

Ohio Supreme Court Forms For  
**FILING FOR A JUVENILE CIVIL PROTECTION ORDER**

**CAUTION:** Civil Protection Order cases affect important rights and involve difficult legal concepts, including custody. If you can afford an attorney, it would be reckless to proceed without one. You can contact your local Legal Aid office to determine if you are eligible for services.

Remember, the opposing party's attorney does not represent you and you should not rely upon them for advice or explanations.

This packet is designed to help someone interested in filing for a Juvenile Civil Protection Order (Juvenile CPO). This packet only provides the Ohio Supreme Court forms. You may need additional Ohio Supreme Court forms which can be found on its website:

[https://www.supremecourt.ohio.gov/JCS/domesticViolence/protection\\_forms/juvenileForms/default.asp](https://www.supremecourt.ohio.gov/JCS/domesticViolence/protection_forms/juvenileForms/default.asp).

You may also need local forms which you can find at your local law library and/or the Clerk of Court's office in your county's Juvenile Court.

**Who Can File:** You can file for a Juvenile CPO if you are filing for a protection order *against* a minor. You do not need to be related to the juvenile to file for a Juvenile CPO.

**What To Prove:** Typically, to receive a Juvenile CPO you prove a recent violation of any of the following. Assault, Felonious Assault, or Aggravated Assault

- Menacing by Stalking
- Menacing or Aggravated Menacing
- Aggravated Trespass
- Sexually Oriented Offense
- Domestic Violence

You can find a full list of eligible offenses in the Ohio Revised code § 2151.334(C)(2)(a). To file for and receive a CPO the other party does not have to be charged or convicted of a criminal act.

**Where To File:** In Ohio, you can file for a Juvenile CPO in the county where the person who will be protected resides. You should file this packet in the county's Juvenile Court.

By providing these forms, the Legal Aid Society of Columbus and Southeastern Ohio Legal Services, and the attorneys who are on its staff, have **NOT** agreed to represent you and **will not** be available to answer your questions regarding these forms. If you need help, you should contact your local domestic violence shelter. You can locate your local shelter at <https://www.odvn.org/find-help/>.

<b>Forms for a Juvenile CPO</b>	
Form Name	Purpose
<b>Petition for Juvenile Civil Protection Order Or Juvenile Domestic Violence Civil Protection Order (R.C. 2151.32 and 3113.31)</b> (10.05-B)	This form is required. This form is used to explain to the Court that (1) you want a Juvenile CPO, (2) why you think you need the Juvenile CPO, and (3) what you are asking the Court to do.
<b>Protection Order Notice to NCIC</b> (10 -A)	This form is required in some courts, but not all. We suggest you complete this form to the best of your ability and bring it with you to court in case it is required in your county.
<b>Information About Filing a Juvenile Civil Protection Order or a Juvenile Domestic Violence Civil Protection Oder Petition</b> (10.05-A)	This form is not required to file. This is an informational pamphlet created by the Ohio Supreme Court explaining what a Juvenile CPO is and when it is appropriate.
<b>How to Complete a Protection Order Notice to NCIC</b> (10-B)	This form is not required to file. This is an informational pamphlet created by the Ohio Supreme Court explaining what a NCIC is and how to complete it for Court.

Ohio Legal Help has an online program that helps you complete these forms in certain situations. For assistance in completing these forms, you can go to <https://www.ohiolegalhelp.org>.

IN THE COURT OF COMMON PLEAS, \_\_\_\_\_ DIVISION  
\_\_\_\_\_ COUNTY, OHIO

Petitioner \_\_\_\_\_

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

Address (Safe mailing address) \_\_\_\_\_

Judge/Magistrate \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Date of Birth: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

v.

PETITION FOR JUVENILE CIVIL PROTECTION ORDER  
OR JUVENILE DOMESTIC VIOLENCE CIVIL  
PROTECTION ORDER (R.C. 2151.34 and 3113.31)

Respondent \_\_\_\_\_

Address (If home address unknown, put the school or work address) \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Date of Birth: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Respondent is under 18 years old

**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 a 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. 2151.34 or 3113.31. Petitioner further requests a full hearing trial even if the *ex parte* protection order is granted, denied, or not requested.

