

PLEASE ANSWER THE FOLLOWING QUESTIONS
For JPO Domestic Violence 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: HOW TO OBTAIN A PETITION FOR A JUVENILE CIVIL PROTECTION ORDER OR A JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER

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

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

SOME HINTS BEFORE YOU BEGIN

- Read these instructions carefully.
- The types of offenses for which a juvenile civil protection order or juvenile domestic violence civil protection order can be obtained are explained in the last section of this Form.
- A juvenile civil protection order or a juvenile domestic violence civil protection order should **ONLY** be requested if the Respondent is less than 18 years old.
- If the Respondent is 18 years old or older, then you must file a petition for a civil protection order in the appropriate court of common pleas.
- All forms must be typed or printed.
- Write your name and Respondent's name the same way throughout the Petition.
- When you write your name on the Petition, use your legal name.
- Fill out the Petition as completely and accurately as possible.
- If you have any questions about completing the Petition, contact your local domestic violence program or the Ohio Domestic Violence Network at 800-934-9840 for assistance.

FILLING OUT THE PETITION

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

On the top left-hand side of the front page, fill in the requested information about yourself or minor for whom you are filing. If you want your address or that of the minor for whom you are filing to remain confidential, do not write the address on the Petition. However, you must write another address where you can safely receive notices from the Court.

Also on the top left-hand side of the front page, fill in the requested information about the Respondent as best as you can. You may use the Respondent's work or school address if you do not know the Respondent's home address. If you do not know the Respondent's date of birth, try to estimate at least year of birth. **Do not attempt to obtain this information unless it is safe to do so.**

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

Paragraph 2: If you are filing the Petition on behalf of a minor who is not your family or household member, mark the box and write the minor's name.

Paragraph 3: If you are filing the Petition on behalf of a family or household member, mark the box and fill in their names and the other information requested in the chart. You may attach additional pages if you need more room.

Paragraph 4: Mark this box if you are **NOT** related to the Respondent by blood or marriage.

Paragraph 5: Mark this box if you **ARE** related to the Respondent in one of the three ways shown in the Petition. Please mark the appropriate box to show your relation to the Respondent and indicate your relationship.

Paragraph 6: Mark this box if you or a family or household member of yours has a child with the Respondent.

Paragraph 7: Provide a description of the Respondent's action(s) that caused you to believe that the Respondent caused or will cause physical or emotional harm to you or another family or household member. State the date(s) of the incident(s) that caused you to file the Petition. An exact date(s) is not necessary. Approximate time frame may be sufficient. You may attach additional pages if you need more room.

Paragraph 8: Provide a description of the impact the Respondent's actions have had on you or your family or household members. You may attach additional pages if you need more room to complete your description.

Paragraph 9: Mark this box if you, your family or household members, or the person for whom you are filing attends the same school or are transported in the same school bus as the Respondent. Please write the name and address of the school AND the school bus number, route, district or any other information which can be helpful to the Court.

Paragraph 10: Complete as much of the chart as you are able by listing all relevant open, pending, or closed court cases involving the Respondent, your family or household members, or you (or the person for whom you are filing).

Paragraph 11 (a)–(h): Indicate the action you want the Court to take by marking the boxes next to the lettered paragraphs that apply to your situation

If you do **NOT** want the Respondent to come to a specific location, tell the Court in Paragraph 11(b) of these locations and their addresses.

If you do **NOT** want the Respondent to contact you or your family or household members at all by landline, cordless, or cellular telephone; text; instant message; fax; e-mail; voice mail; delivery service; social network media (like Twitter, My Space, Facebook, etc.); blogging; writings; electronic communications; or communications by any other means regardless if directly or through another person, mark Paragraph 11(c).

If you want the Respondent to be electronically monitored, make sure you mark Paragraph 11(f) and provide a description of the Respondent's conduct that puts your and/or your family or household members' health, welfare, and safety at risk.

Write any special court orders you believe would help protect you and your family or household members in Paragraph 11(h).

