

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Petitioner : Case No. \_\_\_\_\_

DOB: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ : Judge \_\_\_\_\_

v. : JUDGMENT ENTRY ON MOTION TO MODIFY OR
TERMINATE CIVIL PROTECTION ORDER OR
: CONSENT AGREEMENT
(R.C. 3113.31)

Respondent

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

Upon the motion of [ ]Petitioner [ ]Respondent, this proceeding came on for a hearing on \_\_\_\_\_
before the Court to [ ]modify [ ]terminate the following Order:

- [ ] Domestic Violence Civil Protection Order granted on \_\_\_\_\_
[ ] Dating Violence Civil Protection Order granted on \_\_\_\_\_
[ ] Consent Agreement Domestic Violence Civil Protection Order approved on \_\_\_\_\_
[ ] Consent Agreement Dating Violence Civil Protection Order approved on \_\_\_\_\_

[ ] Petitioner was [ ]present [ ]not present, but had reasonable notice and opportunity to be heard.

[ ] Respondent was [ ]present [ ]not present, but had reasonable notice and opportunity to be heard.

The Court has considered the following factors:

- 1. Petitioner [ ]consents [ ]does not consent to the [ ]modification [ ]termination of the Civil Protection Order or Consent Agreement.
2. Petitioner [ ]continues to fear [ ]does not fear Respondent.
3. The current nature of the relationship between Petitioner and Respondent is as follows:
\_\_\_\_\_
\_\_\_\_\_
4. Relative proximity of Petitioner's and Respondent's workplaces and residences.
5. Petitioner and Respondent [ ]have [ ]do not have minor children together.
6. Respondent has [ ]complied [ ]failed to comply with the terms and conditions of the original civil protection order or consent agreement.
7. Respondent [ ]has [ ]does not have a continuing involvement with [ ]illegal drugs or [ ]alcohol.

- 8. Respondent  has been  has not been convicted of or pleaded guilty to an offense of violence since the protection order was issued or the consent agreement was approved.
- 9. Other protection orders, consent agreements, restraining orders, or no contact orders  have been  have not been issued against Respondent pursuant to R.C. 3113.31 or 2919.26, any other provision of state law, or the laws of any other state.
- 10. Respondent  participated  has not participated in treatment, intervention program, or other counseling as set forth in the Court's order or approved agreement.
- 11. Respondent  completed  has not completed treatment, intervention program, or other counseling as set forth in the Court's order or approved agreement.
- 12. \_\_\_\_\_ (time) has elapsed since the protection order was issued or the consent agreement was approved.

13. The age and health of Respondent is as follows:

\_\_\_\_\_

\_\_\_\_\_

14. The last incident of abuse, threat of harm, or commission of a sexually oriented offense occurred on:

\_\_\_\_\_

\_\_\_\_\_

15. Other information considered concerning the safety and protection of Petitioner or other protected parties:

\_\_\_\_\_

\_\_\_\_\_

Based on all relevant factors, including those set forth in R.C. 3113.31(E)(8), the Court finds:

**THE ORDER ISSUED ON** \_\_\_\_\_ **SHALL BE MODIFIED** per the  Modified Domestic Violence Civil Protection Order (Form 10.01-M)  Modified Dating Violence Civil Protection Order (Form 10.01-T).

**THE ORDER IS TERMINATED.** The civil protection order or consent agreement is no longer needed. Respondent may reclaim any deadly weapons held in protective custody by law enforcement pursuant to this Order unless Respondent is otherwise disqualified as verified by a check of the NCIC protection order file.

**THE MOTION IS DENIED.** The civil protection order or consent agreement remains in full force and effect.

The Court has prepared a Protection Order Notice to NCIC (Form 10-A) to show the modification or early termination of the prior order or agreement.

**IT IS FURTHER ORDERED NO COSTS OR FEES SHALL BE ASSESSED AGAINST PETITIONER** for filing, issuing, registering, modifying, enforcing, dismissing, withdrawing, serving, subpoenaing witnesses for, or obtaining a certified copy of this Order. This Order is granted without bond.

**THE COSTS OF THIS ACTION ARE**  assessed against Respondent  waived.

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**IF THE FULL HEARING PROCEEDING WAS REFERRED TO A MAGISTRATE**, the Court has reviewed the magistrate's granting or denial of the modification or termination of the Order and finds no error of law or other defect evident on the face of the Order as set forth in Civ.R. 65.1. Accordingly, the Court adopts the magistrate's granting or denial of the modification or termination of the Order.

**IT IS SO ORDERED.**

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

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

**NOTICE OF FINAL APPEALABLE ORDER**

Copies of this Order, which is a final appealable order, were served on or delivered to the parties indicated above pursuant to Civ. R. 5(B) and 65.1(C)(4), including ordinary mail, on

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

By: \_\_\_\_\_  
CLERK OF COURT

**TO THE CLERK:**

**A COPY OF THIS ORDER SHALL BE SERVED ON RESPONDENT PURSUANT TO CIV.R. 65.1(C)(3).**

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

- Petitioner
- Petitioner's Attorney
- Respondent's Attorney
- Counseling Program: \_\_\_\_\_
- Law Enforcement Agency Where Petitioner Resides: \_\_\_\_\_
- Law Enforcement Agency Where Petitioner Works: \_\_\_\_\_
- CSEA
- Other: \_\_\_\_\_