3. Who needs protection?  
 Me  
 My minor child  
 A family or household member, who is not a minor child  
 Other: \_\_\_\_\_

4. The relationship of Petitioner to Respondent is that of:  
 Parent or foster parent of Respondent  
 Respondent is the parent of my child  
 Relative by blood or marriage of Respondent or Petitioner and has lived with Respondent (please specify how you are related): \_\_\_\_\_

Petitioner is not related to Respondent (please specify how you know Respondent) \_\_\_\_\_

5. I have listed below all family or household members who need protection other than me or the person for whom I am filing the Petition (Leave blank if you are not including other family or household members).

NAME (first, middle initial, and last)	DATE OF BIRTH	RELATIONSHIP TO PETITIONER
	/ /	
	/ /	
	/ /	
	/ /	

6. Petitioner is in fear and in continuing danger and requests the Court grant  Juvenile Civil Protection Order or  Juvenile Domestic Violence Civil Protection Order.

7. You must describe the threats or acts that made you or your family or household members afraid, include if children were present when the acts happened. When did it happen? (If you do not know exact dates, give approximate dates). Explain why you believe you or your family or household members are in danger. If you need more space, attach an additional page.

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8. Petitioner has listed court cases (including custody, visitation, paternity, child support, children service case, pending criminal case or conviction for domestic violence, felonious assault, aggravated assault, assault, aggravated menacing, menacing by stalking, menacing, or aggravated trespass; no contact order; stay away order; or other protection order) and other legal matters regarding Respondent, which may relate to this case:

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

9. Petitioner requests the Court grant relief under R.C. 2151.34 or 3113.31. Check all that apply.

- a. Directs Respondent to not abuse Petitioner and the other persons named in this Petition by harming, attempting to harm, threatening, following, stalking, harassing, contacting, forcing sexual relations upon, or committing sexually oriented offenses against them.
- b. Directs Respondent to not enter or have limited access to the following places (include name and address, as applicable) where Petitioner and the persons named in this Petition may be found, including the buildings, grounds, and parking lots at these places.

Residence: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

School: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Business or Place of Employment: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Other (specify): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- c. Directs Respondent to not approach or have contact by any means with Petitioner and persons named in this Petition.
- d. Directs Respondent not to remove, damage, hide, or dispose of any property, companion animals, or pets owned by Petitioner.
- e. Grants Petitioner permission to take Petitioner's companion animals or pets, as described below, away from the possession of Respondent:  
 \_\_\_\_\_  
 \_\_\_\_\_
- f. Directs Respondent to not possess, use, carry, or obtain any deadly weapon, firearms, and ammunition.
- g. Directs Respondent to be electronically monitored because Respondent's conduct has put or puts the health, welfare, or safety of Petitioner and the persons named in this Petition at risk. Describe Respondent's conduct and how Respondent continues to present a danger to Petitioner and the persons named in this Petition. **If you need more space, attach an additional page.**  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- h. Directs Respondent to complete batterer counseling, substance abuse counseling, or other counseling as determined necessary by the Court.

- i. Directs the wireless service provider to separate Petitioner's account from Respondent's account, per R.C. 3113.45 to 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 is:

\_\_\_\_\_

\_\_\_\_\_

- j. Includes the following additional provisions: \_\_\_\_\_
- \_\_\_\_\_

10. Petitioner further requests that the Court grant such other relief as the Court considers equitable and fair.

**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.**

\_\_\_\_\_  
SIGNATURE OF PETITIONER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Name of Attorney (if applicable)

\_\_\_\_\_  
Attorney's Fax

\_\_\_\_\_  
Signature of Petitioner's Attorney

\_\_\_\_\_  
Attorney's Registration Number

\_\_\_\_\_  
Attorney's Address

\_\_\_\_\_  
Attorney's Telephone

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Attorney's Email

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

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  Certified Mail, Return Receipt Requested  
 Other (specify) \_\_\_\_\_  
 Other (address): \_\_\_\_\_  
 Personal Service  Certified Mail, Return Receipt Requested  
 Other (specify) \_\_\_\_\_

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

PROTECTION ORDER NOTICE TO NCIC (Required fields appear in bold print)

- Initial NCIC Form
- Amended NCIC Form
- Removal from NCIC
- Service Completed (Law Enforcement Agency: If unchecked, presume Service Unknown)

Pursuant to Rules 10.01, 10.02, 10.03, and 10.05 of the Rules of Superintendence for the Courts of Ohio, this information shall be promptly entered into the National Crime Information Center index.

**SUBJECT NAME**

\_\_\_\_\_  
(LAST) (FIRST) (M.I.)

