner name

First Middle Last

Petitioner: _____ DOB: _____

Petitioner's Family or Household Members:

(Additional forms attached.)

DOB: _____

DOB: _____

DOB: _____

DOB: _____

v.

RESPONDENT:

RESPONDENT IDENTIFIERS

Empty box for Respondent name

First Middle Last

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

Relationship to Petitioner: _____

Address where Respondent can be found: _____

Distinguishing Features: _____

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

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

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

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

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

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

3. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the above residence within 24 hours of service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

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

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

6. **RESPONDENT SHALL NOT INITIATE OR HAVE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, or child care providers. Contact includes, but is not limited to, landline, cordless, cellular or digital telephone; text instant messaging; fax; e-mail; voicemail; delivery service; social media; blogging; writings; electronic communications; posting a message; or communications by any other means directly or through another person. Respondent may not violate this Order **even with the permission of a protected person**. [NCIC05]

7. **RESPONDENT SHALL NOT** use any form of electronic surveillance on protected persons.

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

and Petitioner is granted exclusive use of this motor vehicle.

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

Case No. _____

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

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

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

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

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

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

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

Any law enforcement agency is authorized to accept possession of deadly weapons, including firearms, and ammunition pursuant to this paragraph and hold them in protective custody for the duration of this Order. [NCIC 07]

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

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

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

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

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

Case No. _____

This Order applies to the following child children:

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

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

This Order applies to the following child children:

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

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

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

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

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

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

24. RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:

Case No. _____

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

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

26. IT IS FURTHER ORDERED: [NCIC 08]

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

28. THIS ORDER SURVIVES a divorce, dissolution of marriage, or legal separation. Any subsequent order from this Court, another domestic relations court, or juvenile court may modify paragraphs 16, 17, 18, and 19.

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

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

31. THE COSTS OF THIS ACTION ARE assessed against Respondent waived.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT

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

Case No. _____

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

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

SIGNATURE OF PETITIONER

SIGNATURE OF RESPONDENT

Address of Petitioner (Safe Mailing Address)

Address of Respondent

Signature of Attorney for Petitioner

Signature of Attorney for Respondent

Address of Attorney for Petitioner

Address of Attorney for Respondent

NOTICE OF FINAL APPEALABLE ORDER

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

_____ day of _____, 20 _____

By: _____
CLERK OF COURT

TO THE CLERK:

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

COPIES OF THIS ORDER SHALL BE DELIVERED ON:

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

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

Form 10-A, Protection Order Notice to NCIC, is the mechanism to enter protection orders or consent agreements into the FBI's National Crime Information Center ("NCIC") Protection Order file. Inaccurate or inconsistent information on Form 10-A will delay entering the court order into the NCIC index; result in improper enforcement of the order; and impermissibly allow or deny a person from owning, possessing, purchasing, or transporting firearms and ammunition. Form 10-A must be completed each time the court grants, approves, modifies, renews, or terminates a criminal or civil *ex parte* or full hearing protection order or consent agreement or otherwise makes a clerical correction on a previously issued order or agreement.

Courts are encouraged to verify that orders are timely entered.

ELEMENTS OF FORM 10-A

- (A) Although Form 10-A is the primary method to inform law enforcement of the terms and conditions of a protection order or consent agreement, it is not a substitution for a protection order or judgement entry.
- (B) The court must mark the appropriate box:
- **Initial NCIC Form:** This box indicates the court is issuing a criminal or civil protection order or approving a consent agreement for the first time.
 - **Amended NCIC Form:** This box points out to law enforcement that the original terms of an existing protection order or consent agreement have been modified, including modifications due to clerical errors.
 - **Removal from NCIC:** This box notifies law enforcement that the protection order or consent agreement is no longer valid and the order must be removed from the NCIC protection order database active file, regardless of the reason.
 - **Service Completed:** This box is marked if the court has knowledge that service of process has been perfected as set forth in Civ.R. 65.1 and Crim.R.49. The protection order should be entered promptly regardless of service.
- (C) **NUMERICAL IDENTIFIER.** Although the FBI only requires one numerical identifier, the court should provide additional numerical identifiers, if available, to facilitate identification of the subject of the protection order.
- (D) **BRADY DISQUALIFIERS.** All of the following requirements must be met to result in firearms disability pursuant to 18 U.S.C. 922(g)(8):
- Existence of an intimate relationship between the protected parties and Respondent or Defendant, i.e., spouse, former spouse, an individual who cohabits or has cohabited with Respondent or Defendant, and an individual who is a parent of a child of the Respondent or Defendant;
 - Respondent or Defendant had actual notice of the hearing and an opportunity to participate;
 - The court made a finding in the order that Respondent or Defendant poses a credible threat of harm or the order explicitly prohibits Respondent or Defendant from the use, attempted use, or threatened use of physical force against an intimate partner or child.

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

- (E) **DATE OF ORDER AND EXPIRATION OF ORDER.** The NCIC protection order database will automatically render a record inactive on the order's expiration date. Protection orders issued pursuant to R.C. 2903.213 or 2919.26 may indicate "NONEXP." Upon disposition of the criminal case or the issuance of a civil protection order arising out of the same facts, the court must send to law enforcement another Form 10-A indicating Removal from the NCIC and state the expiration date of the order.
- (F) **TERMS OF ORDER.** The court must check every box that corresponds to the terms of the protection order. Note that the numbering next to each term in Form 10-A does not correspond to the sequence of remedies in a protection order or consent agreement. However, the remedies in the protection order forms are cross-referenced with the terms and conditions listed in Form 10-A, e.g., NCIC 01.

In every instance that the court changes a term of the protection order or consent agreement, e.g., divorce decree, custody order, continuance of hearing, or extension of the protection order, the court must submit Form 10-A or a form that is substantially similar, indicate the applicable terms to law enforcement and mark "Amended NCIC Form."

Subject's Name _____

Case/Order No. _____

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

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

Subject's Name _____

Case/Order No. _____

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

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

Subject's Name _____

Case/Order No. _____

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

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

Subject's Name _____

Case/Order No. _____

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

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

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

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

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

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

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

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

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

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

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