

IN THE COURT OF COMMON PLEAS

AUGLAIZE

COUNTY, OHIO

Petitioner

: Case No. _____

Address (Safe mailing address)

: Judge/Magistrate MARK E. SPEES

City, State, Zip Code

:

v.

: **MOTION TO MODIFY OR TERMINATE
DOMESTIC VIOLENCE OR DATING VIOLENCE
CIVIL PROTECTION ORDER OR CONSENT
AGREEMENT
(R.C. 3113.31)**

Respondent

:

Address

:

City, State, Zip Code

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.

☐ Petitioner ☐ Respondent moves this Court to modify or terminate the following Order:

- ☐ Domestic Violence Civil Protection Order granted on _____
- ☐ Dating Violence Civil Protection Order granted on _____
- ☐ Consent Agreement Domestic Violence Civil Protection Order approved on _____
- ☐ Consent Agreement Dating Violence Civil Protection Order approved on _____

In the original proceeding, I was the ☐Petitioner ☐Respondent.

1. The terms of the civil protection order or consent agreement to be modified or terminated are:

2. The reasons for the modification or termination are:

3. Court fees cannot be assessed against Petitioner for filing a Motion to Modify or Terminate Civil Protection Order or Consent Agreement, which is in connection with a previously issued or approved protection order or consent agreement, pursuant to R.C. 3113.31(J)(1).

Respectfully submitted,

SIGNATURE OF PETITIONER/RESPONDENT

Safe mailing address where the Court may send the moving party (YOU) 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.**

Signature of Attorney for Petitioner/Respondent (if applicable)

Name

Address

Attorney Registration

Attorney's Telephone

Attorney's Fax

Attorney's Email

Case No. _____

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)(4), please serve ☐ Petitioner ☐ Respondent a copy of the Motion 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 / RESPONDENT**

RETURN OF SERVICE

Respondent was served on _____ .

Officer and Badge Number

Law Enforcement Agency

Date

CLERK'S CERTIFICATE OF MAILING

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

Attest: _____ Deputy Clerk

IN THE COURT OF COMMON PLEAS

AUGLAIZE

COUNTY, OHIO

Petitioner

: Case No. _____

DOB: _____ / _____ / _____

: Judge **MARK E. SPEES**

v.

: **JUDGMENT ENTRY ON MOTION TO MODIFY OR
TERMINATE CIVIL PROTECTION ORDER OR
CONSENT AGREEMENT
(R.C. 3113.31)**

Respondent

DOB: _____ / _____ / _____

Upon the motion of ☐Petitioner ☐Respondent, this proceeding came on for a hearing on _____
before the Court to ☐modify ☐terminate the following Order:

- ☐ Domestic Violence Civil Protection Order granted on _____
- ☐ Dating Violence Civil Protection Order granted on _____
- ☐ Consent Agreement Domestic Violence Civil Protection Order approved on _____
- ☐ Consent Agreement Dating Violence Civil Protection Order approved on _____

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

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

The Court has considered the following factors:

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

4. Relative proximity of Petitioner's and Respondent's workplaces and residences.
5. Petitioner and Respondent ☐have ☐do not have minor children together.
6. Respondent has ☐complied ☐failed to comply with the terms and conditions of the original civil protection order or consent agreement.
7. Respondent ☐has ☐does not have a continuing involvement with ☐illegal drugs or ☐alcohol.

Case No. _____

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

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

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

Based on all relevant factors, including those set forth in R.C. 3113.31(E)(8), the Court finds:

☐ **THE ORDER ISSUED ON** _____ **SHALL BE MODIFIED** per the ☐ Modified Domestic Violence Civil Protection Order (Form 10.01-M) ☐ Modified Dating Violence Civil Protection Order (Form 10.01-T).

☐ **THE ORDER IS TERMINATED.** The civil protection order or consent agreement is no longer needed. Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

☐ **THE MOTION IS DENIED.** The civil protection order or consent agreement remains in full force and effect.

The Court has prepared a Protection Order Notice to NCIC (Form 10-A) to show the modification or early termination of the prior order or agreement.

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.

