

Help is available

Victim Advocates can assist you with the CPO process.

If you would like to speak with an advocate, you can call one of the following programs:

The Cocoon

419-352-1545

Bowling Green, OH

1-800-472-9411

- For domestic violence (i.e., a case involving husband, wife, boyfriend, girlfriend, ex-partner or family members), sexual violence and stalking cases advocates can help with the CPO paperwork, answer questions and provide referrals.
- In addition to the court process, advocates also offer many other services including safety planning, support groups, crisis intervention, emergency safe housing and on-going assistance if you want to talk with someone about your situation.

First Step

419-435-7300

Fostoria, OH

1-800-466-6228

- Advocates can assist with filing CPO paperwork and applying for victims' compensation, assist in establishing VINE Notification, answer questions and provide referrals and provide referrals. First Step's advocates are registered with the State of Ohio.
- In addition to the court process, advocates also offer other services including safety planning, crisis intervention, shelter, a Hopeline phone, to provide support.

You may be eligible for free legal assistance**

If you need legal help for your full hearing, you can apply online at www.legalaidline.org or by calling Legal Aid Line of Western Ohio at 1-888-534-1432.

** Must meet income eligibility requirements.

**FORM 10.03-G:
HOW TO OBTAIN A PETITION FOR A
CIVIL STALKING PROTECTION ORDER
OR CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER**

These instructions are intended to assist you in preparing the Petition for a Civil Stalking Protection Order or Sexually Oriented Offense Protection Order, which can only be heard by the court of common pleas in your county. Throughout the Petition, you (the party to be protected) are called *Petitioner* and the person you are filing this Petition against is called *Respondent*.

SOME HINTS BEFORE YOU BEGIN

- All forms must be typed or printed.
- Write your name and the Respondent's name the same way throughout the Petition.
- When you print your name on the Petition, use the same name you use when you write your signature.
- Fill out the Petition as completely and accurately as possible.
- If you have any questions about completing the Petition contact your local domestic violence program or the Ohio Domestic Violence Network at 800-934-9840.

FILLING OUT THE PETITION: Mark each instruction below after you read and complete it.

- On the front page, leave the "Case No." line and "Judge/Magistrate" lines blank. The Clerk of Court's office will fill in this information.
- On the top left-hand side of the front page, fill in the requested information about yourself. If you want your address to remain confidential, do not write your address on the Petition. However, you must write another mailing address where you can safely receive notices from the Court.
- Also on the top left-hand side of the front page, fill in the requested information about Respondent as best you can. You may use the Respondent's work address if you do not know the Respondent's home address. If you do not know Respondent's date of birth, leave that line blank. Do not attempt to obtain this information unless it is safe to do so.
- Paragraph 1: If you are filing the Petition on behalf of yourself, mark the first box.
- Paragraph 2: If you are filing the Petition on behalf of a family or household member, mark the box and fill in their name(s) and the other information requested in the chart. The Petitioner and the Respondent need not be related in any way for the Petitioner to obtain the protection order. You may attach additional pages if you need more room.
- Paragraph 3(a): State the date(s) of the incident(s) that caused you to file the Petition. Exact date(s) is not necessary. Approximate time frame may be sufficient. If you are requesting a civil stalking protection order due to *menacing by stalking*, provide a brief description of the pattern of conduct (two or more instances) that caused you to believe that the Respondent will cause physical harm or cause mental distress to you or another family member. If you are aware of any prior convictions of the Respondent for *menacing by stalking* or similar offenses, or prior convictions of the Respondent for any *sexually oriented offenses*, list what information you know about those convictions. You may attach additional pages if you need more room to complete your description.
- Paragraph 3(b): State the date(s) of the incident(s) that caused you to file the Petition. Exact date(s) is not necessary. Approximate time frame may be sufficient. If you are requesting a civil sexually oriented offense protection order due to a *sexually oriented offense*, you do not have to provide a description of a pattern of conduct. A brief description of what happened that caused you to request the protection order will be enough.

If you are aware of any prior convictions of the Respondent for *menacing by stalking* or similar offenses, or prior convictions of the Respondent for any *sexually oriented offenses*, list what information you know about those convictions. You may attach additional pages if you need more room to complete your description.

