

**PLEASE ANSWER THE FOLLOWING QUESTIONS
FOR JPO CIVIL PROTECTION ORDER**

Names and addresses of Respondent's Parents:

Mother: _____

Father: _____

Address: _____

Address: _____

Are there Criminal Charges filed in any Court?

Yes

No

Are there charges pending with the Prosecutor?

Yes

No

Are there any types of reports filed with Law Enforcement? _____

Yes

No

If Yes, which Law Enforcement Agency? _____

FORM 10.05-A: INFORMATION ABOUT FILING A JUVENILE CIVIL PROTECTION ORDER OR A JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER PETITION

- If you have any questions about completing the Petition for a Juvenile Civil Protection Order or Domestic Violence Juvenile Civil Protection Order (Form 10.05-B), contact the local victim assistance program, domestic violence program, or Ohio Domestic Violence Network at 800-934-9840.
- Neither the Clerk of Court's Office nor the local domestic violence program can give legal advice. If you need legal advice, talk to a lawyer. Only a lawyer can give you legal advice.
- There is NO FEE for filing the Petition.
- Once completed, take the Petition and other necessary documents to the Clerk of Court's Office.
- If you want an emergency order, also known as an Ex Parte Protection Order, check "want" in paragraph 2 of the Petition.
- The Court will consider your request for an Ex Parte Protection Order and may ask you questions.
- Regardless if an Ex Parte Protection Order was requested, granted, or denied, a full hearing will be scheduled.
- You must attend the full hearing. Your victim advocate may also be present at the hearing.
- On the day of the full hearing, be prepared to (1) tell the Court what happened, (2) bring with you any witnesses, evidence, and documentation to prove your case, and (3) ask Respondent questions.
- Respondent may be represented by a private lawyer or a court-appointed lawyer. [R.C. 2151.34(O)] You may represent yourself or ask the Court for a continuance to obtain a lawyer. [R.C. 2151.34(D)(2)(a)(iii) or 3113.31(D)(2)(a)(iii)]
- Respondent or Respondent's lawyer may present evidence and may ask you questions.
- The Court cannot issue a protection order against you unless Respondent has filed a Petition.

DEFINITIONS

Aggravated Assault
[R.C. 2903.12]

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

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

Aggravated Menacing
[R.C. 2903.21]

No person shall knowingly cause another to believe that the offender will cause serious physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family.

Aggravated Trespass
[R.C. 2911.211]

No person shall enter or remain on the land or premises of another with purpose to commit on that land or those premises a misdemeanor, the elements of which involve causing physical harm to another person or causing

another person to believe that the offender will cause physical harm to the person.

Assault

[R.C. 2903.13]

No person shall knowingly cause or attempt to cause physical harm to another or to another's unborn. No person shall recklessly cause serious physical harm to another or to another's unborn.

Domestic Violence

[R.C. 3113.31]

"Domestic violence" means the occurrence of one or more of the following acts against a family or household member: attempting to cause or recklessly causing bodily injury; placing another person by the threat of force in fear of imminent serious physical harm or committing [menacing by stalking or aggravated trespass]; committing any act with respect to a child that would result in the child being an abused child, as defined [by law]; or committing a sexually oriented offense.

Family or Household Member

[R.C. 3113.31(A)(3) through (4)]

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

Any of the following who is residing with or has resided with Respondent, such as a spouse, a person living as a spouse, or a former spouse of Respondent; a parent, a foster parent, or a child of Respondent, or another person related by consanguinity or affinity (blood or marriage) to Respondent; a parent or a child of a spouse, person living as a spouse, or former spouse of Respondent, or another person related by consanguinity or affinity (blood or marriage) to a spouse, person living as a spouse, or former spouse of Respondent.

The natural parent of any child of whom Respondent is the other natural parent or is the putative other natural parent.