Paragraph 12: Mark this box if you want to request the Court grant you an emergency (*Ex Parte*) protection order because you and/or your family and household members are in immediate and present danger.

SIGNING THE PETITION

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

FILING THE PETITION

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

FEES

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

DISCOVERY

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

If ordered, the Court will indicate each of the following:

1. The time and place where discovery will be held;
2. The name of persons who can be in the room during discovery, including a victim advocate;
3. The necessary terms and conditions to keep everyone safe, including keeping the Petitioner's address confidential.

Discovery must be completed prior to the full hearing.

RENEWAL

A juvenile civil protection order and juvenile domestic violence civil protection order can be renewed in the same manner as the initial protection order was issued.

EXPIRATION OF CIVIL PROTECTION ORDER

A juvenile civil protection order and juvenile domestic violence civil protection order will terminate on a specific date as determined by the Court, but no later than the Respondent's 19th birthday.

SEALING OF RECORDS

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

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

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

APPOINTMENT OF COUNSEL

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

NOTICE TO PARENT, GUARDIAN, OR LEGAL CUSTODIAN

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

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

OFFENSES

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

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

No person, while under the influence of sudden passion or in a sudden fit of rage, either of which is brought on by serious provocation occasioned by the victim that is reasonably sufficient to incite the person into using deadly force, shall knowingly cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance, as defined in section 2923.11 of the Revised Code. [R.C. 2093.12(A)(2)]

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

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

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

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

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

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

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

(b) The natural parent of any child of whom the respondent is the other natural parent or is the putative other natural parent. [R.C. 3113.31(A)(3)(a)-(b)]

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

Felonious Assault

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

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

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

Menacing

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

Menacing by Stalking

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

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

Sexually Oriented Offense

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

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

Petitioner : **Case No.** _____

 Address : **Judge/Magistrate** _____

 City, State, Zip Code :

Date of Birth: ____ / ____ / ____ :

v. : **PETITION FOR JUVENILE CIVIL PROTECTION ORDER
 OR JUVENILE DOMESTIC VIOLENCE CIVIL
 PROTECTION ORDER (R.C. 2151.34 and 3113.31)**

Respondent

 Address :

 City, State, Zip Code :

Date of Birth: ____ / ____ / ____ :

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

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

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

- 4. Petitioner is not a family or household member of Respondent.

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

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

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

- a. Require the Respondent not to abuse, harm, attempt to harm, threaten, follow, stalk, harass, contact, force sexual relations upon, or commit sexually oriented offenses against the Petitioner and/or the Petitioner’s family or household members named in this Petition.
- b. Require the Respondent not to enter or have limited access to the following places (include name and address, as applicable) where Petitioner and Petitioner’s family or household members named in this Petition may be found, including the buildings, grounds, and parking lots at these places.

Residence: _____

School: _____

Business or Place of Employment: _____

Other (specify): _____

- c. Require the Respondent not to have contact with Petitioner and/or Petitioner’s family or household members named in this Petition by any means whatsoever.
- d. Require the Respondent not to remove, damage, hide, or dispose of any property or pets owned or possessed by the Petitioner and Petitioner’s family or household members named in this Petition.
- e. Require the Respondent not to possess, use, carry, or obtain any deadly weapon.
- f. Require the Respondent to be electronically monitored. Please explain why the Respondent’s conduct is a past, present, and future danger to the health, welfare, or safety of the Petitioner and/or the Petitioner’s family or household members. Attach additional page if you need more room.

