

COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION
CLERMONT COUNTY, OHIO

www.domesticcourt.org

PETITION FOR DOMESTIC VIOLENCE
CIVIL PROTECTION ORDER

The following is a list of documents which must be completed and submitted to the Domestic Relations Court.

YOU WILL BE REQUIRED TO STAY AND HAVE HEARING ON THE SAME DAY THE PETITION IS FILED.

General Information

Court Information – Domestic Violence Civil Protection Orders (DVCPO)	10.00
Warning Concerning Protection Order or Consent Agreement	SC10C
General Information – About Domestic Violence Civil Protection Orders	SC10.01A
Instructions for Completing the Petition	SC10.01C

ALL PETITIONS MUST INCLUDE THE FOLLOWING FORMS:

Petitioner Information	10.01A
Service Information for Respondent	10.01B
Classification Form	115
Petition – Domestic Violence Civil Protection Order	SC10.01D
OR	
Petition – Dating Civil Protection Order	SC10.01P
Child Support Information	10.01C

PETITIONS INCLUDING SHARED CHILDREN – MUST INCLUDE THE FOLLOWING FORM:

Parenting Proceeding Affidavit	SC10.01F
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Documents will be reviewed upon arrival at the Clermont County Domestic Relations Court.

This Petition is ready to be filed.

Initialed by court personnel _____

YWCA

ELIMINATING RACISM

EMPOWERING WOMEN

If you are a victim of Domestic Violence/
Intimate Partner Violence and are in need of
assistance filling out the CPO Petition, please
call the YWCA.

YWCA Non-Residential Court Advocates are
available to assist with petition and court
accompaniment. Please call
Stephanie at 513-549-2433 or
Danielle at 859-474-0445 for assistance.
Please be advised that Court Advocates are
not attorneys and can't answer legal
questions.

**YOU ARE FILING FOR A PROTECTION ORDER,
YOU WILL NEED TO HAVE YOUR PACKET
FILLED OUT AND BE AT THIS COURT NO LATER
THAN 2:20 PM TO MAKE SURE YOUR PAPERS
CAN BE CHECKED BY THE COURT BEFORE
FILING AT THE CLERK'S OFFICE.**

WHEN A PROTECTION ORDER IS ISSUED:

The correct date of birth and social security number for the person you are filing against is extremely important. Please make every effort to provide us with the correct information.

The court cannot give you this information. Law enforcement needs this information to record the protection order.

**FORM 10-C:
WARNING CONCERNING THE ATTACHED
PROTECTION ORDER OR CONSENT AGREEMENT**

Courts are required to notify defendants and respondents orally or in writing about potential domestic violence firearms prohibitions stemming from legal action. [R.C. 2151.34(F)(2), 2903.214(F)(2), 2919.26(G)(2), and 3113.31(F)(2)]

NOTE: Rules 10.01, 10.02, 10.03, and 10.05 of the Rules of Superintendence for the Courts of Ohio require this Warning to be attached to the FRONT of all civil and criminal EX PARTE or FULL HEARING protection orders issued by the courts of the State of Ohio.

WARNING TO RESPONDENT / DEFENDANT

Violating the attached Protection Order is a crime, punishable by incarceration, fine, or both and may cause the revocation of your bond or result in a contempt of court citation against you.

This Protection Order is enforceable in all counties in Ohio and 50 states, the District of Columbia, tribal lands, and U.S. territories pursuant to state law and the Violence Against Women Act, 18 U.S.C. 2265. Violating this Protection Order may subject you to state and federal charges and punishment.

Only the Court may change the terms of this Protection Order. The Petitioner/Alleged Victim/Protected Person cannot give you legal permission to change this Order. If you go near the Petitioner/Alleged Victim/ Protected Person, even with the person's permission, you may be arrested. Only the Court may change or end this Protection Order. Unless the Court changes or ends this Order, you may be arrested for violating this Protection Order. **YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.**

WARNING TO PETITIONER / ALLEGED VICTIM

You **cannot** change the terms of this Order by your words or actions. Only the Court may allow the Respondent/Defendant to contact you or return to your residence. This Protection Order **cannot** be changed by either party without obtaining a written court order.

