

Affidavit for a Violation of a Court Order

If any child or parent has violated a court order to attend school (or other court orders) a sworn affidavit may be filed with the Prosecutor's Office by a principal, assistant principal, or an attendance officer. **This sworn affidavit enables a prosecuting attorney to file a motion for the parent/child to show just cause for the violation of a court order.** The affidavit is a statement of facts regarding the violation and the statement should note:

- The case number containing the order violated (if known)
- The court order violated
- The name of the party to whom the court order was directed
- The date of the court order
- The magistrate issuing the court order (if known)
- Factual knowledge of how the court order was violated

EXAMPLE STATEMENT FOR AN AFFIDAVIT

Pursuant to case number JD55555, on September 20, 2005, Magistrate John Doe, ordered Jane Doe to attend school daily. As of October 25, 2005, Jane Doe has accumulated 5 additional unexcused absences, in violation of the court order.

The completed affidavit must to be notarized.

A copy of an attendance printout and/or any other document that factually supports the violation of a court order must be included with the affidavit when submitted to the assistant prosecutor. A sworn affidavit for a violation of a court order may be submitted to the county attendance officer serving your school district or may be submitted directly to the assistant prosecutor: Donald Robinson, A.P.A.; Office of the Lorain County Prosecutor; Lorain County Justice Center; Third Floor; 225 Court Street; Elyria, Ohio.

