

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Order of Protection

Per R.C. 2903.214(F)(3), this Order is indexed at

Case No.

Judge/Magistrate _____

State OHIO

LAW ENFORCEMENT AGENCY WHERE INDEXED

() -

PHONE NUMBER

CIVIL STALKING PROTECTION ORDER *EX PARTE*
(R.C. 2903.214)

CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION
ORDER *EX PARTE* (R.C. 2903.214)

PETITIONER:

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____

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

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

_____ DOB: _____

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____

Address where Respondent can be found: _____

RESPONDENT IDENTIFIERS

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

Distinguishing Features: _____

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

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

THE COURT HEREBY FINDS:

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

THE COURT HEREBY ORDERS:

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

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

**UNLESS EXTENDED BY
SEPARATE ENTRY.**

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

This proceeding came on for an *ex parte* hearing on _____ / _____ / _____ (Respondent not being present), upon the filing of a Petition by Petitioner for a civil stalking protection order or civil sexually oriented offense protection order against Respondent, pursuant to R.C. 2903.214. In accordance with R.C. 2903.214(D)(1), the Court held an *ex parte* hearing not later than the next day that the Court was in session after the Petition was filed.

The Court finds that the protected persons 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.

The Court also finds

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

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

ALL OF THE PROVISIONS CHECKED BELOW ALSO APPLY TO RESPONDENT

1. **RESPONDENT SHALL NOT ENTER** 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]

2. **RESPONDENT SHALL NOT INTERFERE** with protected persons' right to occupy the residence including, but not limited to canceling utilities or insurance or interrupting telecommunication (e.g., telephone, internet, or cable) services, mail delivery, or the delivery of any other documents or items.

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

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

6. **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:

7. **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]

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

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 for the safety and protection of the protected persons named in this Order. Furthermore, Respondent may be subject to firearms and ammunition restrictions pursuant to 18 U.S.C. 922(g)(1) through (9), 18 U.S.C. 922(n), or R.C. 2923.13. [NCIC 07]

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

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

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

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

Upon the expiration or termination of this Order and if a full hearing order is not granted, 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.

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

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

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

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

16. **THIS ORDER DOES NOT EXPIRE** because of a failure to serve notice of the full hearing upon Respondent before the date set for the full hearing or because the Court grants a continuance, as set forth in R.C. 2903.214(D)(2)(b).

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

IT IS SO ORDERED.

JUDGE / MAGISTRATE

NOTICE TO RESPONDENT

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

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

on the _____ day of _____, 20 _____

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

On the day of the Full Hearing, come prepared to (1) tell the Court what happened, (2) bring with you any witnesses, evidence, and documentation to prove your case, and (3) be aware that the other party or party's attorney may ask you questions. If you do not have an attorney, you may ask for a brief continuance to obtain an attorney per R.C. 2903.214(D)(2)(a)(iii) or you may represent yourself.

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

TO THE CLERK

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

DELIVERED TO:

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