



Ohio

Access to Protection Orders*

In Ohio, the law does not specify whether minors can obtain Protection Orders (POs), nor does it specify whether POs can be issued against minor abusers. Ohio's law excludes people in dating relationships from accessing POs.¹ This results in an automatic failing grade for Ohio.

Procedure

State law does not specify whether minors can petition for POs on their own behalf, nor does it specify who may file on their behalf. If a minor is able to file on their own behalf, Ohio law does not specify whether the parent or guardian of the minor will be notified about the PO.

Definition of Abuse

A judge may issue a PO if the respondent has physically abused, threatened to physically abuse or sexually abused the petitioner.² The statute fails to explicitly recognize stalking and harassment as qualifications for relief. The statute may recognize other forms of abuse not specifically listed here.

Relief Available

The court may order³ the respondent to:

- stay away from the petitioner's residence or school;
- vacate the petitioner's residence;
- provide petitioner exclusive use/possession of property;
- comply with a custody/visitation schedule;
- pay child support and spousal support;
- participate in a counseling or batterers' intervention program; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here and may cover individuals other than the petitioner. The Protection Order is modifiable.⁴

*On March 17, 2010, Governor Ted Strickland signed into law House Bill 10, which will allow minors and individuals in dating relationships to access protection orders. Break the Cycle will update this report when further information becomes available.

Minors' Access to Sensitive Services^{5,6}

All minors can consent to:

- HIV/STI testing and treatment*
- Adoption

*Includes HIV testing only, not treatment.

Parental consent is required for abortion services.

School Response to Dating Violence⁷

Ohio law requires that dating violence prevention be included in the health education instruction for grades 7 – 12. The law goes into effect on March 29, 2010.

Recommendations for Immediate Policy Change

In order to improve Ohio's response to teen dating violence, the following changes are recommended:

- Allow individuals in dating relationships to access POs.
- Allow minors to petition for POs on their own behalf and explicitly describe the procedure for doing so.
- Allow courts to issue POs against minors.
- Allow all minors to access all sensitive services, including contraceptives and prenatal care, without parental involvement.

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References

¹ OHIO. REV. CODE ANN. § 3113.31(A)(3) (2009).

² *Id.* § 3113.31(1).

³ *Id.* § 3113.31(E) (1).

⁴ *Id.* § 3113.31(E) (8).

⁵ Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf, accessed December 1, 2009.

⁶ Guttmacher Institute, Minors' Access to STI Services, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_MASS.pdf, accessed December 1, 2009.

⁷ OHIO. REV. CODE ANN. §§ 3313.60(A)(5)(e); 3319.073(C).

Break the Cycle

Empowering Youth to End
Domestic Violence

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and policy, visit www.breakthecycle.org
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