- Paragraph 3(c):** State the date(s) of the incident(s) that caused you to file the Petition and request electronic monitoring of the Respondent. Exact date(s) is not necessary. Approximate time frame may be sufficient. If you are requesting electronic monitoring of the Respondent, describe the nature and extent of the Respondent's conduct before the filing of this Petition that puts you or your family or household members' health, welfare, or safety at risk. Also describe how the Respondent presents a continuing danger to you or your family or household members.

See definition section on Offenses on the last page for the legal definition of *menacing by stalking* and *sexually oriented offense*.

- Paragraph 4:** Indicate the action you want the Court to take by marking the boxes next to the numbered paragraphs that apply to your situation.
- Paragraph 4(f):** Write any special court orders you believe would help protect you and your family or household members.
- Paragraph 5:** If you need an emergency ("ex parte") protection order, mark the box next to Paragraph 5.
- Paragraph 9:** List ALL present and pertinent past court cases or investigations that involve the Respondent. This includes all civil, criminal, divorce, custody, visitation, and any other case that may have a bearing on your or your family or household members' safety. Write the case name, the court, the case number, and the result of the case, if known. If the case is not over, write "pending". You may attach additional pages if you need more room.

SIGNING THE PETITION

Try to fill out the Petition before you go to the courthouse. AFTER YOU HAVE FILLED OUT THE PETITION, TAKE THE PETITION TO A NOTARY PUBLIC TO HAVE YOUR SIGNATURE NOTARIZED. **DO NOT SIGN THE PETITION UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL NOTARIZE THE PETITION FOR YOU.**

FILING THE PETITION

After you have your signature notarized, file your Petition at the Clerk of Court's office. The Clerk of Court's office will tell you when and where your *ex parte* hearing, if one has been requested, will take place.

FEES

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

DISCOVERY

Unless you have received an order from the Court regarding discovery, you have no obligation to comply with a deposition notice, interrogatories, request for production of documents, physical or mental examination, or request for admissions.

If ordered, the Court will indicate each of the following:

1. The time and place where discovery will be held;
2. The name of persons who can be in the room during discovery, including a victim advocate;
3. The necessary terms and conditions to keep everyone safe, including keeping the Petitioner's address confidential.

Discovery must be completed prior to the full hearing.

OFFENSES

A Civil Stalking Protection Order or Civil Sexually Oriented Offense Protection Order can **ONLY** be issued for specific behaviors listed below.

Menacing by Stalking 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. [R.C. 2903.211(A)(1)]

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 of division (A)(1) of this section. [R.C. 2903.211(A)(2)]

Sexually Oriented Offense Sexually oriented offenses are defined in section 2950.01 of the Revised Code.

IN THE COURT OF COMMON PLEAS OF WOOD COUNTY, OHIO

Case No. _____

-VS-

CASE DESIGNATION FORM

Has this case been previously filed and dismissed? _____

If yes, list Case No. and Judge: _____

List Pending or related cases: _____

CATEGORIES

GENERAL CIVIL

_____**PROFESSIONAL TORT**
(e.g. medical/legal malpractice)

_____**PRODUCT LIABILITY (TORT)**

_____**OTHER TORT**
(e.g. auto accidents, personal
Injuries, intentional act)

_____**WORKER'S COMPENSATION**

_____**FORECLOSURES** (e.g. real estate,
Personal property)

_____**ADMINISTRATIVE APPEAL**
(e.g. agency appeals)

_____**OTHER CIVIL**
(e.g. promissory note defaults,
Fraud, contract disputes)

_____**VIOLATION OF ANTI-PREDATORY LENDING LAW**

_____**CERT. OF QUALIFICATION OF EMP. [MISC. CIVIL (COE)]**

DOMESTIC RELATIONS

DIVORCE COMPLAINT

_____**With Children**

_____**Without Children**

DISSOLUTION

_____**With Children**

_____**Without Children**

_____**CHANGE OF CUSTODY**

_____**VISITATION ENFC/MDFC**

_____**SUPPORT ENFC/MDFC**

_____**DOMESTIC VIOLENCE**

_____**STALKING**

_____**U.R.E.S.A.**

_____**ALL OTHERS**

I **CERTIFY** that to the best my knowledge the within case is not related to any now pending or previously filed case, except as noted above.