NOTICE ABOUT FIREARMS AND OTHER DEADLY WEAPONS

As a result of this Protection Order or Consent Agreement, it may be a federal crime for you to possess or purchase a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to 18 U.S.C. 922(g)(8) for the duration of this Order. If you have any questions whether the law makes it illegal for you to possess or purchase a firearm or ammunition, you should consult with a lawyer.

This Protection Order may be subject to the exceptions pursuant to 18 U.S.C. 925(a)(1) **only** with respect to the official use of government-issued firearms or ammunition for the use of any department or agency of the United States, Ohio, or its political subdivision. This exception does not apply if the Defendant/ Respondent has been convicted of an offense of violence, for example, domestic violence, menacing by stalking, etc., against a family or household member.

NOTICE TO ALL LAW ENFORCEMENT AGENCIES AND OFFICERS

The attached Protection Order is enforceable in all counties in Ohio. Violation of this Protection Order is a crime under R.C.2919.27. Law enforcement officers with powers to arrest under R.C. 2935.03 for violations of the Ohio Revised Code must enforce the terms of this Protection Order as required by R.C. 2151.34, 2903.213, 2903.214, 2919.26, 2919.27, and 3113.31. If you have reasonable grounds to believe that the Respondent/Defendant has violated this Protection Order, it is the preferred course of action in Ohio under R.C. 2935.03 to arrest and detain the Respondent/ Defendant until a warrant may be obtained. Federal and state law prohibits charging a fee for service of this Order to the Petitioner/Alleged Victim or protected parties.

FORM 10.01-A: GENERAL INFORMATION ABOUT DOMESTIC VIOLENCE PROTECTION ORDERS

DEFINITIONS YOU NEED TO KNOW

Domestic violence is when a family or household member uses physical violence, threats, intimidation, and/or emotional, sexual, and economic abuse to maintain power and control over the other person, usually within an intimate relationship. Domestic violence is most often a combination of psychological and physical actions; the physical results are just the most visible. Domestic violence is a pattern of conduct in which one intimate partner uses force or threats of force to control the other person.

State law has determined that some forms of abuse do not constitute criminal behavior or behavior requiring the Court's intervention. For example, psychological battering, economic abuse, or verbal harassment without evidence of threats or physical harm are not recognized by Ohio law as domestic violence that allows a petitioner to obtain a protection order or request that criminal charges be filed.

When a family or household member tries to cause you bodily harm by hitting, pushing, beating, or physically hurting you, that is domestic violence. When a family or household member makes you afraid that you will be harmed, that is domestic violence. When a family or household member stalks, commits sexually oriented offenses against you, or forces sexual relations on you, that is domestic violence. When a family or household member abuses your children, that is domestic violence.

IN A CIVIL DOMESTIC VIOLENCE CASE:

Petition for Domestic Violence Civil Protection Order ("CPO") is the document a domestic violence victim, the victim's parent, or an adult household member of the victim must file with the domestic relations court to obtain a civil protection order against an alleged offender.

Domestic Violence Civil Protection Order ("CPO") Ex Parte is an emergency order the Court issues in response to the Petition for a Civil Protection Order after an *ex parte* hearing. The *ex parte* hearing is described in this form on page 3.

Domestic Violence Civil Protection Order ("CPO") Full Hearing is the final order the Court issues after a full hearing. The full hearing is described in this form on page 3. The full hearing CPO replaces the *ex parte* CPO. Sometimes the final order issued by the Court is a **Consent Agreement and Domestic Violence Civil Protection Order**, Form 10.01-J, upon terms agreed to by the parties.

Petitioner is the person asking or "petitioning" the Court for protection. By filing the Petition for a CPO, YOU are the Petitioner.

Respondent is the alleged domestic violence offender. Petitioner seeks protection from the Respondent by filing for a CPO.

IN A CRIMINAL DOMESTIC VIOLENCE CASE:

Motion for a Criminal Domestic Violence Temporary Protection Order ("DVTPO") is the document that must be filed in a criminal case if a victim of domestic violence or victim of a sexually oriented offense wishes to obtain a protection order against an alleged offender, who is a family or household member. The criminal case must allege the offender committed negligent assault, criminal damaging or endangering, criminal mischief, burglary, aggravated trespass, endangering children, any offense of violence, or any sexually oriented offense against a family or household member. The prosecutor has a form for this purpose.

