

Rules of Practice of the Guernsey County Court of Common Pleas Juvenile Division

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Local Rules
Effective
April 21, 2016
Amended May 27, 2020

Conduct and operations in the Court of Common Pleas, Guernsey County, Ohio, Juvenile Division are governed by the Ohio Revised Code, the Rules of Superintendence of the Supreme Court of Ohio, the Ohio Rules of Juvenile Procedure, and by these Local Rules.

All persons before this Court should familiarize themselves with all applicable law.

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Rules of Practice of the Guernsey County Court of Common Pleas Juvenile Division

Effective April 21, 2016. Amended May 27, 2020

GENERAL PROVISIONS

RULE 1

TERM OF COURT; HOURS OF COURT SESSION

1.01 The Court shall be in continuous operation for the transaction of judicial business. Each calendar year, beginning in January, shall constitute a separate term of Court designated by the calendar year in which the term lies. This Rule is adopted pursuant to the provisions of Section 2301.05 of the Ohio Revised Code.

1.02 The sessions of the Court generally shall be Monday through Friday from 8:30 a.m. to 4:00 p.m. The Court shall be in session at such other times as the judge shall prescribe.

RULE 1.1

SCOPE & APPLICABILITY OF RULES

The rules hereinafter set forth shall apply to the Juvenile Division of the Court of Common Pleas of Guernsey County, Ohio, except as otherwise provided. Additional Local Rules of the Court have been adopted by the General Division, Probate Division, and may be adopted by such other divisions of the Court as may be created, governing practice and procedure in those divisions. The Court of Common Pleas of Guernsey County consists of three divisions: the General Division, the Probate Division, and the Juvenile Division. The General Division encompasses the Domestic Relations Court.

RULE 1.2

INTERPRETATION

These Local Rules shall be interpreted to achieve the prompt, efficient, and fair resolution of cases. In the event that any portion of a rule is found to be ambiguous, the rule shall be interpreted as follows:

- (1) To be consistent with the Ohio and United States Constitutions, the Ohio Rules of Civil Procedure, the Ohio Rules of Criminal Procedure and the Ohio Rules of Juvenile Procedure;

(2) To be practical and efficient in their operation;

(3) To be taken in context with the other portions of these rules.

RULE 1.3 CITATION

These rules shall be known as the "Local Rules of Practice of the Guernsey County Common Pleas Court, Juvenile Division." These rules may be cited as "Loc. Juv. R. ____."

RULE 1.4 EFFECTIVE DATE

These rules shall be effective on April 21, 2016. Amended May 27, 2020.

RULE 2.0 MAGISTRATES

Magistrates shall be appointed to hear all matters not otherwise acted upon by a Judge of the Juvenile Division, including without limitation, delinquency, unruly, traffic, abuse, neglect, dependency, allocation of parental rights and responsibilities, parenting time enforcement and modification, child support enforcement and modification, URESA, UIFSA, and determination of parentage matters and any other matters as referred by a judge of the Juvenile Division. A magistrate, acting in these matters, shall have all powers set forth in Rule 40 of the Ohio Rules of Juvenile Procedure.

RULE 3 FILES

3.01 The Probate/Juvenile Judge is the Clerk of Court for the Probate/Juvenile Division and shall appoint various Deputy Clerks as necessary. The term "Clerk" refers interchangeably to both the Judge and the Deputy Clerks, as appropriate.

3.02 The Clerk of the Court of Common Pleas of Guernsey County, Ohio, Juvenile Division, shall file and carefully preserve all papers delivered to the Clerk's office in every action or proceeding. The Clerk promptly shall file all papers in chronological order and make the appropriate entry in the docket.

3.03 Upon request for copies of pleadings or other documents from a case file, the Clerk shall furnish said copies within the mandates of Ohio Revised Code §149.43 and other applicable laws, including those relating to juvenile privacy considerations, and upon receipt of the appropriate copying fee.

3.04 No file, deposition, or transcript shall be removed from the Office of the Clerk of this Court by any person for any reason, except (1) the Clerk of this Court or any employee of said Clerk; (2) the Common Pleas Judges or any members of their staffs, including the Magistrates.

3.05 No file shall be taken apart for purposes of copying or for any other reason by any person, except the Clerk of this Court or any employee of the Clerk.

3.06 No file or any portion thereof shall be copied by any person, except the Clerk of this Court, any employee of the Clerk, or Court staff.

3.07 Every pleading, document, or other paperwork that is filed with the Clerk of Courts shall, as far as practicable, be on 8.5 inch by 11 inch paper.

RULE 4 SECURITY PLAN

4.01 The entire Security Plan previously submitted to the Supreme Court of Ohio, or as hereafter amended, is to be maintained as confidential and not a matter of public record.

RULE 5 DEPOSIT OF SECURITY FOR COSTS

5.01 No new or reactivated action or proceeding for custody, parenting time or support shall be accepted by the Clerk for filing unless the appropriate deposit has been paid. Upon termination of the case, if costs remain unpaid, appropriate orders will be imposed to collect the costs. Except as otherwise provided by law, the deposit shall be in accordance with a schedule of costs, prominently displayed in the Clerk's office.

5.02 Final judgement entries shall contain a provision for payment of costs as ordered by the Court. The Clerk of Courts shall apply the deposit for costs in the case, regardless of the party against whom the costs are assessed.

5.03 If the party initiating the action or proceeding is unable to pay, as set forth in Loc. Juv. R.5.01, the party shall file an affidavit, signed before a Deputy Clerk of Court, reflecting the inability to post the required cost deposit.

RULE 6 TRIAL PROCEDURE

6.01 Trial procedure shall be in accordance with applicable statutes or Rules of the Supreme Court of Ohio.

6.02 Except with the permission of the judge or magistrate, only one attorney for each adverse party will be permitted to speak on any interlocutory motion, or upon any question arising in the trial of a case; and only one attorney for each adverse party will be permitted to examine the same witness in any trial or proceeding before the Court. A Guardian ad litem appointed for a juvenile shall not be considered as an attorney for any party for the purposes of this rule.

RULE 7

CERTIFICATE OF SERVICE

7.01 Every pleading, motion, brief, memorandum, or argument in writing filed with the Court shall be served upon all opposing counsel, a Guardian ad litem, if one is appointed, and upon all parties not represented by counsel. Except as provided for by law, proof of service, in writing, shall be attached to the pleading, motion, brief, memorandum, or argument in writing. No paper delivered to the Court without a certificate of service shall be considered by any judge or magistrate.

7.02 Service of Summons shall be pursuant to Juvenile Rule 16. Service by publication shall be made by newspaper publication. However, in actions pertaining to the care, custody, and control of children whose parents are not married, service by publication may be accomplished pursuant to Civil Rule 4.4 (A) (2) provided the party meets the criteria set forth in Civil Rule 4.4. (A) (2) (i) (ii) and (iii).

The Court hereby designates for posting of notice by the Clerk:

- (1) The Bulletin Board outside of the Juvenile Court's Office, Second Floor, Guernsey County Courthouse, Cambridge, Ohio;
- (2) The Bulletin Board of the Cambridge Municipal Court, 150 Highland Avenue, Cambridge, Ohio;
- (3) The Bulletin Board of the County Commissioners located on the Main Floor of the County Administration Building, 627 Wheeling Ave. Cambridge, Ohio.

RULE 8

PLEADINGS AND MOTIONS

8.01 Every pleading, motion and memorandum filed shall be legibly typewritten or printed on 8.5 inch by 11 inch paper, shall be securely bound, and shall have typed or printed the name, address, telephone number, and the Ohio Supreme Court attorney registration number of counsel having primary responsibility for the case. The name of the judicial officer shall appear beneath the case number.

8.02 When a new party Plaintiff or Defendant is added to a case after its commencement, the caption of subsequent pleadings shall contain the name and address of the new party, followed by the appropriate designation. If a name change occurs during the pendency of a case, the new name shall appear in parenthesis following the original name.

8.03 All motions, where appropriate, shall be accompanied by a memorandum in support of the motion, which shall set forth the specific grounds for the relief sought, along with citations to controlling authorities relied upon in requesting the relief, in accordance with Loc. Juv. Rule 19. Where appropriate, all memoranda (in support of, contra to, and in reply) filed regarding a pending motion shall include page and document references to evidentiary material for all factual assertions. In addition, counsel shall attach copies of major and significant cases upon which counsel relies in requesting the relief or in opposing the motion.

8.04 Except as otherwise ordered by the judge or magistrate, all motions (except motions for summary judgment) shall be accompanied by a proposed Judgment Entry or Order.

8.05 Except as otherwise ordered by the trial judge, all motions shall be considered upon non-oral hearing on a date to be set forth in an order by the magistrate or judge and shall include the dates for filing and service of any memorandum contra and reply memorandum.

8.06 All motions, memoranda contra and replies shall be titled in the following manner:

MOTION: Motion of (Plaintiff/Defendant/Juvenile) (party name) (to/for) (type of motion).

MEMORANDUM CONTRA: Memorandum Contra of (Plaintiff/Defendant/Juvenile) (party name) to (Plaintiff/Defendant/Juvenile) (party name's) Motion (to/for) (type of motion) Filed (date of motion).

REPLY: Reply of (Plaintiff/Defendant/Juvenile) (party name) to (Plaintiff/Defendant/Juvenile) (party names) Memorandum Contra to Motion Filed (date of motion).

If an oral hearing on the motion is desired, the motion shall so request, with the anticipated length of the hearing, in the caption. If a case is styled, "In the Matter Of:", then the title of the movant (e.g. mother, father, custodian) shall be noted.

8.07 Once the initial motion has been filed, any memorandum contra to the motion shall be filed and served upon opposing counsel within the time set forth in the order issued pursuant to Loc. Juv. R. 8.05 or as otherwise provided by the Ohio Rules of Juvenile Procedure. Failure to file and serve a memorandum contra may result in the Court granting the motion as filed and served. A reply memorandum may be filed and served upon opposing counsel within seven days after the date stated in the certificate of service in the memorandum contra. The dates and time periods set forth in the order of the Court may be extended by the Court upon written application and for good cause shown. Where appropriate, the moving party shall submit a proposed Judgment Entry to this effect.

8.08 No memoranda, whether in support of or contra, shall exceed twenty-five pages, exclusive of supporting documents. Any memoranda exceeding twenty-five pages will not be accepted for filing without prior approval of the Court.

Reply memoranda shall not exceed twelve pages and shall be restricted to rebuttal.

Requests for leave to file memoranda in excess of the page limits shall be made by motion no later than seven days prior to the time for filing the motion, except for good cause shown.

8.09 All motions, briefs and memoranda (in support of, contra and reply) shall be filed with sufficient copies for service upon all parties. A motion delivered to the Court with an insufficient number of copies will not be accepted for filing.

8.10 Motions filed by pro-se litigants must, in all ways possible, comply with the provisions of Loc. Juv. Rule 7 and 8.

8.11 When service is required to be made by the Court for pleadings other than (1) those for which service has been requested by properly filed instructions for service, or (b) those for which a specific method of service is designated within the filing or is designated by statute, then service shall be through delivery to the Court mailbox of an attorney who in writing has previously authorized such method of alternate delivery and upon all other individuals or entities by ordinary U.S. Mail sent to the last address reflected in the case file for the individual or entities being served unless the serving deputy clerk indicated that service has been made personally or by certified mail.

For the filings to which this rule applies, the deputy clerk shall place a signed certification on the filing indicating the date of service and any alternate means of service used for a given party.

Unless otherwise indicated on the filing, the certification represents that the default method of service used was either: (a) to the Court mailbox for attorneys having a designed court mailbox, or (b) ordinary U.S. Mail for all other individuals or entities.

8.12 No pleading or motion shall be amended by interlineation or obliteration except upon leave of Court first obtained. Upon filing amended pleadings or motions, the original or any prior amendments shall not be withdrawn from the file.

RULE 9

FILING OF DISCOVERY MATERIALS

9.01 Pursuant to Rule 5 (D) of the Ohio Rules of Civil Procedure, the Clerk shall not Accept for filing: depositions upon oral examination, interrogatories, request for documents, request for

admissions and answers, or responses thereto, unless (1) the Court otherwise orders, (2) they are to be used as evidence, or (3) they relate to a pending Motion.

9.02 Depositions. (A) Depositions may be allowed pursuant to Juvenile Rule 25. All filings of depositions shall conform to the Ohio Rules of Civil Procedure. Only one deposition per sealed envelope will be accepted for filing. The Clerk shall not accept for filing a sealed deposition envelope containing more than one deposition.

(B) Upon receipt of a sealed deposition, the Clerk shall file-stamp the deposition, place the deposition back into the envelope in which it was delivered, and reseal the envelope. The envelope containing the deposition shall thereafter remain sealed, until any party to the case, counsel for any party to the case, or any member of the public, acting pursuant to and within the bounds of O.R.C. §149.43, or other applicable laws, wishes to view the deposition. Before the interested person views the deposition, the Clerk shall unseal the deposition, initial and date the envelope, and record on the envelope the person's name who has requested to view the deposition. The interested person may then view the deposition in the presence of the Clerk. This rule is not intended to limit any person's lawful access to file depositions, but to preserve the integrity of the depositions and exhibits appended thereto.

C) Loc. Juv. R. 9.02 (B) applies unless a protective order is placed on the cover of the deposition, an order sealing the deposition is placed on the cover of the deposition, or the deposition is protected by any statutory provision.

RULE 10

RULE DAY EXTENSIONS

10.01 By agreement of opposing counsel, any party may be permitted two leaves to plead, provided that the total extension of time does not exceed twenty-eight days. The agreement of counsel shall be evidenced by a "Consent to Plead" that has been signed by all parties to the action.

10.02 Except as otherwise provided by these Local Rules, where a party needs additional time, beyond that provided in Loc. Juv. R. 10.01, or where the parties cannot agree upon an extension of time, the party desiring the extension shall file a written motion, supported by an affidavit that states facts which indicate the practical impossibility of pleading within rule and which demonstrate good cause for further extension. The motion and affidavit shall be filed on or before the expiration of the time to move or plead. The motion and affidavit shall be served upon opposing counsel, and the matter shall be heard at a time to be fixed by the judge or magistrate. The motion and affidavit will be required even though consent of opposing counsel is obtained if the extension is for a period of time beyond that permitted by Loc. Juv. R. 10.01.

RULE 11

TRIAL ATTORNEYS

11.01 All pleadings and motions, served and filed on behalf of any party represented by counsel in a custody, support or parenting time action, shall be signed by one attorney in that attorney's individual name as required by Rule 11 of the Ohio Rules of Civil Procedure, as the trial attorney for that party. Such attorney shall be the attorney who is to try the case, unless otherwise ordered by the Court, and shall be responsible for the action. Following that attorney's signature, office address, telephone number, and Supreme Court registration number, there shall be set forth the designation "Attorney for (Identifying Title)". Firm names and the names of co-counsel or associate counsel may appear on the pleadings and motions.

11.02 All copies of pleadings or other court filings required by these Rules or Rule 5 of the Ohio Rules of Civil Procedure to be served upon other counsel in a case, shall be served upon the trial attorney, as designated in accordance with Loc. Juv. R. 11.01.

11.03 All notices and communications from the Court with respect to a pending case will be sent to the trial attorney(s) as designated in Loc. Juv. R. 11.01.

11.04 If a party to a case is unrepresented by counsel, all communication regarding a pending case will be sent to the party's address as stated in the pleadings.

11.05 Compliance with Loc. Juv. R. 11.01 shall be sufficient to constitute an entry of appearance.

11.06 If the trial attorney designated in accordance with Loc. Juv. R. 11.01 withdraws from the case, as provided in Loc. Juv. R. 13, and a new attorney is substituted in his place, a written notice of substitution of counsel shall be filed.

RULE 12

ADMISSION OF OUT-OF-STATE ATTORNEYS

12.01 An attorney not licensed to practice law in the State of Ohio, but who is duly licensed to practice law in any other state or in the District of Columbia, may, at the discretion of the Juvenile Judge, be permitted to represent a party or parties in any pending action or in any action to be filed in Guernsey County, provided that the out-of-state attorney has done all of the following:

- 1) Filed a written oath substantially in compliance with Rule I, Section 8A, of the Rules for the Government of the Bar;

- 2) Certified in writing that he or she has familiarized himself or herself with the Local Rules of Guernsey County, Ohio and will familiarize himself or herself with the appropriate Ohio Rules of Criminal, Civil , or Juvenile Procedure, the Ohio Rules of Evidence, and the Ohio Code of Professional Responsibility;
- 3) Found an attorney licensed to practice law in Ohio to act as his or her sponsor. The sponsoring attorney shall provide written notice of his or her sponsorship to the Court and shall certify the out-of-state attorney's compliance with this rule and the Rules for the Government of the Bar;
- 4) The sponsoring attorney submits with the motion and certification an entry authorizing the approval of the motion;
- 5) The sponsoring attorney, or any other attorney licensed to practice law in the State of Ohio, shall be co-counsel with the attorney admitted *pro hac vice*.

12.02 The continuance of any scheduled trial or hearing date shall not be permitted solely because of the unavailability or inconvenience to the out-of-state attorney.

RULE 13 WITHDRAWAL OF COUNSEL

13.01 It is contemplated that counsel who has entered an appearance in the case will remain in the case until it is concluded.

13.02 Counsel for any party may be permitted to withdraw from an action:

- 1) upon written motion with the written consent of the client and the entry and appearance of substitute counsel; or
- 2) upon written motion showing good cause, with the consent of the Court, after notice by certified mail, or regular mail with certificate of mailing if certified mail is returned or unclaimed, to the client stating the time, date, and place where such motion will be heard.

13.03 Except for extraordinary circumstances, no attorney shall be permitted to withdraw from a case later than twenty days prior to trial or prior to a dispositive hearing or motion.

RULE 14 CONSOLIDATION OF CASES

14.01 Consolidation of Cases. When actions involving common questions of law or fact, are pending before the Court, or when a juvenile has been alleged to be delinquent or

unruly in multiple cases, the Court may consolidate those cases under a single case number.

(A) Upon motion of the parties, or *sua sponte*, an entry or order shall be prepared, bearing the complete case captions of all cases to be consolidated.

(B) The case schedule of the lowest numbered case shall control the proceedings of consolidated cases unless otherwise ordered by the Court.

RULE 15

MOTION TO CONTINUE TRIAL DATE

15.01 Except as permitted by the judge or magistrate, no party shall be granted a continuance of a trial or hearing without a written motion from the party or counsel stating the reason for the continuance, endorsed in writing by the party as well as counsel, provided the trial judge or magistrate may waive this requirement upon good cause shown. A copy of such motion shall be served forthwith on all counsel of record.

15.02 If a party seeking affirmative relief, either in person or by counsel, fails to appear for trial in custody, support or parenting time matter, the judge or magistrate may enter an order dismissing the claim for relief for want of prosecution. If a Defendant, either in person or by counsel, fails to appear for trial in a custody, support or parenting time matter, and the party seeking affirmative relief does appear, the Court may order such party to proceed with the case and decide and determine all matters *ex parte*.

15.03 If a party or counsel appears for trial in a custody, support or parenting time matter, but shows good cause as to why the party or counsel is not ready for trial, the Court shall make such order or orders as it deems proper. If a party or counsel appears for trial but indicates the party or counsel is not ready for trial without showing good cause for unreadiness, the Court, if such party is one seeking affirmative relief, may enter an order dismissing the claim for want of prosecution, or is a party defending a claim, order the party seeking relief to proceed with the case, determining all matters.

15.04 All motions to continue shall be accompanied by a Judgment Entry or Magistrate Order granting the same. The Entry or Order should be prepared for the signature of the Judge or Magistrate who has presided over any prior hearings in the matter or who presided over the immediately prior hearing if more than one Judicial Officer has presided.

15.05 The parties in each case shall make every effort to file a motion to continue at least seven days prior to the date of the hearing to be continued. If a motion to continue is filed less than seven days prior to the hearing for which the continuance is sought, the moving party shall contact all other parties of record to seek their approval or consent to

the motion and shall, upon the face of the motion itself, indicate their approval or refusal to approve.

RULE 16

NOTICE OF SETTLEMENT

16.01 Whenever the parties have reached a settlement agreement prior to the trial date, it shall be the duty of counsel for the Plaintiff or original moving party to immediately

notify the trial judge or magistrate by telephone or motion, particularly if there are pending motions that would involve the Court's time.

16.02 If a settlement or dismissal occurs within twenty-four hours of the trial date, counsel for the Plaintiff or original moving party shall notify an appropriate employee of the Juvenile Court as soon as possible to maximize the opportunity for profitable use of the allotted time.

RULE 17

FINDINGS OF FACT AND CONCLUSIONS OF LAW

17.01 Upon request of a party for findings of fact and conclusions of law, pursuant to Rule 52 of the Ohio Rules of Civil Procedure, or Rule 40 (D) (3) (a) (ii) of the Ohio Rules of Juvenile Procedure, the Court may require the parties to submit proposed findings of fact and conclusions of law for the Court's consideration.

RULE 18

ENTRIES AND DECISIONS

18.01 If the trial judge or magistrate directs, counsel for the party in whose favor a decision, order, decree, or judgment is rendered, within five days, shall prepare the proper judgment entry or decision and submit it to the counsel for the adverse party, who shall approve or reject the entry or decision within fourteen days after receipt. The name of the Counsel and of the assigned trial judge or magistrate shall be typed or printed upon the entry or decision. When the entry or decision is approved by counsel, it shall be signed and presented to the trial judge or magistrate for approval, and, if the trial judge or magistrate approves the entry or decision, it shall then be filed with the Clerk. If counsel are unable to agree upon the entry or decision, the matter shall be submitted to the trial judge along with a motion stating why counsel would not approve the entry or decision.