"Person living as a spouse" means a person who is living or has lived with Respondent in a common law marital relationship, who otherwise is cohabiting with Respondent, or who otherwise has cohabited with Respondent within five years prior to the date of the alleged occurrence of the act in question.

Felonious Assault

[R.C. 2903.11]

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

No person shall knowingly cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance.

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

Menacing

[R.C. 2903.22]

No person shall knowingly cause another to believe that the offender will cause physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family.

Menacing by Stalking

[R.C. 2903.211]

No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person.

No person, through the use of any electronic method of remotely transferring information, including, but not limited to, any computer, computer network,

computer program, or computer system, shall post a message with purpose to urge or incite another to commit a violation [this law].

Pattern of Conduct
[R.C. 2903.211(D)(1)]

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

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

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

Sexually Oriented Offense
[R.C. 2950.01]

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

IN THE COURT OF COMMON PLEAS, JUVENILE DIVISION
AUGLAIZE COUNTY, OHIO

| | | |
|---|---|---|
| Petitioner | : | Case No. _____ |
| Address (Safe mailing address) | : | Judge/Magistrate <u>MARK E. SPEES</u> |
| City, State, Zip Code | : | |
| Date of Birth: ____ / ____ / ____ | : | |
| v. | : | |
| | : | PETITION FOR JUVENILE CIVIL PROTECTION ORDER OR JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER (R.C. 2151.34 and 3113.31) |
| Respondent | : | |
| Address (If home address unknown, put the school or work address) | : | |
| City, State, Zip Code | : | |
| Date of Birth: ____ / ____ / ____ | : | <input type="checkbox"/> Respondent is under 18 years old |

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

- ☐ 1. I need or a witness needs a foreign language interpreter in _____ or an American Sign Language interpreter per Sup.R. 88.
2. I ☐ want ☐ do not want an **ex parte (emergency) protection order** per R.C. 2151.34 or 3113.31. Petitioner further requests a full hearing trial even if the ex parte protection order is granted, denied, or not requested.
3. Who needs protection?
- ☐ Me
- ☐ My minor child
- ☐ A family or household member, who is not a minor child
- ☐ Other: _____
4. The relationship of Petitioner to Respondent is that of:
- ☐ Parent or foster parent of Respondent
- ☐ Respondent is the parent of my child
- ☐ Relative by blood or marriage of Respondent or Petitioner and has lived with Respondent (please specify how you are related): _____

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

| NAME (first, middle initial, and last) | DATE OF BIRTH | RELATIONSHIP TO PETITIONER |
|--|---------------|----------------------------|
| | / / | |
| | / / | |
| | / / | |
| | / / | |

6. Petitioner is in fear and in continuing danger and requests the Court grant ☐ **Juvenile Civil Protection Order** or ☐ **Juvenile Domestic Violence Civil Protection Order**.
7. You **must** describe the threats or acts that made you or your family or household members afraid, include if children were present when the acts happened. When did it happen? (If you do not know exact dates, give approximate dates). Explain why you believe you or your family or household members are in danger. **If you need more space, attach an additional page.**

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

8. Petitioner has listed court cases (including custody, visitation, paternity, child support, children service case, pending criminal case or conviction for domestic violence, felonious assault, aggravated assault, assault, aggravated menacing, menacing by stalking, menacing, or aggravated trespass; no contact order; stay away order; or other protection order) and other legal matters regarding Respondent, which may relate to this case:

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

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

- ☐ a. Directs Respondent to not abuse Petitioner and the other persons named in this Petition by harming, attempting to harm, threatening, following, stalking, harassing, contacting, forcing sexual relations upon, or committing sexually oriented offenses against them.
- ☐ b. Directs Respondent to not enter or have limited access to the following places (include name and address, as applicable) where Petitioner and the persons named in this Petition may be found, including the buildings, grounds, and parking lots at these places.