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

Case No. _____

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

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable order, were served on or delivered to the parties indicated above pursuant to Civ. R. 5(B) and 65.1(C)(4), including ordinary mail, on

_____ day of _____, 20 _____

By: _____
CLERK OF COURT

TO THE CLERK:

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

COPIES OF THIS ORDER SHALL BE DELIVERED ON:

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

IN THE COURT OF COMMON PLEAS

AUGLAIZE COUNTY, OHIO

Order of Protection

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

**AUGLAIZE CO. SHERIFF DEPARTMENT
LAW ENFORCEMENT AGENCY WHERE INDEXED**

(419) 739 - 6565

PHONE NUMBERCase
No.Judge **MARK E. SPEES**State **OHIO****MODIFIED DOMESTIC VIOLENCE CIVIL PROTECTION
ORDER (R.C. 3113.31)****PETITIONER:**

--	--	--

First

Middle

Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner

DOB: _____

Petitioner's Family or Household Members:

☐ Additional forms attached

DOB: _____

DOB: _____

DOB: _____

DOB: _____

RESPONDENT:

--	--	--

First

Middle

Last

RESPONDENT IDENTIFIERS

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

Relationship to Petitioner: _____

Address where Respondent can be found: _____

Distinguishing Features: _____

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

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

THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and Respondent 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 ____ / ____ / ____

(SHALL BE SAME EXPIRATION DATE AS IN CIVIL PROTECTION ORDER OR CONSENT AGREEMENT UNLESS EXTENDED BY SEPARATE ENTRY)

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

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

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

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

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

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

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

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

and Petitioner is granted exclusive use of this motor vehicle.

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

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

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

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

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

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

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

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

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

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

- ☐ 15. **RESPONDENT'S CONCEALED CARRY WEAPON LICENSE**, if any, is now subject to R.C. 2923.128.
- ☐ 16. **PETITIONER IS AN UNMARRIED FEMALE** who gave birth to _____ (a child) born on _____. As set forth in R.C. 3109.042, Petitioner is the sole residential parent or legal custodian of the child until a court of competent jurisdiction issues an order designating another person as the residential parent or legal custodian.
- ☐ 17. **PARENTAL RIGHTS AND RESPONSIBILITIES ARE TEMPORARILY ALLOCATED AS FOLLOWS:** [NCIC 09]
-
-

This Order applies to the following ☐ child ☐ children:

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

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

This Order applies to the following ☐ child ☐ children:

☐ **19. LAW ENFORCEMENT AGENCIES**, including but not limited to, _____ are ordered to assist Petitioner in gaining physical custody of the ☐ child ☐ children, if necessary.☐ **20. RESPONDENT SHALL SUPPORT** the protected persons named in this Order as follows:

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

☐ **22. RESPONDENT SHALL NOT USE OR POSSESS** ☐ alcohol or ☐ illegal drugs.☐ **23. RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:**

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

☐ **24. RESPONDENT IS ORDERED TO APPEAR before Judge or Magistrate**
 on _____ / _____ / _____ at _____ ☐ a.m. ☐ p.m. to review
Respondent's compliance with this counseling order. Respondent is warned: If you fail to attend the counseling program you may be held in contempt of court, or the Court may issue a warrant for your arrest.
☐ **25. RESPONDENT SHALL NOT INTERFERE** with wireless service transfer, prevent the functionality of a device on the network, or incur further contractual or financial obligations related to the transferred numbers.

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

26. IT IS FURTHER ORDERED: [NCIC 08]

- 27. THE CLERK OF COURT SHALL CAUSE A COPY** of this Order to be served on Respondent as set forth in Civ.R. 5(B) and 65.1(C)(4)(b). The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request.
- 28. THIS ORDER SURVIVES** a divorce, dissolution of marriage, or legal separation. Any subsequent order from this Court, another domestic relations court, or juvenile court may modify paragraphs 16, 17, 18, and 19.
- 29. IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE**, the Court has reviewed the magistrate's granting of this Order and finds no error of law or other defect evident on the face of the as set forth in Civ.R. 65.1. Accordingly, the Court adopts the magistrate's granting of the Order.
- 30. IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER** for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.
- 31. THE COSTS OF THIS ACTION ARE** ☐ assessed against Respondent ☐ waived.

IT IS SO ORDERED.

MAGISTRATE

JUDGE

NOTICE TO RESPONDENT

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

NOTICE OF FINAL APPEALABLE ORDER

Copies of this Order, which is a final appealable order, were served or delivered on the parties indicated pursuant to Civ.R. 65.1(C)(4)(b), including ordinary mail, on

_____ day of _____, 20 _____

By: _____
CLERK OF COURT

TO THE CLERK:

A COPY OF THIS ORDER SHALL BE SERVED ON RESPONDENT PURSUANT TO CIV.R. 65.1(C)(4).

COPIES OF THIS ORDER SHALL BE DELIVERED ON:

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

FORM 10-B: HOW TO COMPLETE A PROTECTION 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
 ☐ 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