



# RULES OF PRACTICE AND PROCEDURE OF THE COURT OF COMMON PLEAS JUVENILE DIVISION

Pickaway County, Ohio

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# **Rules of Practice and Procedure Court of Common Pleas, Juvenile Division, Pickaway County, Ohio**

The following rules have been promulgated by the Pickaway County Court of Common Pleas, Juvenile Division pursuant to Article IV, Section 5(B) of the Ohio Constitution and Rule 9 of the Ohio Supreme Court Rules of Superintendence for the Courts of Common Pleas. They are adopted to provide for the efficient and expeditious management of business before this Court. These rules become effective December 1, 2014 and are subject to review and amendment as necessary.

As used in these rules, “Civ. R.” is a reference to the Ohio Rules of Civil Procedure, and “Juv. R.” is a reference to the Ohio Rules of Juvenile Procedure. These rules shall be known as the Local Rules of the Court of Common Pleas of Pickaway County, Juvenile Division, and may be cited as “Pickaway County Juvenile Rules” or “Pick. Juv. R\_\_.”

Matters not specifically covered by these rules shall be governed by the Civil Rules of the Court of Common Pleas, Pickaway County, Ohio.

## **RULE 1. COMPLIANCE WITH THE OHIO RULES OF CIVIL PROCEDURE.**

These rules are intended to supplement and complement the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Superintendence, the Ohio Rules of Juvenile Procedure and other controlling statutes.

Unless otherwise provided herein, all pleadings, motions, and other filings shall comply in form and content with the Ohio Rules of Civil Procedure and the Local Rules of the Court of Common Pleas of Pickaway County, Ohio, Juvenile Division.

## **RULE 2. CONDUCT IN COURT; COURT DECORUM.**

Proper decorum in the Court is necessary for the administration of the Court’s business.

- (A) Any person entering the Juvenile Court area is subject to search. No person carrying a bag, case or parcel shall be permitted to enter or remain in any courtroom without first, if requested by the Court, submitting such bag, case, or parcel to security personnel for inspection.

- (B) The general public may be excluded from the courtroom under such circumstances as authorized by law and only those persons who have a direct interest in the case are to be admitted if so ordered.
- (C) In the event that children must be brought to Court, adequate supervision must be provided for them. The Court is not responsible for the care of children during Court proceedings.
- (D) Persons committing any violation of improper conduct shall be removed from the courtroom, hallway or entryway by security personnel charged with the enforcement of this Rule.
- (E) Food, beverages and smoking is prohibited in the courtroom during all hearings.
- (F) All parties and witnesses must be properly attired at all hearings. Tank tops, shorts, sandals, bare feet, etc. are not acceptable. If the parties are not properly attired, the Court may order that the hearing will not go forward. No radio or television transmission, voice recording device (other than the recorder used by the Court), making or taking of pictures, cellular telephone pagers, beepers or other devices shall be permitted, except on consent of the Court and in accordance with Rule 11 of the Rules of Superintendence for the Courts of Ohio.
- (G) No electronic devices, other than Court equipment, shall be permitted to be utilized in any hearing room during hearings unless such devices are silent in operation and the Court expressly consents to their utilization. All persons attending proceedings shall deactivate any and all electronic, cellular, or digital communication devices in their possession prior to entering any courtroom in this facility. Any person failing to do so may be held in contempt of Court. Any such device which is observed being used in violation of this Rule or which emits an audible signal during any proceeding in this court may be confiscated pending proceedings regarding a citation for contempt for the violation of this Rule.
- (H) Hearings shall commence promptly at the designated time on the assigned date. Counsel and parties shall be present and before the Court at the assigned hearing time. If counsel is going to be late for a hearing, counsel must make a reasonable effort to notify the assigned Judge or Magistrate as soon as is practical to explain the reason for his/her tardiness.

If counsel or a party is not present in Court at the assigned time, the case may commence in the absence of counsel or a party, the case may be continued, or the case may be dismissed, as determined by the assigned Judge or Magistrate.

