

**IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO
DIVISION OF DOMESTIC RELATIONS AND JUVENILE BRANCH**

Order of Protection

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

Case No. _____
 Judge _____
 Magistrate _____

FRANKLIN COUNTY SHERIFF
 LAW ENFORCEMENT AGENCY WHERE INDEXED
 (614) 525 – 3365 (Records Division-24 hours)
 (614) 525 – 3343 (Civil Division- Weekdays 8 to 4)

PHONE NUMBER

State **OHIO**

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

PETITIONER:

First Middle Last

v.

PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: _____ DOB: _____
 Petitioner's Family or Household Members (First, MI, Last)
 Additional forms attached.)
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____
 _____ DOB: _____

RESPONDENT:

First Middle Last

Relationship to Petitioner: _____
 The natural parent of Respondent's child
 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 in effect for one year from the date of the filing, and shall expire at 11:59pm on _____

UNLESS EXTENDED, MODIFIED OR DISMISSED BY SEPARATE ENTRY.

ALL OF THE PROVISIONS CHECKED BELOW APPLY TO 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 the protected persons' right to occupy the residence including, but not limited to cancelling utilities or insurance or interrupting telecommunication (e.g., telephone, internet, or 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** ALL 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]

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. **THE PROHIBITIONS THROUGHOUT THIS ORDER** apply to the use of any form of social media, and include (but are not limited to) the use or posting of any photographs, videos, or other images of protected person on any form of social media or otherwise. The Court has found that the Respondent has used social or other electronic media to threaten and/or harass the Petitioner. Therefore:

A. **RESPONDENT SHALL REMOVE** the following items immediately from social media or otherwise, as the use or posting of these items to social media or otherwise are prohibited by the terms of this Order:

B. **RESPONDENT SHALL NOT DISSEMINATE / DISTRIBUTE** the following item(s) to any other person or entity as the use or dissemination/distribution of these item(s), whether through social media or otherwise, are prohibited by the terms of this Order:

- 8. **RESPONDENT SHALL NOT** use any form of electronic surveillance on protected persons.
- 9. **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.

- 10. **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:

- 11. **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.

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

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

- 14. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON** at any time while the 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 prohibitions apply.

- 15. **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 issued or consent agreement approved, 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.

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

17. **PETITIONER IS AN UNMARRIED FEMALE** who gave birth to the following children: (list names and dates of birth)

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.

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

This Order applies to the following child children:

19. **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:

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

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

22. **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

INSTRUCTIONS

Respondent SHALL be permitted to enter the premises for up to 20 minutes to gather items that are ONLY an immediate need, including wallet, necessary clothing, personal care items, medications, and critical paperwork and work-related items. Additional specific items: _____

Respondent SHALL contact local law enforcement through the non-emergency number, and shall schedule the pick of their items when law enforcement is available between 8:00 am to 8:00 pm.

Respondent MAY request additional time to gather their remaining possessions **at the next hearing date(s)**. A court order must be issued to allow additional time. Additional ORDERS:

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

- 24. 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).

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

- 26. ALL DISCOVERY SHALL STRICTLY COMPLY** with Civ.R. 65.1(D).
- 27. THE CLERK OF COURT SHALL CAUSE A COPY OF THE PETITION, THIS ORDER, AND ANY OTHER ACCOMPANYING DOCUMENT** 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.
- 28. 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. 3113.31(D)(2)(b).
- 29. 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.
- 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.

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 TERM 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:
373 S. HIGH STREET COURTROOM: _____

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 the 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. 3113.31(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 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:

- CSEA

- Other: _____