Protection Orders That Protect

Iron-clad enforcement, accountability, and clarity amendments to R.C. 3113.31, 2903.214, 2919.26, 2919.27, 2935.03, 2935.032, 3109.04, and 3127.23

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Every protection gets five parts

A protection order is a court's command, but a command without a deadline, proof, and a consequence can be ignored. Version 2 attaches the same five parts to every duty in Ohio's protection order laws:

1. **Duty.** A named role owes it: judge, clerk, sheriff, officer, dispatcher, prosecutor, or custody court. Every official duty is "shall."
2. **Deadline.** Hours or days, not "as soon as possible" or "a reasonable time." Default: 1 business day (PF-1, PF-2).
3. **Proof.** A compliance record for each duty: docket time stamps, returns of service, data system entry, proof of firearm surrender, written reasons. If it is not recorded, it is presumed not done (PF-2).
4. **Consequence.** The agency must act within 2 business days and pays the survivor's fees and costs; hearings are reset free; findings go to the attorney general and the Supreme Court; contempt for knowing violations (PF-2).
5. **Remedy.** A free one-page form the clerk dockets within 1 business day, a compliance hearing in 7 days, and a written ruling 3 business days later (PF-2).

Core positions, kept and strengthened

- After a full-hearing protection order, a custody court must make written safety findings in the same entry, or the order is reviewed within 14 days (P-18).
- Emergency custody filings must disclose protection orders; the court checks its own docket first; an order obtained by hiding one is vacated within 7 days, with fees (P-17, P-26).
- Following a protection order or seeking medical care, counseling, or police help is never held against a parent (P-15, PF-4).

New in version 2

- Continuances only to a date certain within 14 days, and written reasons the same day when an emergency order is denied (P-19, P-20).
- No protection lost in a consent agreement without a plain-language finding made away from the respondent (PF-3).
- Police must check records, write down the primary aggressor factors, explain any non-arrest or failure to seize a weapon, and share it with the survivor (P-22, P-23, P-24).
- Courts share protection orders with family and criminal courts within 1 business day (P-26); costs, fees, and a filing check stop repeated motions (P-25).

Recommended route

Every change amends the Revised Code and can pass as an ordinary bill; no constitutional amendment is needed. Matching court-rule requests appear in Part II. Each change preserves the respondent's due process rights and the right to bear arms under the U.S. and Ohio Constitutions.

How to read this document

Current language is quoted verbatim from the official text on codes.ohio.gov, retrieved and machine-checked again on November 10, 2026. In the proposed language, underlined green text is inserted and ~~struck-through red text is removed~~. Each amendment also lists the changes plainly as "Insert:" and "Strike:" so the edits survive printing in black and white, and opens with an "Enforcement at a glance" box: who owes the duty, what triggers it, the deadline, the proof, the consequence, and the survivor's remedy. Where R.C. 2903.214 (stalking and sexual offense orders) has a matching provision, the reason notes that the same change should be made there. New section numbers (R.C. 3113.312 to 3113.317) are placeholders; the Legislative Service Commission assigns final numbering.

What changed from version 1

- Every version 1 proposal was tightened: "may" became "shall" where a finding has been made or an official owes the duty, soft standards became fixed deadlines, and each now has an enforcement box.
- Five foundation provisions were added: objective definitions (PF-1), one enforcement standard with proof, a presumption, and consequences (PF-2), consent agreements that cannot quietly waive protections (PF-3), no retaliation (PF-4), and liberal construction and severability (PF-5).
- Eight new amendments were added (P-19 to P-26), along with an Enforcement Matrix, a table of loophole words, and a list of related reforms in companion documents.

Gaps at a glance

Category	What goes wrong today	Fix
Enforcement	Open-ended continuances; emergency denials without reasons; slow or failed service; no firearm surrender; arrest only preferred; weapons left "to the extent possible"; criminal TPOs optional even after a safety finding.	PF-2, P-1 to P-3, P-6, P-7, P-19 to P-21, P-24
Accountability	No proof standard or presumption; no data; no review of non-arrests; no remedy against agencies; courts that do not share orders; custody filings that hide protection orders.	PF-2, PF-4, P-8, P-13, P-17, P-22, P-26
Clarity	Undefined soft words; consent agreements that drop protections; "should consider" aggressor factors; repeated motions; custody law silent on protection orders and able to penalize a parent for obeying one.	PF-1, PF-3, PF-5, P-4, P-5, P-12, P-15, P-16, P-18, P-23, P-25

Enforcement Matrix

Each protection, who owes it, the deadline, the proof of compliance, the consequence when it is missed, and the survivor's remedy. The basic survivor remedy is the free one-page enforcement request: the clerk dockets it within 1 business day, the court holds a compliance hearing within 7 days and rules within 3 business days (PF-2).

Protection	Who owes it	Deadline	Proof	Consequence	Survivor remedy	Where
Emergency (ex parte) hearing	Court	Same day (next court day if after hours)	Docket time stamp	PF-2 remedies	Enforcement request	P-1, P-20
Reasons when emergency order denied	Court	Same day; full hearing in 10 court days	Written finding, copy to petitioner	Same-day rehearing on amended petition	Amended petition	P-20
Full hearing without drift	Court	Continuance to date certain within 14 days	Written entry served same day	No open-ended delay	Enforcement request	P-2, P-19
Service of the order	Clerk; sheriff; any officer	To sheriff 24 hours; alternative after 7 days	Return of service; monthly report	Alternative service; PF-2 remedies	Ask for alternative service	P-3
Entry where officers can see it	Law enforcement agency	LEADS and NCIC in 24 hours, before service	Index entry; annual report	PF-2 remedies	Enforcement request	P-13
Informed consent agreements	Court	Before approval	Plain-language finding	Omitted term void; full hearing on request	Motion within 90 days	P-4, PF-3
Firearms surrender	Respondent; court; agency or dealer	Surrender 24 hours; proof 48; review 7	Sworn proof; receipt filed	Show cause or warrant in 1 business day	Notice of noncompliance	P-6
Arrest for known violation	Peace officer	At the scene	Arrest report	Required arrest; liability for reckless failure	Report number	P-7, P-8
Reasons when no arrest	Officer; supervisor; agency	Report 24 hours; review 3; copy 5 business days	Report; supervisor review	Prosecutor referral; PF-2 remedies	Copy of reasons; warrant request	P-22
Correct primary aggressor	Officer; dispatcher	Records check within 4 hours	Factors written in report	PF-2 remedies	Enforcement request	P-23
Weapons seized	Officer; agency	Notice of non-seizure 1 business day	Report of reason and search	PF-2 remedies	Enforcement request	P-24
Criminal TPO after safety finding	Criminal court	At hearing; denial reasons 1 business day	Order or written finding; docket check	Order required	Renewed motion	P-21
Courts share orders	Clerk; receiving court	Search before hearing; send and file in 1 business day	Docket notes	No conflicting custody order without hearing	Enforcement request	P-26
Custody safety	Custody court	Findings in same entry; docket check before emergency orders	Written findings; search noted	Order vacated with fees if PO hidden	Motion to vacate or review	P-15 to P-18
Freedom from litigation abuse	Court	At denial of motion	Fee award in entry	Leave of court after 3 denials	Request fees and filing check	P-12, P-25
No retaliation; no penalty for protecting	Respondent; officials; courts	Immediate	Court finding	Fees; considered on renewal	Enforcement request	PF-4, P-15
Enforcement itself	Clerk; court	Docket 1 business day; hearing 7 days; ruling 3 business days	Written finding	Agency pays fees; contempt; corrective plan	Free one-page form	PF-2

Loophole words: struck or defined

Soft words that let an official avoid a duty were found in the current text of R.C. 3113.31, 2903.214, 2919.26, 2919.27, 2935.03, and 2935.032 and in the version 1 drafts, and were struck, replaced with a fixed deadline, or given an objective test. Standards of proof and judicial choices about the terms of an order were kept on purpose.

Word or phrase	Where it appears	Treatment
"as soon as possible"	R.C. 2903.214(D)(1); 2919.26(C)(1) and (D)(2)	Replaced with same day (P-1); defined as 1 business day where it remains (PF-1(B))
"a reasonable time determined by the court"	R.C. 3113.31(D)(2)(a); 2903.214(D)(2)(a)	Struck; date certain within 14 days unless petitioner consents (P-19, P-2)
"other good cause" / "good cause"	R.C. 3113.31(D)(2)(a)(iv); 2903.214(D)(2)(a)(iv)	Defined narrowly: due process, emergency, or petitioner's request; workload, other pending cases, and agreements the petitioner did not join excluded (PF-1(C), P-2)
"may" (court and agency duties)	R.C. 2919.26(C)(1); 3113.31(E)(8)(e); version 1 drafts of P-5, P-11 (fees)	Changed to "shall" once the required finding is made (P-5, P-11, P-21, P-25)
"may" (judicial choice of terms)	R.C. 3113.31(D)(1) and (E)(1)	Kept, because courts must tailor terms to the facts; denials now need written reasons (P-20, P-21)
"should consider"	R.C. 2935.03(B)(3)(d)	Changed to "shall consider," with each factor recorded in the report (P-23)
"reasonably can ascertain"	R.C. 2935.03(B)(3)(d)(i)	Struck; required records check within 4 hours (P-23)
"to the extent possible"	R.C. 2935.03(B)(3)(h)	Struck; non-seizure must be explained and reported (P-24); defined where it remains (PF-1(H))
"preferred course of action"	R.C. 2935.03(B)(3)(b) and (c)	Required arrest for known order violations (P-7); non-arrest explained, reviewed, and shared (P-22)
"reasonably calculated"	Version 1 draft of P-3	Replaced with "likely to give actual notice" within 2 business days (P-3)
"reasonable" attorney's fees / "reasonable basis"	Version 1 drafts of P-11, P-12, P-17	Replaced with fees at the prevailing market rate, documented expenses, and "a basis in law or fact" (P-11, P-12, P-17, P-25)
"reasonable" (official efforts, any remaining use)	Protection order statutes	Defined as meeting the stated deadline, or the 1-business-day default (PF-1(G))
"reasonable cause" / "reasonable grounds" / "reasonable fear"	R.C. 2935.03(B); version 1 P-5	Kept: these are standards of proof, not official efforts (PF-1(G))
"unless" (exceptions that remain)	P-2, P-11, P-14, P-25	Allowed only with a written finding tied to due process, an emergency, or the petitioner's consent
"upon request" / "on request"	Version 1 drafts of P-3, P-5	Kept only for the petitioner's own choices; every agency duty runs automatically with a deadline
"attempt" (service)	R.C. 3113.31(D)(2)(a)(i) (continuance for lack of service)	Diligent service attempts defined: 3 attempts, different times, every known address (PF-1(F)); alternative service after 7 days (P-3)
"practicable"	Protection order statutes	Defined: possible unless a written record names the fact that made it impossible (PF-1(H))
"waived or nullified" / consent	R.C. 3113.31(E)(1) and (E)(7)(a)	No protection lost by consent agreement without a plain-language finding; no waiver by invitation (PF-3)

Part I. Statutory amendments to the Revised Code

The General Assembly can enact all of these by ordinary bill.