**ADDRESS**

\_\_\_\_\_  
(STREET) (CITY) (STATE) (ZIP)

PHYSICAL DESCRIPTION: HGT \_\_\_\_\_ WGT \_\_\_\_\_ HAIR \_\_\_\_\_  
EYES \_\_\_\_\_ RACE \_\_\_\_\_ SEX  M  F

**NUMERICAL IDENTIFIER (NOTE: Only ONE of the 4 numerical identifiers is needed.)**

- 1. SSN \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ 2. DOB \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_
- 3.\* DRIVER'S LIC. NO. \_\_\_\_\_ STATE \_\_\_\_\_ EXPIRATION YR. \_\_\_\_\_
- 4.\* VEHICLE LIC. NO. \_\_\_\_\_ STATE \_\_\_\_\_ EXPIRATION YR. \_\_\_\_\_

(\* If #3 or #4 is used as a numerical identifier, entire line MUST be completed.)

**BRADY DISQUALIFIERS:**

Pursuant to 18 U.S.C. 922(g)(8), a "yes" response to all three Brady questions disqualifies the subject from purchasing or possessing any firearms, including a rifle, pistol, revolver, or ammunition.

- Does the Order protect an intimate partner or child(ren)?  YES  NO
- Did the subject have notice of the hearing and opportunity to participate in the hearing regarding the Order?  YES  NO
- Does the Order find the subject a credible threat or explicitly prohibit physical force?  YES  NO

**CASE / ORDER NO.** \_\_\_\_\_ (15 DIGIT MAXIMUM) **Is order term of probation/ community control?**  YES  NO

**COURT ORIGINATING AGENCY IDENTIFIER** \_\_\_\_\_ (9 DIGIT ORI ASSIGNED BY NCIC)

**NAME OF JUDGE/MAGISTRATE** \_\_\_\_\_

**DATE OF ORDER** \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ **EXPIRATION OF ORDER** \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
(IN R.C. 2919.26 AND 2903.213 CASES, "NONEXP" MAY BE USED)

**TERMS AND CONDITIONS OF ORDER (Mark all that are applicable):**

- 01 The subject is restrained from assaulting, threatening, abusing, harassing, following, interfering, or stalking the protected person and/or the child(ren) of the protected person.
- 02 The subject shall not threaten a member of the protected person's family or household.
- 03 The protected person is granted exclusive possession of the residence or household.
- 04 The subject is required to stay away from the residence, property, school, or place of employment of the protected person or other family or household member.
- 05 The subject is restrained from making any communication with the protected person, including but not limited to, personal, written, or telephone contact, or their employer, employees, or fellow workers, or others with whom the communication would be likely to cause annoyance or alarm the victim.
- 06 The subject has visitation or custody rights of the child(ren) named in this Order.
- 07 The subject is prohibited from possessing and/or purchasing a firearm or other weapon as identified in the Miscellaneous Field.
- 08 See the Miscellaneous Field for comments regarding the specific terms and conditions of this Order.  
Miscellaneous comments: \_\_\_\_\_
- 09 The protected person is awarded temporary exclusive custody of the child(ren) named.

OHP DATA

ONLY

#EPO



Subject's Name \_\_\_\_\_

Case/Order No. \_\_\_\_\_

**LIST ALL PROTECTED PERSONS (Total of 9 allowed. SSN is NOT necessary if DOB is given.)**

**PROTECTED PERSON** \_\_\_\_\_  
(LAST) (FIRST) (M.I.)

DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN \_\_\_\_ - \_\_\_\_ - \_\_\_\_ RACE \_\_\_\_\_  
SEX  M  F

**PROTECTED PERSON** \_\_\_\_\_  
(LAST) (FIRST) (M.I.)

DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN \_\_\_\_ - \_\_\_\_ - \_\_\_\_ RACE \_\_\_\_\_  
SEX  M  F

**PROTECTED PERSON** \_\_\_\_\_  
(LAST) (FIRST) (M.I.)

DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN \_\_\_\_ - \_\_\_\_ - \_\_\_\_ RACE \_\_\_\_\_  
SEX  M  F

**PROTECTED PERSON** \_\_\_\_\_  
(LAST) (FIRST) (M.I.)

DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN \_\_\_\_ - \_\_\_\_ - \_\_\_\_ RACE \_\_\_\_\_  
SEX  M  F

**PROTECTED PERSON** \_\_\_\_\_  
(LAST) (FIRST) (M.I.)

DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN \_\_\_\_ - \_\_\_\_ - \_\_\_\_ RACE \_\_\_\_\_  
SEX  M  F

