

IN THE COURT OF COMMON PLEAS, DIVISION OF DOMESTIC RELATIONS  
LUCAS COUNTY, OHIO

# Order of Protection

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

Case No. \_\_\_\_\_

Judge \_\_\_\_\_

Magistrate \_\_\_\_\_

State

**OHIO**

\_\_\_\_\_  
**Law Enforcement Agency Where Indexed**

\_\_\_\_\_  
Phone Number

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

**WITH SUPPORT ORDER**

**PETITIONER:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

First Middle Last

**PERSON(S) PROTECTED BY THIS ORDER:**

Petitioner: \_\_\_\_\_ DOB: \_\_\_\_\_

Petitioner's Family or Household Member(s):

( Additional forms attached)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
DOB: \_\_\_\_\_  
DOB: \_\_\_\_\_  
DOB: \_\_\_\_\_

v.

**RESPONDENT:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

First Middle Last

Relationship to Petitioner:

\_\_\_\_\_

Address where Respondent can be found:

\_\_\_\_\_  
\_\_\_\_\_

**RESPONDENT IDENTIFIERS**

SEX	RACE	HT	WT

EYES	HAIR	DATE OF BIRTH

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 the Respondent was 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, as set forth below.

The terms of this Order shall be effective until \_\_\_\_\_.

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

This proceeding came on for a hearing on \_\_\_\_\_ before the Court on the *Ex Parte* Order filed on \_\_\_\_\_. The following individuals were present: \_\_\_\_\_.

The Court hereby makes the following findings of fact:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CONCLUSION OF LAW**

1. The Court has jurisdiction over the parties and the subject matter of the action.
2. Domestic violence is governed by R.C. 3113.31 as well as other case and statutory law.
3. The Petitioner must prove domestic violence by a preponderance of the evidence. *Felton v. Felton*, 79 Ohio St.3d 34 (1997).
4. After a review of the evidence, the Court concludes that the Respondent attempted to cause bodily injury and placed the Petitioner in fear of imminent serious physical harm.

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

**IT IS ORDERED:**

**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 BELOW 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** wherever 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 in person 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 \_\_\_\_\_  
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.
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 this 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 WEAPONS LICENSE** in Respondent's possession to \_\_\_\_\_ or as follows:

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]

Upon the expiration of this Order, any deadly weapons, including firearms and ammunition, held in protective custody by law enforcement pursuant to this Order shall be disposed of as unclaimed property pursuant to R.C.2981.12 unless the Respondent files a motion for return with this Court within 30 days before the expiration of this Order.

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

Petitioner/Respondent is designated temporary residential parent and legal custodian of the minor child(ren),

12. **VISITATION ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.**

Respondent's visitation rights are suspended.

As a limited exception to paragraph \_\_\_\_\_, temporary visitation rights are established as follows:

\_\_\_\_\_  
Petitioner/Respondent is awarded parenting with the minor child(ren) pursuant to the **Court's Local Schedule** as set forth in Local Rule 13.06(E), and attached to Petitioner's and Respondent's copy of the Judgment Entry. Should a party move further than 150 miles from Lucas County, the appropriate long distance schedule set forth in Local Rule 13.06(E) shall be instituted without further hearing unless otherwise ordered by the Court.

Petitioner/Respondent is awarded parenting time with the following restrictions: \_\_\_\_\_

There shall be a limited exception to \_\_\_\_\_

During limited exception Respondent shall strictly comply with all other orders.

Incidental contact between the parties concerning their child(ren), exchange of the child(ren) for parenting time or attendance at the child(ren)'s school or other activities is an exception to and not a violation of the no contact provisions of this Order. All other provisions of this Order will be strictly construed.

13. **LAW ENFORCEMENT AGENCIES** 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:

(A) Petitioner/Respondent provides health insurance for the parties' minor child(ren). There is no evidence of private health insurance available to the Petitioner or Respondent.

(B) When private health insurance **IS** being provided by a party, Petitioner/Respondent obligor shall pay as and for child support the sum of \$\_\_\_\_\_ per month, per child, for \_\_\_\_\_ (\_\_\_\_) child(ren), plus processing charge, effective \_\_\_\_\_.

When private health insurance **IS NOT** being provided by a party in accordance with a court order, Petitioner/Respondent obligor shall pay as and for child support the sum of \$\_\_\_\_\_ per month, per child, for \_\_\_\_\_ (\_\_\_\_) child(ren), plus processing charge, effective \_\_\_\_\_.

When private health insurance **IS NOT** being provided by a party in accordance with a court order, Petitioner/Respondent obligor shall pay **Cash Medical Support** in the sum of \$\_\_\_\_\_ per month, per child, for \_\_\_\_\_ (\_\_\_\_) child(ren), plus processing charge, effective \_\_\_\_\_.