Residence: _____

School: _____

Business or Place of Employment: _____

Other (specify): _____

- ☐ c. Directs Respondent to not approach or have contact by any means with Petitioner and persons named in this Petition.
- ☐ d. Directs Respondent not to remove, damage, hide, or dispose of any property, companion animals, or pets owned by Petitioner.
- ☐ e. Grants Petitioner permission to take Petitioner's companion animals or pets, as described below, away from the possession of Respondent:

- ☐ f. Directs Respondent to not possess, use, carry, or obtain any deadly weapon, firearms, and ammunition.
- ☐ g. Directs Respondent to be electronically monitored because Respondent's conduct has put or puts the health, welfare, or safety of Petitioner and the persons named in this Petition at risk. Describe Respondent's conduct and how Respondent continues to present a danger to Petitioner and the persons named in this Petition. **If you need more space, attach an additional page.**

- ☐ h. Directs Respondent to complete batterer counseling, substance abuse counseling, or other counseling as determined necessary by the Court.

- ☐ i. Directs the wireless service provider to separate Petitioner's account from Respondent's account, per R.C. 3113.45 to 3113.459. Petitioner will assume all financial responsibility for any costs associated with the wireless service number and any costs for the device associated with the wireless service number. Respondent's billing telephone number is: _____

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

- ☐ j. Includes the following additional provisions: _____

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

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

SIGNATURE OF PETITIONER

DATE

Name of Attorney (if applicable)

Attorney's Fax

Signature of Petitioner's Attorney

Attorney's Registration Number

Attorney's Address

Attorney's Telephone

City, State, Zip Code

Attorney's Email

IN THE COURT OF COMMON PLEAS

AUGLAIZE

COUNTY, OHIO

Petitioner _____ : Case No. _____

v. _____ : Judge/Magistrate MARK E. SPEES

Respondent _____ :

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

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

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

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

SPECIAL INSTRUCTIONS TO SHERIFF:

 SIGNATURE OF ATTORNEY OR PETITIONER

RETURN OF SERVICE

Respondent was served on _____.

 Officer and Badge Number Law Enforcement Agency

 Date

CLERK'S CERTIFICATE OF MAILING

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

Attest: _____ Deputy Clerk

**FORM 10-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, JUVENILE DIVISION
AUGLAIZE COUNTY, OHIO

Order of Protection

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

AUGLAIZE COUNTY SHERIFF DEPT.
LAW ENFORCEMENT AGENCY WHERE INDEXED

(419) 739 - 6565

PHONE NUMBER

Case No.

Judge/Magistrate MARK E. SPEES

State

OHIO

**JUVENILE CIVIL PROTECTION ORDER OR JUVENILE
 DOMESTIC VIOLENCE CIVIL PROTECTION ORDER
EX PARTE (R.C. 2151.34 or 3113.31)**

PETITIONER:

First

Middle Initial

Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

Petitioner's Family or Household Members: _____

(☐ Additional forms attached)

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

RESPONDENT:

First

Middle Initial

Last

Distinguishing Features: _____

RESPONDENT IDENTIFIERS

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

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

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

**UNLESS EXTENDED BY
 SEPARATE ENTRY OR UNTIL
 RESPONDENT ATTAINS 19
 YEARS OF AGE**

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

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

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

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

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO RESPONDENT

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

☐ **Residence:**

☐ **School:**

☐ **Business or Place of Employment:**

☐ **Other:**

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

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

- ☐ **3. RESPONDENT IS ALLOWED CONTACT WITH** protected persons as follows:

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

- ☐ **RESPONDENT MAY REMOVE THE FOLLOWING:**

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

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

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

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

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

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

Wireless service rights to and billing responsibility for the wireless service number or numbers in use by Petitioner shall be transferred to Petitioner, pursuant to R.C. 3113.31(E)(1)(k), by separate order.

