UNIFORM RULES

OF THE COURT OF COMMON PLEAS OF ALLEN COUNTY, OHIO

JUVENILE DIVISION

EFFECTIVE DECEMBER 31, 2025

HONORABLE TODD E. KOHLRIESER, JUDGE

Pursuant to Rule 45 of the Ohio Rules of Juvenile Procedure, Chapters 2151 and 2152 of the Ohio Revised Code, and Rule 5 of the Rules of Superintendence for Courts of Common Pleas, the following rules are adopted by the Juvenile Division of the Court of Common Pleas of Allen County, Ohio effective December 31, 2025.

These rules supersede any other previously adopted rules and the same are hereby repealed.

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RULE 1

COURT FILES

1.1 FILES AND COURT RECORDS

The Judge and Ex-Officio Clerk of the Juvenile Division of the Allen County Court of Common Pleas is responsible for all pleadings and papers filed, and the confidentiality of said records shall be inviolate. Copies of all pleadings and judgment entries of record are available to any party, or their counsel, at the expense of that party or counsel. The term "party" as used in this Rule shall be as defined in the Ohio Rules of Juvenile Procedure.

RULE 2

TRIAL DOCKET

2.1 DOCKETING OF NEW ACTIONS

Upon the filing in this Court of any pleadings initiating suit, the Chief Deputy Clerk shall cause each case to be entered on the trial docket and shall note thereon the date of said filing.

2.2 FILE STAMPING

The top right hand corner of the initial sheet of every pleading, motion, brief, or other paper filed for record shall have an area approximately 3" x 3" left blank for the Clerk's Office to stamp the date of filing. The Clerk's Office is authorized to refuse to accept any document not conforming to this requirement.

2.3 PLEADINGS

All filings must contain the assigned case number, with one original pleading per case number. Filings must also be single sided without any staples. Any illegible pleading, including but not limited to, pictures, screenshots and blurry pages, will not be accepted. The Clerk’s Office is authorized to refuse any document not conforming to this requirement.

2.4 CASE MANAGEMENT PLAN

This rule is adopted in compliance with the mandate of Rule 39 of the Rules of Superintendence for Common Pleas Courts, to achieve the timely disposition of cases. This rule shall be applied and interpreted to the achievement of that goal and consistent with all applicable statutes and Rules promulgated by the Supreme Court of Ohio and this Court.

A. All cases filed in this Court shall be handled and concluded pursuant to the time frames set forth herein, which are intended to be outside time limits. The Court may, in appropriate cases, modify these schedules as necessary.

B. Unruly, Adult Criminal, and Support Enforcement/Modification cases shall be handled and concluded as follows:

1) Within six (6) weeks of the filing of the case, an initial hearing shall be held;

2) Within ten (10) weeks of the filing of the case, the trial date shall be confirmed and a final pre-trial conference shall be held;

3) Within twelve (12) weeks of the filing of the case, the trial shall be completed.

C. Abuse, Neglect, and Dependency cases shall be handled and concluded as follows:

1) Within thirty (30) days of the filing of the case, an adjudicatory hearing shall be held;

2) Within ninety (90) days of the filing of the case, the dispositional hearing shall be completed.

D. Except as required by Chapters 2151 and 2152 of the Revised Code and Juvenile Rule 29 (A), delinquency and all other cases not specifically mentioned herein, shall be handled and concluded as follows:

1) Within six (6) weeks of the filing of the case, an initial hearing shall be held;

2) Within sixteen (16) weeks of the filing of the case, the trial date shall be confirmed and the final pre-trial conference shall be held;

3) Within twenty-four (24) weeks of the filing of the case, the trial shall be completed.

E. Motion for Permanent Custody, Custody, Change of Custody, Parenting Time and Visitation, shall be handled and concluded as follows:

1) Within six (6) weeks of the filing of the case, an initial hearing shall be held;

2) Within sixteen (16) weeks of the filing of the case, the trial date and final pre-trial conference shall be held;

3) Within thirty-six (36) weeks of the filing of the case, the trial shall be completed.

F. The first court date assigned by the Clerk's Office in a case shall also be considered the Case Management Conference. The Case Management Conference shall, when appropriate, include consideration of referral to appropriate and available alternative dispute resolution programs.

RULE 3

SECURITY FOR COSTS

The Juvenile Division of the Allen County Court of Common Pleas requires a security deposit for costs in the filing of any original action, except complaints alleging that a child is delinquent, unruly, neglected, dependent, abused, or a juvenile traffic offender and in criminal actions filed against adults.

3.1 DEPOSIT FOR COSTS

No civil action or proceeding shall be accepted by the Clerk's Office for filing unless the party or parties offering the same for filing shall have first deposited a sum to secure the payment unless otherwise provided by law. Such advance deposit shall be in accordance with the following schedule, unless otherwise ordered by the Court:

A. Civil Petitions, Complaints, Counterclaims, Cross Claims, or Third Party Claims $125.00

B. Motion to vacate, revive, or modify a former Judgment Entry of this Court; the moving party shall pay all unpaid court costs which said moving party has been ordered to pay and in addition thereto shall deposit $ 75.00

C. Except as permitted by Rule 3.8 herein, in cases in which service is by publication, the party desiring such service shall file a praecipe and legal notice with any newspaper of general circulation and the cost of such service shall be paid directly to the publisher by counsel. Counsel shall provide a copy of the legal notice to the Clerk of Courts for filing. A proof of publication shall be forwarded to the Clerk upon completion of publication for filing in the appropriate case.

3.2 INABILITY TO SECURE COSTS

If a litigant claims inability to either pre-pay or give security for costs, the litigant shall complete an Affidavit of Poverty required by the O.R.C. 2323.311 and O.R.C. 2323.31, substantiating such inability, all of which shall be filed with the pleadings and treated as other papers in such case, and be subject to review by the Court at any stage of the proceedings.

3.3 PAYMENT OF FINES AND COSTS

In any case, regardless of its nature, where fines and/or court costs are assessed against a party, said fine and/or court costs are due and payable immediately unless otherwise ordered by the Court.

3.4 TRANSCRIPT OF PROCEEDINGS

A party requesting all or any part of a transcript of any proceeding shall request from the Court Reporter a written estimate of the approximate cost of the transcript and shall deposit that amount with the Court Reporter as security for the Reporter's fees for production of the transcript. Upon completion of the transcript, the Reporter shall provide the requesting party or attorney a statement for services, and in the event the monies on deposit are insufficient to satisfy those fees, the requesting party or attorney shall forthwith deposit sufficient funds to satisfy the balance of the cost. If excess funds are on deposit, the unused portions shall be refunded by the Reporter to the appropriate party or attorney.

Request for transcripts for the purpose of an indigent appeal may, in lieu of the deposit to secure fees, be accompanied by an entry from the appropriate Court directing payment for the transcript costs from public funds upon completion.

3.5 DISCRETION OF THE COURT

The Clerk's Office is granted the following use of discretion:

A. If the costs are not paid at the termination of the litigation, any deposit for costs or bond to secure appearance may be applied to the unpaid costs.

B. The Clerk's Office may make periodic or partial distribution of monies deposited for the purpose of restitution, pursuant to court order, unless otherwise ordered by the Court in a particular case.

3.6 STATUTORY CHARGES

A. Pursuant to the authority of O.R.C. 2303.201 (A)(1), it is determined that for the efficient operation of this Court, additional funds are required to obtain computerized legal research services.

The Clerk of this Court is directed and hereby authorized to charge and collect an additional fee of six dollars ($6.00) upon the filing of each cause or appeal under O.R.C. 2303.20 (A), (Q), and (U).

All funds collected pursuant to this rule shall be paid to the County Treasurer to be maintained by the County Auditor in a separate account for utilization by this Court in procuring and maintaining computerized legal research services.

B. Pursuant to the authority of O.R.C. 2303.201 (B)(1), it is determined that, for the efficient operation of this Court, additional funds are required to computerize the office of the Clerk of the Court of Common Pleas, Juvenile Division.

The Clerk of this Court is directed and hereby authorized to charge an additional fee of twenty dollars ($20.00) upon the filing of each cause of action, appeal, certificate of judgment, or the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment under O.R.C. 2303.20 (A), (P), (Q), (T), and (U).

All funds collected pursuant to this rule shall be paid to the County Treasurer and maintained by the County Auditor in a separate account, to be disbursed, upon an Order of the Court of Common Pleas, Juvenile Division, and subject to appropriation by the Board of Commissioners, in an amount no greater than the actual cost to the Court of procuring and maintaining computer systems for the office of the Clerk of the Court of Common Pleas, Juvenile Division.

C. Pursuant to the authority of O.R.C. Section 2303.201 (E)(1), it is determined that, for the efficient operation of this Court, additional funds are necessary to acquire and pay for special projects of the Court.

The Clerk of this Court is directed and hereby authorized to charge an additional fee of twenty-five dollars ($25.00) upon the filing of each criminal cause, civil action or proceeding, or judgment by confession.

All funds collected pursuant to this Rule shall be paid to the County Treasurer and maintained by the County Auditor in a separate account, to be dispersed upon an Order of the Court of Common Pleas, Juvenile Division, and subject to appropriation by the Board of County Commissioners in an amount no greater than the actual cost to the Court of the projects.

3.7 DEPOSIT FOR FEES OF GUARDIAN AD LITEM

The Court will set forth the amount of initial deposit and the deadline for payment of the deposit in the Order Appointing Guardian Ad Litem. Failure to timely pay the deposit may result in the release of the Guardian Ad Litem and in such instance, the case will proceed without a Guardian Ad Litem.

3.8 PUBLICATION BY POSTING

A. Pursuant to Ohio Juvenile Rule 16 (A), service by publication shall be made by posting unless otherwise ordered by the Court.

B. In addition to the Juvenile Courthouse at 1000 Wardhill Avenue, Lima, Ohio, the Court designates the following as locations where publication of service of process by posting may be made, in accordance with Juvenile Rule 16 (A). Pursuant to that Rule, posting shall be made at any two (2) of the following designated locations:

(1) The Allen County Courthouse, General Division of the Common Pleas Court, 301 North Main Street, Lima, Ohio, or any other location to which it might relocate;

(2) The Allen County Department of Health, 219 East Market Street, Lima, Ohio, or any other location to which it might relocate;

(3) The Lima Municipal Court, located at 109 North Union Street, Lima, Ohio, or any other location to which it might relocate.

C. The Clerk of this Court shall cause the required notice to be posted in a conspicuous place and manner in the above denominated places for the requisite seven (7) days. Upon completion of the posting for seven (7) days, the Clerk shall remove the notice, complete the return of service, file the same and notify counsel as provided by law.

RULE 4

COURT APPOINTED ATTORNEY FEES

4.1 ASSIGNED COUNSEL FEES AND EXPENSES

A. Reimbursement for assigned counsel fees and expenses, and for fees and expenses for attorneys appointed to serve as Guardians ad Litem, shall be made in accordance with the Resolution of the Board of the Allen County Commissioners in effect at the time the legal services are performed (currently $75.00 per hour, effective August 1, 2019) and up to the maximum amounts stated in the Resolution, currently as follows, pursuant to Resolution #629-19:

Offense/Proceeding	Fee Maximum
Aggravated Murder	$ 7,500/1 attorney $12,500/2 attorneys
Murder	$ 6,000
Felony adjudication (degrees 1-2)	$ 5,000
Felony adjudication (degrees 3-5)	$ 3,500
Misdemeanor OVI/BAC	$ 2,500
Misdemeanor	$ 2,000
Traffic	$ 300
Objections in Delinquency Proceedings	$ 750
Unruly	$ 1,000
Bindover-Mandatory	$ 750/1 attorney $ 1,200/2 attorneys
Bindover-Discretionary	$ 2,000/1 attorney $ 3,000/2 attorneys
Reverse Bindover Amenability	$ 1,500

Serious Youthful Offender	Applicable Adult degree per Resolution #629-19 plus 50% if second attorney appointed as co-counsel
Serious Youthful Offender Invocation	$ 2,000/1 attorney $ 3,000/2 attorneys
Adult in Juvenile Court	$ 1,500
Probation Violations, Violation of Court Orders	$ 750
NAD Initial Custody	$ 1,500
NAD Annual Review	$ 1,500
NAD Permanent Custody	$ 2,500
Contempt of Court	$ 500
Purge Hearing	$ 150
Sex Offender Classification/ Reclassification/Declassification	$ 750
Seal and Expungement	$ 300
Other	$ 750

Appellate Level Proceedings

The prescribed maximum fees permitted in appellate level proceedings are:

Offense/Proceeding	Fee Maximum
Felonies (degrees 1-2) (appeal after trial)	$ 5,000
Felony (degree 3) (appeal after trial)	$ 3,500
Felony (degree 4-5) (appeal after trial)	$ 2,500
Misdemeanor (appeal after trial)	$ 2,000
Felony (appeal after plea)	$ 1,500

Misdemeanor (appeal after plea)	$ 1,000
Dependent, neglect, abuse (Permanent Custody)	$ 3,500
Unruly	$ 1,000
Other	$ 1,000
Ohio Supreme Court Jurisdiction memorandum	$ 1,500

Post-conviction and Habeas Corpus Proceedings

1. Payment for post-conviction and state habeas corpus proceedings will be made on the maximum rate of $75 per hour for both in-court and out-of-court services.

2. The prescribed maximum fees permitted in post-conviction and habeas corpus proceedings are:

Juvenile	$ 2,500
Seals and Expungement	$ 300
Judicial Release	$ 500
Revocation	$ 750
Driving Privileges	$ 150
NGRI/Comp Review	$ 750
Jail Time Credit	$ 300
Re-Hearing on Disposition	$ 500
Sex Offender Reclassification	$ 750
Withdrawal of Admission	$ 1,000

Reimbursement for representation which exceeds the above-stated maximum will be made only with prior approval of the Court, and shall be subject to increased reimbursement from the office of the Ohio Public Defender pursuant to O.R.C. 120.04 (B) (9).

Extraordinary Fees/Hourly Rate

1. Cases eligible for extraordinary fees or extraordinary hourly rates are ones which, because of extraordinarily complex issues, multiple offenses, lengthy trials, or other reasons, warrant compensation at a rate which exceeds the maximums established by a county or the Ohio Public Defender. Payment for extraordinary fees/hourly rates are subject to the following requirements:

    a. Extraordinary fees must be clearly documented in the appropriate sections on the Motion, Entry, and Certification form.

    b. The Judge hearing the case must indicate approval of the extraordinary fees and/or hourly rates by checking the “Extraordinary Fees Granted” box in the Judgment Entry section on the front of the form, and a copy of the journal entry/entries must be attached.