18.02 If counsel fails to present any entry, order, decree or judgment within twenty days after the hearing wherein the entry, order, decree, or judgment is rendered, the trial judge or magistrate may prepare and file the entry, order, decree or judgment with underlying decision.

RULE 19 OBJECTIONS

19.01 Time for Filing

Objections to the magistrate's decision shall be filed within fourteen days of the filing of the decision itself. If a party should request findings of fact pursuant to Ohio Rule of Juvenile Procedure 40 (D) (3) (a) (ii), the time for filing objections shall be fourteen days after the filing of the Magistrate's findings of fact.

19.02 Form of Objections

Objections shall be filed with the Clerk of this Court in writing, and shall state with particularity the grounds of the Objection, so as to conform with Ohio Rule of Juvenile Procedure 40 (D) (3).

RULE 20 JURIES AND JURORS

Rule 30 of the Local Rules of Practice of the Court of Common Pleas, Guernsey County, Ohio, General Division, as the rule relates to juries, shall apply to proceedings in Juvenile Court, except to the extent that the Common Pleas rules would be clearly inapplicable.

CASE FLOW MANAGEMENT PRACTICE AND PROCEDURE

Statement of Purpose

The following case management procedures are promulgated to ensure the readiness of custody, parenting time, child support and child abuse, neglect and dependency cases for pretrial and trial and to maintain and improve the timely disposition of cases.

When these cases are filed in this Court, it is important for the Judge and Magistrate to supervise their progress, from filing to termination, in a process that is fundamentally fair, but not too deliberate or too hasty. Within the bounds of applicable constitutional provisions, statutes, case law, and rules governing the courts of Ohio, the Court shall manage the sequence of events in litigation to ensure the timely disposition of all matters by trial, submission for decision on legal arguments, negotiated settlement, arbitration, mediation, or other means of appropriate dispute resolution.

It is therefore incumbent upon the Judge and Magistrate to articulate orders in each case for the uniform enforcement of procedural requirements, other rules, and time deadlines applicable in any particular case or type of case. Counsel in each case has a

corresponding duty to know these rules and meet these deadlines and to inform the Court of extraordinary circumstances that would cause the standard deadlines to work a substantial injustice to their clients.

RULE 21

CASE FLOW MANAGEMENT

21.01 These case flow management rules shall apply to all matters filed in the Juvenile Division of the Common Pleas Court that involve custody, parenting time, child support, and child abuse, neglect and dependency, unless (1) the case by its very nature requires a more rapid adjudication such as in equity matters; (2) the case, because of court-imposed stays, interlocutory appeals, removal to federal court, and remand, etc., requires a different schedule; or (3) the judge or magistrate, by written order, places the case on a different schedule for resolution based on good cause shown. Wherever possible cases will be resolved in the shortest amount of time. The deadlines set by the Ohio Rules of Superintendence for the Courts of Common Pleas shall be construed as maximums and shall not preclude the more rapid resolution of cases under these rules.

21.02 It shall be the goal of these rules and the management of the docket by the Juvenile Division of the Common Pleas Court that ninety five percent of all applicable cases should be concluded within twelve months of filing; ninety-eight percent within eighteen months of filing; and one-hundred percent within twenty-four months of filing, except for individual cases where the Court determines exceptional circumstances exist.

RULE 22

CALCULATION OF TIME

The time limits in these case flow management rules shall be calculated from the date of filing of the initial document invoking the jurisdiction of the Juvenile Division.

RULE 23

ATTORNEY DECORUM

Counsel for all parties shall be present and before the Court at the assigned hearing time. If counsel is not present in court at the assigned hearing time, the case may commence without counsel, may be continued, or may be dismissed, as the Court shall decide is appropriate. If counsel is going to be late for a hearing, counsel must make a reasonable effort to notify the Judge or Magistrate as soon as is practical in order to explain the reason for his or her lateness. Repeated lateness or absences may result in fines or in the removal of counsel from the appointment of cases in the Guernsey County Juvenile Court.

RULE 24

EX PARTE ORDER PRACTICE

24.01 The provisions of this rule shall set forth general guidelines to follow in the filing and processing of ex parte orders in abuse, neglect, dependency and private parenting cases. The provisions of this rule shall be followed in conjunction with applicable statutory provisions and portions of the Ohio Rules of Juvenile Procedure, including Juvenile Rules 6 and 7, and Ohio Revised Code §§2151.31 and 2151.314.

24.02 No ex parte order for restraint from removal from the jurisdiction or any other ex parte extraordinary relief sought from the Court, shall be granted without a specific showing or allegation that, if immediate relief is not granted, serious and/or irreparable harm would result prior to the oral hearing. Every reasonable effort should be made by counsel attempting to obtain an ex parte order to give notice to opposing counsel or an unrepresented party of such intent and when such attempt shall be made.

24.03 Hearings both for Probable Cause to grant requests for ex parte orders and for review of ex parte orders shall take preference on the docket as to scheduling. All hearings with respect to probable cause to grant and review of ex parte orders shall be recorded. The transcription of the record shall be provided upon request and the posting of reasonable costs therefore, and the Court shall expedite the production of such record when requested for purposes of the filing of responsive pleadings or preparation for review hearing.

24.04 All requests for ex parte orders shall be made by written motion, except for abuse, neglect, or dependency cases, and shall be supported by affidavit, stating with specificity the basis for the request for extraordinary relief, and setting forth with specificity the reasons for the necessity for the extraordinary relief requested. The affidavit of the moving party shall contain a statement as to whether the responding party has retained or is otherwise represented by counsel, or if said information is known to the affiant.

24.05 Counsel for the moving party shall prepare and present to the Court a proposed order for the specific relief requested. The proposed order may be altered by interlineations at the direction of the Court, and shall also contain notice of the date and time of the review hearing. Additionally, if the moving party has been unavailable to the Court for examination, the entry shall contain specific findings as to the extraordinary reasons which have made the affiant unavailable to the Court.

24.06 Briefs and affidavits in opposition to the ex parte order may be filed on or before the date of the hearing, together with any authorities or citations relied upon. Reply briefs and submissions may be filed with leave of Court.

24.07 Counsel requesting extraordinary relief shall produce the party seeking the relief to state on the record, under oath, why the relief is sought and why immediate relief is

necessary. Presence of the moving party may be excused by the Court for extraordinary cause being shown and specifically described in the proposed order presented to the Court. The moving party shall be subject to examination by the Court.

24.08 Hearings under this section shall be conducted by the judge, or by a designated magistrate if the judge is unavailable. Hearings under this section may be conducted in camera, however the statement of the movant shall be on the record.

24.09 Hearings on the merits of the ex parte order should be held within ten (10) days of journalization of the ex parte order, unless waived by both parties or statutorily mandated to be heard at any earlier time. Hearings on the merits shall be conducted by the judge or by a designated magistrate, and shall be recorded.

24.10 Merit hearings shall take precedence on the docket, shall be set at the time of or immediately after the hearing to secure the ex parte order by the moving counsel, and a notice of the date and time of the hearing shall be contained in the body of the ex parte order. The testimony presented and heard at the merit hearing provided under this rule shall be limited to whether the ex parte order was providently granted, whether there was basis for the extraordinary relief granted, whether the relief requested and granted was consistent with the nature of the emergency which existed and which was presented as the basis for the request for extraordinary relief by the Court, and whether the order shall be continued in its entirety, in part, or vacated.

24.11 In the event that the Court designated a Magistrate to conduct the merits hearing, the order of reference shall contain the authority to immediately set aside the ex parte orders should show just cause for their issuance be found, or otherwise be modified according to law.

RULE 25

PRETRIAL PROCEDURE

25.01 The Court may, on its own motion, set any matter for pre-trial hearing. Any party may move, in writing, for a pretrial. If the judge or magistrate determines that a case warrants a pretrial, a date and time shall be set. All parties named in the action shall be present at the pretrial unless their presence is excused, in advance, by the Judge or Magistrate. In that event, the parties shall be available by telephone.

25.02 It shall be the duty of counsel to come to the pretrial fully prepared and authorized to negotiate toward settlement of the case. Failure to be prepared may result in dismissal of the case for want of prosecution, a default judgment, or other sanctions as the judge or magistrate deems appropriate.

25.03 Pretrial Statements. When so ordered by the Judge or Magistrate, all parties shall prepare and file a pretrial brief or statement. It shall generally be the practice of the Court that this order be made at the final pretrial. The pretrial brief or statement shall be filed on or before the date specified by the order.

The pretrial statement shall include the following:

- (1) Identification of the chief trial counsel, who shall be fully authorized to act and negotiate on behalf of the party;
- (2) The factual and legal issues which the case presents in detail, and the party's position on those issues, including any significant evidentiary questions;
- (3) A listing of all witnesses expected to testify;
- (4) A listing of all exhibits expected to be offered into evidence, except exhibits to be used only for impeachment, illustration, or rebuttal;
- (5) A description of the trial procedure to be requested, including:
 - (a) whether a jury trial, if previously demanded, will now be waived;
 - (b) the estimated number of days required for trial;
- (6) A statement of the status of settlement negotiations.

RULE 26

DISCLOSURE OF POSSIBLE LAY AND EXPERT WITNESSES

26.01 Initial Joint Disclosure of All Witnesses. Each party shall, pursuant to applicable rules of discovery, disclose all persons with relevant factual or expert knowledge whom the party reserves the option to call as witnesses at trial.

26.02 Supplemental Joint Disclosure of All Witnesses. Each party shall, pursuant to applicable discovery rules, disclose all persons, whose factual or expert knowledge did not appear relevant until the witnesses were initially disclosed, whom the party reserves the option to call as witnesses at trial.

26.03 Scope of Disclosure. Disclosure of witnesses under this rule shall include the following information:

(A) All Witnesses. Name, addresses, and business phone number (or home phone number, if no business number is available).

(B) Lay Witnesses. A brief description of witness' relevant knowledge.

(C) Experts. A brief description of the expert's qualifications and summary of the expert's opinions and the basis or theory of that opinion.

26.04 Exclusion of Testimony. Any witnesses not disclosed in compliance with this rule may not be called to testify at trial, unless the trial judge orders otherwise for good cause and subject to such conditions as justice requires.

RULE 27

CONTINUANCE OF THE TRIAL DATE

27.01 Modification. In any case, any party may file a "Motion to Continue the Trial Date" with the Clerk of Court, pursuant to Loc. Juv. R. 15. The motion shall be in writing, signed by the attorney, setting forth good cause for continuing the trial date. The motion will not be granted unless it is supported by a showing of good cause.

(A) In all cases, a copy of the "Motion to Continue the Trial Date" shall be served upon all counsel and any party not represented by counsel. A certificate of service shall be filed with the motion. The judge or magistrate, *sua sponte*, may continue the trial date, on reasonable notice to all counsel and parties.

(B) Conflicts. Unless otherwise provided in these Rules, when a party seeks a continuance, whether for a civil, criminal or juvenile matter, due to conflicting court assignments, the case that was assigned first shall have priority. When an attorney becomes aware of any assignment that might impose a conflict, the attorney shall endeavor to advise the Court and opposing counsel as soon as practicable. When a conflict arises between a trial court proceeding and an appellate proceeding, the appellate proceeding shall take precedence.

27.02 Notice of Continuance of Trial Date. In all cases, if the trial date is changed by the judge or magistrate, the party requesting the change shall within five days file with the Clerk of Court an "Entry Continuing Trial Date" with copies served upon all counsel, any party not represented by counsel, and the judge or magistrate. If the continuance of the trial date is initiated by the judge or magistrate, the Court shall prepare and file the "Entry Continuing Trial Date" and mail it within five days to all parties.

RULE 28

DISCOVERY

28.01 Informal Discovery. Counsel will participate in discovery conferences with opposing counsel and shall freely exchange discoverable information and documents upon informal request. Counsel shall make every effort to resolve discovery disputes by agreement prior to filing motions with the Court. In all cases covered by the Rules of Juvenile Procedure, all counsel shall fully comply with Juvenile Rule 24(A). In addition, all parties have a continuing duty to supplement their disclosures.

28.02 Motions. Motions for protective orders or to compel discovery shall be accompanied by a statement reciting efforts made to resolve the matter and shall contain a request for oral hearing caption, if an oral hearing is desired.

28.03 Discovery Documents. Discovery documents shall not be filed with the court. Only a notice of response to discovery requests shall be filed with the court.

RULE 29

CORRESPONDENCE

Copies of all correspondence addressed to the Court by any party or Counsel shall be mailed or furnished to the Counsel or parties in the Case and the correspondence to the Court shall disclose to whom copies were furnished. Correspondence not in compliance with the order shall be disregarded by the Court.

RULE 30

COMPETENCY

30.01. General purpose. The purpose of this rule is to expedite proceedings under sections 2152.51 to 2152.59 of the Revised Code, 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 determinations under these sections.

30.02 Expedited Hearings. Juvenile competency proceedings shall be scheduled and heard on an expedited basis. Hearings in juvenile competency proceedings shall be held in strict compliance with applicable deadlines as established by statute or by this rule.

30.03 Notice. Upon the conclusion of each hearing, the Court shall provide written notice to the Prosecuting Attorney, the child's attorney, the child's guardian ad litem, and the child's parents, guardian, or custodian of the date, time and place of the next scheduled hearing. Mailed notice shall not be required for any party or other individual designated in this rule to whom notice of the next hearing was provided in writing upon conclusion of the immediately preceding hearing.

30.04 Stay of Proceedings. Upon the filing of a motion for a determination regarding a child's competency or upon the court's own motion the Court shall stay all delinquency proceedings pending a determination of competency. If, upon a determination of competency, the Court determines that the child is not competent but could likely attain competency, the Court order staying the delinquency proceedings shall remain in effect until such time as the child attains competency or the proceeding is dismissed.

**RULE 31
SPECIALIZED DOCKETS (RESERVED)**

**RULE 32
DEFAULT JUDGMENTS**

31.01 If, in any parenting matter, a party against who a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by the Civil Rules, the parents entitled to a judgment by default shall promptly apply in writing or orally to the judge or magistrate within thirty days after the date upon which the defaulting party should have pled or otherwise defended. No judgment by default shall be entered against a minor or an incompetent person unless represented in the action by a guardian or other representative who has appeared. If the party against who judgment by default is sought has appeared in the action, written notice of the hearing on the motion along with the date and time fixed by the judge or magistrate shall be served upon that party. In order for the judge or magistrate to award damages and enter judgment, to establish the truth of any averment by evidence, or to make an investigation or any other matter, the judge or magistrate may conduct hearings or order references as necessary and proper and shall, when applicable, accord a right of trial by jury to the parties.

**RULE 33
GUARDIAN AD LITEM
33.01 Appointment**

(A) All appointments of a Guardian Ad Litem will be in compliance with Rule 48 of the Rules of Superintendence for Ohio Courts.

(B) The Court will appoint a Guardian Ad Litem when necessary and appropriate to protect the interests of a child or whenever the Court is required to do so by statute.

(C) Appointment may also be made for a person who is older than eighteen years of age who is deemed a child until the person attains twenty one years of age under section 2151.011 (B) (6) or section 2152.02 (C) of the Revised Code.

(D) If the Guardian Ad Litem finds that a conflict of interest exists with his/her appointment, he/she must file an appropriate motion.

(E) As practical, the court will attempt to appoint local (in-county) qualified individuals that have completed training requirements set forth in Rule 48 (D), (E), and (F) of the Rules of Superintendence for the Courts of Ohio.

- (1) Special needs of a particular case may be considered in the appointment of a Guardian Ad Litem with specialized qualifications or skills.
- (2) In cases returning to the court which require a Guardian Ad Litem, effort will be made to ensure the reappointment of the previous Guardian Ad Litem to the case, unless otherwise specified by the Court.

(F) An attorney, who wishes to serve as Guardian Ad Litem and attorney for the ward may be appointed as an explicit dual appointment by the Court, provided no conflict between these roles exists.

(G) Attorneys appointed to serve as Guardian Ad Litem shall be compensated at the appointed Counsel fee as determined by the Court.

(H) The Court will maintain a list of Guardian Ad Litem and may offer appointment on cases in a rotating order. The Guardian Ad Litem can deny the appointment to the case, at which time the next person designated in order on the list shall be asked to accept the appointment.

33.02 Duties

(A) Comply fully with Rule 48 of the Rules of Superintendence for Ohio Courts.

(B) The duties of a Guardian Ad Litem, including Attorney/Guardian Ad Litem appointments, conclude 30 days after the case is closed unless otherwise ordered by the Court.

(C) The Guardian Ad Litem shall have full access to all Court records, school records, medical records and Job & Family Services records as ordered by the court regarding that child or children, including closed prior cases. The Guardian Ad Litem will perform whatever functions are necessary to protect the best interests of the child or incompetent adult pursuant to Ohio Revised Code, including subpoenaing and examining witnesses. All costs will be waived for any filings made by the Guardian Ad Litem.

(D) If a Guardian Ad Litem finds that one or more of the listed duties are impractical or unreasonable to complete, they shall file a preliminary report to the court regarding the "Exception to Duty" which prevents them from completing all aspects of the report and the reasons therefore. The Court will make reasonable efforts to provide service to the parties involved with the case.

33.03 Qualifications

(A) A Guardian Ad Litem shall successfully complete the pre-service training course and annually complete a minimum of three (3) hours of in-service continuing education training as set forth in Rule 48 (E) of the Rules of Superintendence for Courts in Ohio.

(B) An attorney who wishes to serve as Guardian Ad Litem shall meet all the requirements to be a Guardian Ad Litem as outlined above and shall be duly licensed to practice law in the State of Ohio.

(C) In order to be considered on the Court's Guardian Ad Litem appointment list, the applicant or attorney shall do the following:

- (1) Complete and submit a résumé, outlining education, training, and expertise demonstrating the person's ability to successfully perform the responsibility of Guardian Ad Litem.
- (2) Complete the BCI criminal background check.
- (3) Provide copies of training certificates that will be maintained by the Court to document certification standards that said Guardian Ad Litem has completed educational requirements as set forth by Rule 48 in the Rules of Superintendence for Ohio Courts.
- (4) At the Court's own discretion, applicants and attorney may be required to participate in an interview and/or provide additional qualifying information.
- (5) At the Court's own discretion, the Court may limit the number of Guardian Ad Litem Investigator positions to be considered and maintained on the Court's Appointment List.

(D) In order to be included and maintained on the Court's Guardian Ad Litem appointment list, the applicant or attorney shall do the following:

- (1) Based upon review of criteria listed in above Loc. Juv. R. 33.03 (C) 1-5, the Court may add the applicant or attorney to the Court's appointment list.
- (2) Certify annually in writing after the initial appointment that they are unaware of any circumstances that would disqualify them from serving as Guardian Ad Litem and to provide updated training certificates for ongoing appointment consideration.
- (3) Guardian Ad Litem appointments shall be reviewed on an annual basis by the Court to determine whether he or she qualifies to remain on the appointment list. Criteria for removal may include but is not limited to the following: not performing the duties as outlined in this Court's Rules or Rule 48 of the Rules of Superintendence for Ohio Courts; not meeting continuing educational requirements; committing a criminal offense; or for any other factor which the Court

believes may hinder the effectiveness or ability to complete the assignment of Guardian Ad Litem.

(4) Any Guardian Ad Litem may be removed from the Court's appointment list at their own request. The Court may, in its own discretion, remove any Guardian Ad Litem from the Court's appointment list at any time.

33.04 CASA

The Court may appoint a Court Appointed Special Advocate (CASA) volunteer as a Guardian Ad Litem in Dependency cases.

33.05 Fees For Guardian Ad Litem

In child custody and parenting cases, the Court shall require the parties to post a deposit to secure the fees of the *Guardian ad litem* and shall apportion additional fees incurred for the services of the *Guardian ad litem* between the respective parties. The Court shall retain jurisdiction to reallocate the *Guardian ad litem*'s fees along with all costs of the proceedings, upon motion and/or at the conclusion of the case.

In abuse/neglect/dependency or delinquency case, the Guardian ad litem shall submit an itemized statement for services to the Court for payment in accordance with the current rate for Court appointed counsel.

RULE 34 CONDUCT OF TRIAL

(A) In all custody, support or parenting time actions that are tried, the following matters shall be accomplished prior to trial, at a time that shall be specifically designated in the Court's trial or pretrial order:

(1) All exhibits shall be marked and exchanged by counsel. A list of those exhibits to be offered by each party shall be submitted to the Court and opposing counsel.

(2) All stipulations, except those necessarily arising in the course of the trial, shall be in writing, shall be approved by the parties and counsel and shall be filed with the Clerk.

(3) In cases to be tried to a jury, copies of the list of jurors and copies of jury questionnaires shall be made available to counsel one week prior to the commencement of the trial.

(4) If there are objections interposed during stenographic or audio-visual depositions to be offered at trial, the party offering such deposition shall request the Court for a ruling upon each objection to allow it's timely editing reflecting such rulings prior to trial. Counsel's objections, if any, shall be indexed, and the grounds for the objections shall be set forth clearly.

(5) When so ordered by the judge or magistrate, counsel shall file with the Clerk and serve upon opposing counsel a trial brief. The trial brief shall contain at least the following material:

- (a) A succinct statement of the kind of action;
- (b) A clear statement of the issues involved;
- (c) A summary of the factual situation in regard to each claim or defense;
- (d) An itemized list of the claimed special damages;
- (e) A statement of the principles of law involved in the case supported by the citation of appropriate legal authority (with copies of major and significant case law).

