

DIVISION OF DOMESTIC RELATIONS
IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

Petitioner : Case No. _____

 Address (Safe mailing address) : Judge/Magistrate _____

 City, State, Zip Code :

v. : **MOTION FOR CONTEMPT OF A DOMESTIC
 VIOLENCE OR DATING VIOLENCE CIVIL
 PROTECTION ORDER (R.C. 3113.31)**

Respondent :

 Address :

 City, State, Zip Code :

IF YOU ARE ASKING FOR YOUR ADDRESS TO BE KEPT CONFIDENTIAL, PLEASE GIVE ANOTHER 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 find _____
in contempt of court for violating one or more of the provisions of the Domestic Violence Civil
Protection Order Dating Violence Civil Protection Order issued on _____ / _____ / _____
for the reasons below.

- 1. Respondent violated the Civil Protection Order by
 (check all that apply):
 - Abusing me or another protected person
 - Harming me or attempting to harm me or another protected person
 - Threatening me or another protected person
 - Following me or another protected person
 - Stalking me or another protected person
 - Harassing me or another protected person
 - Forcing sexual relations upon _____ me or another protected person
 - Committing a sexually oriented offense against me or another protected person
- 2. Respondent failed to vacate the residence at _____
- 3. Respondent interfered with my exclusive possession of the residence located at _____

Furthermore, Respondent did the following (check all that apply):

- Cancelled utilities
- Cancelled insurance
- Interrupted telecommunication (telephone, internet, or cable) services
- Interrupted mail delivery
- Interrupted delivery of any other documents or items

- 4. Respondent failed to surrender keys or garage door openers to the residence for which the Civil Protection Order Grants Petitioner exclusive use.

- 5. Respondent entered or interfered with the residence, school, business, place of employment, day care center, or child care provider of the protected persons.

- 6. Respondent violated the stay away provision of the Civil Protection Order.

- 7. Respondent violated the no contact provision of the Civil Protection Order by (check all that apply):
 - Posting photographs, videos, or other images of me or another protected person on social media
 - Referring to me or another protected persons on social media
 - Electronically surveilling me or another protected person

- 8. Respondent failed to surrender the keys to the motor vehicle for which the Civil Protection Order grants Petitioner exclusive use.

- 9. Respondent removed, damaged, hid, or disposed of personal property, companion animals, or pets in violation of the Civil Protection Order.

- 10. Respondent impeded Petitioner from removing Petitioner's companion animal or pet in violation of the Civil Protection Order.

- 11. Respondent caused or encouraged another person to do acts prohibited by the Civil Protection Order.

- 12. Respondent violated the Civil Protection Order by possessing, using, carrying, obtaining, or failing to turn over a deadly weapon, including firearms, and ammunition.

- 13. Petitioner Respondent violated the temporary allocation of parental rights and responsibilities (custody).

- 14. Petitioner Respondent violated the visitation order.

- 15. Respondent violated the child or spousal support provision in the Civil Protection Order.

- 16. Respondent used or possessed alcohol or illegal drugs in violation of the Civil Protection Order.

- 17. Petitioner Respondent failed to attend the ordered counseling program in violation of the Civil Protection Order.

- 18. Respondent interfered with the wireless service transfer, prevented the functionality of a device on the network, or incurred further contractual or financial obligations related to the wireless service transferred in violation of the Civil Protection Order.

- 19. Other violations of the Civil Protection Order or additional explanation (**if you need more space, attach an additional page**):

Case No. _____

I swear or affirm that the answers above are true, complete, and accurate to the best of my knowledge. I understand that making false statements in this document may result in a contempt of court finding against me which could result in a jail sentence and fine, and may also subject me to criminal penalties for perjury under R.C. 2921.11.

SIGNATURE OF PETITIONER/RESPONDENT DATE

IF YOU DO NOT HAVE AN ATTORNEY FOR THIS CASE, PLEASE LEAVE THIS INFORMATION BELOW BLANK

 Signature of Attorney for Petitioner

 Name

 Address

 Attorney Registration Number

 Telephone

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Case No. _____

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v. : Judge/Magistrate _____

Respondent :

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Pursuant to Civ.R. 65.1(C)(4), please serve 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

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

Notice

You have been accused of violating a court order. A Motion to Show Cause has been filed, asking this Court to find you in contempt of court.

If you fail to appear at the hearing on the Motion to Show Cause the Court may proceed without you or issue an order for your arrest. The Court may also order the payment of costs, which may include attorney fees.

You have the following rights:

- The right to a hearing.
- The right to be represented by an attorney at the hearing. If you are accused of failing to pay child- or spousal-support, or of denying court-ordered parenting time, and you are indigent, you may be entitled to an appointed attorney. *If you wait until the hearing to seek an attorney, the court may refuse to postpone the hearing.*
- The right to present evidence, subpoena witnesses, and call witnesses at the hearing.
- The right to testify in your own behalf.
- The right to require the person accusing you of contempt to prove the contempt by evidence beyond reasonable doubt for criminal contempt or by clear and convincing evidence for civil contempt.
- The right to purge the contempt if you are found in civil contempt.
- The right to request limited driving privileges if your driver's license is suspended for failing to pay support.

If you are found in contempt of court, you may be subject to the following penalties:

- **First offense:** up to 30 days in jail or up to \$250 fine or both.
- **Second offense:** up to 60 days in jail or up to \$500 fine or both.
- **Third offense:** up to 90 days in jail or up to \$1,000 fine or both.
- In civil contempt indefinite confinement until the court's order is complied with.

Failure to appear as ordered may result in a warrant for your arrest. Failure to appear is a separate violation of court orders and may result in additional charges and sanctions.