A. Foundation provisions (apply to every protection order duty)

PF-1. New R.C. 3113.312: Objective definitions that close the loophole words

NEW IN VERSION 2 | STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Clarity

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Every court, clerk, and agency in the protection order laws	Any duty using a defined word	Fixed by each definition (for example, 1 business day for "as soon as possible")	Written findings; service logs	Soft excuses no longer satisfy a duty	Any enforcement request relies on the objective tests

Current language (verbatim)	Proposed language
No current provision. The protection order statutes rely on undefined standards such as "as soon as possible," "a reasonable time determined by the court," "other good cause," "should consider," "reasonably can ascertain," and "to the extent possible."	Sec. 3113.312. As used in sections 2151.34, 2903.213, 2903.214, 2919.26, 2919.27, 2919.272, 2935.03, 2935.032, and 3113.31 of the Revised Code, and in sections 3113.313 to 3113.317 of the Revised Code: (A) "Business day" means any day other than a Saturday, Sunday, or legal holiday. "Court day" means a day the court is open for business. (B) "As soon as possible" and "promptly" mean within the shortest stated deadline that applies and, if none is stated, within one business day. "Immediately" means within twenty-four hours. (C) "Good cause," when used to continue a hearing, deny or delay relief, or limit a protection, means only a specific reason supported by the record that the action is required to protect a party's right to due process, to respond to an emergency, or to honor the petitioner's own request. Court workload, calendar convenience, the pendency of another case, or an agreement that the petitioner did not join is not good cause. (D) "Emergency" means a sudden circumstance beyond the control of the person seeking relief, such as serious illness, death in the family, or the closure of the court, that is documented in writing. (E) "Written finding" means a finding in a journal entry or on the record that states the specific facts and reasons for the decision in that case. A preprinted form, a checked box, or a conclusion without facts is not a written finding. (F) "Diligent service attempts" means at least three documented attempts at personal service at different times of day, including one evening or weekend attempt, at every address known for the respondent, each recorded with the date, time, place, officer, and

	result. (G) "Reasonable," when used to describe an effort, a time, or a means of a public official or agency, is satisfied only by compliance with the specific deadline or standard stated in these sections or, if none is stated, with the default deadline in section 3113.313 of the Revised Code. This division does not change any standard of proof or the "reasonable cause" and "reasonable grounds" standards for arrest. (H) "To the extent possible" and "practicable" mean possible to perform. An action is not possible or practicable only if the responsible official makes a written record identifying the specific fact that made the action impossible. (I) "Responsible agency" means the court, clerk, sheriff, law enforcement agency, or other public agency whose official, employee, or designee owed the duty that was not performed. (J) "Compliance record" means the docket entry, return of service, data system entry confirmation, report, proof of surrender, or other record that a section requires to show a duty was performed.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Survivors lose protection inside soft phrases that no one can measure afterward. These definitions give each one an objective test: a number of days, a number of service attempts, or a written finding with facts. They do not change the probable-cause standard for arrest or the burden of proof for issuing an order.

PF-2. New R.C. 3113.313: One enforcement standard for every protection order duty

NEW IN VERSION 2 | STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Enforcement and accountability

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court, clerk, sheriff, law enforcement agency	Any duty in the protection order laws	Default: 1 business day after the trigger	Compliance record noted on the docket; free copy in 1 business day	Missing record presumed a violation; Agency ordered to act within 2 business days; agency pays fees and costs; hearing reset free; finding reported (PF-2); contempt; corrective plan	Free one-page enforcement request; clerk dockets in 1 business day; compliance hearing in 7 days; ruling 3 business days later (PF-2)

Current language (verbatim)	Proposed language
No current provision. The protection order statutes assign duties to clerks, courts, sheriffs, and police but set no general rule for default deadlines, proof of compliance, who bears the burden when service or entry is disputed, or what happens when a duty is missed. A petitioner's main tool is a contempt motion against the respondent, not against the	Sec. 3113.313. (A) This section applies to every duty that sections 2151.34, 2903.213, 2903.214, 2919.26, 2919.27, 2919.272, 2935.03, 2935.032, and 3113.31 of the Revised Code place on a court, clerk, sheriff, law enforcement agency, or other public agency. Every such duty is mandatory.

agency that failed to act.	(B) Deadlines. When a provision states no deadline, the responsible official shall perform the duty within one business day after the event that triggers it. (C) Proof of compliance. Each responsible agency shall make a compliance record for each duty at the time it is performed, showing the date, time, method, and person who performed it, and the clerk shall note each compliance record on the docket. On request, the clerk shall give the petitioner a free copy within one business day. (D) Presumption. If a duty is not shown by a compliance record, it is presumed not to have been performed. The responsible agency may rebut the presumption only with records made at the time the duty was performed. (E) How a petitioner invokes a remedy. The supreme court is requested to adopt, and until it does the attorney general shall prescribe, a one-page protection order enforcement request form in plain language and in the languages required by section 2930.04 of the Revised Code. A petitioner, the petitioner's attorney, or a victim advocate acting at the petitioner's request may file the form, or any written request, in person, by mail, by electronic mail, or electronically, without fee. The clerk shall docket the request within one business day and serve it on the responsible agency the same day. The court shall hold a compliance hearing within seven days and shall rule in a written finding within three business days after the hearing. (F) Consequences. If the court finds that a duty was not performed, the court shall do all of the following: (1) Order the responsible agency to perform the duty by a date certain not more than two business days away; (2) Notwithstanding Chapter 2744. of the Revised Code, order the responsible agency to pay the petitioner's attorney's fees at the prevailing market rate, costs, and documented out-of-pocket expenses caused by the failure. An award under this division is not damages and creates no other cause of action; (3) If a hearing or order was affected by the failure, reset the hearing or reissue the order without cost to the petitioner; (4) Send its written finding, without the petitioner's identifying information, to the attorney general and to the supreme court within three business days; (5) If the court finds that a peace officer knowingly failed to perform a duty, send the finding to the officer's appointing authority and to the Ohio peace officer training commission; (6) Punish as contempt any knowing violation of an order issued under this section.

	(G) Repeated violations. A responsible agency with three or more findings under this section in a calendar year shall submit a written corrective action plan to the attorney general within sixty days, and the attorney general shall publish the plan. (H) Nothing in this section limits any defense or right of a respondent, or the standards for issuing, modifying, or terminating an order.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: This is the backbone of version 2. Every duty in the protection order laws gets a default deadline, a record that proves it was done, a presumption against the agency when that record is missing, a fixed set of consequences, and a free one-page form the clerk must docket within one business day. A survivor no longer has to prove that service was never attempted or an order was never entered.

PF-3. New R.C. 3113.314: Consent agreements cannot quietly give away protections

NEW IN VERSION 2 | STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Clarity (consent agreements)

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court	Proposed consent agreement that omits or limits a protection	Before approval; full hearing within 10 court days if requested later	Plain-language finding on the record and in the agreement	Omitted term void; rest of agreement stands	Motion for full hearing within 90 days or after any violation

Current language (verbatim)	Proposed language
No current provision. R.C. 3113.31(E)(1) lets a court "approve any consent agreement," and R.C. 3113.31(E)(7)(a) already provides that certain terms "cannot be waived or nullified by an invitation to the respondent," but nothing requires a finding that the petitioner understood which protections an agreement leaves out.	Sec. 3113.314. (A) A consent agreement under section 2903.214 or 3113.31 of the Revised Code shall not omit, limit, or waive any protection the petitioner requested in the petition or any term required by law, including the term required by division (E)(1) of section 3113.31 of the Revised Code that prohibits the use, attempted use, or threatened use of physical force, unless the court first makes a plain-language finding on the record and in the agreement that: (1) The court explained to the petitioner, outside the respondent's presence and with an interpreter if needed, each protection being omitted or limited and its effect, including its effect under federal firearms law and in later custody proceedings; (2) The petitioner had the opportunity to consult a victim advocate or attorney; (3) The petitioner is agreeing voluntarily and not because of a threat, a promise, or pressure from the respondent or anyone acting for the respondent. (B) No consent agreement shall require the petitioner to withdraw or not to seek a criminal charge, a protection order, or custody relief, to stay silent about abuse, or to accept a mutual order not permitted by division (E)(4) of section 3113.31 or division (E)(3) of

	section 2903.214 of the Revised Code. (C) A term that violates this section is void, and the rest of the agreement remains in effect. Within ninety days after approval, or at any time after a violation of the agreement, the petitioner may move for a full hearing, and the court shall hold it within ten court days. (D) An invitation, consent, or contact by the petitioner does not waive or nullify any term of a protection order or consent agreement.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Consent agreements are where protections disappear without anyone saying so. A survivor should never lose a no-force term, a firearms consequence, or a custody-relevant finding without a judge explaining it in plain language, away from the respondent, and confirming the choice is voluntary.

PF-4. New R.C. 3113.315: No retaliation for seeking or following a protection order

NEW IN VERSION 2 | STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Accountability

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Respondent; public officials and agencies; courts	Petitioner seeks, follows, or enforces an order	Immediate prohibition	Court finding	Fees and costs; considered on renewal; prosecutor referral	Free one-page enforcement request; clerk dockets in 1 business day; compliance hearing in 7 days; ruling 3 business days later (PF-2)

Current language (verbatim)	Proposed language
No general provision. R.C. 3113.31(E)(4) and 2903.214(E)(3) limit mutual orders, but no section prohibits retaliation by a respondent or a public agency against a person for seeking, following, or enforcing a protection order.	Sec. 3113.315. (A) No respondent, person acting on behalf of a respondent, public official, or public agency shall threaten, file a claim or complaint against, deny services to, disclose information about, or take any other adverse action against a petitioner, a protected person, a witness, or a victim advocate because that person sought, obtained, followed, reported a violation of, or asked for enforcement of a protection order or consent agreement. (B) In any proceeding, no court or public agency shall treat a parent's good-faith petition for a protection order, compliance with a protection order or consent agreement, report of abuse, or seeking of medical care, counseling, or law enforcement help for the parent or child, by itself, as evidence of parental unfitness, alienation, a lack of cooperation, or a failure to facilitate parenting time. (C) A petitioner may assert a violation of this section under section 3113.313 of the Revised Code. If the court finds a violation by a respondent or a person acting for the respondent, the court shall award the

	petitioner attorney's fees at the prevailing market rate and costs, shall consider the violation in deciding any motion to modify or renew the order, and shall refer the matter to the prosecutor for review under sections 2919.27 and 2921.04 of the Revised Code where applicable. (D) Nothing in this section limits any person's right to file a claim supported by a basis in law or fact.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Survivors stop asking for help when asking costs them, whether through a retaliatory filing or through being labeled uncooperative in custody court. This makes retaliation enforceable on the same terms as every other duty, and writes into the statute that following a protection order or seeking medical care is never held against a parent.