(6) When applicable, counsel shall file with the Clerk and serve upon opposing counsel proposed jury instructions, which shall contain at least the following material:

- (a) If applicable, the specific section(s) of Ohio Jury Instructions upon which the party requests the Court to instruct, the complete text of the section(s) together with appropriate legal authority to support such instruction;
- (b) The complete text of any special jury instruction, together with appropriate legal authority to support such instruction.

(7) When applicable, counsel shall file with the Clerk and serve upon opposing counsel proposed verdict forms, and, if applicable, proposed jury interrogatories.

(B) All counsel and all parties shall be present in the courtroom at least one-half hour prior to the time the trial is scheduled to commence.

(C) During direct or cross-examination of a witness, counsel shall remain at the trial table or in a position not to obstruct the view or hearing of the Court or a jury, except when presenting an exhibit to a witness.

(D) The Court Reporter, if one is present, shall be the official custodian of all exhibits offered during the trial of any case, and shall be retained by said Court Reporter until otherwise ordered by the Court. If no Court Reporter is present, then the judge or magistrate shall be the custodian of exhibits.

(E) After judgment and appeal, or after appeal time has expired without appeal, counsel for each party shall, upon issuing a receipt to the custodian of the exhibits, obtain return of the exhibits introduced into evidence and cause them to be returned to the owner. In cases of doubtful ownership of the exhibits, counsel shall bring the matter before the Court for determination. In any event, the Rules of Superintendence shall apply. (Supreme Court Rule 26).

MISCELLANEOUS RULES OF PRACTICE AND PROCEDURE

RULE 35

ELECTRONIC TRANSMISSIONS

35.01 There shall be maintained in the Office of the Clerk of this Court a private telephone line, facsimile machine, and e-mail address for purposes of accepting documents for filing in all cases, as limited by this rule.

35.02 Pleadings or other documents subsequent to the original Complaint or other initiating pleading, not more than ten pages in length or thirty (30) megabytes in size and not requiring a security deposit as addressed herein in Loc.R. 5 may be tendered to the Court for filing by means of facsimile or electronic filing transmission.

35.03 A facsimile or electronic filing transmission will be accepted for filing as the original, and the signature contained thereon will be accepted as the original, in conformity with Rule 5 (E) of the Ohio Rules of Civil Procedure, and in conformity with Rule 8 (A) of the Ohio Rules of Juvenile Procedure. If a filing is made electronically, the Clerk shall not accept a filing of a separate "hard copy."

35.04 The Clerk shall immediately notify the attorney if the transmitted document cannot be filed for any reason. All documents submitted will be considered filed when the date/time has been stamped by the Clerk. The date/time of filing is not determined by the facsimile machine date/time stamp or the electronic filing transmission received date/time stamp, but is determined by the Clerk's time stamp clock. If any facsimile or electronic filing transmission copy is received by the Clerk after 4:00 p.m. on a regular business day or anytime on a weekend or holiday, the facsimile or electronic filing transmission copy shall be filed on the next regular business day for the Clerk.

35.05 The filing of documents by means of facsimile or electronic filing transmission shall not relieve any requirements of filing additional copies as required by any applicable rules. All facsimile and

electronic filing transmissions tendered to the Court for filing pursuant to this rule shall conform to the requirements of Rules 10 and 11 of the Ohio Rules of Civil Procedure, or Rule 10 of the Ohio Rules of Juvenile Procedure. Facsimile transmissions shall include a cover page which includes the following information:

- a. Name of forwarding attorney;
- b. Address of forwarding attorney;
- c. Ohio Supreme Court registration number of attorney;
- d. Telephone number of attorney;
- e. Facsimile number and email address of attorney;
- f. Date and time of facsimile or electronic filing transmission;
- g. Number of pages of facsimile or electronic filing transmission.

Electronic transmissions shall include said same information in the body of the electronic filing.

35.06 The Clerk of this Court is expressly herein authorized to charge a fee for this service, both for the transmission itself together with a per page charge, in an amount or amounts as determined by said Clerk. Payment of fees shall be arranged in advance of the sending of the telephonic facsimile or electronic filing transmission.

35.07 The risk of facsimile or electronic filing transmission remains with the sender and the Clerk of this Court shall assume no new responsibilities or liabilities.

35.08 In accordance with Rule 8 (A) of the Ohio Rules of Juvenile Procedure, if it should be established that a facsimile or electronic filing transmission was transmitted without authority, the Court shall order the filing immediately stricken.

35.09 All electronic filing transmission shall be in PDF format (portable document format). All electronic filing transmission shall include the Case Number and Caption in the electronic filing transmission subject line.

RULE 36

PUBLIC ACCESS TO COURT PROCEEDINGS

Juvenile proceedings represent a unique and particularly sensitive juncture in the life of any child. Public exposure and media attention can further complicate both the treatment of youth within the juvenile justice system, and the process of holding them accountable for their actions. This difficulty must be balanced with the inherent right to due process that each citizen possesses, and with the fundamental rights and freedoms of the press in our society. The Ohio Supreme Court has stated that delinquency proceedings are neither presumed to be open to the public nor closed to them. These rules shall attempt to provide a framework around which appropriate closure decisions may be made.

36.01 Hearings Open to the Public

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 the party.

36.02 Hearings Closed to the Public

Hearings held pursuant to Revised Code Section 2151.85 and Superintendence Rule 23 and 23.1 shall be closed pursuant to Superintendence Rule 23 (H) and Rule 23.1 (G).

36.03 Hearings Closed on a Case by Case Basis

All other hearings before the Court are neither presumed to be open nor presumed to be closed (*St. ex rel. Plain Dealer Publishing Co. vs. Geauga Cty. Court of Common Pleas, Juvenile Division* (2000), 90 Ohio St 3rd 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:

Whether there exists a reasonable and substantial basis for believing that public access could harm the child or endangers the fairness of the adjudication;

Whether the potential for harm outweighs the benefits of public access; and

Whether there are no reasonable alternatives to closure (*State ex Rel. Plain Dealer Publishing Co. vs. Floyd* (2006), 111 Ohio St. 3d 56.)

36.04 Victim/Parent/Custodian Attendance at Hearings

The right of a victim to attend a hearing pursuant to Revised Code Section 2930.09 and the right of a parent, relative, or prospective adoptive parent to attend a hearing pursuant to Revised Code Section 2151.424 and 2151.35 shall be preserved.

36.05 Use of Television, Recording or Photographic Equipment.

(A) Requests for permission to broadcast, televise, record, or photograph in the courtroom shall be made in writing to the assigned judge or magistrate as far in advance as reasonably practical, but in no event later than one hour prior to the courtroom session to be broadcast, televised, recorded, or photographed unless otherwise permitted by the judge or magistrate. Requests shall be made in writing.

(B) The Judge or Magistrate may grant the request in writing consistent with Canon 3(A)(c), Code of Judicial Conduct, Superintendence Rule 12, and this rule. Written permission shall be made a part of the record of the proceeding.

36.06 Revocation of Permission

Upon the failure of any media representative to comply with the conditions prescribed by the judge or magistrate, the Rules of Superintendence of the Supreme Court, or this rule, the judge or magistrate may revoke the permission to broadcast, photograph, or record the trial or hearing.

36.07 Closure Hearings

Upon the request of any party, or a Guardian ad litem, or *sua sponte* the Judge or Magistrate may conduct a closure hearing to determine if cause exists to exclude the public from the proceeding. Any interested person may present testimony or other evidence and argument during the closure hearing to either support or oppose the closure of the hearing. The Judge or Magistrate may, at their discretion, limit the length of time each person has to present evidence and argument, or limit the number of persons who may make such presentations.

RULE 37 COURT RECORDS

37.01 Reports and records of the Probation Department shall be considered confidential information and shall not be made public. The inspection of Court Records by attorneys and other interested parties shall be governed by Rule 32 (C) of the Ohio Rules of Juvenile Procedure. No person shall be permitted to read the Court's Records unless proper authorization is given by the Judge, or assigned Magistrate.

37.02 The records of official cases shall be maintained as provided by law (section 2151.18, Revised Code) and Juvenile Rules adopted by the Supreme Court of Ohio and as provided by local rules of this Court.

37.03 Records of cases involving juveniles shall be open for inspection by the parent (s), guardian (s), or legal representative of any child affected by any order of the proceeding. Otherwise, such records shall not be available to any person except by order of the Judge, or assigned Magistrate, or by legal process from a Court of competent jurisdiction.

37.04 The records of adult cases shall be public records as provided by law, and the same shall be maintained in a separate appearance docket for such cases.

37.05 All official matters filed in the Juvenile Division shall be assigned a case number.

RULE 38
STANDARD PARENTING TIME SCHEDULE

38.01 Attached hereto is the Court's Standard Parenting Time Schedule. It shall be utilized in all parenting time cases unless the Judge or Magistrate finds good cause to deviate from the rule, or the parties mutually agree upon the alternative schedule.

RULE 39
POSSESSION OF WEAPONS IN THE COURTHOUSE FACILITY

(A) No person shall enter the Courthouse facility while carrying a deadly weapon or dangerous ordnance, openly or concealed, on the person's body. This rule shall not apply to the Judge or Magistrates, to law enforcement officers acting in the scope of their duties, to unloaded weapons being conveyed into the building for evidentiary purposes, to bailiffs, to prosecutors or to other law enforcement officers.

(B) For the purposes of this rule, 'Courthouse Facility' includes all three floors of the Courthouse.

(C) Pursuant to Ohio Revised Code §2923.123(C)(6) this rule prohibits persons from carrying a handgun into the Courthouse Facility even if they have a valid concealed carry permit under O.R.C. §§2923.125 and 2923.1213.

RULE 40
LANGUAGE INTERPRETERS

(A) Certified, qualified or language skilled interpreters shall be used in all proceedings in which a party or witness is non-English speaking or non-hearing. Interpreters shall be utilized in accordance with any existing Rules of Superintendence and in accordance with the Court Policy on Use of Interpretive Services.

(B) Prior to serving as an interpreter each person shall be required to read and sign the written Interpreter's Oath.

(C) Any person serving as counsel for any party, as Guardian ad Litem or in any other official capacity on any case, who becomes aware that there is a need for interpretive services, shall notify the Court of that need immediately. In no case shall the need for interpretive services be communicated to the Court less than seven days prior to the hearing or trial at which the interpreter will be needed.

RULE 41 ATTIRE

41.01 All parties and witnesses must wear proper attire when attending any hearing before the Court. All counsel shall wear business attire. For parties and witnesses, the following attire is not appropriate: bare feet, flip-flops, cutoffs, tank tops, crop tops, halter tops, visible undergarments including boxer shorts and bras, hats or any clothing containing drug/alcohol and tobacco slogans, profanity or racial/ethnic/religious slurs. Clothing that exposes excessive skin within the “privacy zone,” including cleavage, midriff, back, and below the waist, shall not be worn. The display of gang colors and symbols is also strictly prohibited.

41.02 It shall be the duty of counsel to advise the parties and witnesses of this rule prior to their appearance in Court. The Judge, Magistrate or any employee at their direction, may exclude a person in violation of this rule. The presiding judicial officer shall be final arbiter and failure to comply may result in appropriate sanctions, including continuance, dismissal or a finding of contempt.

41.03 Attached hereto is the Guernsey County Juvenile Court Code of Courthouse Conduct. Said Code of Conduct is incorporated herein to these Local Rules.

GUERNSEY COUNTY JUVENILE COURT CAMBRIDGE, OH 740-432-9266

Courthouse Conduct

Very serious decisions are made in the Courthouse daily. The law must be respected and that respect shown, Behavior that is UNRULY or CRIMINAL will NOT be tolerated. The following rules will be enforced and if you break any of them, there will be consequences one of which may be appearance before the Judge.

1. Clothing must be appropriate, Shoes are required, Clothing that shows illegal activities or obscene language is NOT allowed.

Girls: tank tops; halter tops; short skirts or shorts.

Midriff must be covered, Boys: NO sleeveless shirts, hats, hoodies, sandals, Pants must cover the buttocks with no underwear showing, Clothing should be clean. NO bandanas, sweatbands or other headgear. NO sunglasses worn indoors

2. NO running or horseplay.

3. NO yelling or making loud noises. NO obscene language or gestures.

4. NO "HANGING AROUND" on other floors of the Courthouse.

5. NO food or drink,

6. Do NOT bring friends with you,

7. Remain seated in hallway, Do NOT sit on desks, NO standing if a chair is available. Feet remain on floor

8. Do NOT use elevator unless with parent or Probation Officer or Bailiff.

9. NO smoking inside or outside of the Courthouse

10. Trash must be placed into wastebasket.

11. You are not allowed to bring bikes or skateboards into the Courthouse.

12. Juveniles and family members are expected to use and maintain proper hygiene.

13. NO damaging or defacing property

14. LEAVE the building and vicinity when appointment is over

15. NO cell phone usage in Courtroom

16. NO drug/alcohol use will be tolerated in or around courthouse. Parties are NOT to be under the influence of drugs/alcohol

I HAVE READ THESE RULES. I UNDERSTAND THE RULES AND WILL OBEY THEM.

Probationer signature **date**

Parent or custodian signature **date**

Parent or custodian signature **date**

Probation Officer **date**

Please understand that this applies to any time you and/or a juvenile appears in the Courthouse including initial hearings

RULE 42 SUBPOENAS

Except for good cause shown, neither the Clerk nor the Sheriff shall be required to issue subpoenas, unless requests are filed with the Clerk at least two days prior to the trial date. The form of subpoena shall be in accordance with Juvenile Rule 17(A) and service of the subpoena shall be in accordance with Juvenile Rule 17(C). The issuers of the subpoena shall comply with Juvenile Rule 17(D) and be responsible for attaching to each subpoena the text of Juvenile Rule 17(D) and (E).

DELINQUENCY/UNRULY/TRAFFIC AND CRIMINAL RULES OF PRACTICE AND PROCEDURE

RULE 43 GENERAL APPLICATION

43.01 These rules supplement existing Rules Governing the Courts of Ohio. In any case where the Criminal Rules of Procedure, Juvenile Rules or Local Rules do not resolve the issue before the Court, the Rules of Civil Procedure are to be consulted. These rules apply in all Delinquency and Unruly cases, in all Traffic cases, and in all Criminal cases filed against adults in the Juvenile Court.

43.02 Speedy Trial. Because delinquency and unruly proceedings are not criminal proceedings, speedy trial provisions are not applicable to them. This rule shall therefore apply only to criminal cases filed against adults in the Juvenile Court, and to youth charged as Serious Youthful Offenders. Upon the determination that a case must proceed to trial without delay due to compliance with speedy trial statutes and rules, the assigned judge or magistrate, if already in trial, shall request that a visiting judge or another magistrate be assigned to preside.

43.03 Withdrawal of Counsel. A withdrawal of representation by counsel after a case is set for trial is to be discouraged. In order to withdraw as counsel of record, counsel must present a motion setting forth the reasons for requesting withdrawal and certifying that a copy was served on the client. The motion and proposed entry shall be presented to the Judge or Magistrate. The request should be made no later than fifteen days before trial. An oral hearing shall be scheduled, with an order directing the client to be present.

RULE 44

GRAND JURY PROCEEDINGS

44.01 Grand Jury proceedings enter into the purview of the Court only for the purpose of bringing indictments against youth who are charged as Serious Youthful Offenders. The grand jury shall be presided over as provided in the rules of the General Division of the Guernsey County Court of Common Pleas.

44.02 The Court Reporter or any other transcriber shall not prepare transcripts of testimony of grand jury proceedings except upon order of the judge or magistrate, prosecuting attorney, or Attorney General, such as the case may be.

RULE 45

ARRAIGNMENTS

45.01 In all cases involving criminal charges against adults in which the prosecuting attorney has requested service of process to be accomplished by means of a summons, the Sheriff of Guernsey County, Ohio, or Juvenile Court Deputy Clerk shall serve a copy of the judgment entry scheduling the arraignment and the notice of the right to appointed counsel upon the adult defendant at the time of the service of the indictment or complaint and summons.

45.02 In all cases in which the prosecuting attorney has requested the service of process to be accomplished by means of a warrant, an arraignment shall be immediately scheduled, following the Sheriff's return of the warrant to the Clerk's office and the juvenile or the adult defendant's acquisition of counsel. The Sheriff's Department shall immediately notify the Clerk of Court's office of the arrest.

45.03 Subject to Crim. R. 10(B), all adult Defendants are required to personally appear at the arraignment

45.04 Juvenile who are charged as being unruly/delinquent shall appear at formal arraignment with their custodial parent or legal guardian.

45.05 All juvenile traffic offenders shall personally appear with a parent or legal guardian.

RULE 46

INACTIVE CASES

46.01 Cases in which further proceedings are not presently possible shall be placed in an inactive file by the Clerk and considered closed for statistical purposes either upon motion of the Prosecuting Attorney or the Court's own motion and shall not be subject to dismissal for want of prosecution. A case shall be removed from that list when the

Defendant or juvenile is available and proceedings resume or when the case is dismissed. Cases to which this rule is applicable shall include those in which the Defendant or juvenile is not competent to stand trial, is confined in an institution in another state, has not been served, or cannot be found. A list of inactive cases shall be periodically be prepared and presented to the County Prosecutor. The Prosecutor shall file a report with the judge on the status of the inactive cases or shall dismiss those cases.

RULE 47

MOTIONS

47.01 Motions. The filing and consideration of motions in a delinquency, unruly, or criminal case is governed in general by Crim. R. 12 and Loc. Juv. R. 7 and 8. The filing of motions in a juvenile case is governed generally by Juvenile Rule 19 and Loc. Juv. Rule 7 and 8. A party may request a hearing in advance of trial to consider a motion. In the absence of showing good cause, no motions will be considered on the day of trial. The absence of a witness regarding consideration of a motion will not be cause for continuance of the trial.

47.02 All motions and other written requests filed in criminal, juvenile and traffic cases shall be submitted to the office of the clerk. All motions, briefs and memoranda, pro and contra shall be filed in duplicate, with accompanying proposed judgment entry or order.

47.03 Discovery. Pursuant to Crim. R. 16 and Juvenile Rule 24, discovery is to be conducted in a manner that will eliminate delay and unnecessary expense. Upon demand for discovery, it shall be the duty of a party to promptly respond to the request. In any event, discovery should be provided in fourteen days from the date of receipt of the demand. The failure of a party to timely and fully respond may lead to the exclusion of evidence at trial. Further, once discovery is initiated by demand of the Defendant or Juvenile, all parties have a continuing duty to supplement their disclosures.

RULE 48

INDIGENT PARTIES

Before Counsel is appointed for an indigent adult, that adult must file a completed affidavit of indigency with the Court's Office. Qualifying, or determining the eligibility of an adult for Court Assigned Counsel is the sole responsibility of the Clerks' Office. Eligibility shall be determined according to the Ohio Public Defender Commission's standards.

48.01 (A) any person who is a defendant in a criminal case or a party in an eligible juvenile case who request a Court appointed lawyer shall be assessed a fee of \$25.00, unless waived by the Court.

(B) Attorneys who wish to be appointed to represent juveniles and indigent adults shall request to be placed on the list of approved Court Appointed Attorneys. The Judge maintains final authority to

determine the number of Attorneys who will be on the list for appointments and the experience and qualifications necessary for appointment. At a minimum Attorneys wishing to receive Court Appointments shall meet the following criteria:

1. Licensed to practice law in Ohio;
2. Good standing with the Ohio Supreme Court;
3. Maintain professional liability insurance as required by the Ohio Rules of Professional Conduct.

(C) Appointments shall be distributed as widely as possible among Attorneys on a rotary system designed to pair the defendant's level of offense with an Attorney who meets the qualifications for assignments as established by the Ohio Public Defender Commission standards. The Clerk's Office may appoint an Attorney who is not next in sequence if an Attorney does not respond to the inquiry by the Clerk's Office within a reasonable time, is unavailable to represent the defendant, has a conflict, or the interests of justice require the appointment of a specific Attorney instead of the next available Attorney. If the Clerk's Office passes over the name of an Attorney for any reason, the Clerk's Office shall return to that Attorney for the next appointment to the extent administratively feasible. If the Attorney continues to not respond to inquiries, or the Attorney refuses a second time to represent a defendant due to inability, the Clerk's Office shall not return to the Attorney until the next rotation.

(D) Not more than one attorney per indigent defendant will be appointed, unless the Court otherwise orders.

(E) Immediately upon selection of an attorney, the Clerk's Office shall notify the judge or magistrate of the suggested appointment, and the judge or magistrate will file the appropriate entry/order appointing the attorney, unless the judge or magistrate decides in good faith that the suggested attorney is not suitable for that particular defendant or that particular case.

(F) Upon appointment, the attorney shall perform basic duties as warranted by the facts of the case and shall act in a professional manner

(G) The attorney must personally represent the party for whom he or she was appointed and shall not, absent an emergency, allow substitute counsel to represent the party.

(H) The attorney shall have a working phone with an administrative assistant and/or voicemail in order to respond timely to calls from the Court or represented party. The attorney shall also have a mailbox in the Courthouse and shall be responsible for checking the mailbox on a regular basis so as to remain informed of scheduling entries and other case related communication unless an alternative or electronic form of communication has been established and approved by the Court.

(I) An attorney shall seek to withdraw from representing a court appointed litigant in a manner consistent with the Ohio Rules of Professional Conduct.

(J) Attorneys approved for court assignments shall be reviewed at a minimum of every four years.