Expenses

1. Approval for payment for reasonable expenses associated with providing representation requires prior Court approval, upon written motion. The approval of such expenses and the amount thereof must be approved by the Court in advance of incurring the expense.

    a. Reimbursement for expenses associated with providing representation shall be made when submitted with the attorney's fee certificate (OPD-1026R), accompanied by appropriate documentation of those expenses and approved by the Court. Allowable expenses include, but are not limited to, such items as expert witness fees, polygraph examination costs, transcripts, and investigative costs. Regular expenses such as meals, long distance telephone calls, copying and postage will not be reimbursed absent extraordinary circumstances.

    b. The fees and expenses for service as appointed counsel will be ordered paid only upon timely application to the Court. For purposes of this rule, an application for the payment of assigned counsel fees will be considered timely only if received by the Clerk within thirty (30) days after the completion of the last hearing covered by the billing period in order to meet the 90 day deadline for state reimbursement. Failure of assigned counsel to timely file the application for payment of fees and expenses with all necessary supporting documentation may result in non-payment of or reduction in fees and expenses. In order to be reimbursed for mileage, the dates travelled and the cities travelled to and from (point of destination and point of departure) must be specified on the expense section of the Motion, Entry and Certification form along with the number of miles.

4.2 AFFIDAVITS OF INDIGENCY

Pursuant to Revised Code, Chapter 120, it is mandatory that a Financial Disclosure/Affidavit of Indigency form be filed by each indigent defendant or parent in order for the court appointed attorney or guardian ad litem to be compensated. The Affidavit of Indigency shall be submitted on Ohio Public Defender Form OPD-206R.

All affidavits and forms required by this rule shall, when possible, be completed by the party requesting assigned counsel, and be submitted to the Clerk's Office and/or the Allen County Public Defender's Office prior to the appointment of counsel. In the event the necessary affidavits and forms required by this rule are not submitted prior to appointment, assigned counsel and/or the Allen County Public Defender's Office shall cause the documents to be filed with the Clerk's Office at or prior to the first scheduled hearing. Failure by counsel and/or the Allen County Public Defender's Office to file all necessary forms and affidavits shall result in non-payment.

RULE 5

COUNSEL OF RECORD

5.1 COUNSEL OF RECORD

Each attorney retained to represent a party in this Court shall immediately file a written designation of counsel with the Court, and provide a copy of the designation to all other counsel of record in the case, and any unrepresented parties. Upon the filing of the written designation or other appearance in the proceeding, the attorney will be considered counsel of record until such time as a Judgment Entry of Withdrawal is approved by the Court and filed in the case. The Court will not consider such representation to include any case other than the particular case in which the designation of counsel is filed or other appearances entered.

5.2 APPOINTMENT OF COUNSEL

A. **Appointments** – The Court shall appoint counsel to represent parties in Delinquency, Unruly, Juvenile Traffic, Juvenile Tobacco, Dependent, Neglect and Abuse proceedings consistent with Rule 4 of the Ohio Rules of Juvenile Procedure and Ohio Revised Code Section 2151.352. An attorney may be appointed for a party to the proceeding, upon proper request, contingent upon financial eligibility requirements and as provided by law.

B. **Lists for Appointments** – The Court shall maintain a list of approved attorneys qualified to serve as counsel in each type of proceeding:

1. In order to be placed on the assigned counsel list, the attorney must be licensed to practice in the State of Ohio and in good standing. The Clerk of this Court shall maintain these lists, and attorneys wishing to be placed on a list should submit a letter to the Judge for review. Final approval for placement on the various lists remains at the sole discretion of the Judge.

2. Attorneys on the assigned counsel list will be considered for appointment on a rotating basis. Once the Clerk has found an available attorney willing to accept the appointment, the next attorney will then be considered first for the next appointment. Cases that require specialized skill or knowledge or involve parties previously represented by court appointed counsel may require that the Court make an appropriate alternative appointment.

3. The Chief Deputy Clerk shall review the assignments on a quarterly basis to ensure the equitable distribution of appointments among persons on each list maintained by the Court.

RULE 6

PARENTING TIME ALLOCATION

A. Parents are encouraged to create an agreed, equitable written parenting time schedule that fits their circumstances and their children's lives, with the following serving as a schedule when the parents cannot agree. Nothing herein prohibits the parents from changing the schedule upon mutual agreement. Parenting time shall not be less than the time allocated in accordance with this rule unless otherwise ordered by the Court or by mutual agreement of the parties.

In compliance with Ohio Revised Code Section 3109.051 (F)(2), the following Standard Visitation Guidelines are to be applied in all cases, subject to deviations based upon consideration of the factors in Ohio Revised Code Section 3109.051 (D).

B. The non-residential parent shall have parenting time on alternate weekends from Friday at 6:00 p.m. to Sunday evening at 6:00 p.m.

C. The non-residential parent shall have weekly parenting time from 5:30 p.m. to 8:30 p.m. (one evening per week). The beginning and ending times may be varied to accommodate the work schedules of the parties, the schedule of the children and the appropriate bedtime for children during the school year. If the parties are unable to agree upon the date of the week for this time, Wednesday will be used unless otherwise ordered by the Court.

D. The parent receiving the children shall be responsible for transportation unless otherwise ordered by the Court. The parent exercising the weekday parenting time shall provide transportation for both pickup and drop off.

E. Holiday parenting time shall be as follows:

EVEN NUMBERED YEARS

<table>
<tr><th>Parent 1</th><th>Parent 2</th></tr>
<tr><td>Martin Luther King Day – Friday evening to Monday evening</td><td>President's Day – Friday evening to Monday evening</td></tr>
<tr><td>Memorial Day – Friday evening to Monday evening</td><td>Easter – Thursday evening to Sunday evening</td></tr>
<tr><td>Labor Day – Friday evening to Monday evening</td><td rowspan="2">July 4th – If the 4th falls on Tuesday, Wednesday or Thursday, the time shall commence at 6:00 p.m. on July 3rd until 9:00 a.m. on July 5th.

If the 4th falls on Sunday or Monday, the time shall commence on Friday night at 6:00 p.m. and conclude on July 5th at 9:00 a.m.

If the 4th falls on Friday or Saturday, parenting time shall commence at 6:00 p.m. on July 3rd and conclude Sunday at 6:00 p.m.</td></tr>
<tr><td rowspan="2">Juneteenth – If June 19th falls on Tuesday, Wednesday, or Thursday the time shall commence at 6:00 p.m. on June 18th until 9:00 a.m. on June 20th. If June 19 falls on Sunday or Monday the time shall commence on Friday night at 6:00 p.m. and conclude on June 20 at 9:00 a.m.

If June 19 falls on Friday or Saturday, parenting time shall commence at 6:00 p.m. on June 18 and conclude on Sunday at 6:00 p.m.

Should Father's Day fall during the Juneteenth Holiday time as set forth in this holiday schedule, the father shall be entitled to exercise Father's Day on Sunday commencing at 9:00 a.m. until 6:00 p.m. on Father's Day. Father's day will pre-empt Juneteenth holiday time to be exercised by the other party.</td></tr>
<tr><td>Thanksgiving Day – Wednesday evening to Sunday evening.</td></tr>
<tr><td>Christmas Eve and Christmas Day until 9:00 a.m. December 26th.</td><td>Christmas – 9:00 a.m. December 26th for the remainder of the Christmas Holiday until 6:00 p.m. on January 1st. If January 1st falls on a Friday or Saturday, the parenting time shall continue until the Sunday immediately following that date at 6:00 p.m.</td></tr>
</table>

During the **ODD YEARS**, this shall be **reversed**.

Christmas and other holidays may be modified by agreement of the parties to suit individual family schedules.

The child shall spend **Mother's Day** in the companionship of the mother commencing at 6:00 p.m. the Friday before Mother's Day and concluding at 6:00 p.m. on Mother's Day.

The child shall spend **Father's Day** in the companionship of the father commencing at 6:00 p.m. the Friday before Father's Day and concluding at 6:00 p.m. on Father's Day.

The first non-holiday weekend following any weekend holiday parenting time shall be exercised by the party who did NOT exercise the preceding holiday parenting time weekend and thereafter alternate pursuant to these rules.

Unless otherwise specified, evening parenting time shall be deemed to begin or conclude at 6:00 p.m. and morning parenting time shall be deemed to begin or conclude at 9:00 a.m.

The holiday schedule may be modified by agreement of the parties or by Court order upon proper motion to accommodate the parties' religious preference.

F. The child's birthday shall be celebrated in the home of the parent exercising parenting time in accordance with these orders without regard to that party being designated as residential or non-residential parent.

G. The non-residential parent shall be entitled to four (4) weeks and the residential parent two (2) weeks of extended parenting time each year to be exercised in blocks of time consisting of fourteen (14) or seven (7) consecutive days per time period.

1.) This extended parenting time shall not interfere with the child's school.

2.) If exercised in a seven (7) day period, the period will include one regular weekend parenting time of the requesting party.

3.) Written notification to the other parent not less than thirty (30) days prior to the exercise of any extended parenting time is required unless otherwise agreed by the parties or granted by the Court.

4.) The parent to first notify the other parent in writing of the intent to exercise extended parenting time will be entitled to that time in the event of a conflict.

5.) Unless otherwise ordered, holiday parenting time shall take precedence over weekend, weekday, and extended parenting time. Extended parenting time, after notice, shall take precedence over weekend and weekday parenting time.

6.) The first non-holiday weekend following the completion of an extended parenting time shall be spent with the other parent and thereafter alternate between the parties pursuant to this rule.

H. Each parent shall provide his or her address and phone numbers to the other party at all times. Non-residential parents shall be entitled to exercise reasonable telephone communications not less than twice weekly, with each conversation lasting not longer than thirty (30) minutes per conversation.

I. The residential parent shall keep the non-residential parent advised of all parent/teacher meetings, school programs and schedules regarding the minor children. Copies of grade cards shall be submitted to the non-residential parent on the weekend following the receipt of the grade cards.

J. Each parent shall provide formula and diapers to be used for infants during the time they spend with the infant in their respective homes.

K. Adequate clothing shall be provided by the residential parent for parenting times and the same shall be returned at the end of said parenting times.

L. The party exercising parenting time and/or physical custody of the child(ren) shall be responsible to transport the child(ren) to all scheduled activities, appointments and events of the child(ren) during the time the party is exercising parenting time and/or physical custody of the child(ren) and shall further make sure the child(ren) have the appropriate equipment or dress to participate in the activities or events. This does not impose a duty to purchase such items unless required by other orders.

Scheduled activities include, but are not limited to, regular meetings and events associated with school and extracurricular activities such as band, chorus, sporting events, swim and gymnastic lessons, 4-H and scouting. It would also include health related appointments.

These would not include a regular Sunday church service, but would include baptism or any ceremony for admission to a church including meetings and education prerequisites for admission.

The scheduling of events, appointments and activities shall not be done in a manner to cause undue inconvenience or harassment to another parent; however, both parents must understand that the child(ren) need to be able to participate in regular activities without interference and with the support of both parents.

M. Long Distance Parenting Time (more than 200 miles, one way) – If the standard rule parenting time is not practical due to the distance between the parties, and if the parties do not otherwise agree, the non-residential parent shall have parenting time as follows:

1. In odd years – from December 26 at 6:00 p.m. through and including January 1 at 6:00 p.m.

2. In even years – from 6:00 p.m. the day after school ends for Christmas Break through and including January 1 at 6:00 p.m., and if the child is not attending school, from December 18 at 6:00 p.m. through and including January 1 at 6:00 p.m.

3. Every Spring Break from school. “Spring Break” shall be defined as beginning at 6:00 p.m. on the last day of the child’s schooling, prior to the beginning of the spring break period and continuing until Noon on the last day of the child’s spring break, prior to the resumption of school the next day.

    (A) Should Easter Sunday occur within the child’s Spring Break from school, then in odd numbered years, the Mother shall be entitled to exercise Easter Sunday with the minor child from 7:30 a.m. until 2:00 p.m. Easter Sunday. In even numbered years, the Father shall be entitled to exercise Easter Sunday with the minor child from 7:30 a.m. until 2:00 p.m. Easter Sunday. This shall constitute the allocation of parenting time for the Easter Holiday, only when Easter Sunday occurs during the child’s Spring Break from school.

4. Summer Parenting Time

    (A) In odd-numbered years – beginning at 6:00 p.m. on the Sunday immediately preceding the child’s first full week of summer vacation and ending on July 16 at 6:00 p.m.

    (B) In even-numbered years – beginning on July 16, at 6:00 p.m. and ending seven (7) days prior to the resumption of school.

5. Any time that the non-residential parent is in the vicinity of the residential parent, the non-residential parent may exercise up to 48 hours of parenting time, provided the non-residential parent has provided the residential parent with at least 72 hours advance notice of the intent to exercise parenting time under this provision. Said parenting time exercised under this provision shall not occur outside the county of residence of the custodial parent. This provision may be exercised by the non-residential parent no more than six (6) times each calendar year.

6. The Holiday parenting time schedule under Section E above shall not apply to the Long Distance Parenting Time.

7. Transportation for the purposes of Long Distance Parenting Time shall be pursuant to Section D herein.

N. Phase-in Parenting Time – If the Court includes in its Order a provision that phase-in parenting time shall occur between the non-residential parent and the minor child/children, then the Phase-in Schedule shall be as follows:

1. Introductory Parenting Time phase:

   (A) The non-residential parent shall have supervised parenting time once a week for three hours away from the residential parent's home at a neutral site, such as a suitable relative of the non-residential parent.

   (B) The non-residential relative must agree to the supervision.

   (C) The child will not be removed from the agreed upon parenting time site during the parenting time.

   (D) No alcoholic beverages or substances of abuse shall be used during or in the 24 hours prior to any parenting time.

   (E) The parenting time shall take place on a day of the residential parent's choice and time, unless this conflicts with the non-residential parent's work schedule. In such case, if the residential parent cannot choose another non-conflicting day and time, then the non-residential parent may choose the day and time.

