



Understanding Protection Orders in Marion County

What is a Protection Order?

A Civil Protection Order (CPO) is an order issued by a Court requiring another person to stop harming someone, stay away from them, and stop contacting them. If the person ordered to stop their actions violates the protection order, they can be arrested and charged criminally for violating the protection order. If convicted, the person may face criminal consequences, which could include jailtime. CPOs are not granted automatically. You must file forms with the Court and attend multiple hearings.

How to Request a Civil Protection Order

1. First, you must determine the correct Civil Protection Order for your situation.
2. After you determine what Civil Protection Order is correct for your situation, get the necessary paperwork, complete it and file it with the clerk of court.
3. Attend the First Hearing: After you file, you will have an Ex Parte (emergency) Hearing with yourself, any witnesses you bring, and the Judge. This hearing will be scheduled the same day you file. If you are working with a victim advocate, they can attend this hearing with you, but they cannot testify for you. You must testify yourself. Bring any proof of your allegations, including printed photos, printed text messages, printed police reports, and witnesses. After you present your evidence, the Court will either grant you an Ex Parte CPO or deny your request for one. Regardless, you will receive a date for a second hearing. After this hearing, the other person will be served with copies of the documents you filed and any order issues by the Court.
4. Attend the Second Hearing: You must attend the second hearing scheduled with the Court, or your CPO will be dismissed. You should prepare your testimony and evidence for this hearing beforehand. You should tell the Judge everything that happened to you, including what you told them at the first hearing. Bring and present any evidence or witnesses to your claims, even if you presented it at the first hearing. After you present your testimony, the other person will have the opportunity to present their own testimony and evidence. After the hearing, the Court will decide if you will receive a CPO and issue a written order.

What is a Stay Away Order?

A Stay Away Order is obtained through a criminal case. Unlike a protection order, the other person would not face new criminal charges for violating this order, but it would be enforced by the Court or their probation officer through their existing case. You can ask for a Stay Away Order as a condition of the other person's community control sanction (probation). You can ask your victim advocate for help with this or ask the Court at any hearing in the criminal case.

Types of Protection Orders

Ohio has many different CPOs. Each CPO has different requirements, different paperwork, and is filed in different courts.

Marion County Family Court – 222 W. Center St.

Domestic Violence CPO: To receive a Domestic Violence CPO, you must be a family or household member or share a child with the other person. The other person must be 18 years or older. Typically, you must prove to the Court that the other person physically hurt you or threatened you with serious physical harm.

Dating Violence CPO: To receive a Dating Violence CPO, you must have been in a dating relationship (romantic or intimate) with the other person in the last year. The other person must also be 18 years or older. Like the Domestic Violence CPO, you likely have to prove that the other person physically hurt you or threatened you with physical harm.

Juvenile CPO: If you want a CPO protecting you against someone who is under the age of 18 years old, you must file for a Juvenile CPO.

Protection orders are heard daily at 1:00 pm.

Marion County Court of Common Pleas – 100 N. Main St.

Stalking Orders: To receive a CPO for stalking behavior, you must prove the other person's actions create a pattern of conduct, meaning two or more closely related in time. You must also prove that these actions caused you to believe you are going to be physically harmed or mental distress.

Sexually Oriented Offense Orders: To receive a Sexually Oriented Offense CPO, you need to demonstrate the other person committed a sexually oriented offense against you.

Temporary Protection Orders can be issued here for victims of felony crimes.

Marion Municipal Court - 223 W. Center St.

Temporary Protection Order: You can receive a Temporary Protection Order that protects you in a similar way as a CPO. Like a CPO, if the other person violates this order, they can be charged with a new crime. This protection order lasts only until the criminal case is over. If the other person is charged with domestic violence, a Temporary Protection Order will likely be placed automatically. For other crimes of violence, you may need to request the Court issue a protection order through the criminal case. You can ask your victim advocate for help with this or ask the Court at any hearing in the criminal case.

Forms

You can obtain the forms you need to file from the Clerk of Court, victim advocates, and the Ohio Supreme Court website. You can also download the forms by using the QR code located on this pamphlet. If you complete the forms on your own, it is important you complete each form fully. If the form is incomplete, you may be denied a CPO for that reason.

Agencies that can Assist

Turning Point
740-382-8988

Marion Victim
Assistance Program
740-387-4401

Marion County
Prosecutor's Office
Victim Services
740-223-4290

Legal Aid Society
740-383-2161

A Protection Order
can affect important
legal rights. If you
can talk to an
attorney before filing,
you should.