PF-5. New R.C. 3113.316: Liberal construction and severability

NEW IN VERSION 2 | STATUTORY AMENDMENT, NEW SECTION (General Assembly) | Gap: Clarity

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Every court	Any dispute over meaning	Not applicable	Not applicable	Ambiguity resolved for protection	Raised in any filing

Current language (verbatim)	Proposed language
No current provision in the protection order statutes directs how ambiguities are to be resolved. R.C. 1.50 provides a general severability rule for the Revised Code.	Sec. 3113.316. (A) Sections 2151.34, 2903.213, 2903.214, 2919.26, 2919.27, 2919.272, 2935.03, 2935.032, and 3113.31 of the Revised Code, and sections 3113.312 to 3113.317 of the Revised Code are remedial and shall be liberally construed to protect petitioners and protected persons from domestic violence, stalking, and sexual offenses. Any ambiguity shall be resolved in favor of protection, consistent with the respondent's right to due process and other constitutional rights. (B) If any provision of these sections or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications that can be given effect without the invalid provision or application, and to this end the provisions are severable, as provided in section 1.50 of the Revised Code.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: Courts sometimes read protection order statutes narrowly. This tells every court to resolve doubt in favor of safety, while preserving the respondent's constitutional rights, and keeps the rest of the package in force if one part is struck down.

B. Amendments to existing sections

P-1. Same-day emergency hearings for stalking and sexual-offense survivors

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity (ex parte timing)

R.C. 2903.214, Division (D)(1), first sentence. Source: https://codes.ohio.gov/ohio-revised-code/section-2903.214

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court (designated judge or magistrate)	Stalking or sexual-offense petition with ex parte request	Same day, or next court day if filed after hours	Docket time stamp	PF-2 consequences	Free one-page enforcement request; clerk dockets in 1 business day; compliance hearing in 7 days; ruling 3 business days later (PF-2)

Current language (verbatim)	Proposed language
(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing as soon as possible after the petition is filed, but not later than the next day that the court is in session after the petition is filed.	(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing ~~as soon as possible after the petition is filed, but not later than the next day that the court is in session after the petition is filed~~on the same day that the petition is filed or, if the petition is filed after the court's regular hours, not later than the next day that the court is in session. Each court shall designate a judge or magistrate to hear ex parte petitions during all hours that the court is open.

Insert:

- "on the same day that the petition is filed or, if the petition is filed after the court's regular hours, not later than the next day that the court is in session. Each court shall designate a judge or magistrate to hear ex parte petitions during all hours that the court is open"

Strike:

- "as soon as possible after the petition is filed, but not later than the next day that the court is in session after the petition is filed"

Why it matters: A domestic violence petitioner gets a same-day ex parte hearing under R.C. 3113.31(D)(1), but a stalking or sexual-assault petitioner can wait until the next court day. Danger does not wait for the docket, so both laws should offer the same-day standard.

P-2. Continuances with limits, reasons in writing, and no waiting on other cases

STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (continuances)

R.C. 3113.31, Division (D)(2)(a)(iii) and (iv). Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court	Continuance for counsel or other good cause	Not more than 14 days unless petitioner consents	Written entry with reason	One respondent continuance unless good cause by affidavit	Free one-page enforcement request; clerk dockets in 1 business day; compliance hearing in 7 days; ruling 3

					business days later (PF-2)

Current language (verbatim)	Proposed language
(iii) The continuance is needed to allow a party to obtain counsel. (iv) The continuance is needed for other good cause.	(iii) The continuance is needed to allow a party to obtain counsel. (iv) The continuance is needed for other good cause. A continuance granted under division (D)(2)(a)(iii) or (iv) of this section shall not exceed fourteen days unless the petitioner consents, and the reason shall be stated in a written entry. The court shall not grant the respondent more than one continuance under those divisions except for good cause, as defined in section 3113.312 of the Revised Code, shown by affidavit and stated in a written finding. The court shall not continue the full hearing to await the outcome of a criminal case or of a divorce, dissolution, legal separation, or custody proceeding unless the petitioner consents. The court shall advise the petitioner that the ex parte order remains in effect during any continuance.

Insert:

- "A continuance granted under division (D)(2)(a)(iii) or (iv) of this section shall not exceed fourteen days unless the petitioner consents, and the reason shall be stated in a written entry. The court shall not grant the respondent more than one continuance under those divisions except for good cause, as defined in section 3113.312 of the Revised Code, shown by affidavit and stated in a written finding. The court shall not continue the full hearing to await the outcome of a criminal case or of a divorce, dissolution, legal separation, or custody proceeding unless the petitioner consents. The court shall advise the petitioner that the ex parte order remains in effect during any continuance."

Strike: nothing.

Why it matters: The current list lets a full hearing slide for "other good cause" with no time limit, and repeated continuances keep a survivor in limbo and returning to court. The same change should be made to the matching list in R.C. 2903.214(D)(2)(a).

P-3. Service that actually happens, fast, and at no cost to the survivor

STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (service)

R.C. 3113.31, Division (F)(1). Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Clerk; sheriff; any officer who meets the respondent	Order entered	To sheriff in 24 hours; alternative service after 7 days; proof in 3 business days	Return of service; monthly sheriff report	Alternative service ordered; PF-2 consequences	Ask for alternative service; enforcement request

Current language (verbatim)	Proposed language
(F)(1) A copy of any protection order, or consent agreement, that is issued, approved, modified, or terminated under this section shall be issued by the court to the petitioner, to the respondent, and to all	(F)(1) A copy of any protection order, or consent agreement, that is issued, approved, modified, or terminated under this section shall be issued by the court to the petitioner, to the respondent, and to all

law enforcement agencies that have jurisdiction to enforce the order or agreement. The court shall direct that a copy of an order be delivered to the respondent on the same day that the order is entered.	law enforcement agencies that have jurisdiction to enforce the order or agreement. The court shall direct that a copy of an order be delivered to the respondent on the same day that the order is entered. The clerk shall transmit the order to the sheriff or another law enforcement agency for personal service within twenty-four hours. If personal service is not made within seven days, the court, on the petitioner's request, shall order service within two business days by any other method likely to give actual notice, including electronic mail, text message, or another electronic means the respondent is known to use. Any law enforcement officer who has contact with a respondent who has not been served shall serve the respondent or give notice of the order as provided in division (D) of section 2919.27 of the Revised Code, and shall file proof with the issuing court within three business days. If service has not been made within fourteen days, the clerk shall notify the petitioner in writing of the attempts made and the alternative methods available. Each sheriff shall report monthly to the court the orders served, the orders not yet served, and the attempts made.

Insert:

- "The clerk shall transmit the order to the sheriff or another law enforcement agency for personal service within twenty-four hours. If personal service is not made within seven days, the court, on the petitioner's request, shall order service within two business days by any other method likely to give actual notice, including electronic mail, text message, or another electronic means the respondent is known to use. Any law enforcement officer who has contact with a respondent who has not been served shall serve the respondent or give notice of the order as provided in division (D) of section 2919.27 of the Revised Code, and shall file proof with the issuing court within three business days. If service has not been made within fourteen days, the clerk shall notify the petitioner in writing of the attempts made and the alternative methods available. Each sheriff shall report monthly to the court the orders served, the orders not yet served, and the attempts made."

Strike: nothing.

Why it matters: An order that is never served is hard to enforce, and the full hearing can be continued for lack of service under division (D)(2)(a)(i). Deadlines, alternative service, a duty for any officer who encounters the respondent, and monthly reporting close that gap.

P-4. Consent agreements: informed choice and an explicit no-force term

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity (consent agreements)

R.C. 3113.31, Division (E)(1), first sentence. Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court	Proposed consent agreement	Before approval	Plain-language explanation on the record	Full hearing instead, on request	Ask for the full hearing

Current language (verbatim)	Proposed language
(E)(1) After an ex parte or full hearing, the court may grant any protection order, with or without bond, or	(E)(1) After an ex parte or full hearing, the court may grant any protection order, with or without bond, or

approve any consent agreement to bring about a cessation of domestic violence against the family or household members or persons with whom the respondent is or was in a dating relationship.	approve any consent agreement to bring about a cessation of domestic violence against the family or household members or persons with whom the respondent is or was in a dating relationship. Before approving a consent agreement, the court shall explain to the petitioner on the record, in plain language, how a consent agreement differs from a protection order issued after a full hearing, including in its effect under federal firearms law and in later custody proceedings, and shall confirm, outside the respondent's presence, that the petitioner is agreeing voluntarily, as required by section 3113.314 of the Revised Code. At the petitioner's request, the court shall hold the full hearing instead of approving a consent agreement. Every consent agreement shall include a term that explicitly prohibits the respondent from using, attempting to use, or threatening to use physical force against each protected person.

Insert:

- "Before approving a consent agreement, the court shall explain to the petitioner on the record, in plain language, how a consent agreement differs from a protection order issued after a full hearing, including in its effect under federal firearms law and in later custody proceedings, and shall confirm, outside the respondent's presence, that the petitioner is agreeing voluntarily, as required by section 3113.314 of the Revised Code. At the petitioner's request, the court shall hold the full hearing instead of approving a consent agreement. Every consent agreement shall include a term that explicitly prohibits the respondent from using, attempting to use, or threatening to use physical force against each protected person."

Strike: nothing.

Why it matters: Survivors are often pressured into a consent agreement without being told it usually contains no finding of abuse, which can matter later in custody court and under federal firearms law. Federal law, 18 U.S.C. 922(g)(8)(C)(ii), applies to an order that explicitly prohibits the use of physical force, so requiring that term in every agreement helps keep that protection in place.

P-5. Clear renewal standard; no need to be harmed again

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity (duration and renewal)

R.C. 3113.31, Division (E)(3)(c). Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court	Timely motion to renew	Order stays in effect while motion is pending	Renewal entry	Renewal without proof of new abuse	Motion to renew

Current language (verbatim)	Proposed language
(c) Any protection order issued or consent agreement approved pursuant to this section may be renewed in the same manner as the original order or agreement was issued or approved.	(c) Any protection order issued or consent agreement approved pursuant to this section may be renewed in the same manner as the original order or agreement was issued or approved. A petitioner seeking renewal is not required to prove a new act of domestic violence after the original order. The court shall renew the order or agreement if the petitioner shows

	by a preponderance of the evidence a reasonable fear of future domestic violence, considering the factors listed in division (E)(8)(c) of this section. An order or agreement remains in effect while a timely motion to renew is pending. After a violation of the order or a conviction for an offense of violence against a protected person, on the petitioner's request, the court shall renew the order for up to ten years, subject to modification or termination under division (E)(8) of this section.