(C) Said child support shall continue until the expiration date of this order or such time as the child becomes emancipated or until further order of the court. The duty to support shall continue beyond the age of majority so long as the child continuously attends a recognized and accredited high school on a full-time basis on and after the child's eighteenth birthday. The duty to pay child support shall not continue beyond the date that the child reaches nineteen years of age unless there exists a court-ordered duty or a provision agreed to by the parties providing for the continuation of support. The obligation to pay child support continues during periods of seasonal vacation.

- (D) Petitioner/Respondent is ordered to pay temporary spousal support in the amount of \$ \_\_\_\_\_, per month, plus 2% processing charge, effective \_\_\_\_\_.
- (E) Petitioner/Respondent is hereby notified that the sum of \$ \_\_\_\_\_, per month shall be withheld from the obligor's income. This sum includes \$ \_\_\_\_\_ current monthly child support plus \$ \_\_\_\_\_ current monthly spousal support plus \$ \_\_\_\_\_ current monthly **Cash Medical Support** plus \$ \_\_\_\_\_ 2% processing charge.
- (F) All support under this order shall be withheld from the income or assets of the obligor pursuant to a withholding or deduction notice or appropriate order issued in accordance with Chapters 3119, 3121, 3123 and 3125 of the Revised Code or a withdrawal directive issued pursuant to Sections 3123.24 to 3123.38 of the Revised Code and shall be forwarded to the obligee in accordance with Chapter 3121 of the Revised Code.

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]

- a. All child support and spousal support must be paid through Ohio Child Support Payment Central (OCSPC). **Both parties are hereby notified that any payments made directly to the other party shall be deemed to be gifts and the party ordered to pay support will not be entitled to any credit for these payments.**
- b. The party ordered to pay support shall comply with the following provision:
  - Pay the support obligation through an income withholding.
  - Pay the support obligation through a benefit withholding.
  - Post a cash bond of \$ \_\_\_\_\_ forthwith with the Lucas County Clerk of Courts, Domestic Relations Divisions, 429 N. Michigan Street, Suite A, Toledo, Ohio 43604.
  - Seek employment by registering at [www.ohiomeansjobs.com](http://www.ohiomeansjobs.com) and notify the Lucas County Child Support Enforcement Agency in writing as to commencement of any employment in the manner specified in the attached Additional Order and Notice to parties.
- c. An income withholding is filed herewith.
- d. Both parties shall comply with the **Additional Order and Notice to Parties** attached and incorporated herein by reference.
- e. Parties shall comply with the **Court's Medical Schedule** as set forth in Local Rule 13.07(D) and the Petitioner and Respondent shall be responsible for payment of medical expenses pursuant to said schedule.
- f. Petitioner/Respondent shall provide health insurance coverage for the minor child(ren). Petitioner/Respondent shall maintain any existing health or life insurance policies covering the other party.

- g. There is no evidence that either party has private health insurance available at a reasonable cost. Petitioner and Respondent shall apply for health insurance for the minor child(ren) if it becomes available to them at a reasonable cost and shall notify the Lucas County Child Support Enforcement Agency upon obtaining any coverage.
- h. The Petitioner and Respondent shall comply with all provisions of the Health Insurance Compliance Order attached hereto and incorporated herein.

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

Respondent shall contact this program \_\_\_\_\_ 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.

Respondent is ordered to appear before Judge/Magistrate \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ 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. If you fail to appear at this hearing, the Court may issue a warrant for your arrest.

19. **IT IS FURTHER ORDERED** that the Clerk of Courts shall cause a copy of 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 for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing or serving this Order.

20. **ALL OF THE TERMS OF THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL** \_\_\_\_\_, unless earlier modified or terminated by order of this Court. This Order remains in effect unless modified by a divorce, dissolution of marriage or legal separation. Until this Order is served upon the Respondent pursuant to Civ. R. 65.1, the terms of the *Ex Parte* CPO remain in effect.

21. **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.**

**APPROVED and ADOPTED by:**

\_\_\_\_\_  
**MAGISTRATE**

\_\_\_\_\_  
**JUDGE**

**NOTICE TO RESPONDENT:**

**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.**

**NOTICE OF FINAL APPEALABLE ORDER**

Copies of this Order, which is a final appealable order, were served on the parties indicated pursuant to Civ.R. 65.1(C)(3) on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

By:  
CLERK OF COURT

**TO THE CLERK:**

**COPIES OF THIS ORDER SHALL BE DELIVERED TO:**

- |  |  |
|--|--|
| <input type="checkbox"/> Clerk of Courts                             | <input type="checkbox"/> Attorney for Petitioner |
| <input type="checkbox"/> Petitioner                                  | <input type="checkbox"/> Attorney for Respondent |
| <input type="checkbox"/> Respondent                                  |  |
| <input type="checkbox"/> Counseling Program:                         |  |
| <input type="checkbox"/> Lucas County Sheriff's Office               |  |
| <input type="checkbox"/> Police Department where Petitioner Resides: |  |
| <input type="checkbox"/> LCCSEA                                      |  |
| <input type="checkbox"/> Other:                                      |  |

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