Also, do you consider this case
COMPLEX LITIGATION, pursuant to
C.P. Sup. Rule 42 _____
(yes/no)

Signature

IN THE COURT OF COMMON PLEAS
WOOD COUNTY, OHIO

Petitioner _____
 Address _____
 City, State, Zip Code _____
 Date of Birth: ____ / ____ / ____

Case No. _____
 Judge/Magistrate _____

v.

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

Respondent _____
 Address _____
 City, State, Zip Code _____
 Date of Birth: ____ / ____ / ____

CHECK EVERY THAT APPLIES. IF YOU ARE REQUESTING YOUR ADDRESS REMAIN CONFIDENTIAL, DO NOT WRITE YOUR ADDRESS ON THIS FORM. PLEASE PROVIDE ANOTHER MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE NOTICES FROM THE COURT. THIS FORM IS A PUBLIC RECORD.

- 1. Petitioner seeks relief on Petitioner's own behalf.
- 2. Petitioner seeks relief on behalf of the following family or household members:

NAME	DATE OF BIRTH	HOW RELATED TO PETITIONER
	/ /	
	/ /	
	/ /	
	/ /	
	/ /	

Ohio law defines "Menacing by Stalking" as follows:

"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." R.C. 2903.211(A)(1).

"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 of division (A)(1) of this section (above)" R.C. 2903.211(A)(2).

Ohio law defines "Sexually Oriented Offenses" in R.C 2950.01.

3. Petitioner states that Respondent has engaged in the following act(s) which create an immediate and present danger. For (a), (b), or (c) below, attach additional pages if necessary.

(a) For a civil stalking protection order due to menacing by stalking; describe the nature and extent of the pattern of conduct that causes you to believe that Respondent will cause you physical harm or causes (or has caused) mental distress. Also describe any previous convictions of Respondent for the crime of Menacing by Stalking, if known.

(b) For a civil sexually oriented offense protection order due to a sexually oriented offense, describe the acts of Respondent as fully as possible. You do not need to include any pattern of conduct information for a protection order due to a sexually oriented offense.

(c) For electronic monitoring of the Respondent, describe the nature and extent of the Respondent's conduct before the filing of this Petition that puts you or your family or household members' health, welfare, or safety at risk. Also describe how the Respondent presents a continuing danger to you or your family or household members.

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

- (a) Requires Respondent to not abuse the Petitioner and the family or household members 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) Requires Respondent to refrain from entering the residence, school, business, place of employment, child care providers, or day care centers of Petitioner and the family or household members named in this Petition, including the buildings, grounds, and parking lots at those locations.
- (c) Requires 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) Requires Respondent not to remove, damage, hide, or dispose of any property or pets owned or possessed by the Petitioner and Petitioner's family or household members named in this Petition.
- (e) Requires Respondent not to possess, use, carry, or obtain any deadly weapon.
- (f) Requires Respondent to be electronically monitored.
- (g) Includes the following additional provisions:

- 5. Petitioner further requests that the Court issue an *ex parte* (emergency) protection order under R.C. 2903.214(D) and this Petition.
- 6. 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.
- 7. 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).
- 8. Petitioner further requests that the Court grant such other relief as the Court considers equitable and fair.
- 9. The following is a list of all present and past court cases involving Respondent, that Petitioner knows of:

CASE NAME	CASE NUMBER	COURT/COUNTY	OUTCOME OF CASE

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

DO NOT SIGN THIS FORM UNLESS YOU ARE IN FRONT OF THE PERSON WHO WILL NOTARIZE THE PETITION FOR YOU.

SIGNATURE OF PETITIONER

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

NOTARY PUBLIC / DEPUTY CLERK

IF YOU ARE REQUESTING YOUR ADDRESS REMAIN CONFIDENTIAL, DO NOT WRITE YOUR ADDRESS ON THIS FORM. PLEASE PROVIDE ANOTHER MAILING ADDRESS WHERE YOU CAN SAFELY RECEIVE NOTICES FROM THE COURT. THIS FORM IS A PUBLIC RECORD.

Petitioner's Safe Address

Signature of Attorney for Petitioner (if applicable)

Name of Attorney (if applicable)

Attorney's Address

City, State, Zip Code

Attorney's Registration Number

Attorney's Telephone

Attorney's Fax

Attorney's Email