   (F) Introductory parenting time shall continue for four weeks. If the non-residential parent misses any parenting time, the introductory period shall be restarted until four consecutive weeks have occurred.

2. Thereafter, parenting time shall be enhanced for an additional four weeks, for one day per week, for six hours. However, parenting time may take place away from the relative's home or other facility and need not be supervised. All other guidelines under the first introductory phase shall continue in effect.

3. Upon substantial compliance with the second phase, the non-residential parent may have the child for overnight parenting time, once every other week. This shall continue for six weeks. The choice of days shall follow the selection process set out in the first introductory phase. Parenting time shall commence at 10:00 a.m. and terminate the following day at 10:00 a.m., unless otherwise agreed to.

4. Upon substantial compliance with the third phase, the parties shall exercise parenting time in accordance with the standard order of parenting time.

5. If the non-residential parent does not substantially comply with the allotted parenting time in any phase, then that phase shall be restarted and shall continue until such time as that phase is completed.

6. All transportation for the purposes of exercising Phase-In Parenting Time during Phase 2 shall be the responsibility of the non-residential parent. During Phases 3 and 4, transportation shall be the responsibility of the receiving party.

7. The parties may modify any of the terms of the Phase-in Parenting Time upon mutual agreement.

O. A copy of this rule shall be affixed to all parenting time orders adopting Local Rule 6.

RULE 7

PLEADINGS

7.1 COMPLAINTS

No original action shall be docketed or processed by this Court unless the following is received by the Court at the initiation of the proceedings and is satisfactorily completed:

1) Delinquent Child - Juvenile Complaint

2) Unruly Child (Truancy only) - Juvenile Complaint & Student Information Summary

3) Unruly Child (All Other) - Juvenile Complaint

4) Dependent/Neglected/Abused - Juvenile Complaint

5) Juvenile Traffic Offender - Uniform Traffic Citation or Complaint

6) Adult Criminal - Affidavit/Complaint

7.2 SUBSEQUENT PLEADINGS

This Court shall not accept any pleading which is incomplete in form. All Deputy Clerks shall refuse any pleadings which do not contain a full caption, including the pertinent case number and signatures of either trial counsel or the party. No pleading shall be accepted which contains more than one case number.

7.3 AMENDMENT TO PLEADINGS

In no case when pleadings are amended shall the original pleadings be withdrawn from the files, nor shall any part be obliterated. In no case shall any amendment be made by interlineation without leave of Court. In all cases where an amendment is made by interlineation, the Judgment Entry must state what changes were made in the original pleadings.

RULE 8

DISPOSITION OF MOTIONS

8.1 FORM AND PROCEDURE

All motions shall be accompanied by a memorandum stating the grounds therefore and citing the authorities relied upon, and any affidavits in support of the motion. The opposing counsel or party may file a responsive memorandum and any affidavits in support of the response by the fourteenth day after the date on which the motion was served. When the motion requests the establishment or modification of an order of child support, both the motion and response shall also be accompanied by a completed and executed Child Support Affidavit (Form JC-1, Appendix). On the fourteenth calendar day after the motion was served, the motion shall be deemed submitted to the Court, unless oral hearing is scheduled.

Neither evidentiary hearing nor oral argument shall be held on a motion unless there is filed with the motion or opposing memorandum a written request of a party. The written request shall accompany the motion or opposing memorandum and shall be endorsed in the caption thereof, i.e. "Motion for - Oral Hearing Requested."

This rule shall apply to all motions, including without limitation, motions for new trial and motions for relief from judgment.

Nothing in this Rule shall limit the Court in assigning a matter for evidentiary hearing or oral argument on its own motion.

8.2 MOTIONS FOR TEMPORARY SUPPORT

In all cases in which a pendente lite order of temporary support is requested, the motion for temporary support shall be accompanied by a completed child support computation worksheet and a completed and executed Child Support Affidavit (Form JC-1). The party responding to such motion or pleading shall file a completed and executed Form JC-1 with the Court not later than the fourteenth day after the date on which the motion or pleading was served. After the fourteenth day, the matter will be deemed submitted.

8.3 MOTIONS FOR TEMPORARY CUSTODY

In all cases in which a pendente lite order of temporary custody is requested, the motion for temporary custody shall be accompanied by a completed Custody Affidavit (Form JC-4, Appendix) pursuant to O.R.C. Sections 3127.23 and 3109.04(M), and an affidavit in support of the motion. The party responding to such motion or pleading shall file with the response a Custody Affidavit (Form JC-4) pursuant to O.R.C. Sections 3127.23 and 3109.04(M) and an affidavit in support of the respondent's position on the motion not later than the fourteenth day after the date on which the motion or pleading was served. After the fourteenth day, the matter will be deemed submitted.

8.4 REQUESTS FOR ORAL HEARING

After issuance of an order of temporary custody or temporary support pursuant to Rules 8.2 or 8.3 above, any party may request an oral hearing on the motion. Such request shall not suspend or delay the operation of the order until specifically modified or vacated.

8.5 HEARINGS ON TEMPORARY CUSTODY AND SUPPORT

At hearing on any motion for pendente lite temporary custody or support, testimonial evidence presented by each side shall be limited to the party and one (1) additional witness. Each side shall be limited to one (1) hour in the presentation of the case at such hearing.

RULE 9

MAGISTRATES

9.1 OBJECTIONS TO DECISIONS OF THE MAGISTRATE

Objections to the decision of a magistrate shall be made consistent with the provisions of Ohio Civil Rule 53, Ohio Juvenile Rule 40, and Ohio Criminal Rule 19, as applicable. Objections shall be in writing and shall be filed within fourteen (14) days of the filing of the decision to which the objections are being made. Any request for extension of time in which to file objections to a decision of the magistrate shall be filed within fourteen (14) days of the filing of the decision to which the objections are to be made and shall state with specificity good cause for the extension. Absent good cause, any request for extension of time in which to file objections to a decision of the magistrate filed more than fourteen (14) days after the filing of the decision will be subject to summary denial by the Court.

9.2 RESPONSE TO OBJECTIONS TO MAGISTRATE'S DECISIONS

If a party files objections to the decision of a magistrate pursuant to Ohio Civil Rule 53, Ohio Juvenile Rule 40, or Ohio Criminal Rule 19, an opposing party shall file any response to those objections within fourteen (14) days after the filing of the objections. The objections will be taken under consideration by the Court after the time for the filing of the response provided in this rule has passed.

9.3 OBJECTIONS TO FACTUAL FINDINGS OF THE MAGISTRATE

An objection to a factual finding of the magistrate shall be supported by a transcript of all the evidence submitted to the magistrate relevant to that finding, or an affidavit of that evidence if a transcript is not available. The objecting party shall file the transcript or affidavit with the Court within thirty (30) days after filing objections unless the court extends the time in writing to allow for the preparation of the transcript. Any request for an extension of the time for filing the transcript shall be made prior to the expiration of the thirty (30) days provided by this rule, Ohio Juvenile Rule 40, Ohio Criminal Rule 19, and Ohio Civil Rule 53. If a party files timely objections prior to the date on which the transcript is prepared, the party may supplement the objections within seven (7) days after the date on which the transcript is filed with the court. Absent leave of Court, the objecting party may not supplement objections more than seven (7) days after the date on which the transcript is filed with the Court. Leave to supplement objections must be requested by the objecting party within seven (7) days after the date on which the transcript is filed with the Court.

9.4 RESPONSIBILITY FOR PREPARATION OF TRANSCRIPTS

The party objecting to a decision of a magistrate is responsible for arranging the preparation of the transcript necessary to pursue the objection, and the timely filing of the transcript with the court. The party or counsel shall contact the court reporter, secure from the court reporter an estimate of the costs for preparation of the transcript, the date on which the transcript will be available, and make satisfactory arrangements with the court reporter for the payment of the cost of the preparation of the transcript.

Parties requesting payment for the preparation of the transcript at public expense shall apply for prior approval of payment by motion to the Court. The motion shall include the estimated cost of the transcript and the date on which the transcript will be available as provided by the court reporter. Unless otherwise approved by the Court by journal entry, the court reporter will be paid from public funds only for the preparation of the original transcript necessary for the objections and not for the costs of any copy of the original transcript.

RULE 10

PREPARATION OF JUDGMENT ENTRIES AND ORDERS

10.1 FILING OF JUDGMENT ENTRIES AND ORDERS

In all Juvenile Delinquency, Unruly, Traffic Offender and Juvenile Tobacco Offender cases and Adult Criminal cases, the Court will prepare all final orders, unless the Court otherwise directs. However, all preliminary matters decided by the Court prior to the final adjudicatory hearing which require journalization are the responsibility of counsel unless otherwise directed by the Court.

In all Dependent, Neglected, Abused, and other civil actions, it is the responsibility of counsel for the party so designated by the Court to prepare the appropriate judgment entry. The counsel for the party so designated shall submit the proposed entry to counsel for the opposing party for approval within seven (7) days of the announcement of the decision or the filing of the Magistrate's Decision. Counsel for the opposing party shall either approve or reject the proposed entry within five (5) days after the receipt thereof.

When the entry is approved by counsel, it shall be presented to the Court for approval and journalization of record. If counsel are unable to agree upon the entry, each counsel shall prepare and submit his/her own proposed entry for consideration by the Court, and either the approved entry, or the two (2) proposed entries shall be presented to the Court within twenty-one (21) days after the decision of the Court is announced. Upon the expiration of twenty-one (21) days, if no entry has been submitted to the Court, all parties and counsel shall be summoned to appear before the Court to show cause why they should not be held in contempt of Court for failure to abide by the orders of the Court.

10.2 NOTICE OF FILING

Within three (3) days of the filing of an entry of any final appealable judgment or order, the Ex-Officio Clerk of the Juvenile Division of the Allen County Court of Commons Pleas shall serve notice of the entry upon every party who is not in default for failure to appear and make notation of the service upon the docket.

RULE 11

APPEARANCES

Any juvenile summoned to appear as an alleged Delinquent child, alleged Unruly child, alleged Juvenile Traffic Offender or alleged Juvenile Tobacco Offender shall appear and be accompanied by a parent, custodian or guardian, unless otherwise notified by the Court.

Any person summoned to appear before the Court who fails to do so may be punished as in other cases for contempt of Court.

RULE 12

HEARING/TRIAL ASSIGNMENTS AND CONTINUANCES

12.1 CONTINUANCES

A. Continuances shall be granted only when imperative to secure fair treatment for the parties.

B. To promote the best interests of the juvenile(s) involved and the docket of the Court, no request for continuance shall be granted unless filed at least seven (7) days prior to any assigned hearing or trial. Any request for continuance filed less than seven (7) days prior to the assigned hearing or trial may be summarily denied unless it involves a case of severe illness or death.

C. To obtain a continuance, the party or counsel must file a written motion with the Court requesting the continuance and stating therein the reasons why the continuance is imperative to secure fair treatment for the parties. Any motion requesting a continuance due to a scheduling conflict involving another court shall be accompanied by a copy of the assignment notice issued by the other court as required by C.P. Sup. R. 41(B)(1). All motions for continuance shall be endorsed in writing by the litigants as well as counsel in accordance with C.P. Sup. R. 41 (A), and shall be accompanied by a proposed journal entry granting continuance, approved by the opposing party or counsel. If not approved by the opposing party or counsel, the proposed entry shall recite that the Motion for Continuance has been submitted for consideration with the objection of the opposing party.

D. Counsel considering representation of a party in a matter already scheduled for hearing should not assume that a continuance will be granted due to an existing scheduling conflict of which counsel or the party was aware prior to counsel's assuming representation.

E. An order of continuance shall be signed by the Judge or Magistrate before the hearing or trial assignment will be vacated and a continuance deemed granted. All parties and counsel shall be required to appear as scheduled unless notified by the Court that the requested continuance has been granted.

12.2 SCHEDULING OF PRE-TRIAL CONFERENCES

A. Pre-trial conferences shall be scheduled at the discretion of the Court. Unless otherwise ordered by the Court, the attendance of all parties and counsel is required at pre-trial conferences.

B. At the conclusion of the pre-trial conference in delinquency, unruly, juvenile traffic offense cases, and adult criminal cases, counsel shall complete a Pre-Trial Conference Report Form (Appendices JC-2 or JC-3) and submit the form to the Court for review and approval.

RULE 13

JURY TRIALS

13.1 DEMAND FOR JURY TRIALS

(A) Any adult charged with a criminal offense under the Ohio Revised Code, and any child charged as a serious youthful offender under Ohio Revised Code Section 2152.13 may demand a trial by jury. All jury demands shall be made pursuant to and in accordance with Rule 23 of the Ohio Rules of Criminal Procedure.

(B) No jury trial assignment date will be vacated subsequent to fourteen (14) days before said trial date except in case of severe illness or death of a party or his/her counsel. An attorney's caseload is not sufficient grounds for the continuance of a jury trial.

13.2 JURY MANAGEMENT PLAN

Pursuant to Superintendence Rule 5(D)(2), Appendix B, for the Court of Common Pleas, the Court hereby adopts a jury management plan for implementation of the jury standards adopted by the Ohio Supreme Court on August 16, 1993.

(A) OPPORTUNITY FOR SERVICE

(1) The opportunity for jury service shall not be denied or limited on the basis of race, national origin, gender, age, religious belief, income, occupation, disability or any other factor that discriminates against a cognizable group in the jurisdiction.

(2) Jury service is an obligation of all qualified citizens.

(B) JURY SOURCE LIST

(1) The names of potential jurors shall be drawn from a jury source list compiled from one or more regularly maintained lists of persons residing in the Court's jurisdiction.

(2) The jury source list shall be representative and should be as inclusive of the adult population as is feasible.

(3) The Court shall periodically review the jury source list for its representativeness and inclusiveness of the adult population in the jurisdiction as is feasible.

(4) In the event the Court determines that improvement is needed in the representativeness or inclusiveness of the jury source list, appropriate corrective action should be taken.

(C) RANDOM SELECTION PROCEDURES

(1) Random selection procedures shall be used throughout the juror selection process. Any method may be used, manual or automated, that provides each eligible and available person with an equal probability of selection. These methods shall be documented.

(2) Random selection procedures shall be employed in:

(a) selecting persons to be summoned for jury service;
(b) assigning prospective jurors to panels; and
(c) calling prospective jurors for voir dire.

