

Rule 26: Domestic Violence

(A) PLEADING.

(1) An action under Ohio's Domestic Violence statute may be initiated by filing a Petition for Domestic Violence Civil Protection Order. The Petition for Domestic Violence Civil Protection Order shall be treated as a separate action at all times. The Petition shall not be incorporated, merged or consolidated into any pending ~~d~~Divorce, ~~d~~Dissolution of ~~m~~Marriage, ~~l~~Legal ~~s~~Separation or annulment action by way of a separate count or separate cause of action.

(2) At the time of filing, a Petition shall be given a **new** case number by the Clerk of Courts and a **j**udge shall be assigned. If a ~~d~~Divorce, ~~d~~Dissolution of ~~m~~Marriage, ~~l~~Legal ~~s~~Separation or annulment, or post-decree proceeding involving the same parties is pending when a Petition is filed, and a different judge is drawn, the case shall be ~~transferred~~ **referred back** to the Judge assigned to ~~d~~Divorce, ~~d~~Dissolution of ~~m~~Marriage, ~~l~~Legal ~~s~~Separation or annulment, or post-decree proceeding. ~~If a Petition is filed closely in time to a Divorce, Dissolution of Marriage, or Legal Separation involving the same parties, the case with the higher number will be transferred to the Judge assigned to the case with the lower number.~~

(3) If the parties to the Petition were previously involved in a ~~d~~Divorce, ~~d~~Dissolution of ~~m~~Marriage, ~~l~~Legal ~~s~~Separation proceeding, whether that case went to decree or was dismissed, and no action is then pending, the Petition will be ~~transferred~~ **referred back** to the **j**udge who was assigned to the previous case, or the successor Judge.

(B) PROCEDURE.

A complete packet of forms and instructions is available from the Court's Navigation Services. Interactive forms are also available on the Court's web site ([http:// domestic.cuyahogacounty.us](http://domestic.cuyahogacounty.us)) or on the Ohio Supreme Court's website (<http://www.supremecourt.ohio.gov>).

Prior to filing, the Petition shall be submitted to the Court's ~~Law Department~~ **Navigation Services** for review. ~~and pre-approval.~~

If the petitioner is seeking a temporary allocation of parental rights and responsibilities of minor children, the Petition shall include a Parenting Proceeding Affidavit. ~~A complete packet of forms and instructions is available from the Court's Law Department. Interactive forms are also available on the Court's web site ([http:// domestic.cuyahogacounty.us](http://domestic.cuyahogacounty.us)) or on the Ohio Supreme Court's website (<http://www.supremecourt.ohio.gov>).~~

(C) DURATION OF PROTECTION ORDERS.

Any **Domestic Violence** Civil Protection Order **Ex Parte** issued following an **eEx pParte** hearing shall be valid for one (1) year from the date of issuance or until another date set by the **j**udge/**magistrate** at the **eEx pParte** hearing. Any **Domestic Violence** Civil Protection Order issued subsequent to a full hearing on the Petition shall be valid until a date certain, but not later than five (5) years from its date of issuance. ~~or until further order of Court.~~

(D) REGISTRATION OF PROTECTION ORDERS.

Domestic Violence Civil Protection Orders issued by Cuyahoga County or any county and/or any state may be registered in Cuyahoga County in the Office of the Clerk of Courts.

(E) PUBLICATION OF DOMESTIC VIOLENCE CASE INFORMATION ONLINE.

There shall be no public access to any ~~d~~Domestic ~~v~~Violence dockets by way of the Clerk of Courts' publicly available Internet website.