Insert:

- "A petitioner seeking renewal is not required to prove a new act of domestic violence after the original order. The court shall renew the order or agreement if the petitioner shows by a preponderance of the evidence a reasonable fear of future domestic violence, considering the factors listed in division (E)(8)(c) of this section. An order or agreement remains in effect while a timely motion to renew is pending. After a violation of the order or a conviction for an offense of violence against a protected person, on the petitioner's request, the court shall renew the order for up to ten years, subject to modification or termination under division (E)(8) of this section."

Strike: nothing.

Why it matters: The statute says only that an order may be renewed "in the same manner" as it was issued, without saying what a survivor must prove. A survivor whose order is working should not have to wait for new abuse to keep it. The same change should be made to R.C. 2903.214(E)(2)(b).

P-6. Firearms surrender after a full hearing and a credible-threat finding

STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (firearms)

R.C. 3113.31, Division (E)(1)(k), plus new (E)(1)(l). Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Respondent; court; receiving agency or dealer	Full-hearing order with credible-threat finding	Surrender 24 hours; proof 48 hours; review 7 days; show cause within 1 business day	Sworn proof of surrender; agency receipt filed in 1 business day	Order to show cause or warrant; petitioner notified	Enforcement request; notice of noncompliance

Current language (verbatim)	Proposed language
(k) Require a wireless service transfer in accordance with sections 3113.45 to 3113.459 of the Revised Code.	(k) Require a wireless service transfer in accordance with sections 3113.45 to 3113.459 of the Revised Code.; (l) After a full hearing at which the respondent had actual notice and an opportunity to participate, and upon a finding that the respondent represents a credible threat to the physical safety of a protected person, require the respondent to surrender all firearms and ammunition in the respondent's possession or control to a law enforcement agency or a federally licensed firearms dealer within twenty-four hours after service, and to file a sworn proof of surrender with the court within forty-eight hours. The court shall hold a compliance review within seven days. If proof of surrender is not filed within forty-eight hours, the clerk shall notify the court and the court shall, within one business day, issue an order to

	show cause or a warrant, and shall notify the petitioner. A law enforcement agency or dealer that receives a firearm under this division shall give a receipt to the respondent and file a copy with the court within one business day. Surrendered firearms shall be returned only after the order expires or is terminated and a background check confirms the person is not otherwise prohibited.

Insert:

- "; (l) After a full hearing at which the respondent had actual notice and an opportunity to participate, and upon a finding that the respondent represents a credible threat to the physical safety of a protected person, require the respondent to surrender all firearms and ammunition in the respondent's possession or control to a law enforcement agency or a federally licensed firearms dealer within twenty-four hours after service, and to file a sworn proof of surrender with the court within forty-eight hours. The court shall hold a compliance review within seven days. If proof of surrender is not filed within forty-eight hours, the clerk shall notify the court and the court shall, within one business day, issue an order to show cause or a warrant, and shall notify the petitioner. A law enforcement agency or dealer that receives a firearm under this division shall give a receipt to the respondent and file a copy with the court within one business day. Surrendered firearms shall be returned only after the order expires or is terminated and a background check confirms the person is not otherwise prohibited."

Strike: nothing.

Why it matters: Ohio's protection-order statutes only warn the respondent that federal law may prohibit firearms (division (F)(2)); R.C. 2923.13 does not list protection orders, and nothing requires surrender or checks compliance. The proposal follows the credible-threat finding the U.S. Supreme Court upheld in United States v. Rahimi, 602 U.S. 680 (2024), and applies only after a full hearing.

P-7. Arrest is required, not just preferred, for a known protection-order violation

STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (police)

R.C. 2935.03, Division (B)(3)(b), first sentence. Source: https://codes.ohio.gov/ohio-revised-code/section-2935.03

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Peace officer	Probable cause of a violation of a known order	At the scene	Arrest report	Arrest required; PF-2 and P-8 accountability	Report number; enforcement request

Current language (verbatim)	Proposed language
(b) If pursuant to division (B)(3)(a) of this section a peace officer has reasonable grounds to believe that the offense of domestic violence or the offense of violating a protection order has been committed and reasonable cause to believe that a particular person is guilty of committing the offense, it is the preferred course of action in this state that the officer arrest and detain that person pursuant to division (B)(1) of this section until a warrant can be obtained.	(b) If pursuant to division (B)(3)(a) of this section a peace officer has reasonable grounds to believe that the offense of domestic violence or the offense of violating a protection order has been committed and reasonable cause to believe that a particular person is guilty of committing the offense, it is the preferred course of action in this state that the officer arrest and detain that person pursuant to division (B)(1) of this section until a warrant can be obtained. If the offense is violating a protection order and the officer has reasonable cause to believe that the person was served with, shown, or informed of the order, the officer shall arrest and detain that person pursuant to division (B)(1) of this section until a warrant can be obtained.

Insert:

- "If the offense is violating a protection order and the officer has reasonable cause to believe that the person was served with, shown, or informed of the order, the officer shall arrest and detain that person pursuant to division (B)(1) of this section until a warrant can be obtained."

Strike: nothing.

Why it matters: A protection order is a court's command. When the respondent knew of it and probable cause of a violation exists, arrest should be required. The primary physical aggressor rules in division (B)(3)(d) still apply, which guards against arresting the protected person.

P-8. Police accountability: a report every time, public data, and liability for reckless failure

STATUTORY AMENDMENT (General Assembly) | Gap: Accountability (police)

R.C. 2935.032, Division (F), plus new divisions (I) and (J). Source: https://codes.ohio.gov/ohio-revised-code/section-2935.032

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Law enforcement agency; attorney general	Every reported violation	Report number in 24 hours; annual data	Written report; published data	Liability for wanton or reckless failure	Civil action limited to wanton or reckless failure

Current language (verbatim)	Proposed language
(F) To the extent described in and in accordance with section 9.86 or 2744.03 of the Revised Code, a peace officer who arrests an offender for the offense of violating a protection order with respect to a protection order or consent agreement of this state or another state that on its face is valid is immune from liability in a civil action for damages for injury, death, or loss to person or property that allegedly was caused by or related to the arrest.	(F) To the extent described in and in accordance with section 9.86 or 2744.03 of the Revised Code, a peace officer who arrests an offender for the offense of violating a protection order with respect to a protection order or consent agreement of this state or another state that on its face is valid is immune from liability in a civil action for damages for injury, death, or loss to person or property that allegedly was caused by or related to the arrest. (I) Each agency, instrumentality, or political subdivision described in division (A) of this section shall make a written report of every reported violation of a protection order, whether or not an arrest is made, shall give the protected person the report number within twenty-four hours, and shall report annually to the attorney general the number of reported violations, arrests, and referrals for prosecution. The attorney general shall publish the data by agency each year. (J) Notwithstanding Chapter 2744. of the Revised Code, a political subdivision is liable in a civil action for physical injury or death proximately caused by a peace officer's wanton or reckless failure to take the action required by division (B)(3) of section 2935.03 of the Revised Code when the officer had actual knowledge of a valid protection order and probable cause to believe it was being violated.

Insert:

- "(I) Each agency, instrumentality, or political subdivision described in division (A) of this section shall make a written report of every reported violation of a protection order, whether or not an arrest is made, shall give the protected person the report number within twenty-four hours, and shall report annually to the attorney general the number of reported violations, arrests, and referrals for prosecution. The attorney general shall publish the data by agency each year. (J) Notwithstanding Chapter 2744. of the Revised Code, a political subdivision is liable in a civil action for physical injury or death proximately caused by a peace officer's wanton or reckless failure to take the action required by division (B)(3) of section 2935.03 of the Revised Code when the officer had actual knowledge of a valid protection order and probable cause to believe it was being violated."

Strike: nothing.

Why it matters: Current law protects officers who arrest, but offers survivors nothing when an officer ignores a known violation. In Town of Castle Rock v. Gonzales, 545 U.S. 748 (2005), the U.S. Supreme Court held that the federal Constitution does not give a protected person an enforceable right to police enforcement, so a narrow state remedy for wanton or reckless failure, plus public data, is the realistic path to accountability.

P-9. Violations taken seriously: higher penalties for armed or tracked violations, and no silent dismissals

STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (violations)

R.C. 2919.27, Division (B)(3), plus new divisions (B)(6) and (F). Source: https://codes.ohio.gov/ohio-revised-code/section-2919.27

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Prosecutor	Charge of violating an order	Notice of dismissal, reduction, or plea in 3 business days	Written notice	No dismissal solely for invited contact or nonappearance	Marsy's Law rights; enforcement request

Current language (verbatim)	Proposed language
(3) Violating a protection order is a felony of the fifth degree if the offender previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for any of the following: (a) A violation of a protection order issued or consent agreement approved pursuant to section 2151.34, 2903.213, 2903.214, 2919.26, or 3113.31 of the Revised Code; (b) Two or more violations of section 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or any combination of those offenses, that involved the same person who is the subject of the protection order or consent agreement; (c) One or more violations of this section.	(3) Violating a protection order is a felony of the fifth degree if the offender previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for any of the following: (a) A violation of a protection order issued or consent agreement approved pursuant to section 2151.34, 2903.213, 2903.214, 2919.26, or 3113.31 of the Revised Code; (b) Two or more violations of section 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, or any combination of those offenses, that involved the same person who is the subject of the protection order or consent agreement; (c) One or more violations of this section~~.~~; (d) A violation of section 2919.25 of the Revised Code against a person protected by the order or agreement. (6) If the offender violates a protection order or consent agreement while possessing a firearm, or by using an electronic tracking device or another person to locate or contact the protected person, violating a protection order is a felony of the fourth degree. (F) A prosecutor shall not dismiss or reduce a charge under this section solely because the protected person invited or consented to the contact or does not appear. The prosecutor shall notify the protected

	person, and the court that issued the order, of any dismissal, reduction, or plea within three business days.

Insert:

- "; (d) A violation of section 2919.25 of the Revised Code against a person protected by the order or agreement. (6) If the offender violates a protection order or consent agreement while possessing a firearm, or by using an electronic tracking device or another person to locate or contact the protected person, violating a protection order is a felony of the fourth degree. (F) A prosecutor shall not dismiss or reduce a charge under this section solely because the protected person invited or consented to the contact or does not appear. The prosecutor shall notify the protected person, and the court that issued the order, of any dismissal, reduction, or plea within three business days."

