

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.