

Title XIX: Temporary Restraining Orders (CURRENT RULE)

19.0 How Requested

A request for temporary restraining order may be made in the prayer of a complaint, cross-complaint or by separate motion. Any request for such an order must be supported by an affidavit signed by the party stating the reasons for requesting the restraining order. Restraining order will be granted on an ex-parte basis for the purposes enumerated in Ohio Civil Rule 75(H). The person to be restrained must be a party to the action. The Court will not grant a temporary restraining order removing one of the parties from the marital residence except under exceptional circumstances.

19.1 Procedure

The party seeking an ex-parte order shall present the complaint, a cross-complaint or motion, affidavit in support thereof and the proposed entry to the Court before the entry is filed with the Clerk of Courts. A complaint, cross-complaint, counterclaim or motion requesting a temporary restraining order and the affidavit in support thereof will be filed with the Clerk of Courts. If an ex-parte order is granted by the Court, such order shall also be filed with the Clerk of Courts.

19.2 Dissolving Order

A party against whom an ex-parte restraining order has been granted may file a motion, supported by affidavit, requesting that such order be dissolved. If the motion seeks a partial dissolution of a restraining order on a bank account for purposes of satisfying outstanding obligations, such motion may be granted ex-parte at the discretion of the assigned Judge. All other motions to dissolve restraining orders shall be set for hearing before the assigned Judge.