Strike: nothing.

Why it matters: A first violation is a first-degree misdemeanor even after a prior domestic violence conviction against the same person, and the most dangerous patterns (armed violations and location tracking) carry no added penalty. An invitation does not waive an order (R.C. 3113.31(E)(7)(a)), so it should not be a quiet reason to drop the charge.

P-10. No gap in protection when a criminal case ends without a conviction

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity (temporary orders)

R.C. 2919.26, Division (E)(2)(a). Source: https://codes.ohio.gov/ohio-revised-code/section-2919.26

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Prosecutor or court	Criminal case ends without conviction	Order bridged 14 days; notice in 1 business day	Written notice	Order stays in effect for the bridge period	File for a civil order during the bridge

Current language (verbatim)	Proposed language
(a) The disposition, by the court that issued the order or, in the circumstances described in division (D)(4) of this section, by the court of common pleas to which the alleged offender is bound over for prosecution, of the criminal proceeding arising out of the complaint or indictment upon which the order is based;	(a) The disposition, by the court that issued the order or, in the circumstances described in division (D)(4) of this section, by the court of common pleas to which the alleged offender is bound over for prosecution, of the criminal proceeding arising out of the complaint or indictment upon which the order is based, except that if the proceeding is dismissed or otherwise ends without a conviction, the order remains in effect for fourteen days after the protected person is notified, so that the person may seek a protection order under section 3113.31 of the Revised Code. The prosecutor or the court shall give that notice, and information on how to file, within one business day;

Insert:

- ", except that if the proceeding is dismissed or otherwise ends without a conviction, the order remains in effect for fourteen days after the protected person is notified, so that the person may seek a protection order under section 3113.31 of the Revised Code. The prosecutor or the court shall give that notice, and information on how to file, within one business day"

Strike: nothing.

Why it matters: A criminal temporary protection order ends the moment the case ends, and a dismissal can leave a survivor unprotected overnight with no warning. A short bridge and same-day notice let the survivor ask the civil court for protection.

P-11. Fees and real costs paid by the person who caused the harm

STATUTORY AMENDMENT (General Assembly) | Gap: Accountability (costs)

R.C. 3113.31, Division (J)(2). Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court; respondent	Full-hearing order or violation found	At the time of the order	Fee award in the entry	Respondent pays fees and expenses unless written finding	Request in the petition or motion

Current language (verbatim)	Proposed language
(2) Regardless of whether a protection order is issued or a consent agreement is approved pursuant to this section, the court may assess costs against the respondent in connection with the filing, issuance, registration, modification, enforcement, dismissal, withdrawal, or service of a protection order, consent agreement, or witness subpoena or for obtaining a certified copy of a protection order or consent agreement.	(2) Regardless of whether a protection order is issued or a consent agreement is approved pursuant to this section, the court may assess costs against the respondent in connection with the filing, issuance, registration, modification, enforcement, dismissal, withdrawal, or service of a protection order, consent agreement, or witness subpoena or for obtaining a certified copy of a protection order or consent agreement. When the court issues a protection order after a full hearing, or finds a violation of an order, the court shall also order the respondent to pay the petitioner's attorney's fees at the prevailing market rate and documented expenses caused by the domestic violence or the violation, including relocation, lock changes, and counseling, unless the court makes a written finding that an award would be unjust. When a motion to modify or terminate filed by the respondent is denied, the court shall award the petitioner's attorney's fees at the prevailing market rate.

Insert:

- "When the court issues a protection order after a full hearing, or finds a violation of an order, the court shall also order the respondent to pay the petitioner's attorney's fees at the prevailing market rate and documented expenses caused by the domestic violence or the violation, including relocation, lock changes, and counseling, unless the court makes a written finding that an award would be unjust. When a motion to modify or terminate filed by the respondent is denied, the court shall award the petitioner's attorney's fees at the prevailing market rate."

Strike: nothing.

Why it matters: Ohio already bars charging survivors filing and service fees (division (J)(1)), but survivors still pay lawyers and safety costs out of pocket, sometimes again and again when the respondent files repeated motions. This puts those costs on the person found to have caused them.

P-12. Retaliatory cross-petitions: same judge, timing reviewed, fees for bad-faith filings

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity (cross-filed petitions)

R.C. 3113.31, Division (E)(4)(d), plus new division (E)(10). Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy

Court	Cross-petition after service or within 90 days	Same judge; first hearing not delayed	Written findings on timing and factors	Fees for a petition without a basis in law or fact	Ask for same-judge assignment and fees

Current language (verbatim)	Proposed language
(d) After a full hearing at which the respondent presents evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that evidence, the court determines that the petitioner has committed an act of domestic violence or has violated a temporary protection order issued pursuant to section 2919.26 of the Revised Code, that both the petitioner and the respondent acted primarily as aggressors, and that neither the petitioner nor the respondent acted primarily in self-defense.	(d) After a full hearing at which the respondent presents evidence in support of the request for a protection order and the petitioner is afforded an opportunity to defend against that evidence, the court determines that the petitioner has committed an act of domestic violence or has violated a temporary protection order issued pursuant to section 2919.26 of the Revised Code, that both the petitioner and the respondent acted primarily as aggressors, and that neither the petitioner nor the respondent acted primarily in self-defense. (10) If a respondent files a petition under this section against the petitioner after being served with the petitioner's petition, or within ninety days after a hearing on it, the court shall assign both petitions to the same judge or magistrate; shall, in written findings, address the timing of the second petition, the primary physical aggressor factors in division (B)(3)(d) of section 2935.03 of the Revised Code, and whether the second petition was filed to gain an advantage in a custody, support, or property dispute; and, if it finds the second petition was filed to harass or without a basis in law or fact, shall award the petitioner attorney's fees at the prevailing market rate and costs as provided in section 2323.51 of the Revised Code. Nothing in this division delays a hearing on the first petition.

Insert:

- "(10) If a respondent files a petition under this section against the petitioner after being served with the petitioner's petition, or within ninety days after a hearing on it, the court shall assign both petitions to the same judge or magistrate; shall, in written findings, address the timing of the second petition, the primary physical aggressor factors in division (B)(3)(d) of section 2935.03 of the Revised Code, and whether the second petition was filed to gain an advantage in a custody, support, or property dispute; and, if it finds the second petition was filed to harass or without a basis in law or fact, shall award the petitioner attorney's fees at the prevailing market rate and costs as provided in section 2323.51 of the Revised Code. Nothing in this division delays a hearing on the first petition."

Strike: nothing.

Why it matters: Ohio already limits mutual orders in the same case (division (E)(4)), but a respondent can still file a separate petition to create leverage in a custody dispute. Same-judge assignment, a timing review, and fees for frivolous filings deter misuse while preserving every person's right to seek protection.

P-13. Entry into LEADS and NCIC within 24 hours, even before service

STATUTORY AMENDMENT (General Assembly) | Gap: Accountability (registry)

R.C. 3113.31, Division (F)(3). Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Law enforcement agency	Order, modification, renewal, or termination received	Entry in LEADS and NCIC within 24 hours, even before service	Index notation; annual timeliness report	PF-2 consequences	Free one-page enforcement request; clerk dockets in 1 business day; compliance hearing in 7 days; ruling 3 business days later (PF-2)

Current language (verbatim)	Proposed language
(3) All law enforcement agencies shall establish and maintain an index for the protection orders and the approved consent agreements delivered to the agencies pursuant to division (F)(1) of this section. With respect to each order and consent agreement delivered, each agency shall note on the index the date and time that it received the order or consent agreement.	(3) All law enforcement agencies shall establish and maintain an index for the protection orders and the approved consent agreements delivered to the agencies pursuant to division (F)(1) of this section. With respect to each order and consent agreement delivered, each agency shall note on the index the date and time that it received the order or consent agreement. Each agency shall enter every ex parte order, protection order, consent agreement, modification, renewal, and termination into the law enforcement automated data system and the national crime information center protection order file within twenty-four hours after receipt, whether or not the respondent has been served, and shall note the date and time of entry on the index. Each agency shall report annually to the attorney general the number of orders received and the average time to entry.

Insert:

- "Each agency shall enter every ex parte order, protection order, consent agreement, modification, renewal, and termination into the law enforcement automated data system and the national crime information center protection order file within twenty-four hours after receipt, whether or not the respondent has been served, and shall note the date and time of entry on the index. Each agency shall report annually to the attorney general the number of orders received and the average time to entry."

Strike: nothing.

Why it matters: Statewide database entry currently rests on a court rule (Sup.R. 10 and its Form 10-A process) rather than a statutory deadline for agencies. An order an officer cannot see during a traffic stop or a firearms background check offers little protection.

P-14. Advocates, interpreters, and safe testimony in every hearing

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity (access)

R.C. 3113.31, Division (M). Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court	Need for interpreter; request for remote testimony	Ruling before the hearing begins	Ruling in the record	Remote testimony unless written finding	Free one-page enforcement request; clerk dockets in 1 business day; compliance hearing in 7 days; ruling 3

					business days later (PF-2)

Current language (verbatim)	Proposed language
(M) In all stages of a proceeding under this section, a petitioner may be accompanied by a victim advocate.	(M) In all stages of a proceeding under this section, a petitioner may be accompanied by a victim advocate, and the court shall provide a qualified interpreter at no cost to any party who needs one. On the petitioner's request, filed at any time before the hearing, the court shall rule before the hearing begins and shall permit the petitioner to testify by live video or from a separate room, unless the court makes a written finding that the respondent's right to cross-examine cannot otherwise be preserved.

Insert:

- ", and the court shall provide a qualified interpreter at no cost to any party who needs one. On the petitioner's request, filed at any time before the hearing, the court shall rule before the hearing begins and shall permit the petitioner to testify by live video or from a separate room, unless the court makes a written finding that the respondent's right to cross-examine cannot otherwise be preserved"

Strike: nothing.

Why it matters: A survivor who cannot understand the hearing, or who cannot testify a few feet from the person who harmed them, is not getting a fair hearing. The respondent's right to confront and cross-examine is expressly preserved.