(K) An attorney may be removed from the list for court appointment assignments for good cause, including but not limited to the following reasons:

1. Failure to maintain licensure to practice law in the State of Ohio and to remain in good standing with the Supreme Court of Ohio.
2. Failure to meet the criteria as established in Rule 48.01 (B).
3. Routine failure to respond timely to the Clerk's Office when attempting to assign cases or repeated refusal to accept assignment of cases, without a valid reason, such as a conflicting interest.
4. Routine failure to respond to a judge or magistrate's staff when attempting to schedule hearings.
5. Routine failure to attend scheduled court hearings or to arrive timely.
6. Routine failure to adequately prepare for court hearings.
7. Routine failure to maintain appropriate contact with clients.
8. Routine failure to timely submit the Motion, Entry, and Certification for Court Appointed Counsel Fees.

48.02 Any Attorney appointed to provide legal representation for an indigent party shall be compensated according to a schedule approved by the County Commissioners. Counsel shall maintain itemized time records for each appointed case showing the date of service, nature of services rendered, and hours worked. Counsel's itemized time records shall be provided to the Court upon request.

48.03 An attorney shall be reimbursed for expenses not to exceed one hundred dollars without prior approval of the Judge. No allowance will be approved for fixed office overhead, daily copies of transcripts, or depositions, except as provided by law. Expenses for services, which are requested in excess of one hundred dollars must be submitted to the Judge for approval, prior to their incurrence. All expenses must be documented with receipts.

(A) Services include, but are not limited to, investigators or experts who are reasonably necessary for the proper representation of an indigent juvenile charged with a felony; The factors to be considered by the Judge are:

- (1) the value of the service to the juvenile's proper representation at trial;
- (2) the availability of alternative devices that would fulfill the same functions as the service sought.

48.04 Extraordinary Fees.

(A) Attorney's fees in excess of those set forth in 48.02 may be granted by the judge in Complex Cases or in other extraordinary circumstances.

(B) "Complex Case" is a case designated by the Judge as a Complex Case because it involves multiple counts dealing with multiple separate incidents and the case involves an extraordinary amount of Trial preparation, or trial time.

48.05 Requests for compensation shall be made by each appointed attorney on forms supplied by the Ohio Public Defender Commission. The request for compensation and reimbursement shall meet the time guidelines established by the Ohio Public Defender Commission. An Attorney may be denied reimbursement for failure to meet the time deadlines or to comply with other reimbursement requirements.

RULE 49

JUVENILE TRAFFIC OFFENDERS

49.01 All juveniles who are cited by law enforcement for a traffic violation must appear at arraignment with a parent or legal custodian. If said juvenile receives a Seat Belt Violation attendance at arraignment is not required so long as the fine and Court costs are paid prior to any scheduled Court appearance.

49.02 Juvenile Traffic Offenders who are Out of State residents may waive initial appearance by paying the fine and Court costs prior to said arraignment hearing. Written denials for out of state juveniles shall be accepted provided they are received prior to the regularly scheduled arraignment date. Upon a written denial a trial shall be scheduled where the juvenile and parent or legal custodian must appear in person.

49.03 Use of electronically produced ticket. The use and filing of a ticket that is produced by computer or other electronic means is hereby authorized in the Guernsey County Juvenile Court. The electronically produced ticket shall conform in all substantive respects to the Ohio Uniform Traffic Ticket. If an electronically produced ticket is issued at the scene of an alleged offense, the issuing office shall provide the defendant or juvenile offender with a paper copy of the ticket.

49.04 The Court shall establish and publish a schedule for costs and fines for all waiver offenses.

RULE 50

NEGOTIATIONS

50.01 For the purposes of securing absolute and unequivocal accuracy in the matter of the terms of negotiations conducted in adult criminal cases, delinquency and unruly cases, and matters in which the juvenile is alleged to be a Serious Youthful Offender, all matters

agreed upon in negotiations shall be stated on the record at the time of any plea, admission or adjudication.

50.02 Failure to comply with Loc. Juv. R. 50.01 may result in the Court's refusal to proceed with any Guilty Plea Hearing or Adjudicatory Hearing.

RULE 51

DISCLOSURE OF PRE-SENTENCE REPORTS AND VICTIM IMPACT STATEMENTS

51.01 Presentence Investigation Reports. The judge and magistrate may allow the Probation Department adequate time between the acceptance of an admission or plea and the date set for disposition or sentencing in which to prepare a Pre-sentence Investigation Report.

(A)The Probation Officer who prepares the report shall have it completed no later than two court days prior to disposition or sentencing. When the report is completed, it shall be provided, either in its entirety, or in summary form to the judge or magistrate and made available by the judge or magistrate, upon request, for review by the Defendant's attorney or the attorney for the juvenile (or by the Defendant or juvenile if not represented by an attorney) and the Prosecutor.

51.02 If the judge or magistrate believes that any information in the Pre-sentence Investigation Report should not be disclosed pursuant to Juvenile Rule 32(C), the judge or magistrate, in lieu of making the report or any part of the report available, shall state orally or in writing the reasons why the report or portion of the report is not being made available. In the case of adult Defendants and juveniles who are alleged to be Serious Youthful Offenders, if any portion of the Pre-Sentence Investigation Report is not made available, the judge or magistrate shall orally summarize the contents of that portion on the record and then allow the attorney for the adult Defendant or juvenile to rebut or comment on that portion of the report.

51.03 Upon the filing of a delinquency or unruly complaint the Probation Department shall solicit a Victim's Impact Statement from the alleged victim in the compliant. Said statement shall be sealed and be reviewable by the Judge, Magistrate, and Counsel for the State of Ohio and Child. No copies shall be made of said statement and said statements shall only be reviewed by the Court at the time of disposition.

RULE 52

PHYSICAL RESTRAINTS

- A. The use of physical restraints on juveniles shall be decided by the Judge or Magistrate on a case by case basis. The presumption is that physical restraints shall not be used on juveniles in the Courtroom unless either of the following are found by the Court at the time of the hearing:

- a. The juvenile represents a current and significant threat to the safety of the juvenile's self or other persons in the Courtroom;
 - b. There is a significant risk the juvenile will flee the Courtroom if not restrained.
- B. Immediately prior to the hearing the Court shall permit any party to the proceeding to be heard, on the record, as to the issue of whether physical restraints are necessary.
- C. If the Court determines that physical restraints are necessary, said restraints shall be the least restrictive necessary to meet the risk requiring the restraint.

COURT RECORDS MANAGEMENT AND RETENTION

RULE 53

GENERAL GUIDELINES

53.01 Pursuant to Rule 26 (G) of the Rules of Superintendence for the Courts of Ohio, the Juvenile Division of the Court of Common Pleas, Guernsey County, Ohio adopts the following Records Management and Retention Rules.

53.02 The Court adopts the combined indexes, dockets and journals as defined in Superintendence Rule 26.01 through 26.05. The indexes, dockets and journals shall be maintained in an electronic medium. These records shall be permanently retained. Electronic records and backups of the records shall be maintained until the records are microfilmed. Traditional paper or bound book records may be destroyed after having been microfilmed.

53.03 All exhibits, depositions and transcripts may be destroyed after the conclusion of the litigation, including times for direct appeal, upon satisfaction of all the following conditions:

1. The Clerk notifies, in writing, the party who tendered the exhibits, depositions or transcripts that the party may retrieve the exhibits, depositions or transcripts within sixty (60) days of the written notification.
2. The written notification informs the party who tendered the exhibits, depositions or transcripts that the exhibits, depositions or transcripts will be destroyed within sixty (60) days if not retrieved.
3. The written notification informs the party who tendered the exhibits, depositions or transcripts of the location for retrieval of the exhibits, depositions or transcripts.
4. The party who tendered the exhibits, depositions or transcripts does not retrieve the exhibits, depositions or transcripts, within sixty (60) days from the date of notification.

53.04 The following retention schedule shall apply to the administrative records of the Juvenile Division of the Court of Common Pleas:

1. Administrative Journal. Administrative journals that consist of court entries, or record of court entries, regarding policies and issues not related to cases shall be retained permanently.
2. Annual reports. Two copies of each annual report shall be retained permanently.
3. Bank records. Bank transaction records, whether paper or electronic, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
4. Cash Books. Cash books, including expense and receipt ledgers shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
5. Communication records. Communication records, including routine telephone messages on any medium where official action will be recorded elsewhere, may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the records.
6. Correspondence and general office records. Correspondence and general office records, including all sent and received correspondence, in any medium, may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the records.
7. Drafts and informal notes. Drafts and informal notes consisting of transitory information used to prepare the official record in any other form may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the drafts and informal notes.
8. Employment Applications. Employment applications for posted or advertised positions shall be retained for two years.
9. Employees benefit and leave records. Employee benefit and leave records, including court office copies of life and medical insurance records shall be retained by the appropriate fiscal office for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

10. Employee history and discipline records. Records concerning the hiring, promotion, evaluation, attendance, medical issues, discipline, termination, and retirement of court employees shall be retained for ten years after termination of employment.
11. Fiscal records. Fiscal records shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
12. Grant records. Records of grants made or received by the court shall be retained for three years after the expiration of the grant.
13. Receipt records. Receipt and balancing records shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

53.05 The Clerk of Court records shall be retained as follows:

(A)Definitions:

1. As used in division (A) to (D) of this rule, "division" means the Juvenile Division of the Court of Common Pleas.
2. As used in this rule, "docket" means the record where the clerk of the division enters all of the information historically included in the appearance docket, the trial docket, the journal and the execution docket.

(B)Required records.

1. The division shall maintain an index, docket, journal and case files in accordance with Sup. R. 26 (B) and division (A) and (C) of this rule.
2. Upon the filing of any paper or electronic entry permitted by the division, a stamp or entry shall be placed on the paper or electronic entry to indicate the day, month and year of filing.

(C)Content of docket:

1. Names and addresses of all parties in full.
2. Names, address of all counsel.
3. Issuance of documents for service upon a party; return of service or lack of return.
4. Brief description of all records and orders filed in the proceeding; date and time filed; cross reference to other records as appropriate.

5. Schedule of Court proceedings for case management purposes.
6. All actions to enforce orders of judgments.
7. All actions to enforce orders of judgments.
8. Information necessary to document the activity of the clerk of the division regarding the case.

53.06 The Index, Docket and Journal are to be kept permanently. Sup. R. 26.03 (D)

53.07 Delinquency and Adult Records: Shall be retained for Fifty years after the final order of the juvenile division or one year after the issuance of the audit report by the Auditor of State, whichever is later. Sup. R. 26.03 (H) (1)

53.08 Juvenile By-Pass: Two (2) years after final order or 2 years after appeal is filed whichever is later.

53.09 Permanent Custody, Custody, Parentage, Visitation, Support Enforcement, Abuse, Neglect, Dependency, and URESA: Two (2) years after youngest child obtains majority or 2 years after final journal entry, whichever is later.

53.10 Unruly & Marriage Consent: Two years after final order or 1 year after audit Sup. R.26.03 (H) (5)

53.11 Traffic.

1. Minor Misdemeanor Traffic records are retained for five years after final order.
2. Misdemeanor traffic records are retained for twenty five years after final order.
3. All other traffic records are retained for fifty years after final order.

53.12 Search Warrants: Warrants and returns are retained in original form for five years after date of service or last service attempt.

Forms Policy:

GUERNSEY COUNTY COMMON PLEAS COURT JUVENILE DIVISION

THIS COURT DOES NOT ACCEPT ORAL COMPLAINTS/MOTIONS NOR RESPOND TO PERSONAL LETTERS.

If you wish to file an action with this Court, the following options are available to you:

1. Retain counsel for the preparation of your action.
2. You can file an action on your own behalf; however, it must be in the proper format. *Effective July 1, 2013, the Ohio Supreme Court has approved and created standardized forms concerning allocation of parental rights and responsibilities (custody and visitation), motions for change of child support, parenting plans, and motions for contempt, which can be found on the Supreme Court of Ohio website. <http://www.supremecourt.ohio.gov/JCS/CFC/DRForms/>*

Disclaimer: Please be aware that these forms do not include instructions or legal advice regarding your rights, responsibilities, and legal options. To be fully informed and get answers to your questions, you should seek the advice of an attorney.

The additional information forms below must be completed and submitted with the standardized forms according to Guernsey County Juvenile Court Local Rules and Rules of Superintendence of the Courts of Ohio:

- a. Application for child support services (IV-D) (Local Rule)
- b. Personal Identifier Disclosure (Rule 45(D) Rules of Superintendence)

According to Guernsey County Juvenile Court Local Rule, a deposit of \$175.00 must accompany any filings submitted to the Court. **If there is an outstanding balance of court costs owed by a party petitioning the Court on a post-judgment motion, these costs are to be paid in full before the case is reopened on the motion.**

3. You may contact Legal Aid at (800) 636-3 670 or www.ohiolegalservices.org or www.seols.org for possible representation.

COURT POLICY REGARDING EMPLOYEES DISPENSING LEGAL ADVICE

By law, Court employees, including deputy clerks, are not allowed to give legal advice. They have no law degree and could be prosecuted for practicing law without a license.

Deputy Clerks may look over paperwork to see that the right blanks have been filled in or that you provided the necessary names and addresses and signed at the right location; however they cannot advise you on the content of your filing or if it will satisfy the requirements of the Juvenile Court. If you need any information other than what is stated above you will need to seek legal representation by way of

consulting an attorney, researching the law at the public library or contacting Southeastern Ohio Legal Services (1-800-686-3670).

A Clerk, by not answering your legal questions, is not being indifferent he/she is simply upholding the Law in the State of Ohio as well as following the policy of the Court.

**IN THE COURT OF COMMON PLEAS
GUERNSEY COUNTY, CAMBRIDGE, OHIO**

Effective the 1st day of January, 2004, The Court does hereby adopt the following Standard Parenting Time Guidelines. The Standard Parenting Time Guidelines shall constitute the visitation order in each domestic relations case involving minor children, unless the parties agree to a different specific visitation schedule or the Court orders otherwise. **These guidelines are an order of the Court, however, they are a minimum amount of visitation and the parties may agree to expand the visitation.** Children need continued meaningful exposure to both parents and need the continuing and regular involvement of both parents to feel loved. It is hoped that each parent will be flexible on visitation based upon the changing needs of a child as that child grows older.

STANDARD ORDER OF PARENTING TIME

1. The non-residential parent shall have parenting time on alternate weekends from Friday evenings at 6:00 p.m. to Sunday 6:00 p.m. Additionally, there shall be one weekday parenting time experience with the non-residential parent each week, taking into account the parents, work schedules, the child(ren)'s school schedule and the distance between the parents' homes. This parenting time shall be Wednesday from 5:30 p.m. until 8:00 p.m. unless otherwise agreed to by the parties.
2. The children and/or residential parent have no duty to await the visiting parent-for more thirty (30) minutes of the parenting time. A parent late more than thirty (30) minutes shall forfeit that parenting time period. If the non-residential parent cannot exercise parenting time, 24 hour notice must be given to the residential parent and the child(ren).
3. For purposes of parenting time, there are eight (8) holidays to be divided between the parents and take precedent over the parent time schedule of paragraph one (1) herein:

(1) Martin Luther King Day
9:00 a.m. to 7:00 p.m.

(2) Easter
Saturday 6:00 p.m. to Sunday 6:00 p.m.

(2) Memorial Day
9:00 a.m. to 7:00 p.m.*

(4) July Fourth
9:00 a.m. on the 4th to 9:00 a.m. on the 5th

(5) Labor Day
9:00 a.m. to 7:00 p.m.*

(6) Halloween (Beggar's Night)
4:30 p.m. to 7:00 p.m.

(7) President's Day
9:00 a.m. to 7:00 p.m. *

(8) Thanksgiving
Wednesday 6:00 p.m. to Friday 6:00 p.m.

In the odd-numbered years the residential parent shall have the child(ren) in Group A (left Column) and the non-residential parent shall have parenting time in the Group B (right Column) In the even numbered years, the non-residential parent shall have the Group A holidays and the residential parent, the Group B holiday.

If the parent with the Monday holiday has the weekend prior, the child(ren) do not need to be returned home on Sunday night but may remain with that parent until Monday night at 7:00 p.m. (See paragraph 8).

4. Winter/Christmas Vacation: The Christmas/Winter break will be divided and alternated annually between the parents. Said time periods shall be determined by the school district which the child attends, or if the child(ren) are not of school age, the district of the residential parent and the residential parent shall have the child(ren), in even years, from the day the school is out until December 25, at 10:00 a.m. I even years the non-residential parent shall have parenting time with the child(ren) from December 25,10:00 a.m. until 6:00 p.m. the day before school reconvenes. In the odd numbered years, the nonresidential parent shall have extended Christmas/Winter parenting time from 6:00 p.m. from the day school is let out to December 25, at 10:00 a.m. and the 'residential parent beginning December 25, at 10:00 a.m.

5. On Mother's Day and Father's Day, no matter whose turn for parenting time, the child(ren) shall be with the appropriate parent on those holidays.

6. The child shall celebrate its birthday in the house of the residential parent in odd numbered years and in the house of the non-residential parent in the even numbered years. The parent not having parenting time on the child's birthday may have a separate birthday party if desired.

7. The non-residential parent shall have two (2) separate two (2) week periods of parenting time each summer. The residential parent must have at least one (1) weekend of parenting time prior to the non-residential parent exercising his/her second two (2) week period.

The residential parent shall have one (1) two (2) week period and one (1) one (1) week period of parenting time each summer. The non-residential parent shall have at least one (1) weekend of parenting time prior to the residential parent exercising the second portion of his/her vacation period.

A week for parenting time during the summer vacation period shall be defined as Friday at 6:00 p.m.- to Friday at 6:00 p.m. unless otherwise agreed to by the parties, and these periods shall take the place of the regular schedule in paragraph I of this Standard Order of Parenting Time as set forth above; i.e. these summer vacation weeks are uninterrupted by the parents' weekends.

Parents must submit their vacation dates to the other parent in writing not less than sixty (60) days prior to the school break. If there is a conflict, the opposing party must notify the other parent within seven days. If the conflict cannot be resolved between the parties, they must submit the matter in writing to the Court for mediation within forty-five (45) days prior to the summer break. If the parties fail to submit the matter to the Court in a timely manner, the parent who first submitted the requested dates to the other party shall receive those dates for vacation. Failure to comply with these provisions will not result in a forfeiture of summer parenting time, but may result in summer parenting times other than requested.

Summer vacation period is determined by the school district which the child(ren) attend, or if the child(ren) are not of school age, the vacation period is determined by the school district of the residential parent. The summer vacation shall run from the day after the 1st day of school until one week prior to school starting.

Child support does not abate for any period of parenting time.

8. Unless otherwise stated all holidays, Mother's Day, Father's Day, extended summer visitation and birthday visitation shall be from 9:00 a.m. until 7:00 p.m. where the day after the visitation is a school day or from 9:00 a.m. until 9:00 p.m. where the day after the visitation is a non-school day.

9. In the event that a regularly scheduled weekend parenting time period is canceled because of the child's illness, the parenting time shall be made up the next weekend. Any holiday parenting time canceled because of a child's illness shall be made up within two (2) weeks.

10. The non-residential parent shall bear the transportation expense necessary for exercising parenting time.

11. Parenting time does not mean picking up the child(ren) and then leaving them with someone else. If circumstances so require, however, another responsible adult, such as a grandparent, may pick up the child(ren) for parenting time and/or watch the child(ren) for a short period of time. One example of a situation requiring such an arrangement is where the parent exercising parenting time cannot get off work in time to pick up the child(ren).

12. The residential parent shall send with the child(ren) on parenting time, clean clothing appropriate to the season and sufficient to last the entire visitation period. The residential parent shall send sufficient bottles, car seat, formula, diapers and all prescription or non-prescription medication taken by the child(ren) along with written instructions for the administration of the same

and the name and telephone number of the physician. All bottles and unused supplies sent by the residential parent shall be returned with the child(ren) as well as all clothing, which shall be cleaned by the non-residential parent.

13. If the residential parent intends to move his/her residence, the residential parent shall immediately file a written notice with the Clerk of Courts. The written notice shall include the following:

- a) The case number under which the original visitation order was issued.
- b) The residential parent's name, old address, and new address; and
- c) The non-residential parent's name and present address. Upon receipt of this notice, the Clerk shall file the original and send the non-residential parent a copy of the notice.

14. Notwithstanding paragraph 13, the residential parent shall not remove the child(ren)'s residence from the State of Ohio without first obtaining a modified visitation order from the Court.

15. Subject to Ohio Revised Code Section 2301.35 (G) (2) and 3319.321 (F), the non-residential parent shall be entitled to access to any record related to the child(ren) under the same terms and conditions that access is provided to the residential parent.

NOTICE TO KEEPER OF RECORDS: Knowingly failing to comply with this order and with Section 3109.051 (H) of the Ohio Revised Code may be punishable as Contempt of Court.

16. The non-residential parent shall have access, in accordance with Ohio Revised Code Section 5104.011, to any child day care center attended by the child(ren) under the same terms and conditions that access is provided to the residential parent.

17. Subject to Ohio Revised Code Section 3319.321 (F), the non-residential parent shall have access to any student activity involving the child(ren) under the same terms and conditions that access is provided to the residential parent.

NOTICE TO SCHOOL OFFICIALS AND EMPLOYEES: Knowingly failing to comply with this order or Section 3105.051 (J) of the Ohio Revised Code subjects you to a possible Contempt of Court.

There are the Standard Visitation Rules of this Court, and they will be changed or modified by the Court if it is shown that there is good cause for such change or if the parties agree to another parent time schedule.

THEREFORE, IT IS ORDERED, that this visitation schedule is the order in each domestic relations case involving minor children, unless otherwise agreed by the parties or unless good cause is shown for a Variance from this Order. This Order shall be referred to as the "STANDARD ORDER OF PARENTING TIME".