Domestic Violence Temporary Protection Order ("DVTPO") is the order the Court issues in response to the Motion for Temporary Protection Order. The DVTPO requires the offender to stop abusing and to stay away from the victims named in the Motion for Temporary Protection Order. A DVTPO expires when the alleged offender's criminal case ends or when a new CPO is issued based on the same facts.

Alleged Victim is the person asking the Court for protection in the Motion for a DVTPO.

Defendant is the person the Motion for a DVTPO is filed against. The Defendant is the person accused of the crimes of negligent assault, criminal damaging or endangering, criminal mischief, burglary, aggravated trespass, endangering children, any sexually oriented offense, or any offense of violence against a family or household member.

FEES

You **cannot** be charged any costs or fees for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, or obtaining a protection order.

DOMESTIC VIOLENCE CIVIL PROTECTION ORDERS (CPO)

What is a Domestic Violence Civil Protection Order ("CPO")?

A CPO is issued by a domestic relations court to protect a victim of domestic violence. A CPO is intended to prevent further domestic violence. It orders someone who has been abusive to do or not do certain things in the future. You may want to consider getting a CPO even if you have a DVTPO from a criminal court because a CPO lasts longer and provides more benefits – such as child custody and support orders. Domestic violence includes the commission of sexually oriented offenses.

Violating a CPO is a crime. If the Respondent violates the CPO, he or she may be arrested, jailed, and fined for disobeying the CPO. A CPO can remain in effect for up to 5 years. If the Respondent violates the CPO, you can call the police, go back to the domestic relations court to file a contempt charge, and go to the prosecutor's office to have the Respondent charged with the crime of violating the CPO.

Why get a Domestic Violence Civil Protection Order?

If you are a victim of domestic violence, a CPO may help you. Once domestic violence starts, the violence often happens more often and gets increasingly severe. A CPO may stop this cycle of violence because the Court orders the Respondent to stop hurting or threatening you and your family or household members. The Court can use a CPO to order the Respondent to stay away from you for up to five years. A CPO can give you time to "sort things out" and decide what you want to do next without having to be afraid all of the time. If your children have seen domestic violence, a CPO may give all of you a chance to get some help so that you and your children are safe.

Domestic violence is a crime. A CPO tells the Respondent you and the Court are serious about requiring the Respondent to stop his or her abusive behavior and not to hurt or threaten you again.

A CPO sets some "rules" that the Respondent must obey while the CPO is in effect. These rules may require the Respondent to pay child or spousal support; give up possession of a home or car; and/or obey the Court's orders about visitation.

A CPO issued by a domestic relations court may last longer than a DVTPO issued by a criminal court and can provide more kinds of help. You should know that if you get a CPO based upon the same facts as the DVTPO, the DVTPO from the criminal court will automatically end, even if the criminal case continues.

Who can get a Domestic Violence Civil Protection Order?

You can apply for a CPO if you are related to the Respondent by blood or marriage AND have lived with Respondent at any time; OR you are living with or have lived with the Respondent during the past five years; OR you used to be married to the Respondent; OR you have a child with the Respondent, whether or not you ever married or lived together.

You can also get a CPO for any member of your household.

You may be able to get a CPO if you have been dating the Respondent; if you share family or financial responsibilities with the Respondent; AND you have an intimate relationship with the Respondent.

Remember that a CPO has limits. If you suspect that the Respondent will not obey the terms of a CPO, contact your local domestic violence program or the Ohio Domestic Violence Network at 800-934-9840.

Do I need an attorney for me to obtain a Domestic Violence Civil Protection Order?

No, but you are often better off having legal representation in your CPO proceeding. Neither the Clerk of Court nor other Court employees can give you legal advice. Having an attorney represent you is especially helpful when your case involves contested custody and visitation and/or when an attorney represents the Respondent. If you cannot afford an attorney, contact your local legal aid office at 866-LAWOHIO (toll free), bar association, or Ohio State Legal Services (800-589-5888) for information on low cost or free legal representation.

Must there be a court hearing for me to obtain a Domestic Violence Civil Protection Order?

Yes. There are two hearings involved in a CPO case: the *ex parte* hearing and the full hearing.

Ex Parte Hearing: At this hearing, only you are present. The Respondent is not present.