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

h. Includes the following additional provisions:

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

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

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

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

SIGNATURE OF PETITIONER

Sworn to and subscribed before me on this _____ day of _____, 20 _____

NOTARY PUBLIC/DEPUTY CLERK OF COURT

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

Petitioner's Safe Address:

Name of Attorney (if applicable)

Signature of Attorney for Petitioner (if applicable)

Attorney's Address

City, State, Zip Code

Attorney Registration Number

Attorney's Telephone

Attorney's Fax

Attorney's Email

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

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

WARNING TO RESPONDENT

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

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

Only the Court may change this Order. The Petitioner cannot give you legal permission to violate this Order. If you go near the Petitioner or other protected persons, even with their permission, you may be arrested. **You act at your own risk if you disregard this WARNING.**

WARNING TO PETITIONER

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

NOTICE ABOUT FIREARMS AND DEADLY WEAPONS

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

This Order may be subject to the exceptions pursuant to 18 U.S.C. 925(a)(1) with respect **only** to the official use of government-issued firearms or ammunition for the use of any department or agency of the United States, Ohio, or its political subdivision. This exception does not apply if the 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 jurisdictions. Violation of this Protection Order is a crime under R.C. 2919.27. Law enforcement officers with powers to arrest under R.C. 2935.03 for violations of the Ohio Revised Code must enforce the terms of this Protection Order as required by R.C. 2151.34, 2919.27, and 3113.31. Federal and state law prohibits charging a fee for service of this Order.

IN THE COURT OF COMMON PLEAS, _____ DIVISION
 _____ COUNTY

Order of Protection

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

LAW ENFORCEMENT AGENCY WHERE INDEXED

(_____) _____
 PHONE NUMBER

Case No. _____

Judge/Magistrate _____

State

OHIO

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

PETITIONER:

First Middle Initial Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

Petitioner's Family or Household Members:

Additional forms attached

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

RESPONDENT:

First Middle Initial Last

RESPONDENT IDENTIFIERS

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

Distinguishing Features: _____

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

That the above named Respondent be restrained from committing acts of abuse or threats of abuse against the Petitioner and other protected persons named in this Order. 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 an *ex parte* hearing on _____ / _____ / _____ (Respondent not being present), upon the filing of a Petition by Petitioner for a juvenile civil protection order or juvenile domestic violence civil protection order against the Respondent, pursuant to R.C. 2151.34 and 3113.31. The Court held an *ex parte* hearing in accordance with R.C. 2151.34(D)(1) and 3113.31(D)(1).

The Court finds that protected 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 THE 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 OR PETS** owned or possessed by the protected persons named in this Order.

RESPONDENT MAY REMOVE THE FOLLOWING:

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

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

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

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

9. **IT IS FURTHER ORDERED** that a copy of the Petition and this Order to be delivered to the Respondent and Respondent's parent, guardian, or legal custodian as required by Civ.R. 65.1. No costs or fees shall be charged for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this protection order.

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

11. **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.

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

IT IS SO ORDERED.

JUDGE/MAGISTRATE

NOTICE TO RESPONDENT, PARENTS, GUARDIAN, OR LEGAL CUSTODIAN

1. THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERMS OF THIS ORDER EVEN WITH THE PROTECTED PERSON'S PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.
2. RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON at any time while this Order is active.

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

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

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Petitioner Attorney for Petitioner
- Petitioner's Parent 1: _____
- Petitioner's Parent 2: _____
- Petitioner's Guardian or Legal Custodian: _____
- Respondent
- Respondent's Parent 1: _____
- Respondent's Parent 2: _____
- Respondent's Guardian or Legal Custodian: _____
- Police Department Where Petitioner Resides: _____
- Police Department Where Petitioner Works: _____
- Sheriff's Office: _____
- School: _____
- Police Department Where School is Located: _____
- Other: _____

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

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

WARNING TO RESPONDENT

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

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

Only the Court may change this Order. The Petitioner cannot give you legal permission to violate this Order. If you go near the Petitioner or other protected persons, even with their permission, you may be arrested. **You act at your own risk if you disregard this WARNING.**

WARNING TO PETITIONER

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

NOTICE ABOUT FIREARMS AND DEADLY WEAPONS

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

This Order may be subject to the exceptions pursuant to 18 U.S.C. 925(a)(1) with respect **only** to the official use of government-issued firearms or ammunition for the use of any department or agency of the United States, Ohio, or its political subdivision. This exception does not apply if the 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 jurisdictions. Violation of this Protection Order is a crime under R.C. 2919.27. Law enforcement officers with powers to arrest under R.C. 2935.03 for violations of the Ohio Revised Code must enforce the terms of this Protection Order as required by R.C. 2151.34, 2919.27, and 3113.31. Federal and state law prohibits charging a fee for service of this Order.

