

FILING A CIVIL PROTECTION ORDER:

You may file a petition in the county where you reside. If you file for either type of protection order, you may request an expedited hearing where you present testimony and evidence in support of your petition.

If the court grants your petition, an Order will be issued. Your Order will then be served upon the person you filed against.

If your emergency petition is granted, a full hearing will be scheduled by the Court where evidence may be presented by both parties. If the court grants your petition after the full hearing, the court will issue a final protection order which can last up to five years. You may file a motion to terminate the protection order if you choose to do so at anytime before the order terminates.

SCAN FOR CIVIL STALKING:



TO FILE:
PLEASE VISIT AND CONTACT THE
COMMON PLEAS COURT AT THE
MONTGOMERY COUNTY COURTS
BUILDING'S FIRST FLOOR.

41 N. PERRY ST. ROOM 103
DAYTON, OH 45422
937-225-4864

CIVIL PROTECTION ORDERS

MIKE FOLEY

MONTGOMERY COUNTY
CLERK OF COURTS

SCAN FOR DOMESTIC VIOLENCE:



TO FILE:
PLEASE VISIT THE COURT AND
CONTACT THE DOMESTIC VIOLENCE
COORDINATOR AT THE
MONTGOMERY COUNTY COURTS
BUILDING SECOND FLOOR LOBBY.

301 W. THIRD ST. DAYTON, OH 45402
937-496-6859



WHAT ARE CIVIL PROTECTION ORDERS? (CPO AND SSOOPO)

A civil court may issue an order directing one specific person (respondent) to stay away from another specific person (petitioner and/or victim) which can last up to five years and can be placed without a criminal charge of violence. A protection order is issued by a civil court that directs the person who is abusing, harassing, or stalking you to stop doing so. They may, among other things, direct an individual not to have any type of contact and to stay away from a victim. Violating a protection order is a crime. An abuser who violates a protection order may face jail time.

Note:

THERE ARE TWO CATEGORIES OF CIVIL PROTECTION ORDERS:

- I. DOMESTIC VIOLENCE PROTECTION**
- II. CIVIL STALKING AND SEXUALLY ORIENTED OFFENSE PROTECTION**

THERE DOES NOT NEED TO BE A CRIMINAL CASE OR CONVICTION AGAINST AN ABUSER TO FILE A CIVIL PROTECTION ORDER. IN ADDITION, YOU MAY FILE FOR A CIVIL PROTECTION ORDER EVEN IF CRIMINAL CHARGES ARE ALREADY PENDING AGAINST THE ABUSER, WHETHER OR NOT YOU HAVE OBTAINED A TEMPORARY PROTECTION ORDER THROUGH THE CRIMINAL COURT.

Nothing in this pamphlet should be interpreted as legal advice. This pamphlet is meant only for informational purposes..

DOMESTIC VIOLENCE PROTECTION ORDER (CPO)

If you are the victim of domestic violence or threats of violence by a family or household member you may file for a CPO. Family or household member means you are related by blood or marriage, have a child with, live with (as romantic partners), have lived with (as romantic partners) in the past 5 years, are divorced from, or are in or have had a dating relationship with the abuser within the past 12 months. It is not necessary to have an attorney to file for a CPO, but an attorney can assist you in presenting your case. A CPO is free of charge, can last up to five years, and may order the following:

- Abuser to refrain from any harassment including via telephone, social media, directly, or through other means
- Abuser to stay away from your home, work, or school
- Temporary custody of children
- Temporary use of vehicle if applicable
- Treatment for the abuser
- Appointment of household items, pets, or service animal
- Other forms of equitable relief



CIVIL STALKING/ SEXUALLY ORIENTED OFFENSE PROTECTION ORDERS

A victim of menacing by stalking or of a sexually oriented offense may request a protection order. Unlike the Domestic Violence Protection Order, it is not required that the offender be a family or household member. Menacing by stalking is when a person knowingly engages in a “pattern of conduct” (means two or more incidents closely related in time) that makes you believe that the stalker will cause you harm.

A Sexually Oriented Offense Protection Order protects victims of offenses including rape, sexual battery, statutory rape, gross sexual imposition, child enticement and violent acts committed with a sexual motivation. You can find the complete list of sexually oriented offenses in the Ohio Revised Code Section 2950.01. It is not necessary to have an attorney to file, but an attorney may assist you in presenting your case. There is no cost to you to file, can last up to five years, and may order the following:

- Abuser to refrain from any contact/harassment including via phone, social media, directly or through others
- Other forms of equitable relief

PLEASE SEE LINKS & CONTACT INFORMATION ON BACK