An *ex parte* hearing is held on the same day a Petition for Civil Protection Order is filed. If a Petition for a CPO is filed early enough in the day, an *ex parte* hearing is held that same day. At the *ex parte* hearing, you take an oath to tell the truth and a judge or magistrate hears your statement of what happened. If the judge or magistrate finds that the events you described meet the requirements of the law, the Court will issue an *Ex Parte* CPO and schedule a full hearing. If the Respondent is asked to vacate the home in which you live, there will be a full hearing within 7 business days. Otherwise, a full hearing will be set within 10 business days. The Court can hold a full hearing only after the Respondent has been served with the *Ex Parte* CPO. You may need to fill out forms for the Clerk of Court to cause service.

Full Hearing: The full hearing is the final hearing.

At this hearing, both you and the Respondent can testify. You must be present at the full hearing. You should bring any witnesses and other evidence to support your case. If the Court issues a Full Hearing CPO, it remains in force until the date indicated in the CPO, with 5 years being the maximum.

If the Respondent does not show up for the full hearing, you can still obtain a final CPO. However, if the Respondent is not served with the *Ex Parte* CPO before the full hearing, the Court postpones the full hearing until the Respondent is served. If the full hearing is postponed, the *Ex Parte* CPO remains in effect until the full hearing is held.

You may bring an advocate with you to the *ex parte* and full hearings for support. Some domestic violence shelters and victim assistance programs can provide advocates to go with you to these hearings. Contact your local domestic violence program or the Ohio Domestic Violence Network, 800-934-9840, for program and shelter information.

CRIMINAL DOMESTIC VIOLENCE TEMPORARY PROTECTION ORDERS (DVTPO)

Your local criminal court grants a DVTPO. You ask the Court for a DVTPO when a criminal complaint is filed alleging someone has committed domestic violence or a sexually oriented offense against you. The DVTPO orders someone who has abused you to do or stop doing certain things in the future. Violating a DVTPO is a crime. If the Defendant violates the DVTPO, the Defendant may be arrested, jailed, and fined for disobeying the DVTPO. Violating a DVTPO is also a reason for the Court to revoke the Defendant's bail. A DVTPO lasts only until the criminal case is ended or a CPO, based on the same facts, is issued by a domestic relations court.

RESOURCES

You can find information about Domestic Violence Civil Protection Orders in R.C. 3113.31 and information about Domestic Violence Temporary Protection Orders in R.C. 2919.26.

You may be able to find additional information about domestic violence at the following web sites:

- | | |
|---|--|
| Ohio Domestic Violence Network | www.odvn.org |
| Ohio Legal Help | www.ohiolegalhelp.org |
| National Resource Center on Domestic Violence | www.nrcdv.org |
| Supreme Court of Ohio – Domestic Violence Program | www.supremecourt.ohio.gov/domviol |

PLEASE NOTE: Computer use can be monitored. It is impossible to completely clear all website footprints. If you are in danger, please use a safer computer that your abuser cannot access directly or remotely. For example, computers at a public library, internet café, domestic violence shelter, or community technology center, may be safer computers.

FORM 10.01-C: INFORMATION ABOUT FILING A DOMESTIC VIOLENCE OR DATING VIOLENCE CIVIL PROTECTION ORDER PETITION

If you have any questions about completing the Petition for a Domestic Violence Civil Protection Order (Form 10.01-D) or the Dating Violence Civil Protection Order (Form 10.01-P), contact the local victim assistance program, domestic violence program, or Ohio Domestic Violence Network at 800-934-9840.

Neither the Clerk of Court's Office nor the local domestic violence program can give legal advice. If you need legal advice, talk to a lawyer. Only a lawyer can give you legal advice.

There is NO FEE for filing the Petition.

Once completed, take the Petition and other necessary documents to the Clerk of Court's Office.

If you want an emergency order, also known as an *Ex Parte* Protection Order, check "want" in paragraph 2 of the Petition.

The Court will consider your request for an *Ex Parte* Protection Order and may ask you questions.

Regardless if an *Ex Parte* Protection Order was requested, granted, or denied, a full hearing will be scheduled.

You must attend the full hearing. Your victim advocate may also be present at the hearing.

On the day of the full hearing, be prepared to (1) tell the Court what happened, (2) bring with you any witnesses, evidence, and documentation to prove your case, and (3) ask Respondent questions.