IN THE COURT OF COMMON PLEAS, _____ DIVISION
 _____ COUNTY

Order of Protection

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

 LAW ENFORCEMENT AGENCY WHERE INDEXED
 (_____) _____
 PHONE NUMBER

Case No.

Judge/Magistrate _____

State OHIO

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

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

PETITIONER:

First Middle Initial Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

Petitioner's Family or Household Members: _____

(Additional forms attached)

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

RESPONDENT:

First Middle Initial Last

RESPONDENT IDENTIFIERS

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

Distinguishing Features: _____

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

That the above named Respondent be restrained from committing acts of abuse or threats of abuse against the Petitioner and other protected persons named in this Order. 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 Ex Parte Order filed on _____ / _____ / _____. The following individuals were present:

The Court hereby makes the following findings of facts:

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

The parties agree to waive their notice and hearing rights. Therefore, the Court approves the Juvenile Domestic Violence Consent Agreement Protection Order pursuant to R. C. 3113.31(E)(1).

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

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE RESPONDENT

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

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

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

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

Residence:

School:

Business or Place of Employment:

Other:

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

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

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

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

9. RESPONDENT IS ALLOWED CONTACT with the protected persons as follows:

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

11. **RESPONDENT SHALL IMMEDIATELY SURRENDER** to law enforcement or

the following personal property:

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

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

Respondent is ordered to appear before Judge/Magistrate _____
on _____ / _____ / _____ at _____ a.m. p.m. to
review Respondent's compliance with this Order. Respondent is warned: If you fail to attend the above-named program you may be held in contempt of court.

13. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** while this Order remains in effect.

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

15. **IT IS FURTHER ORDERED** that a copy of the Petition and this Order be delivered to the Respondent and Respondent's parent, guardian, or legal custodian as required by Civ.R. 65.1. No costs or fees shall be charged for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, or serving this Order.

16. **ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT UNTIL A DATE _____ / _____ / _____ OR UNTIL RESPONDENT ATTAINS 19 YEARS OF AGE.**
Until this Order is served upon the Respondent pursuant to Civ. R. 65.1, the *Ex Parte* CPO remains in effect.

17. **THE COURT WILL SEAL THIS RECORD ON THE RESPONDENT'S 19TH BIRTHDAY**, unless the Court determines otherwise.

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

19. **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.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT, PARENTS, GUARDIAN, OR LEGAL CUSTODIAN

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

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

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

SIGNATURE OF PETITIONER

SIGNATURE OF RESPONDENT

Address of Petitioner

Address of Respondent

Signature of Attorney for Petitioner

Signature of Attorney for Respondent

Address of Attorney for Petitioner

Address of Attorney for Respondent

NOTICE OF FINAL APPEALABLE ORDER

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

_____/_____/_____ .

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Petitioner Attorney for Petitioner
- Petitioner's Parent 1: _____
- Petitioner's Parent 2: _____
- Petitioner's Guardian or Legal Custodian: _____
- Respondent
- Respondent's Parent 1: _____
- Respondent's Parent 2: _____
- Respondent's Guardian or Legal Custodian: _____
- Police Department Where Petitioner Resides: _____
- Police Department Where Petitioner Works: _____
- Sheriff's Office: _____
- School: _____
- Police Department Where School is Located: _____
- CSEA: _____
- Other: _____

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

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

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

ELEMENTS OF FORM 10-A

- (A) The required fields in Form 10-A appear in **BOLD**.
- (B) Form 10-A is the primary method used to inform law enforcement of the terms and conditions of the protection order. The court must mark the appropriate box "Initial NCIC Form" or "Modification of Previous Form."