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

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

- 12. THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENT** to be served on Respondent and Respondent's parent, guardian, or legal custodian as set forth in Civ.R. 65.1(C)(2).
- 13. SUBJECT TO FURTHER ORDER OF THIS COURT, this Order and all records of the proceeding shall be sealed** upon the happening of the earliest of the following: (1) Dismissal of this Petition; (2) Expiration of the Order, **or** (3) Respondent's 19th birthday.
- 14. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, INCLUDING FIREARMS, OR AMMUNITION** at any time while this Order remains in effect for the safety and protection of the protected persons named in the Order.
- Upon the expiration or termination of this Order and if a full hearing order is not issued or consent agreement approved, Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.
- 15. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER** for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.
- 16. THIS ORDER DOES NOT EXPIRE** because of a failure to serve notice of the full hearing upon Respondent before the date set for the full hearing or because the Court grants a continuance, as set forth in R.C. 2151.34(D)(2)(b) and 3113.31(D)(2)(b).
- 17. RESPONDENT WILL ATTAIN 19 years of age on:** _____ / _____ / _____.

IT IS SO ORDERED.

JUDGE/MAGISTRATE

NOTICE TO RESPONDENT, PARENTS, GUARDIAN, OR LEGAL CUSTODIAN

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

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

Judge/Magistrate MARK E. SPEES

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

AUGLAIZE CO. JUVENILE COURT

201 WILLIPIE ST., SUITE 119,
WAPAKONETA, OH 45895
419-739-6776

On the day of the Full Hearing, come prepared to (1) tell the Court what happened, (2) bring with you any witnesses, evidence, and documentation to prove your case, and (3) be aware that the other party or party's attorney may ask you questions. If you do not have an attorney, you may ask for a brief continuance to obtain an attorney per R.C. 2151.34(D)(2)(a)(iii) or 3113.31(D)(2)(a)(iii). The Court may, at its discretion, appoint an attorney for the Respondent per R.C. 2151.34(O).

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

TO THE CLERK

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

- ☐ Respondent
☐ Respondent's Parent 1: _____
☐ Respondent's Parent 2: _____
☐ Respondent's Guardian or Legal Custodian: _____

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- ☐ Petitioner
☐ Petitioner's Parent 1: _____
☐ Petitioner's Parent 2: _____
☐ Petitioner's Guardian or Legal Custodian: _____
☐ Petitioner's Guardian or Legal Custodian: _____
☐ Petitioner's Attorney: _____
☐ Law Enforcement Agency Where Petitioner Works: _____
☐ Sheriff's Office: _____
☐ Law Enforcement Agency Where School is Located: _____
☐ Other: _____

**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, JUVENILE DIVISION
AUGLAIZE COUNTY, OHIO

Order of Protection

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

AUGLAIZE COUNTY SHERIFF DEPT.
LAW ENFORCEMENT AGENCY WHERE INDEXED
(419) 739 - 6565
PHONE NUMBER

Case No. _____

Judge/Magistrate MARK E. SPEES

State

OHIO

**JUVENILE CIVIL PROTECTION ORDER FULL HEARING
(R.C. 2151.34)**

PETITIONER:

| | | |
|--|--|--|
| | | |
|--|--|--|

First

Middle Initial

Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

Petitioner's Family or Household Members: _____

☐ Additional forms attached

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

RESPONDENT:

| | | |
|--|--|--|
| | | |
|--|--|--|

First

Middle Initial

Last

Distinguishing Features: _____

RESPONDENT IDENTIFIERS

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

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

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

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

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

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

This proceeding came for a hearing on _____ / _____ / _____ before the Court and the
 Juvenile Civil Protection Order *Ex Parte* filed on _____ / _____ / _____ in accordance with R.C.
 2151.34. The following individuals were present:

The Court hereby makes the following findings of facts:

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

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

☐ Pursuant to R.C. 2151.34(E)(1)(b), the Court finds by clear and convincing evidence that 1) Petitioner and Petitioner's family or household members reasonably believed Respondent's conduct before the filing of the Petition endangered the health, welfare, or safety of Petitioner and Petitioner's family or household members, 2) Respondent presents a continuing danger to Petitioner and Petitioner's family or household members, and 3) the following orders are equitable, fair, and necessary to protect the persons named in this Order.