**PROTECTED PERSON** \_\_\_\_\_  
(LAST) (FIRST) (M.I.)

DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN \_\_\_\_ - \_\_\_\_ - \_\_\_\_ RACE \_\_\_\_\_  
SEX  M  F

**PROTECTED PERSON** \_\_\_\_\_  
(LAST) (FIRST) (M.I.)

DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN \_\_\_\_ - \_\_\_\_ - \_\_\_\_ RACE \_\_\_\_\_  
SEX  M  F

**PROTECTED PERSON** \_\_\_\_\_  
(LAST) (FIRST) (M.I.)

DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN \_\_\_\_ - \_\_\_\_ - \_\_\_\_ RACE \_\_\_\_\_  
SEX  M  F

**PROTECTED PERSON** \_\_\_\_\_  
(LAST) (FIRST) (M.I.)

DOB \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN \_\_\_\_ - \_\_\_\_ - \_\_\_\_ RACE \_\_\_\_\_  
SEX  M  F

Authorized by (signature): \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Judge/Magistrate (circle one)

# FORM 10.05-A: INFORMATION ABOUT FILING A JUVENILE CIVIL PROTECTION ORDER OR A JUVENILE DOMESTIC VIOLENCE CIVIL PROTECTION ORDER PETITION

If you have any questions about completing the Petition for a Juvenile Civil Protection Order or Domestic Violence Juvenile Civil Protection Order (Form 10.05-B), 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 private lawyer or a court-appointed lawyer. [R.C. 2151.34(O)] You may represent yourself or ask the Court for a continuance to obtain a lawyer. [R.C. 2151.34(D)(2)(a)(iii) or 3113.31(D)(2)(a)(iii)]

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

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

## DEFINITIONS

### **Aggravated Assault** [R.C. 2903.12]

No person, while under the influence of sudden passion or in a sudden fit of rage, either of which is brought on by serious provocation occasioned by the victim that is reasonably sufficient to incite the person into using deadly force, shall knowingly cause serious physical harm to another or to another's unborn.

No person, while under the influence of sudden passion or in a sudden fit of rage, either of which is brought on by serious provocation occasioned by the victim that is reasonably sufficient to incite the person into using deadly force, shall knowingly cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance, as defined in [the law].

### **Aggravated Menacing** [R.C. 2903.21]

No person shall knowingly cause another to believe that the offender will cause serious physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family.

### **Aggravated Trespass** [R.C. 2911.211]

No person shall enter or remain on the land or premises of another with purpose to commit on that land or those premises a misdemeanor, the elements of which involve causing physical harm to another person or causing

another person to believe that the offender will cause physical harm to the person.

**Assault**

[R.C. 2903.13]

No person shall knowingly cause or attempt to cause physical harm to another or to another's unborn. No person shall recklessly cause serious physical harm to another or to another's unborn.

**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: 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.

**Family or Household Member**

[R.C. 3113.31(A)(3) through (4)]

"Family or household member" means any of the following:

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.

The natural parent of any child of whom Respondent is the other natural parent or is the putative other natural parent.

"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.

**Felonious Assault**

[R.C. 2903.11]

No person shall knowingly cause serious physical harm to another or to another's unborn. [R.C. 2903.11(A)(1)]

No person shall knowingly cause or attempt to cause physical harm to another or to another's unborn by means of a deadly weapon or dangerous ordnance.

No person, with knowledge that the person has tested positive as a carrier of a virus that causes AIDS, shall knowingly do any of the following: (1) engage in sexual conduct with another person without disclosing that knowledge to the other person prior to engaging in the sexual conduct; (2) engage in sexual conduct with a person whom the offender knows or has reasonable cause to believe lacks the mental capacity to appreciate the significance of the knowledge that the offender has tested positive as a carrier of a virus that causes AIDS; or (3) engage in sexual conduct with a person under eighteen years of age who is not the spouse of the offender.

**Menacing**

[R.C. 2903.22]

No person shall knowingly cause another to believe that the offender will cause physical harm to the person or property of the other person, the other person's unborn, or a member of the other person's immediate family.

**Menacing by Stalking**

[R.C. 2903.211]

No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or cause mental distress to the other person.

No person, through the use of any electronic method of remotely transferring information, including, but not limited to, any computer, computer network,

computer program, or computer system, shall post a message with purpose to urge or incite another to commit a violation [this law].

**Pattern of Conduct**  
[R.C. 2903.211(D)(1)]

Pattern of conduct means two or more actions or incidents closely related in time.