P-15. Custody factors that count protection orders and never punish a parent for following one

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity (custody and parenting time)

R.C. 3109.04, Divisions (F)(1)(f) and (F)(1)(i). Source: https://codes.ohio.gov/ohio-revised-code/section-3109.04

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Custody court	Custody or parenting time decision	At decision	Written finding when the exception is raised	Compliance or seeking medical care cannot count against a parent	Raise the exception; appeal

Current language (verbatim)	Proposed language
(f) The parent more likely to honor and facilitate court-approved parenting time rights or visitation and companionship rights;	(f) The parent more likely to honor and facilitate court-approved parenting time rights or visitation and companionship rights, except that the court shall not weigh against a parent that parent's compliance with a protection order, temporary protection order, consent agreement, or no-contact order, that parent's good-faith actions to protect the child or the parent from domestic violence, or that parent's seeking medical care, counseling, a forensic examination, or law enforcement help for the child or the parent;
(i) Whether the residential parent or one of the parents subject to a shared parenting decree has continuously and willfully denied the other parent's	(i) Whether the residential parent or one of the parents subject to a shared parenting decree has continuously and willfully denied the other parent's

right to parenting time in accordance with an order of the court;	right to parenting time in accordance with an order of the court, except that parenting time withheld in compliance with a protection order, temporary protection order, consent agreement, or no-contact order is not a denial under this division, and the court shall state in a written finding how it applied this exception when the issue is raised;

Insert:

- ", except that the court shall not weigh against a parent that parent's compliance with a protection order, temporary protection order, consent agreement, or no-contact order, that parent's good-faith actions to protect the child or the parent from domestic violence, or that parent's seeking medical care, counseling, a forensic examination, or law enforcement help for the child or the parent"
- ", except that parenting time withheld in compliance with a protection order, temporary protection order, consent agreement, or no-contact order is not a denial under this division, and the court shall state in a written finding how it applied this exception when the issue is raised"

Strike: nothing.

Why it matters: Ohio's best-interest list rewards the parent "more likely to honor and facilitate" parenting time and counts denied parenting time against a parent, without any exception for obeying a protection order. A parent should never lose ground in custody court for following a court's own safety order.

P-16. Protection orders become a listed custody factor

STATUTORY AMENDMENT (General Assembly) | Gap: Clarity (custody and parenting time)

R.C. 3109.04, Division (F)(1)(j), plus new (F)(1)(k). Source: https://codes.ohio.gov/ohio-revised-code/section-3109.04

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Custody court	Protection order exists	At decision	Findings in the decision	Protection order is a listed factor	Raise the factor; appeal

Current language (verbatim)	Proposed language
(j) Whether either parent has established a residence, or is planning to establish a residence, outside this state.	(j) Whether either parent has established a residence, or is planning to establish a residence, outside this state.; (k) Whether a protection order or consent agreement under section 2151.34, 2903.214, or 3113.31 of the Revised Code, or a temporary protection order under section 2919.26 of the Revised Code, has been issued against either parent or a member of either parent's household to protect the other parent, the child, or a member of the household, and the findings on which it was based.

Insert:

- "; (k) Whether a protection order or consent agreement under section 2151.34, 2903.214, or 3113.31 of the Revised Code, or a temporary protection order under section 2919.26 of the Revised Code, has been issued against either parent or a member of either parent's household to protect the other parent, the child, or a member of the household, and the findings on which it was based."

Strike: nothing.

Why it matters: The listed factors in division (F)(1)(h) count criminal convictions for domestic violence, but the word "protection" does not appear anywhere in R.C. 3109.04. A civil protection order issued after a full hearing is a judicial finding about safety and should be expressly considered.

P-17. Emergency custody filings must disclose protection orders; the court checks its own records

STATUTORY AMENDMENT (General Assembly) | Gap: Accountability (custody filings)

R.C. 3127.23, Division (A)(2), plus new division (G). Source: https://codes.ohio.gov/ohio-revised-code/section-3127.23

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Custody court; filing party	Ex parte or emergency custody request	Docket check before ruling; hearing within 7 days of motion	Search result noted in the order; sworn disclosure	Order vacated, prior arrangement restored, fees; falsification referral	Motion to vacate

Current language (verbatim)	Proposed language
(2) Whether the party knows of any proceedings that could affect the current proceeding, including proceedings for enforcement of child custody determinations, proceedings relating to domestic violence or protection orders, proceedings to adjudicate the child as an abused, neglected, or dependent child, proceedings seeking termination of parental rights, and adoptions, and, if so, the court, the case number, and the nature of the proceeding;	(2) Whether the party knows of any proceedings that could affect the current proceeding, including proceedings for enforcement of child custody determinations, proceedings relating to domestic violence or protection orders, proceedings to adjudicate the child as an abused, neglected, or dependent child, proceedings seeking termination of parental rights, and adoptions, and, if so, the court, the case number, and the nature of the proceeding; (G) Before issuing any ex parte or emergency order allocating parental rights and responsibilities or custody, the court shall search its own docket and the statewide protection order records available to it for any protection order, consent agreement, or pending petition involving the parties or the child, and shall note the result in the order. If a party obtained an ex parte or emergency custody order without disclosing a protection order or protection order proceeding required to be disclosed under division (A)(2) of this section, the court, on motion or on its own, shall, within seven days after the motion is filed or the omission comes to the court's attention, hold a hearing, vacate the order, restore the arrangement that existed before it consistent with any protection order, and order the nondisclosing party to pay the other party's attorney's fees at the prevailing market rate and costs. A statement in a custody affidavit that is contradicted by the record shall be referred to the prosecutor for review under section 2921.13 of the Revised Code.

Insert:

- "(G) Before issuing any ex parte or emergency order allocating parental rights and responsibilities or custody, the court shall search its own docket and the statewide protection order records available to it for any protection order, consent agreement, or pending petition involving the parties or the child, and shall note the result in the order. If a party obtained an ex parte or emergency custody order without disclosing a protection order or protection order

proceeding required to be disclosed under division (A)(2) of this section, the court, on motion or on its own, shall, within seven days after the motion is filed or the omission comes to the court's attention, hold a hearing, vacate the order, restore the arrangement that existed before it consistent with any protection order, and order the nondisclosing party to pay the other party's attorney's fees at the prevailing market rate and costs. A statement in a custody affidavit that is contradicted by the record shall be referred to the prosecutor for review under section 2921.13 of the Revised Code."

Strike: nothing.

Why it matters: Ohio already requires every party in a custody case to disclose proceedings "relating to domestic violence or protection orders," under oath. But nothing requires the court to check, and nothing happens when the disclosure is contradicted by the record. A docket check and automatic vacatur with fees give the existing duty real force.

P-19. Continuances to a date certain, with written reasons, not "a reasonable time"

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (continuances)

R.C. 3113.31, Division (D)(2)(a), opening clause. Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court	Any continuance of the full hearing	Date certain not more than 14 days later unless petitioner consents	Written entry served the same day	Open-ended continuance not allowed	Free one-page enforcement request; clerk dockets in 1 business day; compliance hearing in 7 days; ruling 3 business days later (PF-2)

Current language (verbatim)	Proposed language
Under any of the following circumstances or for any of the following reasons, the court may grant a continuance of the full hearing to a reasonable time determined by the court:	Under any of the following circumstances or for any of the following reasons, and only by a written entry that states the reason, the new date, and that the ex parte order remains in effect, and that is served on both parties the same day, the court may grant a continuance of the full hearing to a ~~reasonable time determined by the court~~date certain not more than fourteen days after the date previously scheduled, unless the petitioner consents to a later date:

Insert:

- "and only by a written entry that states the reason, the new date, and that the ex parte order remains in effect, and that is served on both parties the same day,"
- "date certain not more than fourteen days after the date previously scheduled, unless the petitioner consents to a later date"

Strike:

- "reasonable time determined by the court"

Why it matters: "A reasonable time determined by the court" has no outer limit, and a survivor can be sent home again and again with no written reason. A date certain, a fourteen-day cap unless the survivor agrees, and a written entry served the same day make each delay visible and limited. The same change should be made to the identical clause in R.C. 2903.214(D)(2)(a).

P-20. When an emergency order is denied: written reasons the same day and a full hearing within ten court days

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (ex parte denials)

R.C. 3113.31, Division (D)(3). Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court	Ex parte order denied	Written reasons same day; full hearing within 10 court days	Written finding; copy to petitioner	Same-day rehearing on amended petition	Amended petition

Current language (verbatim)	Proposed language
(3) If a person who files a petition pursuant to this section does not request an ex parte order, or if a person requests an ex parte order but the court does not issue an ex parte order after an ex parte hearing, the court shall proceed as in a normal civil action and grant a full hearing on the matter.	(3) If a person who files a petition pursuant to this section does not request an ex parte order, or if a person requests an ex parte order but the court does not issue an ex parte order after an ex parte hearing, the court shall proceed as in a normal civil action and grant a full hearing on the matter. If the court denies a requested ex parte order, the court shall state the specific reasons in a written finding on the same day, give the petitioner a copy, and schedule the full hearing not later than ten court days after the ex parte hearing. The petitioner may file an amended petition with additional facts at any time, and the court shall hold a new ex parte hearing on it the same day.

Insert:

- ". If the court denies a requested ex parte order, the court shall state the specific reasons in a written finding on the same day, give the petitioner a copy, and schedule the full hearing not later than ten court days after the ex parte hearing. The petitioner may file an amended petition with additional facts at any time, and the court shall hold a new ex parte hearing on it the same day"

Strike: nothing.

Why it matters: When an emergency order is refused, the statute sends the case to "a normal civil action" with no deadline and no reasons. A survivor who was turned away deserves to know why, to get a full hearing quickly, and to come back the same day with more facts.

P-21. Criminal temporary protection orders: a safety finding requires an order

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (criminal TPO)

R.C. 2919.26, Division (C)(1), fourth sentence. Source: https://codes.ohio.gov/ohio-revised-code/section-2919.26

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Criminal court	Finding that safety may be impaired	At the TPO hearing; reasons for denial in 1 business day	Order or written finding; docket search noted	Order required once finding is made	Renewed motion; Marsy's Law rights

Current language (verbatim)	Proposed language
If the court finds that the safety and protection of the complainant, alleged victim, or any other family or household member of the alleged victim may be	If the court finds that the safety and protection of the complainant, alleged victim, or any other family or household member of the alleged victim may be

impaired by the continued presence of the alleged offender, the court may issue a temporary protection order, as a pretrial condition of release, that contains terms designed to ensure the safety and protection of the complainant, alleged victim, or the family or household member, including a requirement that the alleged offender refrain from entering the residence, school, business, or place of employment of the complainant, alleged victim, or the family or household member.	impaired by the continued presence of the alleged offender, the court ~~may~~shall issue a temporary protection order, as a pretrial condition of release, that contains terms designed to ensure the safety and protection of the complainant, alleged victim, or the family or household member, including a requirement that the alleged offender refrain from entering the residence, school, business, or place of employment of the complainant, alleged victim, or the family or household member. If the court denies the motion, it shall state the specific reasons in a written finding and give a copy to the person who requested the order within one business day. Before ruling, the court shall search its own docket and the law enforcement automated data system for any protection order, consent agreement, or pending protection order or custody proceeding involving the parties, and shall note the result in its entry.