Respondent may be represented by a lawyer. You may represent yourself or ask for a continuance to obtain a lawyer. [R.C. 3113.31(D)(2)(a)(iii)]

Respondent or Respondent's lawyer may present evidence and ask you questions.

The Court cannot issue a protection order against you unless Respondent has filed a Petition.

DEFINITIONS	
Domestic Violence [R.C. 3113.31]	"Domestic violence" means the occurrence of one or more of the following acts against a family or household member or a person with whom Respondent has a dating relationship: attempting to cause or recklessly causing bodily injury; placing another person by the threat of force in fear of imminent serious physical harm or committing menacing by stalking or aggravated trespass; committing any act with respect to a child that would result in the child being an abused child, as defined [by law]; or committing a sexually oriented offense.
Person with Whom Respondent Is or Was in a Dating Relationship [R.C. 3113.31(A)(9)]	An adult who, at the time of the conduct in question, is in a dating relationship with Respondent who also is an adult or who, within the twelve months preceding the conduct in question, has had a dating relationship with Respondent who also is an adult.
Dating Relationship [R.C. 3113.31(A)(8)]	A relationship between adults who have, or have had, a relationship of a romantic or intimate nature.

	<p>"Dating relationship" does not include a casual acquaintanceship or ordinary fraternization in a business or social context.</p>
<p>Family or Household Member [R.C. 3113.31(A)(3)-(4)]</p>	<p>"Family or household member" means either of the following:</p> <p>(1) Any of the following who is residing with or has resided with Respondent, such as a spouse, a person living as a spouse, or a former spouse of Respondent; a parent, a foster parent, or a child of Respondent, or another person related by consanguinity or affinity (blood or marriage) to Respondent; a parent or a child of a spouse, person living as a spouse, or former spouse of Respondent, or another person related by consanguinity or affinity (blood or marriage) to a spouse, person living as a spouse, or former spouse of Respondent.</p> <p>(2) The natural parent of any child of whom Respondent is the other natural parent or is the putative other natural parent.</p> <p>"Person living as a spouse" means a person who is living or has lived with Respondent in a common law marital relationship, who otherwise is cohabiting with Respondent, or who otherwise has cohabited with Respondent within five years prior to the date of the alleged occurrence of the act in question.</p>

PETITIONER INFORMATION
FOR CLERK'S OFFICE ONLY

SS# _____

AGE _____

RACE _____

EYES _____

WEIGHT _____

HAIR _____

HEIGHT _____

SERVICE INFORMATION

Case Number: _____

Respondent Name _____ Date of Birth _____

Address _____ SS# _____

City _____ State _____ Phone _____

Employer _____ Phone _____

Address _____ City _____ State _____

Work Hours _____ Days _____

Other Places _____ Phone _____

Address _____ City _____ State _____

Hours there _____ Days _____

DESCRIPTION

Race _____ Height _____ Weight _____ Hair _____ Eyes _____

Vehicle _____ Color _____ Year _____ License _____

Prior Record _____

Carries Gun _____ Carries Knife _____ Alcohol/Drug User _____

Tattoos, Scars, Marks or Any Other Identifying Characteristic(s):

Other information: _____

COMMON PLEAS COURT
CLERMONT COUNTY, OHIO

Plaintiff/Petitioner

Case No. _____

Vs

JUDGE MARY LYNNE BIRCK

CLASSIFICATION FORM

Defendant/Petitioner

The within case was filed on behalf of Plaintiff by:

Name:

Supreme Court #: _____

Address:

Telephone #: _____

E-mail:

TYPE OF CASE:

___ Divorce

___ Domestic Violence

___ Divorce/Custody

___ UIFSA

___ Dissolution

___ UCCJEA

___ Annulment

___ Other Domestic

Is this a refiled case? ___ Yes ___ No

IN THE _____ COURT
_____ COUNTY, OHIO

Petitioner _____ : Case No. _____

_____ :

Address (Safe mailing address) _____ : Judge/Magistrate _____

City, State, Zip Code _____ :

Date of Birth ____ / ____ / ____ : PETITION FOR DOMESTIC VIOLENCE CIVIL PROTECTION ORDER (R.C. 3113.31)

v. _____ :

Respondent _____ :

Address (If home address unknown, put work address) _____ :

City, State, Zip Code _____ :

Date of Birth ____ / ____ / ____ Respondent is 18 years old or older

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.