DAVID B. BENNETT, JUDGE

PACKET # 1

PARENTAGE, ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES, AND PARENTING TIME

PACKET # 1

PARENTAGE. ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES. AND PARENTING TIME

To file, the Plaintiff/Petitioner will need:

1. DR Form 20/Juvi Form 2 - Complaint to Allocate Parental Rights and Responsibilities, and Parenting Time
2. DR Form 28/Juvi Form 10 - Request for Service
3. DR Form 3 - Parenting Proceeding Affidavit
4. Application for Child Support Services (IV-d) (Local Rule)
5. SCJC Form 45(D) - Confidential Disclosure of Personal Identifiers
6. Copy of Child(ren) Birth Certificate(s) and/or DNA Results
7. Deposit - \$175.00 (cash, money order, or certified bank check)

If an agreement is reached, the parties will need:

8. Form 17 - Shared Parenting Plan *or*
9. Form 18 - Parenting Plan

JUVENILE
GUERNSEY

Division
COUNTY, OHIO

A Minor

Case No.

Judge DAVID B. BENNETT

Magistrate PETER N. CULTICE

VS.

Defendant

Street Address

City, State and Zip Code

**COMPLAINT FOR PARENTAGE,
ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES (CUSTODY), AND
PARENTING TIME (COMPANIONSHIP AND VISITATION)**

Name of Child

Date of Birth

2. Defendant, _____ is the parent of the child(ren).
3. The child(ren) has/have resided in _____ County, Ohio since _____
(date residence established) as set out in the Parenting Proceeding Affidavit (Uniform Domestic Relations Form - Affidavit 3).
4. The parent-child relationship ☐ has ☐ has not (select one) been established. If it has been established, a copy of the order establishing the parent-child relationship is attached. A copy of the child(ren)'s birth certificate is also attached.
5. ☐ No court has issued an order about the following child(ren):

- ☐ The following Court has issued an order about the following child(ren):

6. I request that the Court (check all that apply):
- ☐ Name _____ (parent's name) as the
parent of the child(ren) _____
_____ (child(ren)'s name).
- ☐ Correct the child(ren)'s birth certificate to indicate the child(ren)'s father.
- ☐ Order genetic testing and determine the father of the child(ren).
- ☐ Name the ☐ Plaintiff ☐ Defendant (select one) as the residential parent and legal custodian of the child(ren).
- ☐ Grant reasonable parenting time (visitation) to the ☐ Mother ☐ Father (select one).
- ☐ Change the child(ren)'s name to _____
- ☐ Adopt the proposed Shared Parenting Plan for the child(ren) which is attached.
- ☐ Order the appropriate amount of child support for the child(ren), allocate the income tax dependency exemption for the child(ren), and determine who should provide health insurance coverage for the child(ren).
- ☐ Other (specify): _____

Your Signature

Telephone number at which the Court may reach you
or at which messages may be left for you

IN THE COURT OF COMMON PLEAS

Division

COUNTY, OHIO

IN THE MATTER OF:

A Minor

Name

Case No.

Street Address

Judge

City, State and Zip Code

Plaintiff/Petitioner

Magistrate

vs./and

Name

Street Address

City, State and Zip Code

Defendant/Petitioner

Instructions: This form is used when you want to request documents to be served on the other party. You must indicate the requested method of service by marking the appropriate box.

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Please serve the following documents on the following parties as I have indicated below:

☐ Defendant/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service
☐ Other (specify) _____

☐ Plaintiff/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

☐ _____ County Child Support Enforcement Agency (provide address below):

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

☐ Other (address): _____

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

SPECIAL INSTRUCTIONS TO SHERIFF:

Your Signature

COURT OF COMMON PLEAS

COUNTY, OHIO

Plaintiff/Petitioner

v./and

Defendant/Petitioner/Respondent

Case No.

Judge

Magistrate

Instructions: Check local court rules to determine when this form must be filed.

By law, an affidavit must be filed and served with the first pleading filed by each party in every parenting (custody/visitation) proceeding in this Court, including Dissolutions, Divorces and Domestic Violence Petitions. Each party has a continuing duty while this case is pending to inform the Court of any parenting proceeding concerning the child(ren) in any other court in this or any other state. **If more space is needed, add additional pages.**

PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23(A))

Affidavit of

(Print Your Name)

Check and complete ALL THAT APPLY:

- ☐ I request that the court not disclose my current address or that of the child(ren). My address is confidential pursuant to R.C. 3127.23(D) and should be placed under seal to protect the health, safety, or liberty of myself and/or the child(ren).
- ☐ Minor child(ren) are subject to this case as follows:

Insert the information requested below for all minor or dependent children of this marriage. You must list the residences for all places where the children have lived for the last **FIVE** years.

a. Child's Name:

Place of Birth:

Date of Birth:

Sex: ☐ Male ☐ Female

Period of Residence

Check if
Confidential

Person(s) With Whom Child Lived
(name & address)

Relationship

to present

☐ Address
Confidential?

to

☐ Address
Confidential?

to

☐ Address
Confidential?

to

☐ Address
Confidential?

b. Child's Name:

Place of Birth:

Date of Birth:

Sex: ☐ Male ☐ Female

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

c. Child's Name:

Place of Birth:

Date of Birth:

Sex: ☐ Male ☐ Female

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CHILDREN, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

3. Participation in custody case(s): (Check only one box.)

- ☐ I **HAVE NOT** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case.

- ☐ I **HAVE** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case. For each case in which you participated, give the following information:

- a. Name of each child: _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

4. **Information about other civil case(s) that could affect this case: (Check only one box.)**

- ☐ I **HAVE NO INFORMATION** about any other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning any child subject to this case.
- ☐ I **HAVE THE FOLLOWING INFORMATION** concerning other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning a child subject to this case. Do not repeat cases already listed in Paragraph 3. Explain:

- a. Name of each child: _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

5. **Information about criminal case(s):**

List all of the criminal convictions, including guilty pleas, for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any domestic violence offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

<u>Name</u>	<u>Case Number</u>	<u>Court/State/County</u>	<u>Convicted of What Crime?</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

6. Persons not a party to this case who has physical custody or claims to have custody or visitation rights to children subject to this case: (Check only one box.)

☐ **I DO NOT KNOW OF ANY PERSON(S)** not a party to this case who has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

☐ **I KNOW THAT THE FOLLOWING NAMED PERSON(S)** not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

a. Name/Address of Person _____

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child: _____

b. Name/Address of Person _____

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child: _____

c. Name/Address of Person _____

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child: _____

OATH

(Do Not Sign Until Notary is Present)

I, (print name) _____, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

Sworn before me and signed in my presence this _____ day of _____, _____.

Notary Public

My Commission Expires: _____

**APPLICATION FOR CHILD SUPPORT SERVICES
NON-PUBLIC ASSISTANCE APPLICANT/RECIPIENT**

IMPORTANT: If you are receiving ADC or Medicaid, do not complete this application because you became eligible for child support services when you signed the ADC/Medicaid application.

I, _____, request child support services from the Guernsey County CSEA (Child Support Enforcement Agency). I understand and agree to the following:

- A. I am a resident of the county in which services are requested.
- B. Recipients of child support services shall cooperate to the best of their ability with the CSEA. (See attached rights and responsibility information).

The Child Support Enforcement Agency can assist you in providing the following services:

1. Location of Absent Parents.

The agency can assist in finding where an absent parent is currently living, in what city, town, or state. The applicant can request '**Location Only Services**', if the sole need is to find the whereabouts of the absent parent.

2. Establishment or Adjustment of Child Support and Medical Support.

The CSEA can assist you to obtain an order for support if you are separated, have been deserted or need to establish paternity (fatherhood). The CSEA can also assist you in changing the amount of support orders (adjustment), and to establish a medical support order.

3. Enforcement of Existing Orders.

The CSEA can help you collect current and past-due child support.

4. Federal and State Income Tax Refund Offset Submittals for the Collection of Child Support Arrearages.

The agency can collect past-due support (arrearages) by intercepting a payer's federal and state income tax refunds in some cases.

5. Withholding of Wages and Unearned Income for the Payment of Court Ordered Support.

The agency can help you get payroll deductions for current and past-due child support and can intercept unemployment compensation to collect child support.

6. Establishment of Paternity.

The agency can obtain an order for the establishment of paternity (fatherhood), if you were not married to the father of the child. An absent parent may request paternity services.

7. Collection and Disbursement of Payments.

The CSEA can collect the child support for you, and send you a check for the amount of the payments received. Past due support collected will be paid to you until all of the past-due support you are owed is paid.

8. Interstate Collection of Child Support.

The agency can assist you in collecting support if the payor is living in another state or in some foreign countries. The CSEA can assist you to obtain an order for support if you are separated, have been deserted, or need to establish

- C. The only fee you can be charged for service is a one dollar application fee. Some counties pay this fee for the applicants.
- D. In providing IV-D services, the CSEA and any of its contracted agents (e.g. prosecutor, attorneys, hearing officers, etc.) represent the best interest of the child of the State of Ohio and do not represent any IV-D recipient or the IV-D recipient's personal interest.

APPLICANT INFORMATION (INFORMATION ABOUT YOU)

Name	Date of Birth
Social Security Number (SSN)	Current Marital Status (check one) <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Deserted <input type="checkbox"/> Widowed

Type(s) of Service(s) Requested: All services listed _____ Location of absent parent only _____

Other (please explain): _____

I understand that the Child Support Agency, within 20 days of receiving this application, will contact me by a written notice to inform me if my case has been accepted for child support services (IV-D Services).

Signature of Applicant	Date
------------------------	------

APPLICANT INFORMATION

Name:

Date of Birth:

Home Address:

Mailing Address:

Home Phone #

INFORMATION ON CHILDREN

	Child 1	Child 2	Child 3	Child 4
a. Name				
b. Sex				
c. SSN				
d. Date of Birth				
e. Name(s) of Absent Parent				
f. Has Paternity (Fatherhood) been established?				
g. Is there an order of support?				

ABSENT PARENT INFORMATION OR PARENT ORDER TO PAY CHILD SUPPORT

	Absent Parent #1	Absent Parent #2	Absent Parent #3
Name			
Address (City, State, Zip Code)			
SSN			
Date of Birth (DOB)			
Name of Employer			
Address of Employer (City, State, Zip Code)			
Amount of Support Ordered (wk, bi-wk, mo)			
Case Number on Support Order			
Date of Support Order			
Location Where Order Issued (City, State, Zip Code)			
Military Service Give Date and Branch Entered			
Arrest Record: Give date and place of Arrest			
If the absent parent on public assistance: date and place			
Give Name and address of Current Spouse of Absent Parent			

*Have you ever been on Public Assistance: _____ Yes _____ No

When:	Where:	County
FOR AGENCY USE ONLY		
Case Name	Date Requested	Date Mailed or Provided

JUVENILE COURT OF GUERNSEY COUNTY, OHIO

IN THE MATTER OF: _____

CASE NO. _____

Confidential Disclosure of Personal Identifiers

[Rule 45(D) of the Rules of Superintendence for the Courts of Ohio]

	<u>Complete Personal identifier</u>	<u>Institution</u>	<u>Abbreviation</u>	<u>Form No.</u>	<u>Filing Date</u>
Ex.	123-45-6789	Social Security	6789	22.3	6/2/09
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

Signature of Filing Party

Printed Name

Date

PACKET #2

CHANGE IN PARENTING TIME

To file, the Plaintiff/Petitioner will need:

1. DR Form 23/Juvi Form 5 - Motion for Change of Parenting Time (Companionship and Visitation)
2. DR Form 28/Juvi Form 10 - Request for Service
3. DR Form 3 - Parenting proceeding Affidavit
4. SCJC Form 45(D) - confidential Disclosure of personal Identifiers
5. Copy of Child(ren) Birth Certificate(s) and/or DNA Results
6. Deposit - \$175.00 (cash, money order, or certified bank check)

If an agreement is reached, the parties will need:

7. Form 17 - Shared Parenting plan or
8. Form 18 -Parenting plan

IN THE COURT OF COMMON PLEAS

Division

COUNTY, OHIO

IN THE MATTER OF:

A Minor

Name

Case No.

Street Address

Judge

City, State and Zip Code

Plaintiff/Petitioner

Magistrate

vs./and

Name

Street Address

City, State and Zip Code

Defendant/Petitioner

Instructions: This form is used to request a change in the parenting time (visitation) order. A Request for Service (Uniform Domestic Relations Form 28) and a Parenting Proceeding Affidavit (Uniform Domestic Relations Form – Affidavit 3) must be filed with this Motion.

**MOTION FOR CHANGE OF PARENTING TIME (COMPANIONSHIP AND VISITATION) AND
MEMORANDUM IN SUPPORT**

1. I, _____ (name), request this Court change the existing parenting time (companionship and visitation) Order filed on this date _____ (date filed) regarding the following minor child(ren):

Name of Child

Date of Birth

2. Select one:

☐ _____ (name) is currently designated the residential parent and/or legal custodian of the child(ren).

☐ The parties now have a Shared Parenting Plan.

3. I request that the Court change the parenting time (companionship and visitation) Order because:

4. I request that the Court change the existing parenting time (companionship and visitation) Order in the following way: _____

5. I believe that the changes I am requesting are in the child(ren)'s best interests.

Your Signature

Telephone number at which the Court may reach you
or at which messages may be left for you

IN THE COURT OF COMMON PLEAS

Division

COUNTY, OHIO

IN THE MATTER OF:

A Minor

Name

:
: Case No. _____

Street Address

:
: Judge _____

City, State and Zip Code

Plaintiff/Petitioner

:
: Magistrate _____

vs./and

Name

Street Address

City, State and Zip Code

Defendant/Petitioner

Instructions: This form is used when you want to request documents to be served on the other party. You must indicate the requested method of service by marking the appropriate box.

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Please serve the following documents on the following parties as I have indicated below:

☐ Defendant/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service
☐ Other (specify) _____

☐ Plaintiff/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

☐ _____ County Child Support Enforcement Agency (provide address below):

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

☐ Other (address): _____

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

SPECIAL INSTRUCTIONS TO SHERIFF:

Your Signature

COURT OF COMMON PLEAS

COUNTY, OHIO

Plaintiff/Petitioner

Case No.

Judge

v./and

Magistrate

Defendant/Petitioner/Respondent

Instructions: Check local court rules to determine when this form must be filed.

By law, an affidavit must be filed and served with the first pleading filed by each party in every parenting (custody/visitation) proceeding in this Court, including Dissolutions, Divorces and Domestic Violence Petitions. Each party has a continuing duty while this case is pending to inform the Court of any parenting proceeding concerning the child(ren) in any other court in this or any other state. **If more space is needed, add additional pages.**

PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23(A))

Affidavit of

(Print Your Name)

Check and complete ALL THAT APPLY:

- ☐ I request that the court not disclose my current address or that of the child(ren). My address is confidential pursuant to R.C. 3127.23(D) and should be placed under seal to protect the health, safety, or liberty of myself and/or the child(ren).
- ☐ Minor child(ren) are subject to this case as follows:

Insert the information requested below for all minor or dependent children of this marriage. You must list the residences for all places where the children have lived for the last **FIVE** years.

a. Child's Name:

Place of Birth:

Date of Birth:

Sex: ☐ Male ☐ Female

Period of Residence

Check if
Confidential

Person(s) With Whom Child Lived
(name & address)

Relationship

to present

☐ Address
Confidential?

to

☐ Address
Confidential?

to

☐ Address
Confidential?

to

☐ Address
Confidential?

b. Child's Name:

Place of Birth:

Date of Birth:

Sex: ☐ Male ☐ Female

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

c. Child's Name:

Place of Birth:

Date of Birth:

Sex: ☐ Male ☐ Female

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CHILDREN, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

3. Participation in custody case(s): (Check only one box.)

☐ I **HAVE NOT** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case.

- ☐ I **HAVE** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case. For each case in which you participated, give the following information:

- a. Name of each child: _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

4. **Information about other civil case(s) that could affect this case: (Check only one box.)**

- ☐ I **HAVE NO INFORMATION** about any other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning any child subject to this case.

- ☐ I **HAVE THE FOLLOWING INFORMATION** concerning other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning a child subject to this case. Do not repeat cases already listed in Paragraph 3. Explain:

- a. Name of each child: _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

5. **Information about criminal case(s):**

List all of the criminal convictions, including guilty pleas, for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any domestic violence offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

<u>Name</u>	<u>Case Number</u>	<u>Court/State/County</u>	<u>Convicted of What Crime?</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

6. Persons not a party to this case who has physical custody or claims to have custody or visitation rights to children subject to this case: (Check only one box.)

☐ I **DO NOT KNOW OF ANY PERSON(S)** not a party to this case who has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

☐ I **KNOW THAT THE FOLLOWING NAMED PERSON(S)** not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

a. Name/Address of Person

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child:

b. Name/Address of Person

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child:

c. Name/Address of Person

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child:

OATH

(Do Not Sign Until Notary is Present)

I, (print name) _____, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

Sworn before me and signed in my presence this ____ day of _____, _____.

Notary Public

My Commission Expires: _____

JUVENILE COURT OF GUERNSEY COUNTY, OHIO

IN THE MATTER OF: _____

CASE NO. _____

Confidential Disclosure of Personal Identifiers

[Rule 45(D) of the Rules of Superintendence for the Courts of Ohio]

	<u>Complete Personal identifier</u>	<u>Institution</u>	<u>Abbreviation</u>	<u>Form No.</u>	<u>Filing Date</u>
Ex.	123-45-6789	Social Security	6789	22.3	6/2/09
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

Signature of Filing Party

Printed Name

Date

PACKET # 3

CHANGE IN ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES

To file, the Plaintiff/Petitioner will need;

1. DR Form 24/Juvi Form 6 - Motion for Change in Allocation of Parental Rights and Responsibilities
2. DR Form 28/Juvi Form 10 - Request for Service
3. DR Form 3 - Parenting proceeding Affidavit
4. Application for Child Support Services (IV-d) (Local Rule)
5. SCJC Form 45(D) - confidential Disclosure of personal Identifiers
6. Copy of Child(ren) Birth Certificate(s) and/or DNA Results
7. Deposit - \$175.00 (cash, money order, or certified bank check)

If an agreement is reached, the parties will need:

8. Form 17 - Shared Parenting plan or
9. Form 18 -Parenting Plan

IN THE COURT OF COMMON PLEAS

Division

COUNTY, OHIO

IN THE MATTER OF:

A Minor

Name

Case No.

Street Address

Judge

City, State and Zip Code

Plaintiff/Petitioner

Magistrate

vs.

Name

Street Address

City, State and Zip Code

Defendant/Petitioner

Instructions: This form is used to request a change in a shared parenting plan or a change in the designation of the sole residential parent and legal custodian. A Request for Service (Uniform Domestic Relations Form 28) and a Parenting Proceeding Affidavit (Uniform Domestic Relations Form – Affidavit 3) must be filed with this Motion.

**MOTION FOR CHANGE OF PARENTAL RIGHTS AND RESPONSIBILITIES (CUSTODY)
AND MEMORANDUM IN SUPPORT**

1. I, _____ (name), request this Court change the allocation of parental rights and responsibilities (custody) Order filed on this date _____ (filed date) regarding the following minor child(ren): _____

Name of Child

Date of Birth

2. Select one:

☐ _____ (name) is currently designated as the residential parent and/or legal custodian of the children and resides in the _____ School District.

☐ The parents now have a Shared Parenting Plan.

3. The circumstances have changed since the Court issued the existing order. The change in circumstances and any other reason for the requested change are as follows:

4. I request that the Court change the existing order in the following way:

5. I believe that the changes I am requesting are in the child(ren)'s best interests.

Your Signature

Telephone number at which the Court may reach you
or at which messages may be left for you

IN THE COURT OF COMMON PLEAS

Division

COUNTY, OHIO

IN THE MATTER OF:

A Minor

Name

:
: Case No. _____

Street Address

:
: Judge _____

City, State and Zip Code

Plaintiff/Petitioner

:
: Magistrate _____

vs./and

Name

Street Address

City, State and Zip Code

Defendant/Petitioner

Instructions: This form is used when you want to request documents to be served on the other party. You must indicate the requested method of service by marking the appropriate box.

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Please serve the following documents on the following parties as I have indicated below:

☐ Defendant/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service
☐ Other (specify) _____

☐ Plaintiff/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

☐ _____ County Child Support Enforcement Agency (provide address below):

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

☐ Other (address): _____

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

SPECIAL INSTRUCTIONS TO SHERIFF:

Your Signature

COURT OF COMMON PLEAS

_____ **COUNTY, OHIO**

Plaintiff/Petitioner

v./and

Case No. _____

Judge _____

Magistrate _____

Defendant/Petitioner/Respondent

Instructions: Check local court rules to determine when this form must be filed.

By law, an affidavit must be filed and served with the first pleading filed by each party in every parenting (custody/visitation) proceeding in this Court, including Dissolutions, Divorces and Domestic Violence Petitions. Each party has a continuing duty while this case is pending to inform the Court of any parenting proceeding concerning the child(ren) in any other court in this or any other state. **If more space is needed, add additional pages.**

PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23(A))

Affidavit of _____

(Print Your Name)

Check and complete ALL THAT APPLY:

1. ☐ I request that the court not disclose my current address or that of the child(ren). My address is confidential pursuant to R.C. 3127.23(D) and should be placed under seal to protect the health, safety, or liberty of myself and/or the child(ren).
2. ☐ Minor child(ren) are subject to this case as follows:

Insert the information requested below for all minor or dependent children of this marriage. You must list the residences for all places where the children have lived for the last **FIVE** years.

a. Child's Name:

Place of Birth:

Date of Birth:

Sex: ☐ Male ☐ Female

Period of Residence

Check if
Confidential

Person(s) With Whom Child Lived
(name & address)

Relationship

to present

☐ Address
Confidential?

to

☐ Address
Confidential?

to

☐ Address
Confidential?

to

☐ Address
Confidential?

b. Child's Name:

Place of Birth:

Date of Birth:

Sex: ☐ Male ☐ Female

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

c. Child's Name:

Place of Birth:

Date of Birth:

Sex: ☐ Male ☐ Female

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CHILDREN, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

3. Participation in custody case(s): (Check only one box.)

- ☐ I **HAVE NOT** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case.