(3) Departures from the principle of random selection are appropriate:

(a) to exclude persons ineligible for service in accordance with Local Rule 13.2 (D);
(b) to excuse or defer prospective jurors in accordance with Local Rule 13.2 (F);
(c) to remove prospective jurors for cause or if challenged peremptorily in accordance with Local Rule 13.2 (H) and (I); and
(d) to provide all prospective jurors with an opportunity to be called for jury service and to be assigned to a panel in accordance with Local Rule 13.2 (K).

(D) ELIGIBILITY FOR JURY SERVICE

All persons shall be eligible for jury service except those who:

(1) are less than eighteen (18) years of age;

(2) are not citizens of the United States;

(3) are not residents of the jurisdiction in which they have been summoned to serve;

(4) are not able to communicate in the English language; or

(5) have been convicted of a felony and have not had their civil rights restored.

(E) TERM OF AND AVAILABILITY FOR JURY SERVICE

(1) The time that persons are called upon to perform jury service and to be available should be the shortest period consistent with the needs of justice.

(2) A term of service of one day or the completion of one trial, whichever is longer, is recommended. However, a term of one week or the completion of one trial, whichever is longer, is acceptable.

(3) Persons should not be required to maintain a status of availability for jury service for longer than two weeks unless the Court determines that it is appropriate for persons to be available for service over a longer period of time.

(F) EXEMPTION, EXCUSE AND DEFERRAL

(1) All automatic excuses or exemptions, with the exception of statutory exemptions, from jury service shall be eliminated.

(2) Eligible persons who are summoned may be excused from jury service only if:

(a) their ability to receive and evaluate information is so impaired that they are excused for this reason by a Judge; or
(b) they request to be excused because their service would be a continuing hardship to them or to members of the public, and they are excused by a Judge or specifically authorized court official.

(3) Deferrals for jury service for reasonably short periods of time may be permitted by a Judge or specifically authorized court official.

(4) Requests for excuses and deferrals and their disposition should be written or otherwise made or recorded.

(G) VOIR DIRE EXAMINATION

(1) Voir dire examination shall be limited to matters relevant to determining whether to remove a juror for cause and to determine the juror's fairness and impartiality.

(2) To reduce the time required for voir dire, basic background information regarding panel members shall be made available to counsel in writing for each party prior to the day on which jury selection is to begin.

(3) The trial Judge shall conduct a preliminary voir dire examination. Counsel shall then be permitted to question panel members for a reasonable period of time.

(4) The Judge should ensure that the privacy of prospective jurors is reasonably protected, and that the questioning is consistent with the purpose of the voir dire process.

(5) In criminal cases, the voir dire process shall be held on the record. In civil cases, the voir dire process shall be held on the record unless waived by the parties.

(H) REMOVAL FROM THE JURY PANEL FOR CAUSE

If the Judge determines during the voir dire process that any individual is unable or unwilling to hear the particular case at issue fairly and impartially, that individual should be removed from the panel. Such a determination may be made on motion of counsel or by the Judge.

(I) PEREMPTORY CHALLENGES

Peremptory challenges shall be exercised in accordance with the applicable Civil Rules, Criminal Rules, and/or statutes.

(J) ADMINISTRATION OF THE JURY SYSTEM

(1) The responsibility for administration of the jury system shall be vested exclusively in the Judges of the Court.

(2) All procedures concerning jury selection and service shall be governed by Ohio Rules of Court.

(3) Responsibility for administering the jury system shall be vested in a single administrator acting under the supervision of the Administrative Judge of the Court.

(K) NOTIFICATION FOR SERVICE

(1) The notice summoning a person to jury service and the questionnaire eliciting essential information regarding that person shall be:

(a) contained in a single document;
(b) phrased to be readily understood by an individual unfamiliar with the legal and jury systems; and
(c) delivered by ordinary mail unless otherwise ordered.

(2) A summons shall clearly explain how and when the recipient must respond and the consequences of a failure to respond.

(3) The questionnaire should be phrased and organized so as to facilitate quick and accurate screening and should request only that information essential for:

(a) determining whether a person meets the criteria for eligibility;
(b) providing basic background information ordinarily sought during voir dire examination; and
(c) efficiently managing the jury system.

(4) Policies and procedures shall be established for monitoring failures to respond to a summons and for enforcing a summons to report for jury service.

(L) The Court shall collect and analyze information regarding the performance of the jury system on a regular basis in order to evaluate:

(1) the representativeness and inclusiveness of the jury source list;

(2) the effectiveness of qualification and summoning procedures;

(3) the responsiveness of individual citizens to jury duty summonses;

(4) the efficient use of jurors; and

(5) the cost-effectiveness of the jury management system.

(M) JUROR SERVICE

(1) The Court shall employ the services of prospective jurors so as to achieve optimum use with a minimum of inconvenience to jurors.

(2) The Court shall determine the minimally sufficient number of jurors needed to accommodate trial activity. This information and appropriate management techniques should be used to adjust both the number of individuals summoned for jury duty and the number assigned to jury panels.

(3) The Court shall coordinate jury management and calendar management to make effective use of jurors.

(N) JURY FACILITIES

(1) The Court shall provide an adequate and suitable environment for jurors.

(2) The entrance area shall be clearly identified and appropriately designed to accommodate the daily flow of prospective jurors to the facility.

(3) Jurors shall be accommodated in pleasant waiting facilities furnished with suitable amenities.

(4) Jury deliberation rooms shall include space, furnishings, and facilities conducive to reaching a fair verdict. The safety and security of the deliberation rooms should be ensured.

(5) To the extent feasible, juror facilities should be arranged to minimize contact between jurors, parties, counsel, and the public.

(O) JURY COMPENSATION

(1) Persons called for jury service shall receive a reasonable fee for their service and expenses.

(2) Such fees shall be paid promptly.

(3) Employers shall be prohibited from discharging, laying-off, denying advancement opportunities to, or otherwise penalizing employees who miss work because of jury service.

(P) JUROR ORIENTATION

(1) Orientation program shall be:

(a) designed to increase prospective jurors' understanding of the judicial system and prepare them to serve competently as jurors; and
(b) presented in a uniform and efficient manner using a combination of written, oral, and audio-visual materials.

(2) The Courts shall provide orientation or instructions to persons called for jury service:

(a) upon initial contact prior to service;
(b) upon first appearance at the Court; and
(c) upon reporting to a courtroom for voir dire.

(3) The trial judge shall:

(a) give preliminary instructions to all prospective jurors;
(b) give instructions directly following impanelment of the jury to explain a jury's role, the trial procedures including notetaking and questioning by jurors, the nature of evidence and its evaluation, the issues to be addressed, and the basic relevant legal principles;

(c) prior to the commencement of deliberations, instruct the jury on the law, on the appropriate procedures to be followed during deliberations, and on the appropriate method for reporting the results of its deliberations. Such instructions should be made available to the jurors during deliberations;
(d) prepare and deliver instructions which are readily understood by individuals unfamiliar with the legal system; and
(e) recognize that utilization of written instructions is preferable; and
(f) Before dismissing a jury at the conclusion of a case:

(1) release the jurors from their duty of confidentiality;
(2) explain their rights regarding inquiries from counsel or the press;
(3) either advise them that they are discharged from service or specify where they must report; and
(4) express appreciation to the jurors for their service, but not express approval or disapproval of the result of the deliberation.

(4) All communications between the Judge and members of the jury panel from the time of reporting to the courtroom for voir dire until dismissal shall be in writing or on the record in open court. Counsel for each party shall be informed of such communication and given the opportunity to be heard.

(Q) JURY DELIBERATIONS

(1) Jury deliberations shall take place under conditions and pursuant to procedures that are designed to ensure impartiality and to enhance rational decision making.

(2) The Judge shall instruct the jury concerning appropriate procedures to be followed during deliberations.

(3) The jury shall not be sequestered except under the circumstances and procedures set forth in Local Rule 13.2 (R).

(4) A jury shall not be required to deliberate after a reasonable hour unless the trial judge determines that evening or weekend deliberations would not impose an undue hardship upon the jurors and are required in the interest of justice.

(5) Training should be provided to personnel who escort and assist jurors during deliberations.

(R) JURY SEQUESTRATION

(1) A jury shall be sequestered only for good cause, including but not limited to insulating its members from improper information or influence.

(2) The trial judge shall have the discretion to sequester a jury on the motion of counsel or on the Judge's initiative and shall have the responsibility to oversee the conditions of sequestration.

(3) Standard procedures shall be promulgated to:

(a) achieve the purpose of sequestration; and
(b) minimize the inconvenience and discomfort of the sequestered jurors; and
(c) provide for the jury's security.

(4) Training shall be provided to personnel who escort and assist jurors during sequestration.

RULE 14

DETENTION/SHELTER CARE

14.1 DETENTION

A. When a child is taken into custody and the person taking said child into custody determines that the child's detention is required under the standards of O.R.C. 2151.31 and Juvenile Rule 7, that person shall with all reasonable speed deliver the child to the Allen County Juvenile Detention Center. The person delivering the child to the Detention Center shall give the admissions officer of the facility a signed, written report stating why the child was taken into custody, the charge alleged against the child and why the child was not released to his/her parent, guardian or custodian. The admissions officer of the facility shall review the report and make such further investigation as is feasible, and if detention is required under the standards of O.R.C. 2151.31 and Juvenile Rule 7, shall admit the child to detention in the facility. If the admissions officer of the facility does not determine that detention is required under the standards of O.R.C. 2151.31 and Juvenile Rule 7, the child shall be released to his/her parent, guardian, or custodian.

B. Upon admission of the child to the Detention Center, the admissions officer of the Detention Center shall:

1) immediately notify the Court that the child is being detained;

2) prepare a report stating the time the child was brought to the facility and the reasons why he was admitted;

3) advise the child of (a) his/her right to telephone his/her parents and counsel immediately and at reasonable times thereafter and (b) the time, place, and purpose of the detention hearing; and

4) use reasonable diligence to contact the child's parent, guardian or custodian and advise him/her of;

a) the place of and reasons for detention;

b) the time the child may be visited;

c) the time, place and purpose of the detention hearing; and

d) the right to counsel and appointed counsel if indigent.

C. When a child has been admitted to detention, a detention hearing shall be held promptly. The detention hearing shall be held on the next court date after the child is placed in detention, and not later than seventy-two (72) hours after placement in detention. Detention Hearings shall be held at 1:00 p.m. during regular hours of Court unless otherwise scheduled.

14.2 SHELTER CARE

A. When a child is taken into custody, and the person taking said child into custody determines that shelter care placement is required under the standards of O.R.C. Section 2151.31 and Juvenile Rule 7, that person shall with all reasonable speed deliver the child to the Allen County Children Services Board. The person delivering the child to the Allen County Children Services Board shall give to the duty intake worker a written report stating why the child was taken into custody, and why the child was not released to his/her parent, guardian, or custodian. The duty intake worker shall review the report and make such further investigation as is feasible, and if shelter care is required under the standards of O.R.C. Section 2151.31 and Juvenile Rule 7, shall admit the child to shelter care. If the duty intake worker does not determine that shelter care is required under the standards of O.R.C. Section 2151.31 and Juvenile Rule 7, the child shall be released to his/her parent, guardian, or custodian.

B. Upon the admission of a child to shelter care, the duty intake worker shall:

1) immediately notify the Court that the child has been admitted to shelter care;

2) prepare a report stating the time the child was brought to the agency and the reasons that he/she was admitted to shelter care;

3) where not inapplicable by reason of the child's age, advise the child of (a) his/her right to telephone his/her parents and counsel immediately and at reasonable times thereafter and (b) the time, place, and purpose of the shelter care hearing; and

4) use reasonable diligence to contact the child's parent, guardian, or custodian and advise him/her of:

a) the place and reasons for shelter care;

b) the time the child may be visited;

c) the time, place, and purpose of the shelter care hearing; and

d) the right to counsel and appointed counsel if indigent.

C. When a child has been admitted to shelter care, a shelter care hearing shall be held promptly. The shelter care hearing shall be held on the next court date after the child is placed in shelter care and not later than seventy-two (72) hours after placement in shelter care. Shelter Care Hearings shall be held at 8:15 a.m. during regular hours of Court unless otherwise scheduled.

RULE 15

BAIL AND BOND

15.1 RIGHT TO BAIL AND PURPOSE OF BAIL

All applicable persons are entitled to bail. The purpose of bail is to ensure that the Defendant appears at all stages of the criminal proceedings.

15.2 CONDITIONS OF PRETRIAL RELEASE

Where Summons has issued and the Defendant has appeared, the Judge may release the Defendant on his/her personal recognizance.

Any person who is entitled to release under subdivision 15.1 may be released on his/her personal recognizance or upon the execution of an Unsecured Appearance Bond in an amount specified by the Judge, unless the Judge determines that such release will not assure the appearance of the person as required. Where a Judge so determines, the Judge shall, either in lieu of or in addition to the preferred methods of release stated above, impose the first of the following conditions of release, which will reasonably assure the appearance of the person for trial, or, if no single condition gives that assurance, any combination of the following conditions:

(A) Place the Defendant in the custody of a designated person or organization agreeing to supervise him/her;

(B) Place restrictions on the travel, association, or place of abode of the Defendant during the period of release;

(C) Require the execution of an Appearance Bond in a specified amount and the deposit with the Clerk of the Court before which the proceeding is pending a sum of money equal to ten percent (10%) of the amount of the Bond, but in no event shall such deposit be less than $25.00, which deposit is to be returned upon the performance of the conditions of the Appearance Bond;

(D) Require the execution of a Bail Bond with sufficient solvent sureties, or the deposit of cash or the securities allowed by law in lieu thereof; or

(E) Impose any other constitutional condition deemed reasonably necessary to assure appearance.

15.3 PAYMENT OF BAIL

Unless otherwise specifically ordered by the Court, all monies for bail shall be deposited in the name of the Defendant only.

15.4 CONDITIONS OF RELEASE AFTER CONVICTION

A person who has been convicted and is either awaiting sentence, or has filed a Notice of Appeal, shall be treated in accordance with the provisions of subdivision 15.2, unless the Judge has reason to believe that the person will flee or pose a danger to any other person, or to the community. If such a risk of flight or danger is believed to exist, the person may be ordered to be detained.

15.5 CONDITIONS OF RELEASE: BASIS

In determining which conditions of release will reasonably assure appearance, the Judge shall consider the seriousness of the offense(s) charged, any previous criminal record of the Defendant, and the probability of his/her appearing at Trial.