- 1. I need or witness needs a foreign language interpreter in _____ or an American Sign Language interpreter per Sup.R. 88.
- 2. I want do not want an **ex parte (emergency) protection order** per R.C. 3113.31. Petitioner further requests a full hearing trial be scheduled, even if the *ex parte* protection order is granted, denied, or not requested.
- 3. Who needs protection?
 - Me
 - My minor children
 - A family or household member who is not a minor child
 - Other _____
- 4. What is the domestic violence victim's relationship to Respondent?

<input type="checkbox"/> Spouse of Respondent	<input type="checkbox"/> Child of Respondent
<input type="checkbox"/> Former spouse of Respondent	<input type="checkbox"/> Parent of Respondent
<input type="checkbox"/> Natural parent of Respondent's child	<input type="checkbox"/> Foster Parent

7. (Optional) You may describe, **if you want and know**, about any of the following items. Not describing these items in the Petition does not mean domestic violence did not happen. If you need more space, attach an additional page:

- Respondent's history of domestic violence or other violent acts;
- Respondent's history of violating court orders;
- Respondent's mental health;
- Respondent's threats to other persons;
- Respondent's access to deadly weapons, firearms, and ammunition or use of deadly weapons and acts or threats of violence with deadly weapon;
- Respondent's abuse of alcohol or controlled substances (drugs);
- Respondent's violence resulted in serious physical injury, forced sex, strangulation (or choking), abuse during pregnancy, abuse of the family's pet, and/or forced entry to gain access to Petitioner or Petitioner's family and household members;
- Recent separation from Respondent or relationship was recently terminated;
- Respondent's obsessive and controlling behaviors, including stalking, spying, following, and/or isolating you (Petitioner);
- Respondent's threats to kill self or others.

8. Petitioner is in fear and in continuing danger.

9. Petitioner further requests that the Court grant relief under R.C. 3113.31 to protect Petitioner and/or the family or household members named in this Petition from domestic violence by granting a civil protection order that (check all boxes that apply):

(a) Directs Respondent to not abuse Petitioner and the family or household members named in this Petition by harming, attempting to harm, threatening, following, stalking, harassing, forcing sexual relations upon them, or by committing sexually oriented offenses against them.

(b) Directs Respondent to not enter, approach, or contact by any means the residence, school, business, and place of employment of Petitioner and the family or household members named in this Petition.

(c) Directs Respondent to not approach or have contact by any means with Petitioner and the family or household members named in this Petition.

(d) Directs Respondent to leave, not return to, or interfere with Petitioner's right to occupy the residence, including but not limited to cancelling any utilities or insurance or interrupting phone service, mail delivery, or the delivery of any other documents or items, and grants Petitioner exclusive possession of the following residence:

- (e) Allocates temporary parental rights and responsibilities for the care of the following minor children to Petitioner until further Order of the Court (include names and birth dates of the minor children):

- Petitioner has completed and attached the **Information for Parenting Proceeding, Form 10.01-F** and it is incorporated herein.

- (f) Establishes or modifies parenting time with the following minor children and requires parenting time to be suspended or supervised or to occur under such conditions that the Court determines will ensure the safety of Petitioner and the minor children (include names and birth dates of the minor children):

- Petitioner has completed and attached the **Information for Parenting Proceeding, Form 10.01-F** and it is incorporated herein.

- (g) Directs Respondent to provide financial support for Petitioner and the family or household members named in this Petition (Court may request additional information).

- (h) Directs Respondent to not remove, damage, hide, harm, or dispose of any property, companion animals, or pets owned or possessed by Petitioner.

- (i) Grants Petitioner permission to take Petitioner's companion animals or pets, as described below, away from the possession of Respondent:

- (j) Divides household and family personal property as follows:

- (k) Directs Respondent to permit Petitioner to have exclusive use of the following motor vehicle:

- (l) Directs Respondent to complete batterer counseling, substance abuse counseling, or other treatment or intervention as determined necessary by the Court.

- (m) Directs the wireless service provider to separate Petitioner's account from Respondent's account, per R.C. 3113.45 through 3113.459. Petitioner will assume all financial responsibility for any costs associated with the wireless service number and any costs for the device associated with the wireless service number.

