

Ohio Supreme Court Forms For
**FILING FOR A CIVIL STALKING OR SEXUALLY ORIENTED OFFENSE
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 Civil Stalking or Sexually Oriented Offense Protection Order (CSPO or CSOPO). 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/stalkingForms/.

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 Court of Common Pleas.

What To Prove: A CSPO is appropriate if you are being stalked or have been stalked. Typically, you have to prove the other person is committing menacing by stalking (Ohio Revised Code § 2903.211). Menacing by stalking occurs when one person causes two or more incidents, closely related in time, that places you in fear of physical harm or has caused you mental distress.

A CSOPO is appropriate if you are the victim of a sexually oriented offense.

Where To File: In Ohio, you can file for a CSPO/CSOPO (1) in the county you live in, (2) the county the other person lives in, or (3) a county you have fled to. You should file this packet in the Court of Common Pleas.

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/>.

Forms for a CSPO or CSOPO	
Form Name	Purpose
Petition for Civil Stalking Protection Order (R.C. 2903.214) or Petition for Civil Stalking Oriented Offense Protection Order (R.C. 2903.214) (10.03-D)	This form is required. This form is used to explain to the Court that (1) you want a CSPO or CSOPO, (2) why you think you need the protection order, and (3) what you are asking the Court to do.
Protection Order Notice to NCIC (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.
Information About Filing a Civil Stalking Protection Order and a Civil Sexually Oriented Offense Protection Order (10.03-G)	This form is not required to file. This is an informational pamphlet created by the Ohio Supreme Court explaining what a CSPO or CSOPO is and when it is appropriate.
How to Complete a Protection Order Notice to NCIC (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
COUNTY, OHIO

Petitioner : **Case No.** _____
 _____ :
 _____ :
 _____ :
Address (Safe mailing address) : **Judge/Magistrate** _____
 _____ :
City, State, Zip Code :
 _____ :
Date of Birth: ____ / ____ / ____ :

v.

- PETITION FOR CIVIL STALKING PROTECTION ORDER (R.C. 2903.214)**
 PETITION FOR CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER (R.C. 2903.214)

Respondent
 _____ :
Address (If home address unknown, may be work address) :
 _____ :
City, State, Zip Code :
 _____ :
Date of Birth: ____ / ____ / ____ **Respondent is 18 years old or older**

IF YOU ARE ASKING 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. 2903.214(D). 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. 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	DATE OF BIRTH	RELATIONSHIP TO PETITIONER	LIVES WITH PETITIONER
	/ /		<input type="checkbox"/> YES <input type="checkbox"/> NO
	/ /		<input type="checkbox"/> YES <input type="checkbox"/> NO
	/ /		<input type="checkbox"/> YES <input type="checkbox"/> NO
	/ /		<input type="checkbox"/> YES <input type="checkbox"/> NO
	/ /		<input type="checkbox"/> YES <input type="checkbox"/> NO

5. Petitioner requests a **Civil Stalking Protection Order**.

You **must** describe two or more incidents closely related in time that made you believe that Respondent will cause you physical harm or cause (or has caused) you mental distress. When did they happen (if you do not know exact dates, give approximate dates)?

If you need more space, attach an additional page.

6. Petitioner requests a **Civil Sexually Oriented Offense Protection Order**.

You **must** describe what Respondent did to you or the persons named in this Petition as fully as possible. You do not need to prove a pattern of conduct. One act may be enough.

If you need more space, attach an additional page.

7. Petitioner further requests the Court grant relief under R.C. 2903.214 for Petitioner and the family or persons named in this Petition by granting a Civil Stalking Protection Order or Civil Sexually Oriented Offense Protection Order that:

- (a) Directs Respondent to not abuse Petitioner and persons named in this Petition by harming, attempting to harm, threatening, following, stalking, harassing, contacting, forcing sexual relations upon them, or by committing sexually oriented offenses against them.
- (b) Directs Respondent to not enter the residence, school, business, place of employment, child care providers, or day care centers of Petitioner and persons named in this Petition, including the buildings, grounds, and parking lots at those locations.
- (c) Directs Respondent not to interfere with Petitioner's right to occupy the residence including, but not limited to canceling any utilities or insurance or interrupting phone service, mail delivery, or the delivery of any other documents or items.

- (d) Directs Respondent not to remove, damage, hide, or dispose of any property, companion animals, or pets owned or possessed by Petitioner and persons named in this Petition.
- (e) Grants Petitioner permission to take Petitioner's companion animals or pets, as described below, away from the possession of Respondent.
- (f) Directs Respondent not to possess, use, carry, or obtain any deadly weapon, firearms, and ammunition.
- (g) Directs Respondent to be electronically monitored, because Respondent's conduct, as explained below, puts the health, welfare, or safety of Petitioner and the persons named in this Petition at risk. Also, as explained below, 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) Includes the following additional provisions:

- 8. Petitioner further requests that the Court not issue any mutual protection orders or other orders against Petitioner unless all of the conditions of R.C. 2903.214(E)(3) are met.
- 9. 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. 2903.214(L).
- 10. Petitioner further requests that the Court grant such other relief designed to ensure the safety and protection of Petitioner and persons named in this Petition.
- 11. Petitioner has listed court cases (including divorce, custody, visitation, children service case; pending criminal case or conviction for felonious assault, aggravated assault, assault, aggravated menacing, menacing by stalking, menacing, aggravated trespass; animal cruelty; sexually oriented offenses; no contact order; stay away order, and other protection order) and other legal matters involving Respondent, that may relate to this case: **(If you need more space, attach an additional page.)**

CASE NAME	CASE NUMBER	COURT/COUNTY	RESULT OF CASE

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

IF YOU DO NOT HAVE A LAWYER, PLEASE LEAVE THE INFORMATION BELOW BLANK.

Signature of Petitioner's Attorney

Attorney's Registration Number

Name of Attorney

Attorney's Telephone

Attorney's Address

Attorney's Fax

City, State, Zip Code

Attorney's Email

Case No. _____

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

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)

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

FORM 10.03-G: INFORMATION ABOUT FILING A CIVIL STALKING PROTECTION ORDER AND A CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER

If you have any questions about completing the Petition for a Civil Stalking Protection Order (CSPO) or a Civil Sexually Oriented Offense Protection Order (Form 10.03-D), 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 ask for a continuance to obtain a lawyer per R.C. 2903.214(D)(2)(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

Menacing by Stalking

[R.C. 2903.211(A)(1) through (3)]

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 form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, or computer system, or telecommunication device, shall post a message or use any intentionally written or verbal graphic gesture with purpose to (a) violate [this law] **OR** (b) urge or incite another to commit a violation of [this law]. No person, with a sexual motivation, shall violate [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."