15.6 MODIFICATIONS

Subject to the provisions of subdivision 15.2, a Judge ordering the release of a person on any condition specified in this Rule may, at any time, modify, amend, or revoke the Order to impose additional or different conditions of release, upon good cause shown, and in consideration of R.C. 2937.28. The Court may add additional terms and conditions to the Defendant's bond, to include the Defendant submitting to random drug screening analysis, as well as being subject to bond revocation if a drug screening analysis yields a positive result for the presence of illegal substances.

15.7 SANCTIONS

Any person, having been released pursuant to any provision of this Rule, who fails to appear before any Court as required, or violates a condition of bond, whether the condition be expressed or implied, shall be subject to sanctions, to include any punishment provided by law, and shall incur a forfeiture of any Bail that was given for his/her release.

15.8 FORFEITURE OF BONDS

If there is a breach of condition of a Bond, the Court shall declare a forfeiture of the Bail. Forfeiture proceedings shall be promptly enforced, as provided by law.

15.9 JUVENILE TRAFFIC OFFENDERS (Out of State residents ONLY)

Bond in all juvenile traffic cases in which the alleged offender is an out of state resident shall be one-hundred fourteen ($114.00) dollars. All Juvenile Traffic Offender Bonds shall be in cash and shall be accepted by a receipt at the Allen County Juvenile Court during regular business hours.

15.10 PAYMENT OF BOND DURING NONBUSINESS HOURS

The Allen County Sheriff agrees and is authorized to accept such bonds and hold them to the benefit of the Allen County Juvenile Court, during non-business hours.

RULE 16

JUVENILE TRAFFIC VIOLATIONS BUREAU

16.1 PROCEDURE

There is hereby created the Allen County Juvenile Traffic Violations Bureau, as part of the Juvenile Court Clerk's Office. A person charged with being a Juvenile Traffic Offender by reason of a violation which does not require a mandatory appearance pursuant to this Rule may elect to proceed without a court appearance under the following procedures:

(A) The child must appear personally and in the company of his/her parent, guardian or custodian, at the Juvenile Traffic Violations Bureau, Clerk's Office, Allen County Juvenile Court, 1000 Wardhill Avenue, Lima, Ohio, during the regular hours of the Court.

(B) The child must enter an admission in writing to the offense charged by signing the appropriate Admission and Waiver Form available at the Violations Bureau. The Admission Form MUST also be signed as approved by the parent, guardian, or custodian.

(C) The child or his/her parent, guardian or custodian MUST pay the fine imposed in accordance with section 16.2 of this Rule, along with the court costs in the case. Should the child or his/her parent, guardian or custodian not tender, in full, the fine and court costs imposed at the time of the entry of admission, then the Bureau shall NOT accept the admission and court appearance shall be required.

16.2 FINES AND COURT COSTS/MANDATORY APPEARANCE OFFENSES

(A) Except as provided in sub-section (C) of this Rule, all fines shall be paid to the Juvenile Traffic Violations Bureau upon entry of an admission pursuant to the procedure set forth in section 16.1 of this Rule. Court costs in the amount of one-hundred twelve dollars ($112.00) shall be assessed in each case processed through the Juvenile Traffic Violations Bureau involving an offense classified as a moving violation. Court costs in the amount of seventy-three dollars ($73.00) shall be assessed in each case classified as a non-moving violation.

ANY VIOLATION WHICH INVOLVES AN ACCIDENT MAY NOT BE PROCESSED THROUGH THE TRAFFIC VIOLATIONS BUREAU, AND A MANDATORY COURT APPEARANCE IS REQUIRED.

ANY SECOND TRAFFIC VIOLATION OF ANY KIND WHICH OCCURS PRIOR TO THE AGE OF EIGHTEEN (18) YEARS MAY NOT BE PROCESSED THROUGH THE TRAFFIC VIOLATIONS BUREAU, AND A MANDATORY COURT APPEARANCE IS REQUIRED. IF MORE THAN ONE MOVING TRAFFIC VIOLATION IS CHARGED ARISING FROM A SINGLE INCIDENT OR SERIES OF INCIDENTS, NONE OF THOSE VIOLATIONS MAY BE PROCESSED THROUGH THE TRAFFIC VIOLATIONS BUREAU, AND A MANDATORY COURT APPEARANCE IS REQUIRED.

(B) The following offenses require formal court appearance and may not be processed through the Juvenile Traffic Violations Bureau, although otherwise permitted by these Rules:

1) Offenses which would be indictable if committed by an adult.

2) Operating a motor vehicle while under the influence of alcohol or drugs.

3) Leaving the scene of an accident.

4) Driving while under suspension or revocation of driver's license.

5) Driving without being licensed to drive.

6) Failure to stop and remain standing upon meeting or overtaking a school bus stopped on the highway for the purpose of receiving or discharging a school child.

7) Drag racing.

8) Reckless operation.

9) Failure to maintain reasonable control.

10) Speeding (in excess of 20 m.p.h. over posted limited)

11) Speeding in a school zone

12) Permitting unlicensed driver to operate a motor vehicle.

13) Operating a motor vehicle under temporary instruction permit unaccompanied by a licensed operator.

14) Offenses charging a violation under Revised Code Chapter 29.

15) Resisting/Interfering with an officer.

16) Presenting false name or information to an officer.

17) Driving while using an electronic wireless device.

18) Any other offense or proceeding as determined by the Court.

(C) A seat belt violation may be processed through the Juvenile Traffic Violations Bureau as provided in section 16.1 of this Rule. In such cases, upon the filing of the Admission and Waiver, the fine shall be assessed as follows:

1) Thirty dollars ($30.00) if the child is charged with operating the vehicle without a seat belt.

2) Twenty dollars ($20.00) if the child is charged with operating the vehicle in which a front seat passenger did not wear a seat belt.

3) Fifteen dollars ($15.00) if the child is charged with being a front seat passenger in a vehicle without a seat belt, and where the child is sixteen (16) years of age or older.

4) No fine shall be imposed if the child is charged with being a front seat passenger in a vehicle without a seat belt, where the child is less than sixteen (16) years of age.

RULE 17

ELECTRONIC FILING

17.1 Terms and Definitions

A) DEFINITIONS. The following terms used in these rules are defined in this section:

(1) "ACCEPTED" means an electronically filed document has been reviewed by the Court Clerks and docketed.

(2) "CLERK REVIEW". A review of electronically filed documents by the clerk in accordance with court rules, policies, procedures, and practice. Court clerks may review the data and documents electronically submitted to ensure compliance with court rules, policies, procedures, and practices before creating a docket entry or before docketing the case.

(3) "CASE MANAGEMENT SYSTEM" (CMS). A court case management system manages the receipt, processing, storage, and retrieval of data associated with a case and performs actions on the data.

(4) "COURT ELECTRONIC RECORD". This is any document that a court will:

1. receive in electronic form,
2. record in its case management system, and
3. store in its document management system.

(5) "DOCUMENT MANAGEMENT SYSTEM" (DMS). A DMS manages the receipt, indexing, storage, and retrieval of the electronic (and scanned non-electronic) documents associated with a case.

(6) "EFFECTIVE DATE AND TIME OF FILING OF A DOCUMENT". The date and time the electronic filing was received and uploaded to the clerk's office, as noted by the file stamp on the submitted document. Because all electronically filed documents are subject to the Court Clerk's review, the effective date and time may differ from the submitted date and time.

(7) "ELECTRONIC FILING" (EFILE / EFILING). The electronic transmission, acceptance, and processing of a filing refers collectively to the act of submitting documents electronically as well as the procedures and computer systems required to support said filing. A submission consists of data, one or more documents, and/or images. Documents transmitted by facsimile are not e-filed documents.

(8) "ELECTRONIC FILING SYSTEM". This is the system composed of software, hardware, transport, handling, storage mechanisms, procedures, and rules to allow for the submission of eFile documents.

(9) "NOTIFICATION OF FILING" is the notice sent by the e-filing system to registered e-filers. This notification does not constitute service to other parties as required by the applicable Rules of Procedure.

(10) "NOTICE OF RECEIPT" is the notice sent after a document has been submitted to the Court. Notice of receipt does not mean the document has been or will be accepted and docketed.

(11) "PENDING DOCUMENTS" are e-filed documents that are awaiting acceptance and docketing by the Court clerks.

(12) "ORIGINAL DOCUMENT". The electronic document was received by the Court from the filer.

(13) "REJECTED FILING". A document that does not comply with the applicable court rules, policies, and procedures and does not meet the requirements of the Court clerks' review.

17.2 Registered E-filers

Persons filing documents electronically with Probate and Juvenile Court must become registered e-filers. Registered e-filers will receive a confidential and unique electronic identifier. The court may revoke e-filing registration at its sole discretion.

By registering as an e-filer, the attorney or party agrees to file documents electronically and consents to electronic service of all documents permitted to be e-filed. Unless otherwise permitted and/or mandated by law, the Allen County Probate and Juvenile Court is not responsible for the service of documents filed by a party to the case. Each party filing a document electronically is responsible for serving all other parties in accordance with the applicable Rules of Procedure.

17.3 Official Court Record

(A) Except as otherwise provided, pleadings, motions, and orders of the Court may be filed electronically with the Allen County Probate and Juvenile Court authorized electronic filing system. Documents filed in accordance with this Rule shall be deemed filed and shall become the Court's official record once accepted by the Court clerks.

(B) For documents that have been electronically filed or documents filed in paper format that have been scanned and uploaded to the electronic filing system, the electronic version constitutes the official court record. Electronically filed papers have the same force and effect as those filed by traditional means. Further, the digital signature of a judge or magistrate, when expressly authorized by that judge or magistrate, has the same force and effect as a handwritten signature on a paper document.

17.4 Filing

(A) Filing of electronic documents shall be made by submitting the documents through the Court's electronic filing system. Confirmation of receipt by the electronic filing system is only a confirmation of receipt of the documents, not a confirmation that the documents were accepted for filing.

(B) Filing documents through the E-Filing Portal does not alter any filing deadlines imposed by the applicable Rules of Procedure. Documents submitted through the electronic filing system after 4:30 pm, local observed time in Lima, Ohio, Monday-

Friday will not be reviewed by the Clerk's Office until the next business day. Documents will be considered timely if they were submitted to the electronic filing system on or before 11:59:59 pm local observed time in Lima, Ohio, on the date they were due and comply with all applicable Court rules. Documents submitted on a Saturday, Sunday, or Court holiday will be deemed submitted the following business day.

(C) A filer will receive subsequent notification from the clerk that the filing has been ACCEPTED, placed in a PENDING status, or REJECTED by the clerk's office. When the filing is ACCEPTED by the Court clerk, the stamp will include the date and time that the document was transmitted into the court's electronic filing system and recorded in the docket.

(D) The Court clerk shall review all filings to determine compliance with applicable court rules, policies, procedures, and practices.

(E) If a filing is found to have any missing element or not comply with court rules, policies, procedures, and practices, the Court clerk may place the document in a PENDING status and transmit notice to the filer explaining why the filing cannot be accepted. The filer will have two business days to make changes to the filing. If the filing is completed within two business days, it may be ACCEPTED by the Court clerk. If the filing is not completed within two business days, it will be moved from PENDING status to REJECTED status.

(F) If the submitted document is REJECTED by the Court clerk following review, the document is not filed and shall not become part of the official court record, and the filer will be required to resubmit and file the document to meet any filing requirements or deadline.

17.5 Electronic Submission of Documents

For the case types designated as e-filing cases, registered e-filers must e-file all documents except: (1) those designated as paper filing only; and (2) those that cannot be effectively electronically presented.

(A) Format

(1) All electronically filed documents should be formatted according to the rules governing the formatting of paper pleadings, motions, and documents. The filer is solely responsible for removing all metadata and non-public data from documents submitted for e-filing.

(2) Redaction of personal, confidential, or private information is solely the responsibility of the party filing the document.

(B) Document Requirements

All e-filed documents must meet the following requirements:

- be in a searchable portable document format (".pdf");
- not exceed twenty megabytes ("20MB")
- have an image resolution of at least 300 dots per inch ("DPI");
- not contain links to other material;

- include a certificate of service;
- be electronically signed (refer to rule 17.5).

(C) Time of Filing

(1) All e-filed documents shall be considered filed with the Court clerk as of the date and time the Court clerk accepts the document, which shall be noted by the date and time stamp on the first page of the e-filed document. ***Because all electronically filed documents are subject to the Court clerk's review to determine whether said document is accepted, the effective date and time may differ from the submitted date and time. Electronic filing does not alter or extend applicable statutes of limitation***.

17.6 Electronic Signatures

Every electronically filed pleading, motion, order, judgment, or other type of document is deemed signed by the judge, clerk, attorney, party, or person who submitted it for e-filing.

(A). Electronic signatures shall be in this format:

1. Attorney name (typed or printed). Documents filed electronically with the clerk that require an attorney's signature shall be signed with a conformed signature of "/s/ (name)." The correct format for an attorney conformed signature is as follows: /s/ Attorney Name
2. Attorney registration number
3. Firm name, if any
4. Identity of the party represented
5. Mailing Address
6. Telephone number
7. E-Mail Address

(B). Filers who are not represented by legal counsel are permitted to type their name on the signature line in this format:

1. Filer's full legal name typed or printed. Documents filed electronically with the clerk shall be signed with a conformed signature of “/s/ (name).” The correct format for a conformed signature is as follows: /s/ Filer’s Full Legal Name
2. Mailing address
3. Telephone Number
4. Email Address

(C). The conformed signature on an electronically filed document is deemed to constitute a signature on the document for signature requirements imposed by the Rules of Superintendence, Rules of Civil Procedure, Rules of Criminal Procedure, Rules of Appellate Procedure, and/or any other law, rule of court, or local rule of practice or procedure.

(D). Documents bearing a required original signature shall be e-filed in portable document format (“pdf”). The filing party shall keep the original document until the case is closed and the time for appeal has expired, all appeals, if filed, have been determined, and all opportunities for post-judgment relief have been exhausted.

17.7 New Case Initiation

(A) Initial complaints, re-filed complaints, third-party complaints, other documents initiating a case or adding a new party may be electronically filed but will not be served electronically.