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

- (C) **SUBJECT'S INFORMATION.** The subject's full name, including first and last name; race; and sex are mandatory identifiers pursuant to federal guidelines. The other identifiers, i.e., height ("HGT"), weight ("WGT"), hair, and eyes, are not mandatory, yet they are helpful information to ensure the correct person is identified. Similarly, the address is not mandatory information.

- (D) **NUMERICAL IDENTIFIER.** Pursuant to federal guidelines, the court must provide at least **one** of four numerical identifiers to properly identify the subject of the protection order:

1. **SOCIAL SECURITY NUMBER ("SSN");**
2. **DATE OF BIRTH ("DOB");**
3. **DRIVER'S LICENSE NUMBER ("DRIVER'S LIC. NO.");** In the instance the driver's license number is provided, the state that issued the driver's license and the expiration date of the driver's license must also be included;
4. **VEHICLE LICENSE NUMBER ("VEHICLE LIC. NO.");** In the instance the vehicle's license plate is provided, the state that issued the license plate and the expiration date of the license plate must also be included.

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

- (E) **BRADY DISQUALIFIERS.** Pursuant to 18 U.S.C. 922(g)(8), all three factors must be met to be federally disqualified from possessing or purchasing firearms or ammunition due to the issuance of a protection order:

- (1) The parties have an intimate relationship:
 - Spouse of the person;
 - Former spouse of the person;
 - An individual who cohabits or has cohabited with the person;
 - An individual who is a parent of a child of the person.
- (2) The court observed the parties' due process rights, i.e., notice of hearing and opportunity to be heard; **AND**
- (3) A finding that the person subject to the order poses a credible threat of harm to the protected party.

The subject of a protection order may be Brady disqualified pursuant to 18 U.S.C. 922(g)(1) through (9), state law, or a court order.

- (F) **CASE/ORDER NO.** The case/order number of the protection order is a required element. It is particularly relevant when the court modifies, renews, or terminates a protection order. Law enforcement and NCIC will use the case/order number to cross-reference the appropriate order. In addition, law enforcement also uses this information to verify the currency of an order.
- (G) **COURT ORIGINATING AGENCY IDENTIFIER.** To accept a Form 10-A entry into the federal protection order database, NCIC mandates the court issuing the protection order to include its agency identifier (a.k.a. "ORI"). This is a unique 9 digit alphabetic and numeric series issued by the FBI to identify the court issuing the order.

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

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

In a Criminal Protection Order (R.C. 2903.213) or Temporary Domestic Violence Protection Order (R.C. 2919.26), the order terminates by operation of law upon the disposition of the criminal case. The court may indicate "NONEXP" as the expiration date when the court does not know the exact date the order will expire. The court must submit to law enforcement another Form 10-A indicating "Modification of Previous Form" stating the expiration of the order when such a date is known so that the order can be purged from the NCIC protection order file.

If a protection order or consent agreement is terminated before the original expiration, the court must also submit to law enforcement another Form 10-A indicating "Modification of Previous Form" and state the new expiration date for removal of the order from the protection order file.

- (I) **TERMS AND CONDITIONS OF ORDER.** The court must check every box that corresponds to terms of the protection order. Note that the numbering next to each term and condition in Form 10-A does not correspond to the sequence of the 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.

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

- (J) **LIST ALL PROTECTED PERSONS.** A maximum of 9 persons, including the petitioner, may be listed as protected parties in a protection order. The full name and date of birth for each protected person must be provided. The protected person's social security number, race, and gender are not required entries in Form 10-A.

- (K) **AUTHORIZED SIGNATURE.** The judge or magistrate who issued the protection order must sign and date Form 10-A. Pursuant to Civ.R. 65.1, an ex parte civil protection order issued by a magistrate and filed with the clerk of court has the full force and effect of a court order.

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

Initial NCIC Form

Modification of Previous Form

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 an 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)

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

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

NAME OF JUDGE/MAGISTRATE _____

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

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

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