Respondent's billing telephone number is: _____

Petitioner's contact information is on page 1 of this Petition. The wireless service numbers to be transferred to Petitioner which are used by Petitioner or the minor children in the care of Petitioner are: _____

(n) Includes the following additional provisions:

- 10. Petitioner further requests that the Court issue no mutual protection orders or other orders against Petitioner unless all of the conditions of R.C. 3113.31(E)(4) are met.
- 11. Petitioner further requests that if Petitioner has a victim advocate, the Court permit the victim advocate to accompany Petitioner at all stages of these proceedings as required by R.C. 3113.31(M).
- 12. Petitioner further requests at the *ex parte* hearing or full hearing that the Court grant such other relief as the Court considers equitable and fair, including orders or directives to law enforcement.
- 13. Petitioner has listed court cases (including divorce, custody, visitation, paternity, child support, children service/CPS case, animal cruelty, sexually oriented offense, no contact order, and protection order) and other legal matters regarding Respondent that may relate to this case: (Attach additional pages, if necessary.)

CASE NAME	CASE NUMBER	COURT/COUNTY	TYPE OF CASE	RESULT OF CASE

The information above is true, complete, and accurate to the best of my knowledge. I understand that knowingly providing false information in this document may result in a contempt of court finding against me which could result in a jail sentence and fine, or criminal penalties under R.C. 2921.13.

SIGNATURE OF PETITIONER

DATE

IF YOU DO NOT HAVE AN ATTORNEY, PLEASE LEAVE THE INFORMATION BELOW BLANK.

Signature of Attorney

Attorney's Registration Number

Name of Attorney

Attorney's Telephone

Attorney's Address

Attorney's Fax

City, State, Zip Code

Attorney's Email

IN THE COURT OF COMMON PLEAS
COUNTY, OHIO

Petitioner _____ : Case No. _____

v. _____ : Judge/Magistrate _____

Respondent _____ :

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Pursuant to Civ.R. 65.1(C)(2), please serve Respondent a copy of the Petition, *ex parte* protection order, if granted, and any other accompanying documents to the address below and as follows:

- Personal service
- Other (specify) _____
- Certified Mail, Return Receipt Requested

- Other (address): _____
- Personal service
- Other (specify) _____
- Certified Mail, Return Receipt Requested

SPECIAL INSTRUCTIONS TO SHERIFF:

SIGNATURE OF ATTORNEY OR PETITIONER

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
 _____ COUNTY, OHIO

 Petitioner

Case No. _____

Judge: _____

v.

 Respondent

**INFORMATION FOR PARENTING
 PROCEEDING AFFIDAVIT (R.C. 3127.23)**

**(Filed with Form 10.01-D: Petition for
 Domestic Violence Civil Protection Order)**

Use this form if you are requesting a parenting (custody or visitation) order in your Domestic Violence Civil Protection Order Petition (Form 10.01-D). If another court is already addressing or has addressed custody issues involving the children, custody and visitation issues may be handled in that case. By law, this form **must** be filed and served with the first pleading filed by each party in every parenting (custody or visitation) proceeding in this Court including a Petition for a Domestic Violence Civil Protection Order. **If you need more space, attach an additional page.**

I (full legal name) _____,
 state under oath or affirmation that these cases involve the custody of a child or children and the following statements are true:

1. Pursuant to R.C. 3127.23(D), I am requesting that the Court not disclose my current address or that of the children. My address is confidential and should be placed under seal because my health, safety, or liberty or that of the children would be jeopardized by the disclosure of the identifying information.
2. _____ (number) Minor children are subject to this case as follows:

(NOTE: Provide residence information for the last FIVE years.)

a. Child's Name:		Date of Birth:	
Period of Residence		Address (Do not list your address if confidential)	Person with whom Child Lived and Relationship to Child