(B) Summons and service cannot be issued or completed electronically and must be accomplished as required by the applicable rule or statute. The Probate and Juvenile Court shall issue a summons and serve the pleading in accordance with the applicable rule or statute. The cost of printing the necessary paperwork for service shall be charged as costs in the case.

(C) When e-filing a complaint or other document initiating a case or adding a party, the e-filer must:

- electronically file the complaint, third-party complaint, or other initiating document; and
- electronically file separate instructions for service, including the names and addresses of those to be served.

17.8 Proposed Judgment Entries

All e-filed motions, other than dispositive motions, motions to suppress, and other motions necessitating a hearing, must be accompanied by a proposed order, decision, or judgment entry submitted as a Microsoft Word document. The e-filing system will transfer the proposal to the assigned judge and magistrate.

17.9 Service of Documents in All Types of E-Filing Cases

(A) The electronic service of a subsequent pleading, filing, or other documents in all types of e-filed cases shall be considered as valid and effective service on all parties so designated in the certificate of service and shall have the same legal effect as an original paper document served pursuant to the applicable Rules of Procedure. Pro se parties or attorneys who have not registered with the Court's electronic filing system shall be served a paper copy by the filing party, not the Court, in accordance with the applicable Rules of Procedure.

(B) A certificate of service for all parties is required when a party files a document electronically.

17.10 Removal of Personal and Private Data

The Court has no obligation and shall not be responsible for removing any personal and private or confidential information contained in a document that is electronically filed. Removal of personal and private data is the responsibility of the filer.

17.11 Fees

Registered e-filers must establish an appropriate account for electronic payment of filing and other fees. Registered e-filers may be subject to an additional fee for credit card service charges.

17.12 Exceptions to E-filing

(A) Exhibits, attachments, or other documents that may not be comprehensibly viewed in a .pdf shall be filed in their physical form with Probate and Juvenile Court and will be maintained by the Court in a physical file. Any party filing the physical form of an exhibit, attachment, or other document must e-file a "Notice of Filing", denoting what particular item is being physically filed rather than e-filed.

(B) Criminal indictments and bills of information shall be filed in paper form with the Court. All documents in criminal cases not otherwise prohibited by local rule shall be e-filed if the party is a registered e-filer.

(C) Last Will and Testaments must be provided to the Court, in their physical form, within seven (7) business days after an Application to Probate Will is filed. Failure to submit the original within seven (7) business days will result in dismissal of the case, and court costs will be assessed to the applicant.

(D) Birth certificates shall be filed in their physical form.

(E) Depositions may be e-filed. If a party relies upon or intends to rely upon the contents of a deposition in a dispositive motion or to use a deposition in a hearing and/or trial, a bound paper copy of the deposition(s) must be provided to the assigned Judge.

(F) All documents related to Juvenile Civil Protection Order cases are not permitted to be e-filed. All such documents shall be filed in paper form with the Court clerk.

17.13 Sealed Records, Expunged Records, "Counsel Only" Discovery, Court-ordered Sealed Documents

(A) If the Court orders a record to be sealed or expunged pursuant to R.C. 2151.355 – 2151.358, or otherwise orders a record or document(s) within a case to be filed "under seal", the record or document(s) shall not be included in and/or shall be removed from the electronic version of the official court record.

(B) Any document(s) ordered within a case to be filed "under seal" shall be filed in its physical form with the Court Clerk, who will maintain said documents in a manner consistent with the designation of "under seal."

(C) Inspection of a sealed record, "counsel only" discovery, or a filing or document(s) otherwise court-ordered to be sealed shall be inspected only as the pertinent statute, rule, or order provides.

(D) Except as provided in the pertinent Revised Code section, Rule, or Court order, all index references to the case that pertain to records ordered sealed or expunged by the Court shall be deleted from the DMS and the electronic filing system.

RULE 18

CHILD RELOCATION

18.1 NOTICE OF INTENT TO RELOCATE

Prior to the relocation of either parent to a residence other than that specified in the visitation or parenting time order or decree of the Court, the relocating parent must file a Notice of Intent to Relocate in advance of the move. (See O.R.C. 3109.051(G)). Included in said notice shall be the last known address of all parties, a new residential address of the parent, and the telephone number and the name and address of the school in the district which the child(ren) shall attend, if applicable. If these items are not available at the time of the notice, they shall be provided immediately upon the receipt of the information by the relocating parent.

18.2 PROCEDURE AND FILING

A) The party filing the notice of Intent to Relocate shall file with the Notice one (1) of the following:

1.) A request that a copy of the Notice of Intent to Relocate be served by certified mail on the other party, or

2.) A Motion requesting that the other party or parties not receive a copy of the Notice of Intent to Relocate, pursuant to O.R.C. Section 3109.051 (G)(4).

B) If the other party is served with the Notice of Intent to Relocate under Subdivision (A) above, and files a Motion for Hearing on Visitation or Parenting Time Rights within fourteen (14) days from the service of the Notice, the Court shall assign the matter for hearing to determine whether it is in the best interest of the child to revise the parenting time schedule for the child.

C) If the other party is served with the Notice of Intent to Relocate under Subdivision (A) above and does not file a Motion for Hearing on Visitation or Parenting Time Rights within fourteen (14) days from the service of the Notice, the Court may on its own motion assign the matter for hearing to determine whether it is in the best interest of the child to revise the parenting time schedule for the child.

D) If the other party is not served with the Notice of Intent to Relocate, pursuant to sub-division (A) (2) above and Revised Code Section 3109.051 (G) (4), the matter shall be scheduled for hearing, with service of summons, the motion and notice of hearing on the other party or parties.

RULE 19

MEDIATION

19.1 PROCEDURE

At any time after service of summons in any action within the jurisdiction of this Court, a case may be ordered to mediation at the discretion of the assigned Judge or Magistrate.

The mediator may schedule such sessions as are necessary to complete the mediation process and the process shall continue until terminated by resolution or the mediator determines that continuation of the mediation procedure would be futile.

Upon conclusion of the mediation, the Court shall be informed as follows:

1.) If the mediation reaches an impasse, the mediator should report the lack of an agreement to the Court without comment or recommendation; and

2.) If an agreement is reached, the agreement shall be reduced to writing and the appropriate judgment entry reflecting the settlement shall be submitted to the Court for approval.

19.2 CONFIDENTIALITY

Statements made during the course of the mediation assessment or the mediation sessions shall not be admissible in any subsequent proceeding in the Court (Revised Code 2317.023). Exceptions to confidentiality are only as provided by state statute including the reporting of a crime or suspicion of child abuse or neglect (Revised Code 3109.052 and 2151.421).

The mediator will not be called as a witness in any future legal proceeding that may involve matters discussed by the parties at mediation. No records, notes or other work product resulting from the mediation will be called for or subpoenaed in the future by any party (Revised Code 3109.052 (C)).

19.3 GENERAL PROVISIONS

Should a party wish to participate in mediation, their attorneys and other individuals they designate shall be allowed to accompany them and participate in mediation.

The mediator shall screen for domestic violence both before and during mediation.

19.4 MEDIATOR QUALIFICATIONS

Any mediator employed by the Court or to whom the Court makes referrals shall have met the qualifications and training requirements set forth in Ohio Superintendence Rule 16(C) and shall provide proof of having met all qualifications and training requirements to the Court upon request.

RULE 20

JUVENILE TOBACCO VIOLATIONS

A person charged with being a first-time Juvenile Tobacco Offender may elect to proceed without a court appearance under the following procedures:

A.) The child must appear personally and in the company of his/her parent, guardian or custodian at the Clerk's Office, Allen County Juvenile Court, 1000 Wardhill Avenue, Lima, Ohio, during regular hours of the Court.

B.) The child must enter an admission in writing to the offense charged by signing the appropriate Admission and Waiver form available at the Clerk's Office. The Admission form MUST also be signed as approved by the parent, guardian or custodian.

C.) The child or his/her parent, guardian or custodian MUST pay the statutorily mandated fine of $100.00 and court costs in the amount of $65.00. Should the child or his/her parent, guardian or custodian not tender in full the fine and court costs imposed at the time of the entry of admission, the Clerk's Office SHALL NOT accept the admission and court appearance shall be required.

Any second tobacco violation of any kind which occurs prior to the age of eighteen (18) years may not be processed through the Clerk's Office and a mandatory court appearance is required.

RULE 21

GUARDIANS AD LITEM

21.1 QUALIFICATIONS FOR APPOINTMENTS AS GUARDIAN AD LITEM

In order for a person to be assigned as Guardian Ad Litem for a minor child, he/she must meet the qualifications set forth in Sup.R. 48 and shall present proof to the Court of having met those qualifications. It shall be the responsibility of the person seeking to be placed on the Court's list of Guardians Ad Litem approved for appointment to submit to the Court documentation of having met those qualifications set forth in Sup.R. 48. In order to continue to be maintained on the list of persons approved for appointment as Guardian Ad Litem, each person must submit annually, not later than January 15th of each calendar year, the certification required under Sup.R. 48.03(C) (Form GAL-2, Appendix) and proof of having met the annual training requirements under Sup.R. 48.04 and 48.05.

21.2 DUTIES OF GUARDIAN AD LITEM AND ATTORNEY/GUARDIAN AD LITEM

Every Guardian Ad Litem shall perform his or her duties in accordance with Sup.R. 48.

21.3 GUARDIAN AD LITEM IN CUSTODY, PARENTING TIME OR VISITATION PROCEEDINGS

When appointed to serve as Guardian Ad Litem in a Custody, Parenting Time or Visitation Proceeding in which the child protective services agency is not a party, fees shall be paid at the rate of $100.00/hour unless otherwise ordered by the Court. The attorney appointed to serve as Guardian Ad Litem shall keep accurate records of time expended, services rendered, and expenses incurred as required by Sup.R. 48.03(H). When the attorney appointed to serve as Guardian Ad Litem determines that the cost deposit required by Local Rule 3.7 is nearing exhaustion, the Guardian Ad Litem shall file a Motion for Further Deposit for Guardian Ad Litem Fees, including the amount of the deposit earned to date by the Guardian Ad Litem, the additional costs anticipated for the Guardian Ad Litem's future services in the matter pending, and requesting that the Court order an additional deposit to cover those anticipated additional costs. The court will, in its discretion, apportion the final payment of the fees of the Guardian Ad Litem between the parties to the proceeding. Failure of a party to timely pay all Guardian Ad Litem fees as ordered by the court may subject the party to the imposition of appropriate sanctions for contempt.

21.4 TERMINATION OF DUTIES OF GUARDIAN AD LITEM

In Custody, Parenting and Visitation proceedings in which the child protective services agency is not a party, the services of the Guardian Ad Litem shall terminate upon the journalization of the order resolving the pleading or motion then pending before the Court for which the Guardian Ad Litem was appointed.

When appointed as Guardian Ad Litem in a Dependency, Neglect or Abuse case, the Guardian Ad Litem shall continue to serve until final termination of the case, unless otherwise ordered. When appointed as Guardian Ad Litem in a Delinquency or Unruly case, the Guardian Ad Litem's services terminate upon the journalization of the order resolving the matter then pending before the court, unless otherwise ordered.

21.5 GUARDIAN AD LITEM REPORT

Unless otherwise directed by the Court, the Guardian Ad Litem shall prepare a written report and shall mail or hand-deliver the report to the Court, counsel of record, and any party unrepresented by counsel, not less than seven (7) days in advance of the hearing date. While the Guardian Ad Litem report will be made available to parties and counsel, the report shall be considered confidential, and in the best interest of the minor child, shall not be filed with the Clerk. The Court shall consider the recommendation of the Guardian Ad Litem in determining the best interest of the child only when the report or a portion of the report has been admitted as an exhibit.

A Guardian Ad Litem may meet the requirements for a written report under Sup.R. 48.06 by fully completing this Court's form GAL-1 (Appendix), or by submitting his or her report in some other written format. The Guardian ad Litem report shall also include the Notice Form GAL-3 (Appendix), upon distribution to counsel and/or unrepresented parties.

21.6 RELIEF FROM DUTIES OF GUARDIAN AD LITEM

The Guardian ad Litem shall consider any and all factors for the best interest of the child. The Guardian ad Litem shall also comply with all of the duties imposed by Sup. R. 48.03(D).

Should a Guardian ad Litem be unable to comply with the duties of Sup. R. 48.03(D), the Guardian ad Litem shall request, in writing, relief from the Court of a specific duty and the reason that said duty cannot be fulfilled. The Guardian ad Litem may use the form GAL-4 (Appendix) or any equivalent Motion for Relief, which shall also be accompanied by an appropriate Entry for the Court's review and approval.

21.7 COMMENT PROCESS

In compliance with Sup. R. 48.07, the parties and counsel participating in any case where a Guardian Ad Litem has been appointed may present comments or complaint regarding the performance of the Guardian Ad Litem as follows:

A) Any comments or complaints regarding the performance of Guardians Ad Litem shall be in writing and submitted to the attention of the Judge of the Court of Common Pleas, Juvenile Division.

B) Within seven (7) days of receipt, the Court will provide a copy of the comments or complaints and a Court notice of the response date to the Guardian Ad Litem who is the subject of the comments or complaint.

C) Within fourteen (14) days of the receipt, the Guardian Ad Litem may respond in writing to the comments or complaints in conformance with the Court notice accompanying the comments or complaints. A copy of any response will be provided to the commenting or complaining party by the Court.

D) After receipt of all appropriate information, including any supplements or amendments requested by the Court, the Court will issue a disposition within thirty (30) days and notify the person making the comment or complaint and the Guardian Ad Litem of the disposition.

E) The nature of the comments or complaints and the disposition shall be maintained in the individual file of each Guardian Ad Litem maintained in the Juvenile Division of the Common Pleas Court.

21.8 APPLICATION FOR PAYMENT OF GUARDIAN AD LITEM FEES

The fees and expenses for service as a compensated Guardian Ad Litem will be ordered paid upon timely application to the Court. For purposes of this rule, an application for the payment of Guardian Ad Litem fees will be considered timely, if received by the Clerk within thirty (30) days of the completion of the last hearing covered by the billing period. Failure of the Guardian Ad Litem to timely file the application for payment of fees and expenses with all necessary supporting documentation may result in reduced and/or non-payment of fees and expenses.

RULE 22

ACCESS TO PROCEEDINGS

22.1 HEARING CLOSURE

A. Hearings involving Adult Criminal cases, Parentage and Child Support cases, Serious Youthful Offender proceedings initiated under R.C. § 2152.13 and private-party custody disputes shall be open to the public unless otherwise ordered by the Court. Closure will be considered by the Court only upon written motion of a party.