- ☐ I **HAVE** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case. For each case in which you participated, give the following information:

- a. Name of each child: _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

4. **Information about other civil case(s) that could affect this case: (Check only one box.)**

- ☐ I **HAVE NO INFORMATION** about any other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning any child subject to this case.
- ☐ I **HAVE THE FOLLOWING INFORMATION** concerning other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning a child subject to this case. Do not repeat cases already listed in Paragraph 3. Explain:

- a. Name of each child: _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

5. **Information about criminal case(s):**

List all of the criminal convictions, including guilty pleas, for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any domestic violence offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

<u>Name</u>	<u>Case Number</u>	<u>Court/State/County</u>	<u>Convicted of What Crime?</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

6. Persons not a party to this case who has physical custody or claims to have custody or visitation rights to children subject to this case: (Check only one box.)

☐ **I DO NOT KNOW OF ANY PERSON(S)** not a party to this case who has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

☐ **I KNOW THAT THE FOLLOWING NAMED PERSON(S)** not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

a. Name/Address of Person _____

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child: _____

b. Name/Address of Person _____

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child: _____

c. Name/Address of Person _____

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child: _____

OATH

(Do Not Sign Until Notary is Present)

I, (print name) _____, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

Sworn before me and signed in my presence this _____ day of _____, _____.

Notary Public

My Commission Expires: _____

**APPLICATION FOR CHILD SUPPORT SERVICES
NON-PUBLIC ASSISTANCE APPLICANT/RECIPIENT**

IMPORTANT: If you are receiving ADC or Medicaid, do not complete this application because you became eligible for child support services when you signed the ADC/Medicaid application.

I, _____, request child support services from the Guernsey County CSEA (Child Support Enforcement Agency). I understand and agree to the following:

- A. I am a resident of the county in which services are requested.
- B. Recipients of child support services shall cooperate to the best of their ability with the CSEA. (See attached rights and responsibility information).

The Child Support Enforcement Agency can assist you in providing the following services:

1. Location of Absent Parents.

The agency can assist in finding where an absent parent is currently living, in what city, town, or state. The applicant can request '**Location Only Services**', if the sole need is to find the whereabouts of the absent parent.

2. Establishment or Adjustment of Child Support and Medical Support.

The CSEA can assist you to obtain an order for support if you are separated, have been deserted or need to establish paternity (fatherhood). The CSEA can also assist you in changing the amount of support orders (adjustment), and to establish a medical support order.

3. Enforcement of Existing Orders.

The CSEA can help you collect current and past-due child support.

4. Federal and State Income Tax Refund Offset Submittals for the Collection of Child Support Arrearages.

The agency can collect past-due support (arrearages) by intercepting a payer's federal and state income tax refunds in some cases.

5. Withholding of Wages and Unearned Income for the Payment of Court Ordered Support.

The agency can help you get payroll deductions for current and past-due child support and can intercept unemployment compensation to collect child support.

6. Establishment of Paternity.

The agency can obtain an order for the establishment of paternity (fatherhood), if you were not married to the father of the child. An absent parent may request paternity services.

7. Collection and Disbursement of Payments.

The CSEA can collect the child support for you, and send you a check for the amount of the payments received. Past due support collected will be paid to you until all of the past-due support you are owed is paid.

8. Interstate Collection of Child Support.

The agency can assist you in collecting support if the payor is living in another state or in some foreign countries. The CSEA can assist you to obtain an order for support if you are separated, have been deserted, or need to establish

- C. The only fee you can be charged for service is a one dollar application fee. Some counties pay this fee for the applicants.
- D. In providing IV-D services, the CSEA and any of its contracted agents (e.g. prosecutor, attorneys, hearing officers, etc.) represent the best interest of the child of the State of Ohio and do not represent any IV-D recipient or the IV-D recipient's personal interest.

APPLICANT INFORMATION (INFORMATION ABOUT YOU)
--

Name	Date of Birth
Social Security Number (SSN)	Current Marital Status (check one) ____ Single ____ Married ____ Divorced ____ Separated ____ Deserted ____ Widowed

Type(s) of Service(s) Requested: All services listed _____ Location of absent parent only _____

Other (please explain): _____

I understand that the Child Support Agency-within 20 days of receiving this application will contact me by a written notice to inform me if my case has been accepted for child support services (IV-D Services).

Signature of Applicant	Date
------------------------	------

APPLICANT INFORMATION

Name:

Date of Birth:

Home Address:

Mailing Address:

Home Phone #

INFORMATION ON CHILDREN

	Child 1	Child 2	Child 3	Child 4
h. Name				
i. Sex				
j. SSN				
k. Date of Birth				
l. Name(s) of Absent Parent				
m. Has Paternity (Fatherhood) been established?				
n. Is there an order of support?				

ABSENT PARENT INFORMATION OR PARENT ORDER TO PAY CHILD SUPPORT

	Absent Parent #1	Absent Parent #2	Absent Parent #3
Name			
Address (City, State, Zip Code)			
SSN			
Date of Birth (DOB)			
Name of Employer			
Address of Employer (City, State, Zip Code)			
Amount of Support Ordered (wk, bi-wk, mo)			
Case Number on Support Order			
Date of Support Order			
Location Where Order Issued (City, State, Zip Code)			
Military Service Give Date and Branch Entered			
Arrest Record: Give date and place of Arrest			
If the absent parent on public assistance: date and place			
Give Name and address of Current Spouse of Absent Parent			

*Have you ever been on Public Assistance: _____ Yes _____ No

When:	Where:	County
FOR AGENCY USE ONLY		
Case Name	Date Requested	Date Mailed or Provided

JUVENILE COURT OF GUERNSEY COUNTY, OHIO

IN THE MATTER OF: _____

CASE NO. _____

Confidential Disclosure of Personal Identifiers

[Rule 45(D) of the Rules of Superintendence for the Courts of Ohio]

	<u>Complete Personal identifier</u>	<u>Institution</u>	<u>Abbreviation</u>	<u>Form No.</u>	<u>Filing Date</u>
Ex.	123-45-6789	Social Security	6789	22.3	6/2/09
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

Signature of Filing Party

Printed Name

Date

PACKET # 4

REQUEST THE ENFORCEMENT OF A COURT ORDER AND HOLD THE OTHER PARTY IN CONTEMPT FOR VIOLATING THE COURT ORDER

To file, the Plaintiff/Petitioner will need:

1. DR Form 2/Juvi Form 3 - Motion for Contempt and Affidavit
2. DR Form 28/Juvi Form 10 - Request for Service
3. DR Form 3 - Parenting Proceeding Affidavit
4. Application for Child Support Services (IV-d) (Local Rule)
5. SCJC Form 45(D) - Confidential Disclosure of Personal Identifiers
6. Deposit - \$175.00 (cash, money order, or certified bank check)

IN THE COURT OF COMMON PLEAS

Division

COUNTY, OHIO

IN THE MATTER OF:

_____	:	A Minor
_____	:	
Name	:	
_____	:	Case No. _____
Street Address	:	
_____	:	
City, State and Zip Code	:	Judge _____
Plaintiff/Petitioner	:	
vs.	:	Magistrate _____
_____	:	
Name	:	
_____	:	
Street Address	:	
_____	:	
City, State and Zip Code	:	
Defendant/Petitioner	:	

Instructions: This form is used to request the enforcement of a court order and hold the other party in contempt for violating the court order. A Request for Service (Uniform Domestic Relations Form 28) and a proposed Show Cause Order, Notice and Instructions to the Clerk (Uniform Domestic Relations Form 22) must be filed with this Motion. Check local court procedures.

MOTION FOR CONTEMPT AND AFFIDAVIT

I, _____ (name), request an order for
_____ (other party's name) to appear and show cause
why he/she should not be held in contempt for violating a court order and a finding of contempt for violating
the court order regarding the following (check all that apply):

- ☐ Interference with parenting time or other parenting orders filed on _____ (date).
- ☐ Failure to pay child support, as required by the order filed on _____ (date)
and the total arrearage owed
is _____ \$

(Bring to the hearing an up-to-date printout from the County Child Support Enforcement Agency showing the amount of the child support owed to you.)

3. ☐ Failure to pay spousal support, as required by the order filed on _____ (date) and the total arrearage owed is _____ \$ _____

(Bring to the hearing an up-to-date printout from the County Child Support Enforcement Agency or other independent proof showing the amount owed to you.)

4. ☐ Payment or reimbursement of health care expenses incurred for the minor child(ren). Attach an Explanation of Health Care Bills (Uniform Domestic Relations Form 26) and bring to the hearing the following documents:
- a. Copies of each bill for which you seek reimbursement;
 - b. Proof of payment by you. Proof of payment may include a receipt for payment signed by the health care provider, a copy of a cancelled check, or a copy of a credit card statement verifying the amount paid; and
 - c. Explanation of Benefits forms showing payment made by the health insurance carrier.

5. ☐ Failure to comply with the Court's orders of _____ (date) regarding _____ (check all that apply):

- ☐ Transfer of real estate, as follows: _____
- ☐ Payment of debt, as follows: _____
- ☐ Refinance of debt, as follows: _____
- ☐ Distribution of personal property, as follows: _____
- ☐ Other (specify): _____

6. Costs and any other relief as necessary and proper are also requested.

Your Signature

Telephone number at which the Court may reach you or at which messages may be left for you

OATH

(Do not sign until Notary is present.)

I, _____ (name), swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

Sworn before me and signed in my presence this _____ day of _____ , _____ .

Notary Public My Comm. Expires _____

IN THE COURT OF COMMON PLEAS

Division
COUNTY, OHIO

IN THE MATTER OF:

A Minor

Name

:
:
Case No. _____

Street Address

:
:
Judge _____

City, State and Zip Code

Plaintiff/Petitioner

:
:
Magistrate _____

vs./and

Name

Street Address

City, State and Zip Code

Defendant/Petitioner

Instructions: This form is used when you want to request documents to be served on the other party. You must indicate the requested method of service by marking the appropriate box.

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Please serve the following documents on the following parties as I have indicated below:

☐ Defendant/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service
☐ Other (specify) _____

☐ Plaintiff/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

☐ _____ County Child Support Enforcement Agency (provide address below):

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

☐ Other (address): _____

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

SPECIAL INSTRUCTIONS TO SHERIFF:

Your Signature

COURT OF COMMON PLEAS

_____ **COUNTY, OHIO**

Plaintiff/Petitioner

v./and

Case No. _____

Judge _____

Magistrate _____

Defendant/Petitioner/Respondent

Instructions: Check local court rules to determine when this form must be filed.

By law, an affidavit must be filed and served with the first pleading filed by each party in every parenting (custody/visitation) proceeding in this Court, including Dissolutions, Divorces and Domestic Violence Petitions. Each party has a continuing duty while this case is pending to inform the Court of any parenting proceeding concerning the child(ren) in any other court in this or any other state. **If more space is needed, add additional pages.**

PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23(A))

Affidavit of _____

(Print Your Name)

Check and complete ALL THAT APPLY:

1. ☐ I request that the court not disclose my current address or that of the child(ren). My address is confidential pursuant to R.C. 3127.23(D) and should be placed under seal to protect the health, safety, or liberty of myself and/or the child(ren).
2. ☐ Minor child(ren) are subject to this case as follows:

Insert the information requested below for all minor or dependent children of this marriage. You must list the residences for all places where the children have lived for the last **FIVE** years.

a. Child's Name:

Place of Birth:

Date of Birth:

Sex: ☐ Male ☐ Female

Period of Residence

Check if
Confidential

Person(s) With Whom Child Lived
(name & address)

Relationship

To present

☐ Address
Confidential?

To

☐ Address
Confidential?

To

☐ Address
Confidential?

To

☐ Address
Confidential?

b. Child's Name: Date of Birth:	Place of Birth: Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
--	---

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

c. Child's Name: Date of Birth:	Place of Birth: Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female
--	---

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CHILDREN, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

3. **Participation in custody case(s): (Check only one box.)**

- ☐ I **HAVE NOT** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case.
- ☐ I **HAVE** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case. For each case in which you participated, give the following information:

- a. Name of each child: _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

4. **Information about other civil case(s) that could affect this case: (Check only one box.)**

- ☐ I **HAVE NO INFORMATION** about any other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning any child subject to this case.
- ☐ I **HAVE THE FOLLOWING INFORMATION** concerning other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning a child subject to this case. Do not repeat cases already listed in Paragraph 3. Explain:

- a. Name of each child: _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

5. **Information about criminal case(s):**

List all of the criminal convictions, including guilty pleas, for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any domestic violence offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

<u>Name</u>	<u>Case Number</u>	<u>Court/State/County</u>	<u>Convicted of What Crime?</u>

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

6. Persons not a party to this case who has physical custody or claims to have custody or visitation rights to children subject to this case: (Check only one box.)

☐ **I DO NOT KNOW OF ANY PERSON(S)** not a party to this case who has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

☐ **I KNOW THAT THE FOLLOWING NAMED PERSON(S)** not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

a. Name/Address of Person

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child:

b. Name/Address of Person

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child:

c. Name/Address of Person

☐ Has physical custody

☐ Claims custody rights

☐ Claims visitation rights

Name of each child:

OATH

(Do Not Sign Until Notary is Present)

I, (print name) _____, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

_____ , _____

Notary Public

My Commission Expires:

**APPLICATION FOR CHILD SUPPORT SERVICES
NON-PUBLIC ASSISTANCE APPLICANT/RECIPIENT**

IMPORTANT: If you are receiving ADC or Medicaid, do not complete this application because you became eligible for child support services when you signed the ADC/Medicaid application.

I, _____, request child support services from the Guernsey County CSEA (Child Support Enforcement Agency). I understand and agree to the following:

- A. I am a resident of the county in which services are requested.
- B. Recipients of child support services shall cooperate to the best of their ability with the CSEA. (See attached rights and responsibility information).

The Child Support Enforcement Agency can assist you in providing the following services:

1. Location of Absent Parents.

The agency can assist in finding where an absent parent is currently living, in what city, town, or state. The applicant can request '**Location Only Services**', if the sole need is to find the whereabouts of the absent parent.

2. Establishment or Adjustment of Child Support and Medical Support.

The CSEA can assist you to obtain an order for support if you are separated, have been deserted or need to establish paternity (fatherhood). The CSEA can also assist you in changing the amount of support orders (adjustment), and to establish a medical support order.

3. Enforcement of Existing Orders.

The CSEA can help you collect current and past-due child support.

4. Federal and State Income Tax Refund Offset Submittals for the Collection of Child Support Arrearages.

The agency can collect past-due support (arrearages) by intercepting a payer's federal and state income tax refunds in some cases.

5. Withholding of Wages and Unearned Income for the Payment of Court Ordered Support.

The agency can help you get payroll deductions for current and past-due child support and can intercept unemployment compensation to collect child support.

6. Establishment of Paternity.

The agency can obtain an order for the establishment of paternity (fatherhood), if you were not married to the father of the child. An absent parent may request paternity services.

7. Collection and Disbursement of Payments.

The CSEA can collect the child support for you, and send you a check for the amount of the payments received. Past due support collected will be paid to you until all of the past-due support you are owed is paid.

8. Interstate Collection of Child Support.

The agency can assist you in collecting support if the payor is living in another state or in some foreign countries. The CSEA can assist you to obtain an order for support if you are separated, have been deserted, or need to establish

- C. The only fee you can be charged for service is a one dollar application fee. Some counties pay this fee for the applicants.
- D. In providing IV-D services, the CSEA and any of its contracted agents (e.g. prosecutor, attorneys, hearing officers, etc.) represent the best interest of the child of the State of Ohio and do not represent any IV-D recipient or the IV-D recipient's personal interest.

APPLICANT INFORMATION (INFORMATION ABOUT YOU)

Name	Date of Birth
Social Security Number (SSN)	Current Marital Status (check one) <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Deserted <input type="checkbox"/> Widowed

Type(s) of Service(s) Requested: All services listed _____ Location of absent parent only _____

Other (please explain):

I understand that the Child Support Agency-within 20 days of receiving this application will contact me by a written notice to inform me if my case has been accepted for child support services (IV-D Services).

Signature of Applicant	Date
------------------------	------

APPLICANT INFORMATION

Name:

Date of Birth:

Home Address:

Mailing Address:

Home Phone #

INFORMATION ON CHILDREN

	Child 1	Child 2	Child 3	Child 4
o. Name				
p. Sex				
q. SSN				
r. Date of Birth				
s. Name(s) of Absent Parent				
t. Has Paternity (Fatherhood) been established?				
u. Is there an order of support?				

ABSENT PARENT INFORMATION OR PARENT ORDER TO PAY CHILD SUPPORT

	Absent Parent #1	Absent Parent #2	Absent Parent #3
Name			
Address (City, State, Zip Code)			
SSN			
Date of Birth (DOB)			
Name of Employer			
Address of Employer (City, State, Zip Code)			
Amount of Support Ordered (wk, bi-wk, mo)			
Case Number on Support Order			
Date of Support Order			
Location Where Order Issued (City, State, Zip Code)			
Military Service Give Date and Branch Entered			
Arrest Record: Give date and place of Arrest			
If the absent parent on public			

assistance: date and place			
Give Name and address of Current Spouse of Absent Parent			

*Have you ever been on Public Assistance: _____ Yes _____ No

When:	Where:	County
FOR AGENCY USE ONLY		
Case Name	Date Requested	Date Mailed or Provided

JUVENILE COURT OF GUERNSEY COUNTY, OHIO

IN THE MATTER OF: _____

CASE NO. _____

Confidential Disclosure of Personal Identifiers

[Rule 45(D) of the Rules of Superintendence for the Courts of Ohio]

	<u>Complete Personal identifier</u>	<u>Institution</u>	<u>Abbreviation</u>	<u>Form No.</u>	<u>Filing Date</u>
Ex.	123-45-6789	Social Security	6789	22.3	6/2/09
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

Signature of Filing Party

Printed Name

Date

SCJC FORM (45(D))-CONFIDENTIAL DISCLOSURE OF PERSONAL IDENTIFIERS

PACKET #5

REQUEST FOR IMMEDIATE (EMERGENCY) ORDER

To file, the Plaintiff/Petitioner will need:

1. Verified Motion for Temporary Orders Ex Parte

Plaintiff/Petitioner will also need to file with the Motion above:

2. DR Form 20/Juvi Form 2 - Complaint to Allocate Parental Rights and Responsibilities, and Parenting Time, or DR Form 23/Juvi Form 5 - Motion for Change of Parenting Time (Companionship and Visitation), or DR Form 24/Juvi Form 6 - Motion for Change in Allocation of Parental Rights and Responsibilities
3. DR Form 28/Juvi Form 10 - Request for Service
4. DR Form 3 - Parenting Proceeding Affidavit
5. Application for Child Support Services (IV-d) (Local Rule)
6. SCJC Form 45(D) - Confidential Disclosure of Personal Identifiers
7. Copy of Child(ren) Birth Certificate(s) and/or DNA Results
8. Deposit - \$175,00 (cash, money order, or certified bank check)

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

IN THE MATTER OF:

(Name)

(Address)

(City, State, Zip)

(Telephone Number)

(Birth Date)

Plaintiff/Petitioner,

Case Number _____

VS.

(Name)

(Address)

(City, State, Zip)

(Telephone Number)

(Birth Date)

Defendant/Petitioner,

VERIFIED MOTION FOR TEMPORARY ORDERS EX PARTE

Now comes _____, and moves this Honorable Court for an Order designating him/her as the temporary, residential parent and legal custodian of the minor child(ren), *ex parte*, for the reasons set forth in the Memorandum below,

Verified Motion for Temporary Orders Ex Parte

_____ (Name of Child) ____/____/____ (Child's date of birth)

_____ (Name of Child) ____/____/____ (Child's date of birth)

_____ (Name of Child) ____/____/____ (Child's date of birth)

MEMORANDUM

Respectfully submitted,

STATE OF OHIO

SS:

COUNTY OF _____

VERIFICATION

The undersigned _____ being duly sworn, hereby states that the facts in the foregoing Verified Motion for Temporary Orders Ex Parte are true to the best of his/her knowledge and belief.

Notary Public

PACKET # 6

MOTION FOR CHANGE OF CHILD SUPPORT. MEDICAL SUPPORT. TAX EXEMPTION. OR OTHER CHILD. RELATED EXPENSES

To File, the Plaintiff/Petitioner will need:

1. DR Form 25/Juvi Form 7 - Motion For Change Of Child Support, Medical Support, Tax Exemption, Or Other Child-Related Expenses
2. DR Form 28/Juvi Form 10 - Request for Service
3. Copy of the most current Administrative Order of Child Support (you will need to get this form from the Guernsey county child Support Enforcement Agency)
4. Deposit - \$150.00 (cash, money order, or certified bank check)

IN THE COURT OF COMMON PLEAS

Division

COUNTY, OHIO

IN THE MATTER OF:

A Minor

Name

Case No.

Street Address

Judge

City, State and Zip Code

Plaintiff/Petitioner

Magistrate

vs.

Name

Street Address

City, State and Zip Code

Defendant/Petitioner

Instructions: This form is used to request a change in the child support or child support-related matters. A Request for Service (Uniform Domestic Relations Form 28) and an Affidavit of Income and Expenses (Uniform Domestic Relations Form–Affidavit 1) must be filed with this Motion.