**Mental Distress**  
[R.C. 2903.211(D)(2)]

Mental distress means: (a) any mental illness or condition that involves some temporary substantial incapacity **OR** (b) any mental illness or condition that would normally require psychiatric treatment, psychological treatment, or other mental health services, regardless if psychiatric treatment, psychological treatment, or other mental health services was requested or received.

**Sexually Oriented Offense**  
[R.C. 2950.01.]

Sexually oriented offenses are defined at R.C. 2950.01.

## FORM 10-B: HOW TO COMPLETE A PROTECTION ORDER NOTICE TO NCIC

Form 10-A, Protection Order Notice to NCIC, is the mechanism to enter protection orders or consent agreements into the FBI's National Crime Information Center ("NCIC") Protection Order file. Inaccurate or inconsistent information on Form 10-A will delay entering the court order into the NCIC index; result in improper enforcement of the order; and impermissibly allow or deny a person from owning, possessing, purchasing, or transporting firearms and ammunition. Form 10-A must be completed each time the court grants, approves, modifies, renews, or terminates a criminal or civil *ex parte* or full hearing protection order or consent agreement or otherwise makes a clerical correction on a previously issued order or agreement.

Courts are encouraged to verify that orders are timely entered.

### ELEMENTS OF FORM 10-A

(A) Although Form 10-A is the primary method to inform law enforcement of the terms and conditions of a protection order or consent agreement, it is not a substitution for a protection order or judgement entry.

(B) The court must mark the appropriate box:

**Initial NCIC Form:** This box indicates the court is issuing a criminal or civil protection order or approving a consent agreement for the first time.

**Amended NCIC Form:** This box points out to law enforcement that the original terms of an existing protection order or consent agreement have been modified, including modifications due to clerical errors.

**Removal from NCIC:** This box notifies law enforcement that the protection order or consent agreement is no longer valid and the order must be removed from the NCIC protection order database active file, regardless of the reason.

**Service Completed:** This box is marked if the court has knowledge that service of process has been perfected as set forth in Civ.R. 65.1 and Crim.R.49. The protection order should be entered promptly regardless of service.

(C) **NUMERICAL IDENTIFIER.** Although the FBI only requires one numerical identifier, the court should provide additional numerical identifiers, if available, to facilitate identification of the subject of the protection order.

(D) **BRADY DISQUALIFIERS.** All of the following requirements must be met to result in firearms disability pursuant to 18 U.S.C. 922(g)(8):

Existence of an intimate relationship between the protected parties and Respondent or Defendant, i.e., spouse, former spouse, an individual who cohabits or has cohabited with Respondent or Defendant, and an individual who is a parent of a child of the Respondent or Defendant;

Respondent or Defendant had actual notice of the hearing and an opportunity to participate;

The court made a finding in the order that Respondent or Defendant poses a credible threat of harm or the order explicitly prohibits Respondent or Defendant from the use, attempted use, or threatened use of physical force against an intimate partner or child.

In addition to the firearms and ammunition prohibition per 18 U.S.C. 922(g)(8), a Respondent or Defendant may be firearms and ammunition disqualified as result of other circumstances, e.g., 18 U.S.C. 922(g)(1) through (9), state law, or a court order.

(E) **DATE OF ORDER AND EXPIRATION OF ORDER.** The NCIC protection order database will automatically render a record inactive on the order's expiration date. Protection orders issued pursuant to R.C. 2903.213

FORM 10-B: HOW TO COMPLETE A PROTECTION ORDER NOTICE TO NCIC

Amended: April 15, 2021

Discard all previous versions of this form

or 2919.26 may indicate "NONEXP." Upon disposition of the criminal case or the issuance of a civil protection order arising out of the same facts, the court must send to law enforcement another Form 10-A indicating Removal from the NCIC and state the expiration date of the order.

- (F) TERMS OF ORDER.** The court must check every box that corresponds to the terms of the protection order. Note that the numbering next to each term in Form 10-A does not correspond to the sequence of remedies in a protection order or consent agreement. However, the remedies in the protection order forms are cross-referenced with the terms and conditions listed in Form 10-A, e.g., NCIC 01.

In every instance that the court changes a term of the protection order or consent agreement, e.g., divorce decree, custody order, continuance of hearing, or extension of the protection order, the court must submit Form 10-A or a form that is substantially similar, indicate the applicable terms to law enforcement and mark "Amended NCIC Form."