Insert:

- "shall"
- ". If the court denies the motion, it shall state the specific reasons in a written finding and give a copy to the person who requested the order within one business day. Before ruling, the court shall search its own docket and the law enforcement automated data system for any protection order, consent agreement, or pending protection order or custody proceeding involving the parties, and shall note the result in its entry"

Strike:

- "may"

Why it matters: Once a judge has found that the victim's safety may be impaired, the protective order should follow, not remain optional. Written reasons for a denial and a records check before ruling make sure the criminal court sees what the civil and family courts have already ordered.

P-22. When an officer does not arrest: reasons in 24 hours, supervisor review, and a copy for the victim

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Accountability (police)

R.C. 2935.03, Division (B)(3)(c). Source: https://codes.ohio.gov/ohio-revised-code/section-2935.03

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Peace officer; supervisor; agency	No arrest when arrest is preferred	Report 24 hours; supervisor review 3 business days; copy to victim 5 business days	Report; written supervisor review	PF-2 consequences; prosecutor referral	Copy of reasons; warrant request; enforcement request

Current language (verbatim)	Proposed language
(c) If a peace officer described in division (A) of this section does not arrest and detain a person whom the officer has reasonable cause to believe committed the offense of domestic violence or the offense of violating a protection order when it is the preferred course of action in this state pursuant to division (B)(3)(b) of this section that the officer arrest that person,	(c) If a peace officer described in division (A) of this section does not arrest and detain a person whom the officer has reasonable cause to believe committed the offense of domestic violence or the offense of violating a protection order when it is the preferred course of action in this state pursuant to division (B)(3)(b) of this section that the officer arrest that person,

the officer shall articulate in the written report of the incident required by section 2935.032 of the Revised Code a clear statement of the officer's reasons for not arresting and detaining that person until a warrant can be obtained.	the officer shall articulate in the written report of the incident required by section 2935.032 of the Revised Code a clear statement of the officer's reasons for not arresting and detaining that person until a warrant can be obtained. The officer shall complete the report within twenty-four hours. A supervisor shall review the report within three business days and record in writing whether the reasons comply with this section and the agency's policy. Within five business days, the agency shall give the alleged victim the report number, a copy of the statement of reasons, and information on how to request a warrant or file a protection order petition, and shall refer the report to the prosecutor.

Insert:

- ". The officer shall complete the report within twenty-four hours. A supervisor shall review the report within three business days and record in writing whether the reasons comply with this section and the agency's policy. Within five business days, the agency shall give the alleged victim the report number, a copy of the statement of reasons, and information on how to request a warrant or file a protection order petition, and shall refer the report to the prosecutor"

Strike: nothing.

Why it matters: Ohio already requires an officer who does not arrest to explain why, but sets no deadline, no review, and no copy for the survivor. A time limit, a supervisor's check, and a copy for the survivor turn the existing duty into accountability.

P-23. Primary aggressor factors are required, checked against records, and written down

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Clarity (primary aggressor)

R.C. 2935.03, Division (B)(3)(d). Source: https://codes.ohio.gov/ohio-revised-code/section-2935.03

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Peace officer; dispatcher	Mutual allegations	Records check at the scene or within 4 hours	Report showing each factor	PF-2 consequences; Marsy's Law S-10 review in court	Free one-page enforcement request; clerk dockets in 1 business day; compliance hearing in 7 days; ruling 3 business days later (PF-2)

Current language (verbatim)	Proposed language
(d) In determining for purposes of division (B)(3)(b) of this section which family or household member is the primary physical aggressor in a situation in which family or household members have committed the offense of domestic violence or the offense of violating a protection order against each other, a peace officer described in division (A) of this section, in addition to any other relevant circumstances, should consider all of the following: (i) Any history of	(d) In determining for purposes of division (B)(3)(b) of this section which family or household member is the primary physical aggressor in a situation in which family or household members have committed the offense of domestic violence or the offense of violating a protection order against each other, a peace officer described in division (A) of this section, in addition to any other relevant circumstances, ~~should~~shall consider all of the following, and shall

domestic violence or of any other violent acts by either person involved in the alleged offense that the officer reasonably can ascertain; (ii) If violence is alleged, whether the alleged violence was caused by a person acting in self-defense; (iii) Each person's fear of physical harm, if any, resulting from the other person's threatened use of force against any person or resulting from the other person's use or history of the use of force against any person, and the reasonableness of that fear; (iv) The comparative severity of any injuries suffered by the persons involved in the alleged offense.	record in the written report how each factor was applied: (i) Any history of domestic violence or of any other violent acts by either person involved in the alleged offense that the officer ~~reasonably can ascertain~~learns from the persons involved, from witnesses, and from a check of the law enforcement automated data system, the agency's own records, and the protection order index, which the officer or dispatcher shall check before the officer leaves the scene or within four hours; (ii) If violence is alleged, whether the alleged violence was caused by a person acting in self-defense; (iii) Each person's fear of physical harm, if any, resulting from the other person's threatened use of force against any person or resulting from the other person's use or history of the use of force against any person, and the reasonableness of that fear; (iv) The comparative severity of any injuries suffered by the persons involved in the alleged offense; (v) Whether either person is protected by a protection order or consent agreement against the other; (vi) Whether a statement by either person is contradicted by the record, including recordings, photographs, injuries, or witness accounts.

Insert:

- "shall"
- ", and shall record in the written report how each factor was applied"
- "learns from the persons involved, from witnesses, and from a check of the law enforcement automated data system, the agency's own records, and the protection order index, which the officer or dispatcher shall check before the officer leaves the scene or within four hours"
- "; (v) Whether either person is protected by a protection order or consent agreement against the other; (vi) Whether a statement by either person is contradicted by the record, including recordings, photographs, injuries, or witness accounts"

Strike:

- "should"
- "reasonably can ascertain"

Why it matters: "Should consider" and "reasonably can ascertain" let an officer skip the history that tells the real story, which is how survivors end up arrested or named as the aggressor. Requiring the factors, a records check, an existing protection order as a factor, and written reasoning protects survivors while keeping the decision with the officer. The words "the reasonableness of that fear" in factor (iii) are kept because they describe the survivor's fear, not an official's effort.

P-24. Weapons used or threatened in the incident are seized, or the report says why not

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Enforcement (firearms)

R.C. 2935.03, Division (B)(3)(h), first sentence. Source: https://codes.ohio.gov/ohio-revised-code/section-2935.03

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Peace officer; agency	Weapon used, threatened, or	Notice of non-seizure in 1	Report stating reason and search	PF-2 consequences	Free one-page enforcement

	brandished	business day	steps		request; clerk dockets in 1 business day; compliance hearing in 7 days; ruling 3 business days later (PF-2)

Current language (verbatim)	Proposed language
(h) If a peace officer described in division (A) of this section responds to a report of an alleged incident of the offense of domestic violence or an alleged incident of the offense of violating a protection order and if the circumstances of the incident involved the use or threatened use of a deadly weapon or any person involved in the incident brandished a deadly weapon during or in relation to the incident, the deadly weapon that was used, threatened to be used, or brandished constitutes contraband, and, to the extent possible, the officer shall seize the deadly weapon as contraband pursuant to Chapter 2981. of the Revised Code.	(h) If a peace officer described in division (A) of this section responds to a report of an alleged incident of the offense of domestic violence or an alleged incident of the offense of violating a protection order and if the circumstances of the incident involved the use or threatened use of a deadly weapon or any person involved in the incident brandished a deadly weapon during or in relation to the incident, the deadly weapon that was used, threatened to be used, or brandished constitutes contraband, and~~, to the extent possible,~~ the officer shall seize the deadly weapon as contraband pursuant to Chapter 2981. of the Revised Code. If the officer does not seize the weapon, the officer shall state in the written report the specific reason, the steps taken to locate it, and whether a search warrant was sought, and the agency shall notify the alleged victim and the prosecutor within one business day.

Insert:

- ". If the officer does not seize the weapon, the officer shall state in the written report the specific reason, the steps taken to locate it, and whether a search warrant was sought, and the agency shall notify the alleged victim and the prosecutor within one business day"

Strike:

- "to the extent possible"

Why it matters: "To the extent possible" lets a weapon used in the incident stay in the home with no explanation. The duty to seize stays the same; what changes is that a failure to seize must be explained in writing and reported to the survivor and the prosecutor.

P-25. Repeated denied motions to modify: costs and fees required, and a filing check after the third

NEW IN VERSION 2 | STATUTORY AMENDMENT (General Assembly) | Gap: Freedom from litigation abuse

R.C. 3113.31, Division (E)(8)(e). Source: https://codes.ohio.gov/ohio-revised-code/section-3113.31

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court	Respondent's motion to modify or terminate denied	At denial	Costs and fee award in entry	Leave of court after 3 denials in 12 months	Request fees; ask for filing restriction

Current language (verbatim)	Proposed language
(e) If the respondent moves for modification or termination of a protection order or consent	(e) If the respondent moves for modification or termination of a protection order or consent

agreement pursuant to this section and the court denies the motion, the court may assess costs against the respondent for the filing of the motion.	agreement pursuant to this section and the court denies the motion, the court ~~may~~shall assess costs against the respondent for the filing of the motion and shall award the petitioner attorney's fees at the prevailing market rate, unless the court makes a written finding that an award would be unjust. If three or more motions by the respondent to modify or terminate the same order or agreement have been denied within twelve months, the respondent shall obtain leave of court before filing another, and the court shall not require the petitioner to respond or appear unless it grants leave after finding the motion has a basis in law or fact.

Insert:

- "shall"
- "and shall award the petitioner attorney's fees at the prevailing market rate, unless the court makes a written finding that an award would be unjust. If three or more motions by the respondent to modify or terminate the same order or agreement have been denied within twelve months, the respondent shall obtain leave of court before filing another, and the court shall not require the petitioner to respond or appear unless it grants leave after finding the motion has a basis in law or fact"

Strike:

- "may"

Why it matters: Repeated motions to modify or end an order are a common way to keep a survivor coming back to court and paying a lawyer. Required costs and fees, and a filing check after three denied motions in a year, stop that abuse without closing the courthouse to a motion that has a real basis.

