

IN THE COURT OF COMMON PLEAS
MAHONING COUNTY, OHIO

Order of Protection

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

Case No.

[Empty box for Case No.]

Judge/Magistrate

State

OHIO

Mahoning County Sheriff's Office
LAW ENFORCEMENT AGENCY WHERE INDEXED

330 480 - 5034
PHONE NUMBER

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

PETITIONER:

[Empty box for Petitioner Name]

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____
Petitioner's Family or Household Members:
([] Additional forms attached.)
_____ DOB: _____
_____ DOB: _____
_____ DOB: _____

RESPONDENT:

[Empty box for Respondent Name]

First Middle Last

RESPONDENT IDENTIFIERS

Table with columns: SEX, RACE, HT, WT, EYES, HAIR, DATE OF BIRTH, 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 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 ____ / ____ / ____ UNLESS MODIFIED BY THE COURT.

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

This proceeding came on for an *ex parte* hearing on _____ / _____ / _____ (Respondent not being present), upon the filing of a Petition by Petitioner for a domestic violence civil protection order (CPO) against the Respondent, pursuant to R.C. 3113.31. In accordance with R.C. 3113.31(D)(1), the Court held an *ex parte* hearing on the same day that the Petition was filed.

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

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

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO THE RESPONDENT

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

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

is granted to: _____ . Respondent shall not interfere with this individual's 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]

3. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the above residence at the earliest possible opportunity after service of this Order to the law enforcement agency that serves Respondent with this Order or as follows:

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

5. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this Order, and not be present within 500 feet or _____ (distance) of any protected persons wherever those protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with Petitioner'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; voice mail; delivery service; social networking media; blogging; writings; electronic communications, 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 IMMEDIATELY SURRENDER POSSESSION OF ALL KEYS TO THE FOLLOWING MOTOR VEHICLE,** _____ , to the law enforcement agency that served Respondent with the Order or as follows:

and Petitioner is granted exclusive use of this motor vehicle.

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

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

- 10. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** at any time while the Order remains in effect unless Respondent is excepted for official use pursuant to 18 U.S.C. 925(a)(1). [NCIC 07]

- RESPONDENT SHALL TURN OVER ALL DEADLY WEAPONS AND CONCEALED CARRY WEAPON LICENSE** in Respondent's possession to the law enforcement agency that serves Respondent with this Order.

Any law enforcement agency is authorized to take possession of deadly weapons pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

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

This Order applies to the following child(ren):

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

This Order applies to the following child(ren):

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

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

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

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

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

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

19. **IT IS FURTHER ORDERED** that the Clerk of Court shall cause a copy of the Petition and this Order to be
delivered to the Respondent as required by Civ.R. 65.1. The Clerk of Court shall also provide certified
copies of the Petition and this Order to Petitioner upon request. This Order is granted without bond. No
costs or fees shall be assessed against the Petitioner for filing, issuing, registering, modifying, enforcing,
dismissing, withdrawing, or serving this protection order.

20. **ALL OF THE TERMS OF THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL**
_____/_____/_____ unless earlier modified by or dismissed by order of this Court.
Except for paragraphs 11, 12, 13, and 14 above, this Order survives a divorce, dissolution of marriage,
or legal separation.

IT IS SO ORDERED.

JUDGE/MAGISTRATE

NOTICE TO RESPONDENT

THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU VIOLATE ANY TERM 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.

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

on the _____ day of _____, 20 _____

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

Mahoning County Domestic Relations Court

120 Market St.

Youngstown, OH 44503

TO THE CLERK

COPIES OF THIS ORDER SHALL BE DELIVERED TO:

- Petitioner
- Respondent
- Police Department Where Petitioner Resides: _____
- Sheriff's Office: _____
Mahoning County Sheriff's Office
- Police Department Where Petitioner Works: _____
- CSEA
- Other: _____

Instructions for Service: Pursuant to Rule 10 of the Rules of Superintendence, The Court has completed Form 10-A. The Clerk of Courts is instructed to file a time-stamped copy of Form 10-A with the Mahoning County Sheriff's office.