

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

Petitioner : Case No. _____

 Address (Safe mailing address) : Judge/Magistrate _____

 City, State, Zip Code :

v. : **MOTION TO MODIFY OR TERMINATE
 DOMESTIC VIOLENCE OR DATING VIOLENCE
 CIVIL PROTECTION ORDER OR CONSENT
 AGREEMENT
 (R.C. 3113.31)**

Respondent :

 Address :

 City, State, Zip Code :

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.

- Petitioner Respondent moves this Court to modify or 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 _____

In the original proceeding, I was the Petitioner Respondent.

1. The terms of the civil protection order or consent agreement to be modified or terminated are:

2. The reasons for the modification or termination are:

- 3. Court fees cannot be assessed against Petitioner for filing a Motion to Modify or Terminate Civil Protection Order or Consent Agreement, which is in connection with a previously issued or approved protection order or consent agreement, pursuant to R.C. 3113.31(J)(1).

Respectfully submitted,

SIGNATURE OF PETITIONER/RESPONDENT

Safe mailing address where the Court may send the moving party (YOU) 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.**

Signature of Attorney for Petitioner/Respondent (if applicable)

Name

Address

Attorney Registration

Attorney's Telephone

Attorney's Fax

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)(4), please serve Petitioner Respondent a copy of the Motion 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 / RESPONDENT

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 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.

Case No. _____

- 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.

Case No. _____

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: _____