**MOTION FOR CHANGE OF CHILD SUPPORT, MEDICAL SUPPORT,
TAX EXEMPTION, OR OTHER CHILD-RELATED EXPENSES
AND MEMORANDUM IN SUPPORT**

I, _____ (name), request this Court change my obligation to provide support or my right to receive support for the minor child(ren) as follows (check all that apply):

1. ☐ The amount of child support to be paid each month. The change I want the Court to order is:

2. ☐ The person responsible for providing health insurance for the child(ren). The change I want the Court to order is: _____

3. ☐ The amount of non-insured health care expenses of the minor child(ren) that I have to pay. The change I want the Court to order is: _____

4. ☐ The person who can claim the child(ren) as tax dependents. The change I want the Court to order is: _____

5. ☐ Other child-related expenses. The change I want the Court to order is: _____

6. The circumstances have changed since the Court issued the existing order. The change in circumstances and any other reason for the requested change are as follows: _____

7. I believe that the requested changes are in the child(ren)'s best interests.

Your Signature

Telephone number at which the Court may reach you
or at which messages may be left for you

IN THE COURT OF COMMON PLEAS

Division

COUNTY, OHIO

IN THE MATTER OF:

A Minor

Name

Case No.

Street Address

Judge

City, State and Zip Code

Plaintiff/Petitioner

Magistrate

vs./and

Name

Street Address

City, State and Zip Code

Defendant/Petitioner

Instructions: This form is used when you want to request documents to be served on the other party. You must indicate the requested method of service by marking the appropriate box.

REQUEST FOR SERVICE

TO THE CLERK OF COURT:

Please serve the following documents on the following parties as I have indicated below:

☐ Defendant/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

☐ Plaintiff/Petitioner at the address shown above.

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

☐ _____ County Child Support Enforcement Agency (provide address below):

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

☐ Other (address): _____

☐ Certified Mail, Return Receipt Requested

☐ Issuance to Sheriff of _____ County, Ohio for ☐ Personal or ☐ Residence service

☐ Other (specify) _____

SPECIAL INSTRUCTIONS TO SHERIFF:

Your Signature

FORM 17

SHARED PARENTING PLAN

IN THE COURT OF COMMON PLEAS

Division

COUNTY, OHIO

IN THE MATTER OF:

A Minor

Plaintiff/Petitioner

Street Address

City, State and Zip Code

vs./and

Defendant/Petitioner

Street Address

City, State and Zip Code

Case No.

Judge

Magistrate

Instructions: The Parenting Time Schedule must be attached to this Plan. Parents are urged to consult the Planning for Parenting Time Guide: Ohio's Guide for Parents Living Apart available at <http://www.supremecourt.ohio.gov/Publications/JCS/parentingGuide.pdf>.

SHARED PARENTING PLAN

We, the parents, _____, "Father", and _____, "Mother",
have _____ (number) child(ren) born from or adopted during the marriage or relationship.
Of the child(ren), _____ (number) is/are emancipated adult(s) and not under any disability,
and the following _____ (number) child(ren) are minor child(ren) and/or mentally or physically
disabled child(ren) incapable of supporting or maintaining themselves (name and date of birth of each
child): _____

The parents agree to the care, parenting, and control of their child(ren) as provided in this Shared Parenting Plan.

FIRST: PARENTS' RIGHTS

The parents shall have:

- A. The right to participate in major decisions concerning the child(ren)'s health, social situation, morals, welfare, education, and economic environment.
- B. The right to reasonable telephone contact with the child(ren) when they are with the other parent.
- C. The right to participate in the selection of doctors, psychologists, psychiatrists, hospitals, and other health care providers for the child(ren).
- D. The right to authorize medical, surgical, hospital, dental, institutional, psychological and psychiatric care for the child(ren) and obtain a second opinion regarding medical conditions or treatment.
- E. The right to be notified in case of an injury to or illness of the child(ren).
- F. The right to be present with the child(ren) at medical, dental and other health-related examinations and treatments, including, but not limited to psychological and psychiatric care.
- G. The right to inspect and receive the child(ren)'s medical and dental records and the right to consult with any treating physician, dentist and/or other health care provider, including but not limited to psychologists and psychiatrists.
- H. The right to consult with school officials concerning the child(ren)'s welfare and educational status, and the right to inspect and receive the child(ren)'s student records to the extent permitted by law.
- I. The right to receive copies of all school reports, calendars of school events, notices of parent-teacher conferences, and school programs.
- J. The right to attend and participate in parent-teacher conferences, school trips, school programs, and other school activities in which parents are invited to participate.
- K. The right to attend and participate with the child(ren) in athletic programs and other extracurricular activities.
- L. The right to receive notice of the other parent's intention to relocate.

SECOND: ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES

A. General Responsibilities

Each parent shall take all measures necessary to foster respect and affection between the child(ren) and the other parent. Neither parent shall do anything that may estrange the child(ren) from the other parent, or impair the child(ren)'s high regard for the other parent.

B. Medical Responsibilities

A parent shall notify the other parent promptly if a child experiences a serious injury, has a serious or chronic illness, or receives treatment in an emergency room or hospital. A parent shall notify the other parent of the emergency, the child's status, locale, and any other pertinent information as soon as practical, but in any event within 24 hours.

The parents shall consult with each other about the child(ren)'s medical care needs and each shall immediately notify the other parent about all major non-emergency medical decisions before authorizing a course of treatment. Parents have a right to know the necessity for treatment, proposed cost, and proposed payment schedule. Each parent may also secure an independent evaluation at his/her expense to determine the necessity for treatment. If the parties cannot agree regarding a course of treatment, the ☐ Father's ☐ Mother's (select one) decision shall control. The parents shall provide the other with the names and telephone numbers of all health care providers for the child(ren).

C. Both parents have shared parenting of the child(ren) as specified in this Plan. Each parent, regardless of where an individual child is residing at a particular point in time, as specified in this Plan, is the "residential parent", "the residential parent and legal custodian", or the "custodial parent" of that child.

D. Parenting Time Schedule

Unless otherwise agreed, the parents shall have parenting time with the child(ren) according to the attached Parenting Time Schedule, which shows the times that the child(ren) shall be with each parent on weekdays, weekends, holidays, and vacation times.

(The Parenting Time Schedule must be attached to this Plan.)

E. School Designation

Father shall be designated as the residential parent for school attendance and enrollment purposes of the following child(ren): _____

Mother shall be designated as the residential parent for school attendance and enrollment

purposes of the following child(ren): _____

In the event that a change in schools is being considered, after consultation with the other parent:

☐ Father is authorized to change school placement of the following child(ren): _____

☐ Mother is authorized to change school placement of the following child(ren): _____

☐ Without a written agreement or court order, neither parent is authorized to change school placement of the following child(ren): _____

F. Other orders: _____

G. Public Benefits

Father shall be designated as the residential parent for receipt of public benefits purposes of the following child(ren): _____

Mother shall be designated as the residential parent for receipt of public benefits purposes of the following child(ren): _____

H. This designation of a particular parent as the residential parent for the purposes of determining the school attendance and enrollment of the child(ren) or the receipt of public benefits of the child(ren) does not affect the designation of each parent as the "residential parent," "residential parent and legal custodian," or the "custodial parent of the child(ren)".

I. Transportation (select one):

☐ Each parent shall be responsible for providing transportation for the child(ren) at the beginning of his/her parenting period. Each parent shall be responsible for providing transportation for the child(ren) to and from school and activities during his/her parenting period.

☐ We agree to the following arrangements for providing transportation for our child(ren) at the beginning, during, or end of a parenting period: _____

J. Current Address and Telephone Number

Father's current home address and telephone number, including cellular telephone number:

Mother's current home address and telephone number, including cellular telephone number:

K. Relocation Notice

Pursuant to section 3109.051(G) of the Revised Code:

If either of the residential parents intends to move to a residence other than the residence specified in the court order, the parent shall file a notice of intent to relocate with this Court. Except as provided in divisions (G)(2), (3), and (4) of section 3109.051 of the Revised Code, the Court shall send a copy of the notice to the other parent. Upon receipt of the notice, the Court, on its own motion or the motion of the nonmoving parent, may schedule a hearing with notice to both parents to determine whether it is in the best interests of the child(ren) to revise the parenting time schedule for the child(ren).

Each residential parent shall inform in writing the Court and the other parent of changes in address and telephone, including cellular telephone number, unless otherwise provided by court order.

The relocation notice must be filed with the Court granting the allocation of parental rights and responsibilities (name and address of Court): _____

L. Records Access Notice

Pursuant to sections 3109.051(H) and 3319.321(B)(5)(a) of the Revised Code:

Subject to sections 3125.16 and 3319.321(F) of the Revised Code, each parent is entitled to access to any record that is related to the child(ren), under the same terms and conditions as the other parent unless otherwise restricted. Any keeper of a record who knowingly fails to comply with any record order is in contempt of court.

Restrictions or limitations:

☐ None

☐ Restrictions or limitations to records access are as follows: _____

M. Day Care Access Notice

Pursuant to section 3109.051(I) of the Revised Code:

In accordance with section 5104.11 of the Revised Code, each parent is entitled to access to any day care center that is or will be attended by the child(ren) unless otherwise restricted.

Restrictions or limitations:

☐ None

☐ Restrictions or limitations to day care access are as follows: _____

N. School Activities Access Notice

Pursuant to section 3109.051(J) of the Revised Code:

Subject to section 3319.321(F), each parent is entitled to access to any student activity that is related to the child(ren) and to which the residential parent is legally provided access, under the same terms and conditions as the residential parent. Any school employee or official who knowingly fails to comply with this school activities access order is in contempt of court.

Restrictions or limitations:

☐ None

☐ Restrictions or limitations to school activities access are as follows: _____

THIRD: HEALTH INSURANCE COVERAGE.

As required by law, the parties have completed a Child Support Worksheet, which is attached to

and incorporated in this Agreement.

Select one:

A. ☐ Health Insurance Coverage Available to at Least One Parent

1. Private health insurance coverage is accessible and reasonable in cost through a group policy, contract, or plan to: ☐ Father ☐ Mother ☐ Both parents. ☐ Father ☐ Mother ☐ Both parents shall provide private health insurance coverage for the benefit of the child(ren).
2. If both parents are ordered to provide private health insurance coverage for the benefit of the child(ren), ☐ Father's ☐ Mother's health insurance plan shall be considered the primary health insurance plan for the child(ren).
3. The parent required to provide private health insurance coverage shall provide proof of insurance to the _____ County Child Support Enforcement Agency (CSEA) and the other parent.
4. Both parents shall cooperate in the preparation of insurance forms to obtain reimbursement or payment of expenses, as applicable. A copy of medical bills must be submitted to the party holding the insurance and responsible for payment or the other parent within 30 days of receipt.
5. Should the health insurance coverage be cancelled for any reason, the parent ordered to maintain insurance shall immediately notify the other parent and take immediate steps to obtain replacement coverage. Unless the cancellation was intentional, the uncovered expenses shall be paid as provided above. If the cancellation was intentionally caused by the parent ordered to maintain insurance coverage, that parent shall be responsible for all medical expenses that would have been covered had the insurance been in effect.

B. ☐ Health Insurance Coverage Unavailable to Either Parent

1. Private health insurance coverage is **not** accessible and reasonable in cost through a group policy, contract, or plan to either parent.
2. If private health insurance coverage becomes available to either parent at reasonable cost, he/she will immediately obtain the insurance, notify the other parent and the _____ County CSEA, and submit to the other parent proof of insurance, insurance forms, and an insurance card. The CSEA shall determine whether the cost of the insurance is of sufficient amount to justify an administrative review of the amount of child support payable. In the event an administrative review is warranted, one shall be conducted.

C. Division of Uninsured Expenses

1. The cost of any uninsured medical expenses, incurred by or on behalf of the child(ren) not paid by a health insurance plan and exceeding \$100 per child per year, including co-payments and deductibles, shall be paid by the parents as follows:

_____ % by Father _____ % by Mother.

The first \$100 per child per year shall be paid by Mother for the following child(ren): _____

The first \$100 per child per year shall be paid by Father for the following child(ren): _____

Other orders regarding payment of uninsured medical expenses: _____

2. The parent incurring the expenses shall provide the other parent the original or copies of all medical bills, and Explanation of Benefits (EOB), if available, within 30 days of the date on the bill or EOB, whichever is later, absent extraordinary circumstances. The other parent shall, within 30 days of receipt of the bill, reimburse the parent incurring the expenses or pay directly to the health care provider that parent's percentage share of the bill as shown above.

D. Other Important Information about Medical Records and Expenses

1. Each party shall have access to all medical records of the child(ren) as provided by law.
2. The term "medical expense" or "medical records" shall include but not be limited to medical, dental, orthodontic, optical, surgical, hospital, major medical, psychological, psychiatric, outpatient, doctor, therapy, counseling, prosthetic, and/or all other expenses/records including preventative health care expenses/records related to the treatment of the human body and mind.

FOURTH: CHILD SUPPORT

As required by law, the parties have completed a Child Support Worksheet, which is attached to and incorporated in this Agreement.

A. Child Support with Private Health Insurance Coverage

When private health insurance coverage is being provided for the child(ren), ☐ Father

☐ Mother, Obligor, shall pay child support in the amount of \$ _____ per child per month, for _____ (number) child(ren) for a total of \$ _____ per month.

B. Child Support without Private Health Insurance Coverage

When private health insurance coverage is **not** available for the benefit of the child(ren),

☐ Father ☐ Mother, the Obligor, shall pay child support in the amount of \$_____ per child per month and \$_____ per child per month as cash medical support.

The total of child support and cash medical support for _____ (number) child(ren) is \$_____ per month.

C. Child Support Payment

The child support payment (including cash medical support, if any) plus a 2% processing charge shall commence on _____ and shall be paid to the Ohio Child Support Payment Center, P. O. Box 182372, Columbus, Ohio 43218-2372, as administered through the _____ County Child Support Enforcement Agency (CSEA) by income withholding at Obligor's place of employment or from nonexempt funds on deposit at a financial institution.

D. Deviation of Child Support Amount

The child support amount agreed upon is different than the amount calculated on the attached Child Support Worksheet because the amount calculated on the Worksheet would be unjust or inappropriate and would not be in the best interests of the child(ren) for the following reason(s) as provided in R.C. 3119.22, 3119.23, 3119.24 and shall be adjusted as follows: _____

☐ Special and unusual needs of the child(ren) as follows: _____

☐ Extraordinary obligations for child(ren) or obligations for handicapped child(ren) who is/are not stepchild(ren) and who are not offspring from the marriage or relationship that is the basis of the immediate child support determination as follows: _____

☐ Other court-ordered payments as follows: _____

☐ The Obligor obtained additional employment after a child support order was issued to support a second family as follows: _____

☐ Extended parenting time or extraordinary costs associated with parenting time, provided that this division does not authorize and shall not be construed as authorizing any deviation from the schedule and the applicable worksheet, through the line establishing the actual annual obligation, or any escrowing, impoundment, or withholding of child support because of a denial of or interference with a right of parenting time granted by court order as follows: _____

☐ The financial resources and the earning ability of the child(ren) as follows: _____

☐ Disparity in income between parents or households as follows: _____

☐ Benefits that either parent receives from remarriage or sharing living expenses with another person as follows: _____

☐ The amount of federal, state, and local taxes actually paid or estimated to be paid by a parent or both of the parents as follows: _____

☐ Significant, in-kind contributions from a parent, including, but not limited to, direct payment for lessons, sports equipment, schooling, or clothing as follows: _____

☐ The relative financial resources, other assets and resources, and needs of each parent as

follows: _____

☐ The standard of living and circumstances of each parent and the standard of living the child(ren) would have enjoyed had the marriage continued or had the parents been married as follows:

☐ The physical and emotional condition and needs of the child(ren) as follows: _____

☐ The need and capacity of the child(ren) for an education and the educational opportunities that would have been available to the child(ren) had the circumstances requiring a court order for support not arisen as follows: _____

☐ The responsibility of each parent for the support of others as follows: _____

☐ Any other relevant factor: _____

E. Duration of Child Support.

The child support order will terminate upon the child's 18th birthday unless one of the following circumstances applies:

- The child is mentally or physically disabled and incapable of supporting or maintaining himself or herself.
- The parents have agreed to continue child support beyond the date it would otherwise terminate, as set out below.
- The child continuously attends a recognized and accredited high school on a full-time basis so long as the child has not as yet reached the age of 19 years old. (Under these circumstances, child support will end at the time the child ceases to attend a recognized and accredited high school on a full-time basis or when he or she reaches the age of 19, whichever occurs first.)

This Support Order will remain in effect during seasonal vacation periods until the order terminates. The parents agree that child support will extend beyond the time when it would otherwise end. The terms and conditions of that agreement are as follows: _____

The parents have (a) child(ren) who is/are mentally or physically disabled and incapable of supporting or maintaining themselves. The name of the child(ren) and the nature of the mental or physical disability are as follows: _____

F. Important Child Support Orders and Information

Obligee must immediately notify and Obligor may notify the CSEA of any reason for which the support order should terminate. A willful failure to notify the CSEA as required is contempt of court. The following are reasons for termination of the Order:

- Child's attainment of the age of majority if the child no longer attends an accredited high school on a full-time basis and the support order does not provide for the duty of support to continue past the age of majority
- Child stops attending an accredited high school on a full-time basis after attaining the age of Majority
- Child's death
- Child's marriage
- Child's emancipation
- Child's enlistment in the Armed Services
- Child's deportation
- Change of legal custody of the child

All support payments must be made through the CSEA or the office of child support in the Ohio Department of Job and Family Services (Child Support Payment Central). Any payment of money not made through the CSEA will be presumed to be a gift, unless the payment is made to discharge an obligation other than support.

All support under this Order shall be withheld or deducted from the income or assets of the Obligor pursuant to a withholding or deduction notice or appropriate order issued in accordance with

Chapters 3119., 3121., 3123., and 3125. of the Revised Code or a withdrawal directive issued pursuant to sections 3123.24 to 3123.38 of the Revised Code and shall be forwarded to the Obligee in accordance with Chapters 3119., 3121., 3123., and 3125. of the Revised Code.

The Obligor and/or Obligee required under this Order to provide private health insurance coverage for the child(ren) is also required to provide the other party within 30 days after the issuance of the Order, the following:

- Information regarding the benefits, limitations, and exclusions of the health insurance coverage
- Copies of any insurance form necessary to receive reimbursement, payment, or other benefits under the coverage
- A copy of any necessary health insurance cards

The Health Plan Administrator that provides the private health insurance coverage for the child(ren) may continue making payment for medical, optical, hospital, dental, or prescription services directly to any health care provider in accordance with the applicable private health insurance policy, contract, or plan.

The Obligor and/or Obligee required to provide private health insurance for the child(ren) must designate said child(ren) as dependents under any private health insurance policy, contract, or plan for which the person contracts.

The employer of the person required to provide private health insurance coverage is required to release to the other parent, any person subject to an order issued under section 3109.19 of the Revised Code, or the CSEA, upon written request, any necessary information regarding health insurance coverage, including the name and address of the health plan administrator and any policy, contract, or plan number, and the employer will otherwise comply with all orders and notices issued.

If the person required to obtain private health insurance coverage for the child(ren) subject to this Support Order obtains new employment, the agency shall comply with the requirements of section 3119.34 of the Revised Code, which may result in the issuance of a notice requiring the new employer to take whatever action is necessary to enroll the child(ren) in private health insurance coverage provided by the new employer.

Upon receipt of notice by the CSEA that private health insurance coverage is not available at a reasonable cost, cash medical support shall be paid in the amount as determined by the child support computation worksheets in section 3119.022 or 3119.023 of the Revised Code, as applicable. The CSEA may change the financial obligations of the parties to pay child support in accordance with the terms of the court or administrative order and cash medical support without a

hearing or additional notice to the parties.

An Obligor that is in arrears in his/her child support obligation is subject to having any federal, state and/or local income tax refund to which the Obligor may be entitled forwarded to the CSEA for payment toward these arrears. Such refunds will continue to be forwarded to the CSEA for payment until all arrears owed are paid in full. If the Obligor is married and files a joint tax return, the Obligor's spouse may contact the CSEA about filing an "Injured Spouse" claim after the Obligor is notified by the Internal Revenue Service that his/her refund is being forwarded to the CSEA.

Pursuant to section 3121.29 of the Revised Code, the parties are notified as follows:

EACH PARTY TO THIS SUPPORT ORDER MUST NOTIFY THE CHILD SUPPORT AGENCY IN WRITING OF HIS OR HER CURRENT MAILING ADDRESS, CURRENT RESIDENCE ADDRESS, CURRENT RESIDENCE TELEPHONE NUMBER, CURRENT DRIVER'S LICENSE NUMBER AND OF ANY CHANGES IN THAT INFORMATION. EACH PARTY MUST NOTIFY THE AGENCY OF ALL CHANGES UNTIL FURTHER NOTICE FROM THE COURT. IF YOU ARE THE OBLIGOR UNDER A CHILD SUPPORT ORDER AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY BE FINED UP TO \$50.00 FOR A FIRST OFFENSE, \$100.00 FOR A SECOND OFFENSE, AND \$500.00 FOR EACH SUBSEQUENT OFFENSE. IF YOU ARE AN OBLIGOR OR OBLIGEE UNDER ANY SUPPORT ORDER AND YOU WILLFULLY FAIL TO MAKE THE REQUIRED NOTIFICATIONS YOU MAY BE SUBJECTED TO FINES OF UP TO \$1,000.00 AND IMPRISONMENT FOR NOT MORE THAN 90 DAYS.