C. New sections and divisions (no current language exists)

P-18. New R.C. 3109.04(F)(4): Written safety findings after a full-hearing protection order

STATUTORY AMENDMENT, NEW SECTION OR DIVISION (General Assembly) | Gap: Accountability (custody safety)

Source: https://codes.ohio.gov/ohio-revised-code/section-3109.04

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Custody court	Full-hearing order or violent conviction	In the same entry that allocates custody	Written safety findings	Order without findings reviewed; ruling in 14 days	Motion for review

Current language (verbatim)	Proposed language
No current provision. R.C. 3109.04(F)(3) is the last paragraph of division (F); no section requires written safety findings when a protection order has been issued after a full hearing. Verbatim: "(3) When allocating parental rights and responsibilities for the care of children, the court shall not give preference to a parent because of that parent's financial status or condition."	(4) If a protection order has been issued after a full hearing under section 2903.214 or 3113.31 of the Revised Code against a parent to protect the other parent or the child, or a parent has been convicted of an offense of violence against the other parent or the child, the court, before allocating parental rights and responsibilities or ordering parenting time, shall make written findings of fact, in the same entry that allocates parental rights or orders parenting time, on all of the following:

	(a) The risk of further domestic violence to the child and to the other parent; (b) Why the allocation and parenting time ordered are in the best interest of the child in light of that history; (c) The safety conditions ordered, such as supervised parenting time, safe exchange locations, and no-contact terms. Any order allocating parental rights or parenting time shall be consistent with the terms of the protection order. An order entered without these findings is subject to immediate review on motion, and the court shall rule on the motion within fourteen days.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: When a court has already found abuse after a full hearing, a custody decision should explain in writing how the child and the protected parent will be kept safe. Written findings also give an appellate court something concrete to review.

P-26. New R.C. 3113.317: Docket checks and court-to-court transmission in every protection order case

NEW IN VERSION 2 | STATUTORY AMENDMENT, NEW SECTION OR DIVISION (General Assembly) | Gap: Accountability (coordination between courts)

Enforcement at a glance

Who owes it	Trigger	Deadline	Proof	Consequence	Survivor's remedy
Court and clerk; receiving court	Petition filed; order issued or changed	Search before hearing; transmission in 1 business day; filed in 1 business day	Search noted in order; transmission on docket	No conflicting custody order without hearing and finding	Free one-page enforcement request; clerk dockets in 1 business day; compliance hearing in 7 days; ruling 3 business days later (PF-2)

Current language (verbatim)	Proposed language
No current provision requires a court hearing a civil protection order petition to check for related criminal or custody cases, or to send its order to the court hearing those cases. R.C. 3113.31(F)(1) requires copies to the parties and to law enforcement only. The companion Marsy's Law amendments (S-28) place the matching duty on the criminal court.	Sec. 3113.317. (A) Before the ex parte hearing, or before the full hearing if no ex parte order is requested, the court or the clerk at the court's direction shall search the court's own docket, the dockets of the domestic relations, juvenile, and municipal or county courts of the county, and the law enforcement automated data system for any protection order, consent agreement, criminal case, or proceeding to allocate parental rights and responsibilities involving the parties or a child of either party, and shall note the search and its result in the order or entry. (B) Within one business day after a court issues, modifies, renews, or terminates a protection order or consent agreement, the clerk shall transmit a certified copy to every court in which a proceeding to

	allocate parental rights and responsibilities, a juvenile proceeding, or a criminal case involving the parties is pending, and shall note the transmission on the docket. (C) A court that receives an order under division (B) of this section shall file it in the receiving case within one business day and shall not enter an order in that case that conflicts with the protection order without first holding a hearing and making a written finding that addresses the protection order. (D) A failure to perform a duty in this section is subject to section 3113.313 of the Revised Code.

Insert: the entire new section shown above.

Strike: nothing.

Why it matters: A protection order is only as strong as the next court's awareness of it. Requiring a records check before the hearing, transmission within one business day, and a hearing before any conflicting custody order is entered keeps the family court and the protection order court working from the same facts.

Part II. Matching requests to the Supreme Court of Ohio (court rules)

Court procedure is governed by rules the Supreme Court adopts under Article IV, Section 5 of the Ohio Constitution. These are requests, not statutory text.

- **Civ.R. 65.1 (protection order procedure).** Ask the Supreme Court of Ohio to align Civ.R. 65.1 with P-2, P-3, P-4, and P-14, including time limits on continuances, the consent-agreement advisement, and remote testimony.
- **Sup.R. 10 and Form 10-A (LEADS and NCIC entry).** Ask the Court to require clerks to deliver Form 10-A with every order on the day it is entered, including ex parte orders before service, and to collect statewide timeliness data, to match P-13.
- **Standard protection order forms.** Ask the Court to add a plain-language consent-agreement explanation, a firearms surrender form and proof of surrender, and a custody disclosure reminder.
- **Enforcement form and consent agreement finding.** Ask the Court to adopt the one-page protection order enforcement request form in PF-2, deadlines for compliance hearings, and the plain-language consent agreement finding in PF-3 as part of its standard forms.

Part III. Constitutional limits and drafting notes

- **Due process for respondents.** Ex parte orders remain temporary and are followed by a prompt full hearing with notice and an opportunity to be heard (R.C. 3113.31(D)(2)(a)). Firearms surrender (P-6), custody safety findings (P-18), fee awards, and filing checks (P-25) apply only after a full hearing or a finding. Remote testimony (P-14) preserves cross-examination. PF-1(G) leaves standards of proof, and the probable-cause standards for arrest, unchanged, and PF-2(H) preserves every respondent defense.
- **Second Amendment.** United States v. Rahimi, 602 U.S. 680 (2024), held that a person a court has found to pose a credible threat to another's physical safety may be temporarily disarmed consistent with the Second Amendment. P-6 is limited to that finding, after a full hearing with notice, for the life of the order, with return of firearms when it ends. P-24 changes only how a failure to seize a weapon already treated as contraband by R.C. 2935.03(B)(3)(h) is documented.

- **Ohio Constitution, Article I, Section 4.** Article I, Section 4 separately protects the right to bear arms. P-6 is drafted to be no broader than the federal standard upheld in Rahimi, and drafters should confirm its consistency with Ohio decisions under Section 4 before introduction.
- **Modern Courts Amendment and separation of powers.** Under Article IV, Section 5(B), the Supreme Court of Ohio prescribes rules governing practice and procedure, which "shall not abridge, enlarge, or modify any substantive right," and "all laws in conflict with such rules shall be of no further force or effect." Provisions that set court deadlines (P-2, P-19, P-20, PF-2(E)) or remote testimony (P-14) may overlap Civ.R. 65.1, so Part II asks the Court to adopt matching rules. Discipline of attorneys and judges remains with the Supreme Court; PF-2 only reports findings.
- **Police enforcement and liability.** Town of Castle Rock v. Gonzales, 545 U.S. 748 (2005), held that a protected person has no federal due process property interest in police enforcement of a restraining order. P-8 creates a narrow state remedy limited to wanton or reckless failures with actual knowledge, consistent with the wanton-or-reckless standard in R.C. 2744.03(A)(6)(b). PF-2 awards only fees, costs, and documented expenses against an agency, not damages.
- **Required arrest and primary aggressor.** Required-arrest laws can lead to arrests of protected persons when officers misidentify the aggressor. P-7 applies only when the respondent knew of the order; P-23 makes the primary physical aggressor factors mandatory, adds an existing protection order and statements contradicted by the record as factors, and requires a records check.
- **Access to courts.** P-25 and PF-4 do not bar any filing with a basis in law or fact. The leave-of-court requirement after three denied motions in twelve months is modeled on, but narrower than, the vexatious litigator procedure in R.C. 2323.52.
- **Custody decisions.** P-15 to P-18 and PF-4(B) do not create a presumption against any parent. They require the court to consider protection orders, forbid penalizing compliance or seeking medical care, and explain safety decisions in writing. The best interest of the child remains the standard.
- **Deadlines chosen for this draft.** The specific hours and days (for example 14-day continuance cap, 10 court days after an ex parte denial, 4-hour records check, 3 denied motions in 12 months) are drafting proposals, not existing Ohio standards. Legislators may adjust them, but each duty should keep a fixed number.
- **Cost.** A fiscal note from the Legislative Service Commission should be requested for PF-2, P-3, P-6, P-8, P-13, P-22, and P-26.

Related reforms in companion documents

Reform	Where it is addressed
Criminal court duties to check for protection orders before bail and to send no-contact orders to the family court.	Marsy's Law Amendments, version 2 (S-27, S-28).
Victim's right to correct a police report and to have evidence acknowledged and preserved.	Marsy's Law Amendments, version 2 (S-29, S-30).
Guardian ad litem and custody evaluator standards, training, and complaint process.	Forthcoming Custody and Guardian ad Litem Amendments document.
Victims of crime compensation for relocation and safety costs (R.C. 2743.51 and following).	Planned as its own document in the What Must Change in Ohio series.

Sources

- R.C. 3113.31 (domestic violence civil protection orders): https://codes.ohio.gov/ohio-revised-code/section-3113.31
- R.C. 2903.214 (stalking and sexual offense protection orders): https://codes.ohio.gov/ohio-revised-code/section-2903.214
- R.C. 2919.26 (criminal temporary protection orders): https://codes.ohio.gov/ohio-revised-code/section-2919.26
- R.C. 2919.27 (violating a protection order): https://codes.ohio.gov/ohio-revised-code/section-2919.27

- R.C. 2935.03 and 2935.032 (arrest; agency domestic violence policies): https://codes.ohio.gov/ohio-revised-code/section-2935.03
- R.C. 2923.13 (weapons under disability): https://codes.ohio.gov/ohio-revised-code/section-2923.13
- R.C. 3109.04 (allocation of parental rights): https://codes.ohio.gov/ohio-revised-code/section-3109.04
- R.C. 3127.23 (custody pleading disclosures): https://codes.ohio.gov/ohio-revised-code/section-3127.23
- R.C. 2744.03 (political subdivision employee immunity): https://codes.ohio.gov/ohio-revised-code/section-2744.03
- R.C. 2323.51 and 2323.52 (frivolous and vexatious conduct): https://codes.ohio.gov/ohio-revised-code/section-2323.52
- R.C. 2921.04 and 2921.13 (intimidation; falsification): https://codes.ohio.gov/ohio-revised-code/section-2921.13
- R.C. 1.50 (severability): https://codes.ohio.gov/ohio-revised-code/section-1.50
- R.C. 5503.10 (law enforcement automated data system): https://codes.ohio.gov/ohio-revised-code/section-5503.10
- Ohio Constitution, Article I, Section 4 and Article IV, Section 5: https://codes.ohio.gov/ohio-constitution/section-4.5
- Sup.R. 10 and Form 10-A (protection order notice to NCIC): https://www.supremecourt.ohio.gov/docs/JCS/domesticViolence/publications/DRresourceGuide.pdf
- United States v. Rahimi, 602 U.S. 680 (2024): https://www.supremecourt.gov/opinions/23pdf/22-915_8o6b.pdf
- Town of Castle Rock v. Gonzales, 545 U.S. 748 (2005): https://www.law.cornell.edu/supct/html/04-278.ZS.html
- 18 U.S.C. 922(g)(8): https://www.law.cornell.edu/uscode/text/18/922