B. Hearings held pursuant to Revised Code Section 2151.85 and Superintendence Rules 23 and 23.1 shall be closed pursuant to Superintendence Rule 23(D).

C. All other hearings before the Court are neither presumed to be open nor presumed to be closed (*St. ex. rel. Plain Dealer Publishing Co. v. Geauga Cty. Court of Common Pleas, Juvenile Division* (2000), 90 Ohio St.3d 79). Closure will be considered on a case-by-case basis on the Court's own motion or upon motion of a party based on 1) whether there exists a reasonable and substantial basis for believing that public access could harm the child or endanger the fairness of the adjudication, 2) whether the potential for harm outweighs the benefits of public access and 3) whether there are no reasonable alternatives to closure (*State ex. rel. Plain Dealer Publishing Co. v. Floyd* (2006), 111 Ohio St.3d 56).

D. The right of a victim to be notified and attend all hearings pursuant to Revised Code Section 2930 and the right of a parent, relative or prospective adoptive parent to attend a hearing pursuant to Revised Code Section 2151.424 shall be preserved.

22.2 MEDIA ACCESS

In accordance with Rule 12 of the Rules of Superintendence for the Courts of Ohio, the Court shall permit the broadcasting or recording by electronic means and the taking of photographs in court proceedings to which public access has been permitted pursuant to Local Rule 22.1 above. Broadcasting or recording by electronic means and the taking of photographs in court proceedings shall be governed by Superintendence Rule 12 and by this Rule.

A. **Applicant** – Media requests for permission to broadcast, televise, record, or photograph proceedings in the Allen County Juvenile Court shall be made in writing to the Judge as far in advance as reasonably practicable, but in no event less than twenty-four hours prior to the courtroom session, unless permitted by the Judge for good cause shown. Media Request forms (JC-5) may be obtained from the Court's Chief Deputy Clerk. If the hearing for

which the request is filed is continued for more than 30 days a new request must be submitted

B. **Procedure** - Upon receipt of a media request, the Clerk shall immediately inform the attorneys for the parties of the receipt of a media request by such means as are appropriate under the circumstances, (mail, telephone, facsimile, in person) in order to give the attorneys an opportunity to be heard, if possible, prior to the Judge deciding a media request.

C. **Order** - Superintendence Rule 12, and this local rule govern the Judge's granting of a media request. If the request is approved, the Judge shall prepare and sign a journal entry setting forth the conditions of the media broadcasting, televising, recording or photographing the proceedings.

D. **Equipment** - Only professional quality equipment may be used. Any non-portable equipment shall be set up and ready for operation prior to the commencement of court sessions or during court recesses. In no event will persons be permitted to bring equipment into the courtroom during trial proceedings. Placement and operation of equipment shall be in accordance with Superintendence Rule 12 unless otherwise ordered by the Court. No motor-driven still cameras will be permitted.

E. **Witness/Victim Permission** - The Judge or Court Personnel shall inform victims and witnesses of their right to object to being filmed, videotaped, recorded, or photographed. Each shall indicate in writing or orally, whether or not they object. Upon objection, the media are prohibited from employing any means to record the victim or witness.

F. **Specific Prohibitions** - No broadcasting, televising, recording, or photographing will be permitted:

1. In judge's chambers or the jury deliberation rooms;

2. Of witnesses or victims without prior consent of the witness or victim;

3. Of jurors or prospective jurors;

4. Of bench conferences, of conversation or conferences between an Attorney and his client, or of jury deliberations;

5. Of any document or exhibit, before or after such document is admitted into evidence, except those which are clearly visible to spectators, e.g., maps, charts, blackboards, etc.

6. Actions of reporters and photographers in the Courtroom shall not be disruptive or distracting. Movement by still photographers during the testimony of a witness shall be kept to a minimum.

RULE 23

HOURS OF COURT

The Juvenile Clerk of Court's offices shall be open for transaction of business from 8:30 a.m. to 12:00 p.m., and 1:00 p.m. to 4:30 p.m., Monday through Friday. *Hearings may be scheduled outside those stated hours at the discretion of the Court.* The Juvenile Court and offices shall be closed on Saturday, Sunday, Legal Holidays (as designated by the County Commissioners), and at such other times as the Judge deems necessary and proper.

RULE 24

PROCEEDINGS UPON MOTION TO DETERMINE COMPETENCY

A. These rules are adopted pursuant to R.C. Section 2152.51(B) to expedite proceedings under R.C. 2152.51 - .59, to ensure that proper notice of competency hearings is provided to the appropriate persons, and to ensure that any proceedings on an underlying complaint are stayed pending the determination under those sections.

B. Juvenile competency proceedings shall be scheduled and heard on an expedited basis. Hearings in juvenile competency proceedings shall be held in compliance with applicable deadlines as established by R.C. Section 2152.53 - .59.

C. The Court shall provide written notice of the date, time and place of the next scheduled hearing relating to competency to the prosecuting attorney, the child's attorney, the child's guardian ad litem, and the child's parent, guardian or custodian. Mailed notice shall not be required for any party or other individual designated in this rule if written notice was provided to that party or individual at the conclusion of the immediately preceding hearing.

D. Upon the filing of a motion for a determination of competency, or upon the Court's own motion, all delinquency proceedings are stayed pending a determination of competency. If the Court determines that the child is not competent, but could likely attain competency, the delinquency proceedings shall continue to be stayed until such time as the child attains competency or until the delinquency proceeding is dismissed.

RULE 25

RESTRAINT OF JUVENILES

A. Restraints shall be removed prior to the commencement of a proceeding unless the Court determines on the record, after providing any party the right to be heard on the issue of physical restraint for that child at that hearing, that there is no less restrictive alternative to the use of physical restraint and that the physical restraint of the child is necessary because either of the following:

1. The child represents a current and significant threat to the safety of the child or to other persons in the courtroom;

2. There is a significant risk that the child will flee the courtroom.

B. If the Court finds physical restraint to be necessary, the restraint shall be the least restrictive necessary to meet the risk requiring the restraint and in a manner which does not unnecessarily restrict the movement of the child's hands.

RULE 26

TECHNOLOGY PLAN

26.1 CERTIFIED MAIL

The clerk of courts is authorized to use electronic return receipts from the United States Postal Service for certified mail service. Electronic proof of service for certified or express mail sent by the Court shall be deemed in compliance with the service requirements of the Ohio Civil Rules [including Civ.R. 4.1(2)]. The use of electronic return receipts is not mandatory.

26.2 TECHNOLOGY PLAN

In accordance with Superintendence Rule 5(E), the Court shall adopt and maintain a court technology plan, which includes:

(1) A comprehensive strategy for implementing and maintaining technology solutions for conducting remote hearings, electronic service, the acceptance of electronic signatures, and any other technology-related solution utilized by the court or division; and

(2) Procedures for notifying and providing instructions to the public on how to use the technology solutions implemented by the court or division and how the solutions will comply with any accessibility accommodation requirements, including any applicable requirements of the "Americans with Disabilities Act."

This plan will be available from the office of the Clerk of Court and posted on the Court's website.

26.3 Remote Hearings

Court conferences, hearings, and other proceedings will occur in person at the Court's location, or remotely through two-way video and audio conferencing technology, or a combination of these methods. When there is no specifying court order, or notice, parties and counsel shall appear in person at the Court's location. Where the method of court appearance is not solely in person, the Court will issue a notice stating the method of appearance for all or each of the parties and counsel.

Parties and counsel may request a particular method for any given conference, hearing, or other proceeding. The requesting party shall indicate in the request whether any special accommodations are anticipated or required. The Court may *sua sponte* schedule a hearing to occur by a particular method. The Court retains

discretion in determining the method or methods for any given hearing based on the specific factors in each case.

A. **Objection to Method of Hearing –** Any party objecting to the Court's determination of hearing method shall file an objection with the Court within seven (7) calendar days of the determination or order, citation, or notice. No trial will occur remotely over the objection of a party to the case unless one of the parties is restricted in physical appearance or for other good cause shown.

B. **Remote Testimony** – A request to present testimony remotely shall be filed immediately with the Court upon need. The party or counsel requesting remote witness testimony shall submit a written notice to the court setting forth the reason for the request. The notice shall state whether all parties and counsel agree. If a party or counsel objects to a witness testifying remotely by video conferencing, the objecting party or counsel shall file an objection with the court prior to the hearing. The Court will determine if there is good cause shown to permit the remote witness testimony.

C. **Exhibits** – Parties and counsel shall pre-mark exhibits and share them electronically or by any other means with every party and the Court prior to trial. Plaintiffs shall mark Exhibits with numbers. Defendants shall mark Exhibits with letters. Electronic transmission of all exhibits to the court shall occur no later than one day prior to the hearing or trial. Any party or their counsel may ask the court to mark a document as an exhibit during the hearing for good cause shown. When a party or counsel appears remotely, a recess can occur upon request to allow the scanning and emailing of the exhibit to the court. Exhibits should be relevant and probative of the matters before the court.

D. **Oath or Affirmation of Witness** – **Verification of Identity** – The oath or affirmation administered to a witness shall allow the person authorized to administer it to verify the identity of the witness at the time. Every witness testifying remotely, including those outside this state, in a trial or other proceeding in open court in Ohio must affirm on the record that the witness has submitted to the jurisdiction of the Ohio court for the purpose of enforcement of his or her oath or affirmation, including any consideration of perjury charges arising from such testimony.

E. **Confidentiality –** Provisions shall be made to preserve the confidentiality of attorney-client communications and privilege during any conference, hearing, or proceedings involving video-conference appearances.

F. **Recording of Proceedings** – All proceedings involving a video conference appearance shall be recorded and reported to the same extent as if the participants had appeared in person. The equipment and platform used in any hearing or proceeding conducted under this Rule must conform to the following minimum requirements:

(1) All participants must have the ability to hear and communicate with each other simultaneously.

(2) All participants must be able to see, hear, or otherwise observe any documents, physical evidence, or exhibits presented during the proceedings, either by video, facsimile, or other medium.

(3) The equipment or platform must allow for the Court to generate a verbatim record of the conference, hearing, or proceeding.

(4) The equipment or platform must be able to be used by people with disabilities to accommodate their disabilities under the Americans with Disabilities Act.

(5) The use of video-conferencing platform used to conduct the conference, hearing, or proceeding shall in no way abridge any right of the public.

(6) No party shall independently record any portion of Court proceedings by way of audio or video or any combination of the same. Failure to comply may subject the individual to contempt proceedings, which may result in fine and/or imprisonment.

G. **Dress Code** – Every party, counsel, or witness participating in a hearing, trial or other proceeding remotely shall dress and conduct himself or herself as if they were present in the courtroom. Individuals shall not smoke a cigarette, vape, eat, or operate a motor vehicle during a hearing or trial. An individual participating in a conference, hearing, trial or other proceeding remotely shall act as if the person was in court. An individual must sit and remain upright in a stationary position. All participants shall ensure that the surrounding environment remains quiet and free of distractions. Failure of a participant to comply may result, at the court's discretion, in muting the individual's audio or removal of that individual from the hearing. Removal of a party or a witness for failing to comply may not result in the continuance of the hearing.

All individuals shall treat each other respectfully as if personally present in the courtroom.

H. Hearing Management Plan – The Court will primarily conduct conferences, hearings, and proceedings in the follow manner, unless upon objection or for good cause shown:

Type of Proceeding	Primary Method of Hearing
Arraignments	In Person
Detention Hearings	Video
Plea Hearings	In Person
Shelter Care Hearings	Video
Pretrial Hearings	Video
Preliminary Hearings (DNA)	In Person
Review/Status Hearings	Video
Evidentiary Hearings	In Person
Sentencing Hearings	In Person
Post-Dispositional Hearings (DNA)	Video
Permanent Custody	In Person
Motion Hearings	In Person
Traffic Proceedings	In Person
Adjudication	In Person
Disposition	In Person
Administrative Proceedings	Video

In Person: A hearing is conducted where all participants appear physically at the Court's location.

Video: A hearing is conducted using Zoom video where the Court and all participants appear remotely. Parties who do not have the ability to appear remotely shall appear at the Court's location for assistance.

RULE 27

LANGUAGE SERVICES

A. In any case in which an interpreter is needed, the party shall notify the Language Services Coordinator as soon as possible, but no less than 10 days prior to any hearing or proceeding at which the services will be required, specifying the language needed. This rule does not apply to arraignments or initial appearances. The Language Services Coordinator at Allen County Probate and Juvenile Court may be contacted at (419) 227-5531.

B. Upon a parties written request for an interpreter, the Language Services Coordinator will arrange for a Supreme Court certified interpreter to be present at all hearings and ancillary proceedings, while the matter is still pending before the Court.

C. Please contact the Court for a copy of the Language Access Plan.

IN THE COURT OF COMMON PLEAS, ALLEN COUNTY, OHIO
JUVENILE DIVISION

_____ CASE NO.:_____
(Plaintiff)

V.

_____
(Defendant)

CHILD SUPPORT AFFIDAVIT

OF_____
(Name of Affiant)

EMPLOYMENT & OTHER INCOME *

OTHER INCOME

AFFIANT'S PLACE(S) OF EMPLOYMENT

_____

PAID: ☐ WKLY ☒ BI-WKLY
☐ MONTHLY ☐ BI-MONTHLY (CHECK ONE)

CHILD SUPPORT_____

ALIMONY_____

SOCIAL SECURITY_____

PUBLIC ASSISTANCE_____

OTHER_____

NET PAY/PERIOD_____ GROSS PAY/PERIOD_____

*Attach supporting documentation, including copies of pay stubs and your most recent U.S. income tax return

CHILDREN

Number of Minor Children of Affiant_____

Number in Custody of Affiant_____

Number in Custody of Another Person____

Child Support Received By This Affiant____

Child Support Paid By This Affiant_____

HEALTH AND INSURANCE

Is Health Insurance Coverage For The Child Available Through Your Employer? ☐ Yes ☐ No

Are you Providing Health Insurance Coverage For The Child? ☐ Yes ☐ No

Costs To You To Maintain Coverage:_____

Medical Problems or Other Special Needs Of The Children:_____

_____

_____

ASSETS
CURRENT MONETARY ASSETS

Checking Account $_____

Savings Account $_____

Cash on Hand $_____

OTHER ASSETS

RESIDENCE

Current Value $_____

Outstanding Mortgage Debt Owed $_____

$_____

MOTOR VEHICLES

Year_____Make_____Model_____

Current Value $_____Debt Owed $_____

Year_____Make_____Model_____

Current Value $_____Debt Owed $_____

MONTHLY EXPENSES

ITEM	AMOUNT		
Rent/Mortgage	$_____	Gasoline	$_____
Heat	$_____	Medical, Etc.	$_____
Electric	$_____	Car Payment	$_____
Telephone	$_____	Other	$_____
Water	$_____	_____	$_____
Clothing	$_____	_____	$_____
Groceries	$_____	_____	$_____
Insurance	$_____	TOTAL MONTHLY EXPENSES	$_____

_____

STATE OF OHIO
COUNTY OF ALLEN

_____being first duly sworn says that the above statements are true.

_____
Signature of Affiant

Sworn before me this_____day of_____,_____.