IF YOU ARE AN OBLIGOR AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY NOT RECEIVE NOTICE OF THE FOLLOWING ENFORCEMENT ACTIONS AGAINST YOU: IMPOSITION OF LIENS AGAINST YOUR PROPERTY; LOSS OF YOUR PROFESSIONAL OR OCCUPATIONAL LICENSE, DRIVER'S LICENSE, OR RECREATIONAL LICENSE; WITHHOLDING FROM YOUR INCOME; ACCESS RESTRICTIONS AND DEDUCTIONS FROM YOUR ACCOUNTS IN FINANCIAL INSTITUTIONS; AND ANY OTHER ACTION PERMITTED BY LAW TO OBTAIN MONEY FROM YOU AND TO SATISFY YOUR SUPPORT OBLIGATION.

G. Payment shall be made in accordance with Chapter 3121. of the Revised Code.

H. Arrearage

☐ Any temporary child support arrearage will survive this judgment entry.

☐ Any temporary child support arrearage will not survive this judgment entry.

☐ Other: _____

FIFTH: TAX EXEMPTIONS

Income tax dependency exemptions (check all that apply):

- A. ☐ The Father shall be entitled to claim the following minor child(ren) for all tax purposes for
☐ even-numbered tax years ☐ odd-numbered tax years ☐ all eligible tax years, so long as he
is substantially current in any child support he is required to pay as of December 31 of the tax year
in question: _____

- ☐ The Mother shall be entitled to claim the following minor child(ren) for all tax purposes for
☐ even-numbered tax years ☐ odd-numbered tax years ☐ all eligible tax years, so long as she
is substantially current in any child support she is required to pay as of December 31 of the tax year
in question: _____

- B. ☐ Other orders regarding tax exemptions (specify): _____

If a non-residential parent is entitled to claim the child(ren), the residential parent is required to execute and deliver Internal Revenue Service Form 8332, or its successor, together with any other required forms as set out in section 152 of the Internal Revenue Code, as amended, on or before February 15th of the year following the tax year in question, to allow the non-residential parent to claim the child(ren).

SIXTH: MODIFICATION

This Shared Parenting Plan may be modified by agreement of the parties or by the Court.

SEVENTH: OTHER

Upon approval by the Court, this Shared Parenting Plan shall be incorporated in the Judgment Entry.

Your Signature (Father)

Your Signature (Mother)

Date

Date

FORM 18

PARENTING PLAN

The parents agree to the care, parenting, and control of their child(ren) as provided in this Parenting Plan.

FIRST: PARENTS' RIGHTS

We, the parents, shall have, unless limited:

- A. The right to reasonable telephone contact with the child(ren) when they are with the other parent.
- B. The right to be notified in case of an injury to or illness of the minor child(ren).
- C. The right to inspect and receive the minor child(ren)'s medical and dental records and the right to consult with any treating physician, dentist and/or other health care provider, including but not limited to psychologists and psychiatrists.
- D. The right to consult with school officials concerning the minor child(ren)'s welfare and educational status, and the right to inspect and receive the child(ren)'s student records to the extent permitted by law.
- E. The right to receive copies of all school reports, calendars of school events, notices of parent-teacher conferences, and school programs.
- F. The right to attend and participate in parent-teacher conferences, school trips, school programs, and other school activities in which parents are invited to participate.
- G. The right to attend and participate with the child(ren) in athletic programs and other extracurricular activities.

SECOND: ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES

A. General Responsibilities

Each parent shall take all measures necessary to foster respect and affection between the child(ren) and the other parent. Neither parent shall do anything that may estrange the child(ren) from the other parent, or impair the child(ren)'s high regard for the other parent.

B. Medical Responsibilities

The parents shall notify the other parent promptly if a child experiences a serious injury, has a serious or chronic illness, or receives treatment in an emergency room or hospital. The notification shall include the emergency, the child's status, locale, and any other pertinent information as soon as practical, but in any event within 24 hours.

The parents shall consult with each other about the minor child(ren)'s medical care needs and the residential parent shall immediately notify the other parent about all major non-emergency medical decisions before authorizing a course of treatment. Parents have a right to know the necessity for treatment, proposed cost, and proposed payment schedule. Each parent may also secure an independent evaluation at his/her expense to determine the necessity for treatment. If the parties cannot agree regarding a course of treatment, the residential parent's decision shall control. The parents shall provide the other with the names and telephone numbers of all health care providers for the child(ren).

C. Residential Parent and Legal Custodian

☐ Father shall be the residential parent and legal custodian of the following child(ren):

☐ Mother shall be the residential parent and legal custodian of the following child(ren):

D. Parenting Time Schedule

Unless otherwise agreed, the parents shall have parenting time with the child(ren) according to the attached Parenting Time Schedule that shows the times that the child(ren) shall be with each parent on weekdays, weekends, holidays, and vacation times.

(The Parenting Time Schedule must be attached to this Plan.)

E. Transportation (select one):

☐ Each parent shall be responsible for providing transportation for the child(ren) at the beginning of his/her parenting period. Each parent shall be responsible for providing transportation for the child(ren) to and from school and activities during his/her parenting period.

☐ We agree to the following arrangements for providing transportation for our child(ren) at the beginning, during, or end of a parenting period: _____

F. Current Address and Telephone Number

Father's current home address and telephone number, including cellular telephone number:

Mother's current home address and telephone number, including cellular telephone number:

G. Relocation Notice

Pursuant to section 3109.051(G) of the Revised Code:

If the residential parent intends to move to a residence other than the residence specified in the court order, the parent shall file a notice of intent to relocate with this Court. Except as provided in divisions (G)(2), (3), and (4) of section 3109.051 of the Revised Code, the Court shall send a copy of the notice to the parent who is not the residential parent. Upon receipt of the notice, the Court, on its own motion or the motion of the parent who is not the residential parent, may schedule a hearing with notice to both parents to determine whether it is in the best interests of the child(ren) to revise the parenting time schedule for the child(ren).

☐ The non-residential parent shall inform in writing the Court and the other parent of changes in address and telephone, including cellular telephone number, unless otherwise provided by court order.

The relocation notice must be filed with the Court granting the allocation of parental rights and responsibilities (name and address of the Court):

H. Records Access Notice

Pursuant to sections 3109.051(H) and 3319.321(B)(5)(a) of the Revised Code:

Subject to sections 3125.16 and 3319.321(F) of the Revised Code, the parent who is not the residential parent is entitled to access to any record that is related to the child(ren), and to which the residential parent is legally provided access under the same terms and conditions as the residential parent. Any keeper of a record who knowingly fails to comply with any record access order is in contempt of court.

Restrictions or limitations:

☐ None

☐ Restrictions or limitations to non-residential parents regarding records access are as follows:

I. Day Care Access Notice

Pursuant to section 3109.051(I) of the Revised Code:

In accordance with section 5104.11 of the Revised Code, the parent who is not the residential parent is entitled to access to any day care center that is or will be attended by the child(ren) with whom parenting time is granted, to the same extent that the residential parent is granted access to the center.

Restrictions or limitations:

☐ None

☐ Restrictions or limitations to non-residential parents regarding day care access are as follows:

J. School Activities Access Notice

Pursuant to section 3109.051(J) of the Revised Code:

Subject to section 3319.321(F), the parent who is not the residential parent is entitled to access to any student activity that is related to the child(ren) and to which the residential parent is legally provided access, under the same terms and conditions as the residential parent. Any school employee or official who knowingly fails to comply with this school activities access order is in contempt of court.

Restrictions or limitations:

☐ None

☐ Restrictions or limitations to non-residential parents regarding school activities access are as follows:

THIRD: HEALTH INSURANCE COVERAGE

As required by law, the parties have completed a Child Support Worksheet, which is attached to and incorporated in this Agreement.

Select one:

A. ☐ Health Insurance Coverage Available to at Least One Parent

1. Private health insurance coverage is accessible and reasonable in cost through a group policy, contract, or plan to: ☐ Father ☐ Mother ☐ Both parents. ☐ Father ☐ Mother ☐ Both parents shall provide private health insurance coverage for the benefit of the child(ren).
 2. If both parents are ordered to provide private health insurance coverage for the benefit of the child(ren), ☐ Father's ☐ Mother's health insurance plan shall be considered the primary health insurance plan for the child(ren).
 3. The parent required to provide private health insurance coverage shall provide proof of insurance to the _____ County Child Support Enforcement Agency (CSEA) and the other parent.
 4. Both parents shall cooperate in the preparation of insurance forms to obtain reimbursement or payment of expenses, as applicable. A copy of medical bills must be submitted to the party holding the insurance and responsible for payment or the other parent within 30 days of receipt.
 5. Should the health insurance coverage be cancelled for any reason, the parent ordered to maintain insurance shall immediately notify the other parent and take immediate steps to obtain replacement coverage. Unless the cancellation was intentional, the uncovered expenses shall be paid as provided above. If the cancellation was intentionally caused by the parent ordered to maintain insurance coverage, that parent shall be responsible for all medical expenses that would have been covered had the insurance been in effect.
- B. ☐ Health Insurance Coverage Unavailable to Either Parent
1. Private health insurance coverage is **not** accessible and reasonable in cost through a group policy, contract, or plan to either parent.
 2. If private health insurance coverage becomes available to either parent at reasonable cost, he/she will immediately obtain the insurance, notify the other parent and the _____ County CSEA, and submit to the other parent proof of insurance, insurance forms, and an insurance card. The CSEA shall determine whether the cost of the insurance is of sufficient amount to justify an administrative review of the amount of child support payable. In the event an administrative review is warranted, one shall be conducted.
- C. Division of Uninsured Expenses
1. The cost of any uninsured medical expenses, incurred by or on the behalf of the child(ren) not paid by a health insurance plan, and exceeding \$100 per child per year, including co-payments and deductibles, shall be paid by the parents as follows:

_____ % by Father _____ % by Mother.

The first \$100 per child per year of uninsured expenses shall be paid by the residential parent.

Other orders regarding payment of uninsured medical expenses: _____

2. The parent incurring the expenses shall provide the other parent the original or copies of all medical bills, and Explanation of Benefits (EOB), if available, within 30 days of the date on the bill or EOB, whichever is later, absent extraordinary circumstances. The other parent shall, within 30 days of receipt of the bill, reimburse the parent incurring the expenses or pay directly to the health care provider that parent's percentage share of the bill as shown above.
- D. Other Important Information about Medical Records and Expenses
1. Each party shall have access to all medical records of the child(ren) as provided by law.
 2. The term "medical expense" or "medical records" shall include but not be limited to medical, dental, orthodontic, optical, surgical, hospital, major medical, psychological, psychiatric, outpatient, doctor, therapy, counseling, prosthetic, and/or all other expenses/records including preventative health care expenses/records related to the treatment of the human body and mind.

FOURTH: CHILD SUPPORT

As required by law, the parties have completed a Child Support Worksheet, which is attached to and incorporated in this Agreement.

- A. Child Support with Private Health Insurance Coverage
- When private health insurance coverage is being provided for the child(ren), ☐ Father ☐ Mother, Obligor, shall pay child support in the amount of \$_____ per child per month, for _____ (number) of child(ren) for a total \$_____ per month.
- B. Child Support without Private Health Insurance Coverage
- When private health insurance coverage is **not** available for the child(ren), ☐ Father ☐ Mother, the Obligor, shall pay child support in the amount of \$_____ per child per month and \$_____ per child per month as cash medical support. The total child support and cash medical support for _____ (number) of child(ren) is \$_____ per month.
- C. Child Support Payment
- Child support payment (including cash medical support, if any) plus a 2% processing charge shall

commence on _____ and shall be paid to the Ohio Child Support Payment Center, P. O. Box 182372, Columbus, Ohio 43218-2372, as administered through the _____ County Child Support Enforcement Agency (CSEA) by income withholding at Obligor's place of employment or from nonexempt funds on deposit at a financial institution.

D. Deviation of Child Support Amount

The child support amount agreed upon is different than the amount calculated on the attached Child Support Worksheet, because the amount calculated on the Worksheet would be unjust or inappropriate and would not be in the best interests of the child(ren) for the following reason(s) as provided in R.C. 3119.22, 3119.23, and 3119.24 and shall be adjusted as follows: _____

☐ Special and unusual needs of the child(ren) as follows: _____

☐ Extraordinary obligations for minor child(ren) or obligations for handicapped child(ren) who is/are not stepchild(ren) and who are not offspring from the marriage or relationship that is the basis of the immediate child support determination as follows: _____

☐ Other court-ordered payments as follows: _____

☐ The Obligor obtained additional employment after a child support order was issued to support a second family as follows: _____

☐ Extended parenting time or extraordinary costs associated with parenting time, provided that this division does not authorize and shall not be construed as authorizing any deviation from the schedule and the applicable worksheet, through the line establishing the actual annual obligation, or any escrowing, impoundment, or withholding of child support because of a denial of or interference with a right of parenting time granted by court order as follows: _____

☐ The financial resources and the earning ability of the child(ren) as follows: _____

☐ Disparity in income between parents or households as follows: _____

☐ Benefits that either parent receives from remarriage or sharing living expenses with another person as follows: _____

☐ The amount of federal, state, and local taxes actually paid or estimated to be paid by a parent or both of the parents as follows: _____

☐ Significant, in-kind contributions from a parent, including, but not limited to, direct payment for lessons, sports equipment, schooling, or clothing as follows: _____

☐ The relative financial resources, other assets and resources, and needs of each parent as follows: _____

☐ The standard of living and circumstances of each parent and the standard of living the child(ren) would have enjoyed had the marriage continued or had the parents been married as follows: _____

☐ The physical and emotional condition and needs of the child(ren) as follows: _____

☐ The need and capacity of the child(ren) for an education and the educational opportunities that would have been available to the child(ren) had the circumstances requiring a court order for support not arisen as follows: _____

☐ The responsibility of each parent for the support of others as follows: _____

☐ Any other relevant factor: _____

E. Duration of Child Support.

The child support order will terminate upon the child's 18th birthday unless one of the following circumstances applies:

- The child is mentally or physically disabled and incapable of supporting or maintaining himself or herself.
- The parents have agreed to continue child support beyond the date it would otherwise terminate as set out below.
- The child continuously attends a recognized and accredited high school on a full-time basis so long as the child has not, as yet, reached the age of 19 years old. (Under these circumstances, child support will end at the time the child ceases to attend a recognized and accredited high school on a full-time basis or when he or she reaches the age of 19, whichever occurs first.)

This Support Order will remain in effect during seasonal vacation periods until the order terminates.

The parents agree that child support will extend beyond when it would otherwise end. The terms and conditions of that agreement are as follows: _____

The parents have (a) child(ren) who is/are mentally or physically disabled and incapable of supporting or maintaining themselves. The name of the child and the nature of the mental or physical disability are as follows: _____

F. Important Child Support Orders and Information.

Obligee must immediately notify and Obligor may notify the CSEA of any reason for which the support order should terminate. A willful failure to notify the CSEA as required is contempt of court. The following are reasons for termination of the Order:

- Child's attainment of the age of majority if the child no longer attends an accredited high school on a full-time basis and the support order does not provide for the duty of support to continue

past the age of majority

- Child stops attending an accredited high school on a full-time basis after attaining the age of majority
- Child's death
- Child's marriage
- Child's emancipation
- Child's enlistment in the Armed Services
- Child's deportation
- Change of legal custody of the child

All support payments must be made through the CSEA or the office of child support in the Ohio Department of Job and Family Services (Child Support Payment Central). Any payment of money not made through the CSEA will be presumed to be a gift, unless the payment is made to discharge an obligation other than support.

All support under this Order shall be withheld or deducted from the income or assets of the Obligor pursuant to a withholding or deduction notice or appropriate order issued in accordance with Chapters 3119., 3121., 3123., and 3125. of the Revised Code or a withdrawal directive issued pursuant to sections 3123.24 to 3123.38 of the Revised Code and shall be forwarded to the Obligee in accordance with Chapters 3119., 3121., 3123., and 3125. of the Revised Code.

The Obligor and/or Obligee required under this Order to provide private health insurance coverage for the child(ren) is also required to provide the other party within 30 days after the issuance of the Order, the following:

- Information regarding the benefits, limitations, and exclusions of the health insurance coverage
- Copies of any insurance form necessary to receive reimbursement, payment, or other benefits under the coverage
- A copy of any necessary health insurance cards

The Health Plan Administrator that provides the private health insurance coverage for the child(ren) may continue making payment for medical, optical, hospital, dental, or prescription services directly to any health care provider in accordance with the applicable private health insurance policy, contract, or plan.

The Obligor and/or Obligee required to provide private health insurance for the child(ren) must designate said child(ren) as dependents under any private health insurance policy, contract, or plan for which the person contracts.

The employer of the person required to provide private health insurance coverage is required to release to the other parent, any person subject to an order issued under section 3109.19 of the Revised Code, or the CSEA, upon written request, any necessary information regarding health insurance coverage, including the name and address of the health plan administrator and any policy, contract, or plan number, and the employer will otherwise comply with all orders and notices issued.

If the person required to obtain private health insurance coverage for the child(ren) subject to this Support Order obtains new employment, the agency shall comply with the requirements of section 3119.34 of the Revised Code, which may result in the issuance of a notice requiring the new employer to take whatever action is necessary to enroll the child(ren) in private health insurance coverage provided by the new employer.

Upon receipt of notice by the CSEA that private health insurance coverage is not available at a reasonable cost, cash medical support shall be paid in the amount as determined by the child support computation worksheets in section 3119.022 or 3119.023 of the Revised Code, as applicable. The CSEA may change the financial obligations of the parties to pay child support in accordance with the terms of the court or administrative order and cash medical support without a hearing or additional notice to the parties.

An Obligor that is in arrears in his/her child support obligation is subject to having any federal, state and/or local income tax refund to which the Obligor may be entitled forwarded to the CSEA for payment toward these arrears. Such refunds will continue to be forwarded to the CSEA for payment until all arrears owed are paid in full. If the Obligor is married and files a joint tax return, the Obligor's spouse may contact the CSEA about filing an "Injured Spouse" claim after the Obligor is notified by the Internal Revenue Service that his/her refund is being forwarded to the CSEA.

Pursuant to section 3121.29 of the Revised Code, the parties are notified as follows:

EACH PARTY TO THIS SUPPORT ORDER MUST NOTIFY THE CHILD SUPPORT AGENCY IN WRITING OF HIS OR HER CURRENT MAILING ADDRESS, CURRENT RESIDENCE ADDRESS, CURRENT RESIDENCE TELEPHONE NUMBER, CURRENT DRIVER'S LICENSE NUMBER AND OF ANY CHANGES IN THAT INFORMATION. EACH PARTY MUST NOTIFY THE AGENCY OF ALL CHANGES UNTIL FURTHER NOTICE FROM THE COURT. IF YOU ARE THE OBLIGOR UNDER A CHILD SUPPORT ORDER AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY BE FINED UP TO \$50.00 FOR A FIRST OFFENSE, \$100.00 FOR A SECOND OFFENSE, AND \$500.00 FOR EACH SUBSEQUENT OFFENSE. IF YOU ARE AN OBLIGOR OR OBLIGEE UNDER ANY SUPPORT ORDER AND YOU WILLFULLY FAIL TO MAKE THE REQUIRED NOTIFICATIONS YOU MAY BE SUBJECTED TO FINES OF UP TO \$1,000.00 AND IMPRISONMENT FOR NOT MORE THAN 90 DAYS.

IF YOU ARE AN OBLIGOR AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS, YOU MAY NOT RECEIVE NOTICE OF THE FOLLOWING ENFORCEMENT ACTIONS AGAINST YOU: IMPOSITION OF LIENS AGAINST YOUR PROPERTY; LOSS OF YOUR PROFESSIONAL OR OCCUPATIONAL LICENSE, DRIVER'S LICENSE, OR RECREATIONAL LICENSE; WITHHOLDING FROM YOUR INCOME; ACCESS RESTRICTIONS AND DEDUCTIONS FROM YOUR ACCOUNTS IN FINANCIAL INSTITUTIONS; AND ANY OTHER ACTION PERMITTED BY LAW TO OBTAIN MONEY FROM YOU AND TO SATISFY YOUR SUPPORT OBLIGATION.

G. Payment shall be made in accordance with Chapter 3121. of the Revised Code.

H. Arrearage

☐ Any temporary child support arrearage will survive this judgment entry.

☐ Any temporary child support arrearage will not survive this judgment entry.

☐ Other: _____

FIFTH: TAX EXEMPTIONS

Income tax dependency exemptions (check all that apply):

A. ☐ The Father shall be entitled to claim the following minor child(ren) for all tax purposes for
☐ even-numbered tax years ☐ odd-numbered tax years ☐ all eligible tax years, so long as he is substantially current in any child support he is required to pay as of December 31 of the tax year in question: _____

☐ The Mother shall be entitled to claim the following minor child(ren) for all tax purposes for
☐ even-numbered tax years ☐ odd-numbered tax years ☐ all eligible tax years, so long as she is substantially current in any child support she is required to pay as of December 31 of the tax year in question: _____

B. ☐ Other orders regarding tax exemptions (specify): _____

If a non-residential parent is entitled to claim the child(ren), the residential parent is required to execute and deliver Internal Revenue Service Form 8332, or its successor, together with any other required forms as set out in section 152 of the Internal Revenue Code, as amended, on or before February 15th of the year following the tax year in question, to allow the non-residential parent to claim the minor child(ren).

SIXTH: MODIFICATION

This Parenting Plan may be modified by agreement of the parties or by the Court.

SEVENTH: OTHER

Upon approval by the Court, this Parenting Plan shall be incorporated in the Judgment Entry.

Your Signature (Father)

Your Signature (Mother)

Date

Date