Case No. _____

	<input type="checkbox"/> Address Confidential		
to present	<input type="checkbox"/> Secretary of State Address Confidentiality Program		
	<input type="checkbox"/> Address Confidential		
to	<input type="checkbox"/> Secretary of State Address Confidentiality Program		
	<input type="checkbox"/> Address Confidential		
to	<input type="checkbox"/> Secretary of State Address Confidentiality Program		
	<input type="checkbox"/> Address Confidential		
to	<input type="checkbox"/> Secretary of State Address Confidentiality Program		
b. Child's Name:		Date of Birth:	
<input type="checkbox"/> Check this box if the information requested below is the same as above.			
Period of Residence		Address (Do not list your address if confidential)	Person with whom Child Lived and Relationship to Child
	<input type="checkbox"/> Address Confidential		
to present	<input type="checkbox"/> Secretary of State Address Confidentiality Program		
	<input type="checkbox"/> Address Confidential		
to	<input type="checkbox"/> Secretary of State Address Confidentiality Program		

Case No. _____

	<input type="checkbox"/> Address Confidential		
to	<input type="checkbox"/> Secretary of State Address Confidentiality Program		
	<input type="checkbox"/> Address Confidential		
to	<input type="checkbox"/> Secretary of State Address Confidentiality Program		

c. Child's Name:	Date of Birth:
-------------------------	-----------------------

Check this box if the information requested below is the same as above.

Period of Residence		Address (Do not list your address if confidential)	Person with whom Child Lived and Relationship to Child
_____ to present	<input type="checkbox"/> Address Confidential		
	<input type="checkbox"/> Address Confidential		
to	<input type="checkbox"/> Secretary of State Address Confidentiality Program		
	<input type="checkbox"/> Address Confidential		
to	<input type="checkbox"/> Secretary of State Address Confidentiality Program		
	<input type="checkbox"/> Address Confidential		
to	<input type="checkbox"/> Secretary of State Address Confidentiality Program		

d. List additional children on a page titled **Attachment 2(d)**. (Provide the following information for each additional child: name, date of birth, person with whom the child lived and child's relationship to the person, address, unless confidential, and dates when the child lived in that place with that person.)

Case No. _____

3. Participation in custody case(s): (check only one)

I HAVE NOT participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of or visitation (parenting time) with any child subject to this case.

I HAVE participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of or visitation (parenting time) with any child subject to this case. Explain:

a. Name of each child _____

b. Type of case _____

c. Court and State _____

d. Date of court order or judgment (if any): _____

4. Information about custody case(s): (check only one)

I HAVE NO INFORMATION of any cases that could affect the current case, any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations, or adoptions concerning any child subject to this case.

I HAVE THE FOLLOWING INFORMATION concerning cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations, or adoptions concerning any child subject to this case, other than listed in Paragraph 3. Explain:

a. Name of each child _____

b. Type of case _____

c. Court and State _____

d. Date of court order or judgment (if any): _____

5. List all of the criminal convictions including guilty pleas for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

NAME	CASE NUMBER	COURT/STATE/ COUNTY	TYPE OF CASE	RESULT OF CASE

6. Persons not a party to this case:

I DO NOT KNOW OF ANY PERSON who is not a party to this case and who has physical custody or claims to have custody or visitation rights with respect to any child subject to this case.

Case No. _____

I KNOW THAT THE FOLLOWING NAMED PERSON(S) not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case:

a. Name and address of person _____
has physical custody claims custody rights claims visitation rights.
Name of each child _____

b. Name and address of person _____
 has physical custody claims custody rights claims visitation rights.
Name of each child _____

c. Name and address of person _____
has physical custody claims custody rights claims visitation rights.
Name of each child _____

7. I have a continuing duty to inform this Court of any child custody, visitation, parenting time, divorce, dissolution of marriage, separation, neglect, abuse, dependency, guardianship, parentage, termination of parental rights, or domestic violence case concerning the children in this state or in any other state that could affect the current case.

OATH OR AFFIRMATION

I swear or affirm that the answers above are true, complete, and accurate to the best of my knowledge. I understand that making false statements in this document may result in a contempt of court finding against me which could result in a jail sentence and fine, and may also subject me to criminal penalties for perjury under R.C. 2921.11.

DO NOT SIGN THE FORM UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL NOTARIZE THE PARENTING PROCEEDING AFFIDAVIT FOR YOU.

Signature of Petitioner

Sworn to and subscribed before me on this _____ day of _____

NOTARY PUBLIC

**COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
CLERMONT COUNTY, OHIO**

Case No. _____

Petitioner's Name _____

Respondent's Name _____

Do you or Respondent receive or pay child support? _____

If so, what county? _____

Who is receiving it? _____

Who is paying? _____