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

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO RESPONDENT

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

☐ **Residence:**

☐ **School:**

☐ **Business or Place of Employment:**

☐ **Other:**

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

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

☐ **3. RESPONDENT IS ALLOWED CONTACT** with the protected persons as follows:

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

☐ **RESPONDENT MAY REMOVE THE FOLLOWING:**

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

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

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

- ☐ **7. RESPONDENT SHALL NOT** use any form of electronic surveillance on protected persons.
- ☐ **8. RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY OTHER PERSON** to do any act prohibited by this Order.

- ☐ **9. RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:**

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

Respondent is ordered to appear before Judge or Magistrate

on _____ / _____ / _____ at _____ ☐ a.m. ☐ p.m., to review the

Respondent's compliance with this Order. Respondent is warned: If you fail to attend the above-named program you may be held in contempt of court.

- 10. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON, INCLUDING FIREARMS, OR AMMUNITION** while this Order remains in effect for the safety and protection of the protected persons named in this Order.

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

- ☐ **11. RESPONDENT SHALL BE ELECTRONICALLY MONITORED.** The Court having found the factors set forth in R.C. 2151.34(E)(1)(b). Respondent is ordered to report to

for the installation of a global positioning system for the purpose of electronic monitoring for the duration of this Order or until _____ / _____ / _____ whichever expires first. The Court further imposes the following terms and conditions:

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

13. **THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION AND THIS ORDER** to be served on Respondent as set forth in Civ.R. 5(B) and 65.1(C)(3) and Respondent's parent, guardian, or legal custodian.
14. **IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER** for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.
15. **THE COSTS OF THIS ACTION ARE** ☐ assessed against Respondent ☐ waived.
16. **THE COURT WILL SEAL THIS RECORD ON RESPONDENT'S 19TH BIRTHDAY**, unless the Court determines otherwise.
17. **RESPONDENT WILL ATTAIN** 19 years of age on: ____ / ____ / ____.
18. **IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE**, the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the Order. Accordingly, the Court adopts the magistrate's granting of the Order as set forth in Civ.R. 65.1.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT, PARENTS, GUARDIAN, OR LEGAL CUSTODIAN

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

NOTICE OF FINAL APPEALABLE ORDER

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

____ / ____ / ____ .

By: _____

TO THE CLERK:

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

☐ Respondent

☐ Respondent's Parent 1:

☐ Respondent's Parent 2:

☐ Respondent's Guardian or Legal Custodian:

☐ Respondent's Attorney

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

☐ Petitioner

☐ Petitioner's Parent 1:

- ☐ Petitioner's Parent 2: _____
- ☐ Petitioner's Guardian or Legal Custodian: _____
- ☐ Law Enforcement Agency Where Petitioner Resides: _____
- ☐ Law Enforcement Agency Where Petitioner Works: _____
- ☐ Sheriff's Office _____
- ☐ School: _____
- ☐ Law Enforcement Agency Where School is Located: _____
- ☐ Other: _____

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."

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

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

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

SUBJECT NAME

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

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

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

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

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

3.* DRIVER'S LIC. NO. _____ STATE _____ EXPIRATION YR. _____

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

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

BRADY DISQUALIFIERS:

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

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

CASE / ORDER NO. _____ (15 DIGIT MAXIMUM) **Is order term of probation/ community control?** ☐ YES ☐ NO

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

NAME OF JUDGE/MAGISTRATE _____

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

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

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

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

OHP
DATA

ONLY

#EPO

Subject's Name _____

Case/Order No. _____

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

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

PROTECTED PERSON

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

Authorized by (signature): _____

Judge/Magistrate (circle one)_____
Date