_____
Notary Public

IN THE COURT OF COMMON PLEAS, ALLEN COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF: : CASE NO(S).:_____

_____ : _____

_____

☐ ALLEGED DELINQUENT/UNRULY CHILD : PRE-TRIAL CONFERENCE
☐ ALLEGED JUVENILE TRAFFIC OFFENDER : REPORT

DATE OF PRE-TRIAL CONFERENCE:_____

CHARGE(S):_____

PRESENT:

Prosecutor:_____

Attorney for Child:_____

Child: ☐ Present ☐ Not Present ☐ In Detention

Parent/Custodian: ☐ Present ☐ Not Present If present, name and relationship:_____

Victim/Witness: ☐ Not Notified ☐ Notified If notified, manner of notification:_____

REPORT:

☐ ASSIGNED FOR_____PRE-TRIAL CONFERENCE ON_____, __ AT_____.M.

☐ ASSIGNED FOR CHANGE OF PLEA ON_____,_____AT_____.M.
DETAILS:_____

☐ ASSIGNED FOR TRIAL ON_____,_____AT_____.M.

TIME REQUIRED:_____HOURS.

NUMBER OF WITNESSES: STATE:_____ CHILD:_____

Attorney/Guardian Ad Litem will be filing pre-trial motions as follows:

_____

_____

_____

_____

OTHER:_____

_____

_____

_____

APPROVED:

_____ _____

Prosecutor Child

_____ _____

Attorney/GAL for Child Parent/Guardian

Reviewed By:

_____

JUDGE / MAGISTRATE

IN THE COURT OF COMMON PLEAS, ALLEN COUNTY, OHIO
JUVENILE DIVISION

STATE OF OHIO	:	CASE NO(S).:_____
VS.	:	_____
_____	:	PRE-TRIAL CONFERENCE
DEFENDANT	:	REPORT

DATE OF PRE-TRIAL CONFERENCE:_____

CHARGE(S):_____

PRESENT:

Prosecutor:_____

Attorney for Defendant:_____

Defendant: ☐ Present ☐ Not Present

Victim/Witness: ☐ Not Notified ☐ Notified If notified, manner of notification:_____

REPORT:

☐ ASSIGNED FOR_____PRE-TRIAL CONFERENCE ON_____, __ AT_____.M.

☐ ASSIGNED FOR CHANGE OF PLEA ON_____,_____AT_____.M.
DETAILS:_____

☐ ASSIGNED FOR TRIAL ON_____,_____AT_____.M.

TIME REQUIRED:_____HOURS.

NUMBER OF WITNESSES: STATE:_____ CHILD:_____

Attorney will be filing pre-trial motions as follows:

_____

_____

_____

OTHER:_____

_____

_____

_____

APPROVED:

_____ _____

Prosecutor Defendant

_____

Attorney for Defendant

Reviewed By:

_____

JUDGE / MAGISTRATE

TIME WAIVER

ON THE MOTION OF THE DEFENDANT, THE TIME LIMITATIONS PURSUANT TO OHIO REVISED CODE SECTION 2945.71-.73 ARE HEREBY WAIVED.

_____

DEFENDANT

_____

ATTORNEY FOR DEFENDANT

IN THE COURT OF COMMON PLEAS, ALLEN COUNTY, OHIO
JUVENILE DIVISION

_____	CASE NO.:_____
PLAINTIFF,	
VS	
	CUSTODY AFFIDAVIT
	(O.R.C. SECTIONS 3127.23 &
_____	
DEFENDANT.	3109.04(M))

AFFIANT BEING FIRST DULY SWORN, DEPOSES AND SAYS:

1.) THAT THE NAME AND PRESENT ADDRESS OF EACH CHILD, THE CUSTODY AND VISITATION OF WHICH IS TO BE DETERMINED BY THIS COURT, IS:

2.) THAT THE ADDRESSES AT WHICH EACH CHILD HAS LIVED WITHIN THE PAST FIVE YEARS PRIOR TO FILING THIS COURT ACTION ARE:

3.) THAT THE NAMES AND ADDRESSES OF ALL PERSONS WITH WHOM EACH CHILD HAS LIVED WITHIN THE PAST FIVE YEARS PRIOR TO INSTITUTING THIS COURT ACTION, AND THE DATES THEREOF, ARE:

4.) THAT AFFIANT HAS NOT PARTICIPATED AS A PARTY, WITNESS OR IN ANY OTHER CAPACITY IN ANY OTHER LITIGATION, IN THIS OR ANY OTHER STATE, THAT CONCERNED THE ALLOCATION, BETWEEN THE PARENTS OF THE SAME CHILD, OF PARENTAL RIGHTS AND RESPONSIBILITIES FOR THE CARE OF THE CHILD AND THE DESIGNATION OF THE RESIDENTIAL PARENT AND LEGAL CUSTODIAN OF THE CHLD THAT OTHERWISE CONCERNED THE CUSTODY OF THE SAME CHILD, EXCEPT AS FOLLOWS:

5.) THAT AFFIANT HAS NO INFORMATION OR ANY PARENTING PROCEEDING CONCERNING THE CHILD PENDING IN A COURT OF THIS OR ANY OTHER STATE, EXCEPT AS FOLLOWS:

6.) THAT AFFIANT HAS NO KNOWLEDGE OF ANY PERSON WHO IS NOT A PARTY TO THE PROCEEDING AND HAS PHYSICAL CUSTODY OF THE CHILD OR CLAIMS TO BE A PARENT OF THE CHILD WHO IS DESIGNATED THE RESIDENTIAL PARENT AND LEGAL CUSTODIAN OF THE CHILD OR TO HAVE VISITATION RIGHTS WITH RESPECT TO THE CHILD OR TO BE A PERSON OTHER THAN A PARENT OF THE CHILD WHO HAS CUSTODY OR VISITATION RIGHTS WITH RESPECT TO THE CHILD, EXCEPT AS FOLLOWS:

7.) THAT AFFIANT HAS NOT PREVIOUSLY BEEN CONVICTED OF NOR PLEADED GUILTY TO ANY CRIMINAL OFFENSE INVOLVING ANY ACT THAT RESULTED IN A CHILD BEING AN ABUSED CHILD OR A NEGLECTED CHILD OR PREVIOUSLY HAS BEEN DETERMINED, IN A CASE IN WHICH A CHILD HAS BEEN ADJUDICATED AN ABUSED CHILD OR A NEGLECTED CHILD, TO BE THE PERPETRATOR OF THE ABUSIVE OR NEGLECTFUL ACT THAT WAS THE BASIS OF THE ADJUDICATION, EXCEPT AS FOLLOWS:

8.) THAT NEITHER THE AFFIANT NOR ANY MEMBER OF HIS/HER HOUSEHOLD HAS BEEN CONVICTED OF OR PLEADED GUILTY TO A) DOMESTIC VIOLENCE, B) ANY SEXUALLY ORIENTED OFFENSE OR C) ANY OTHER OFFENSE IN WHICH A FAMILY OR HOUSEHOLD MEMBER WAS PHYSICALLY HARMED, EXCEPT AS FOLLOWS:

AFFIANT REALIZES THAT HE/SHE HAS A CONTINUING DUTY TO INFORM THE COURT OF ANY CUSTODY PROCEEDING CONCERNING THE CHILDREN IN THIS OR ANY OTHER STATE OF WHICH AFFIANT OBTAINS INFORMATION DURING THE PENDENCY OF THIS PROCEEDING.

FURTHER AFFIANT SAYETH NAUGHT.

_____
AFFIANT

SWORN TO BEFORE ME AND SUBSCRIBED TO IN MY PRESENCE THIS _____ DAY OF_____, 20_____.

_____
NOTARY PUBLIC, STATE OF OHIO

IN THE COURT OF COMMON PLEAS, ALLEN COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF: CASE NO.: _____

_____
ALLEGED DELINQUENT CHILD

Request for Media Attendance at Court Proceedings

TO: ALLEN COUNTY COMMON PLEAS COURT, JUVENILE DIVISION

The undersigned hereby requests permission to:

- ☐ Attend and observe
- ☐ Broadcast
- ☐ Televise/Video Record
- ☐ Record/Photograph

the courtroom session on _____ at _____.m. in Courtroom _____ before the Honorable Judge _____.

Further, the undersigned acknowledges the receipt, reading and understanding of Common Pleas Superintendence Rule 12 and the Court's Local Rule 22.

Date: _____ at _____.m. _____
(News Media Representative)

on behalf of _____.
(identify media outlet, i.e. name of newspaper or publisher, broadcast company or station)

IN THE COURT OF COMMON PLEAS, ALLEN COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF: Case No.: _____

_____

GUARDIAN AD LITEM REPORT
DATE:_____
DATE OF LAST REPORT:_____

A GUARDIAN AD LITEM REPORT IS TO BE FILED WITH THE COURT BY THE CHILD'S GUARDIAN AD LITEM NOT LATER THAN SEVEN (7) DAYS PRIOR TO THE SCHEDULED HEARING. [Sup. R. 48.06]

- ☐ GAL has met with and interviewed child — Date:_____
- ☐ GAL has met with and interviewed the child out of the presence of the parent, guardian, physical custodian or foster parent present — Date:___
- ☐ GAL has observed the child at the child's place of residence — Date:_____
- ☐ GAL has ascertained the wishes of the child — Date:_____
- ☐ GAL has visited the home of the mother — Date:_____
- ☐ GAL has visited the home of the father — Date:_____
- ☐ GAL has reviewed the most recent case plan — Date:_____

If you have been unable to meet with the child or either parent, explain the circumstances.

_____

_____

_____

_____

_____

If you have been unable to review the most recent case plan, explain why not.

_____

_____

_____

_____

_____

ACTIVITY REPORT

Include hearings attended, persons interviewed, documents reviewed, experts consulted, and other activities.

Date	Person Contacted/Activity Conducted	Relationship to Child/Case

RECOMMENDATIONS

The Guardian ad Litem report shall be provided to the Court, unrepresented parties, and legal counsel. Any other disclosure of the report must be approved in advance by the Court. Unauthorized disclosure or distribution of the report may be subject to Court action, including the penalties for contempt, which include fine and/or incarceration.

I certify that I have satisfied my duties and responsibilities as a Guardian ad Litem, as set forth in Ohio Rules of Superintendence 48 through 48.06.

Guardian ad Litem

ANNUAL CERTIFICATION TO THE COURT

THIS CERTIFICATION IS TO BE FILED WITH THE COURT ANNUALLY, NOT LATER THAN JANUARY 15 OF EACH CALENDAR YEAR, AS REQUIRED BY SUPERINTENDENCE RULES 48.03(C). FAILURE TO FILE BOTH THIS ANNUAL CERTIFICATION AND PROOF OF COMPLIANCE WITH THE ANNUAL TRAINING REQUIREMENTS UNDER SUP.R. 48.04 AND 48.05 WILL RESULT IN DISQUALIFICATION FROM APPOINTMENT TO SERVE AS GUARDIANS AD LITEM UNTIL ALL NECESSARY FILINGS ARE MADE WITH THE COURT.

The undersigned applicant for appointment to serve as a Guardian Ad Litem hereby certifies to the Allen County Juvenile Court that I am unaware of any circumstances that would disqualify me from serving as a Guardian Ad Litem for the Court.

_____
Signature of Applicant

_____
Print or Type Name

Date: _____

NOTICE

This report is being provided to the Court, unrepresented parties, and legal counsel of record. If you are an attorney, you may share its contents with your client. However, any other disclosure of the report must be approved *in advance* by the Court.

Unauthorized disclosure of the report in any fashion through any means, including, but not limited to, copying the report, posting it or any portion of it on social media or other mediums, or disclosing all or portions of the report to another person, without prior approval, may be subject to Court action, including penalties for contempt, which include incarceration and fines.

IN THE COURT OF COMMON PLEAS, ALLEN COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF: CASE NO. _____

_____ MOTION FOR LEAVE

ADJUDICATED DEPENDENT CHILD

Guardian ad Litem, herein, _____, hereby respectfully requests leave of this Court to file their report without full compliance of Sup. R. 48.03(D). The reason for said request is:

_____

_____

_____

_____

_____.

WHEREFORE, Guardian ad Litem respectfully requests leave of Court to file a Guardian ad Litem report without full compliance of Sup. R. 48.03(D), and be available for testimony if needed for hearing.

Respectfully submitted,

_____

SERVICE OF COPY

I certify that a copy of the foregoing has been sent to Assistant Prosecuting Attorney for the Allen County Children Services Board, via email at _____; and to _____
_____
_____
_____
on the _____ day of _____, 20_____.

BY: _____

IN THE COURT OF COMMON PLEAS, ALLEN COUNTY, OHIO
JUVENILE DIVISION

IN THE MATTER OF: CASE NO. _____

_____ ORDER

ADJUDICATED DEPENDENT CHILD

Upon Motion for Leave filed by_____, and for good cause shown, the Motion filed on_____, 20_____, is hereby GRANTED.

It is therefore ORDERED, ADJUDGED AND DECREED that the Motion for leave is granted. The Guardian ad Litem is granted leave of Court to file a Guardian ad Litem report in this case that is not in full compliance of Sup. R. 48.03(D), for the aforementioned reason(s) contained within the Motion.

IT IS SO ORDERED.

_____
JUDGE / MAGISTRATE

CC – ACCSB
CC – MOTHER
CC –