### **RULE 3. SESSIONS OF COURT.**

Sessions of the Court may be held at such places throughout the county as the Judge shall from time to time decide.

### **RULE 4. HOURS OF THE COURT.**

The regular business hours of the Court shall be Monday through Friday from 8:00 A.M. until 4:00 P.M. The Court will be closed on all legal holidays as adopted by the Board of County Commissioners. Court shall be in session at such times as ordered by the Judge and as required to meet special situations or conditions.

### **RULE 5. RECORDS.**

#### **I. TYPES OF RECORDS**

##### **(A) Non-Public Records**

1. The following records will not be made available to the public, including any party to the case:
  - (a) Child Abuse, Neglect and Dependency investigative records pursuant to O.R.C. § 5153.17 and 2151.421(H)(1);
  - (b) Confidential law enforcement investigatory records pursuant to O.R.C. § 2151.141(B)(2)(b) and §149.43(A)(1)(h);
  - (c) Victim Impact Statements pursuant to O.R.C. § 2152.19(D)(3);
  - (d) Records relating to parental notification of abortion proceedings pursuant to O.R.C. § 2151.85(F) and §149.43(A)(1)(c);
  - (e) Fingerprints or photographs of a child arrested or taken into custody pursuant to O.R.C. §2151.313;
  - (f) Sealed or Expunged juvenile adjudications or arrests pursuant to O.R.C. §2151.356
  - (g) Names, documentation, and other identifying information regarding foster caregivers pursuant to O.R.C. § 5101.29(D)(1).

##### **(B) Confidential Records**

1. Pursuant to O.R.C. 2151.14 reports and records of the Intake and Probation Departments, including social history or report of a mental or physical examination, or reports from community agencies serving the Court shall be considered confidential and shall not be made public.
2. Psychological reports, guardian ad litem reports, drug/alcohol assessments, victim impact statements, and school reports are confidential information and shall not be made public. These documents are contained in the unofficial file. Counsel of record may view these reports at the clerk's office. Counsel must sign in and out with the clerk. Inspection by pro se litigants may be permitted only by leave of the Court.
3. All confidential records are maintained in the Court's unofficial file.

##### **(C) Official Records**

1. Pursuant to O.R.C. §2151.18 and § 2152.71 the Court maintains an Official file that may be inspected by the parties or their attorney.
2. Exhibits properly introduced and admitted at a trial or hearing shall be maintained separately by the Clerk's Office.

## II. REVIEW OF RECORDS

- (A) The inspection of records, by attorneys and other interested parties, is governed by Rule 32(C) of the Ohio Rules of Juvenile Procedure and O.R.C. § 2151.18 and §2152.71. Upon request, the Clerk of Court shall allow a party, or attorney of record representing a party, to examine but not remove, any original document or case file that is maintained by its office.
1. Any person authorized by the Judge or Magistrate to inspect any confidential records must comply with the following procedure:
    - (a) The authorized person must sign in and out with the Clerk's office;
    - (b) The records must be reviewed in an area to be designated by the clerk during regular business hours;
    - (c) Only written notes may be taken regarding the records;
    - (d) No copies may be made absent a Court Order; and
    - (e) No information contained in any record will be recorded by tape recording, photographic or other electronic device absent a Court Order.
- (B) The release of confidential records is governed by O.R.C. §2151.14 and Juvenile Rule 32(C).
1. No person is permitted to inspect confidential records unless proper authorization is given.
- (C) Attorneys wishing to investigate a matter prior to accepting the case may, upon written limited notice of appearance filed with the clerk, and with Court approval, review the case file or confidential files.

## III. SEALING AND EXPUNGEMENT OF RECORDS

- (A) Immediate Sealing of Records
1. The Court will promptly order the immediate sealing of records pertaining to a juvenile in any of the following circumstances:
    - (a) If the Court receives a record from a public office or agency and no complaint is filed;
    - (b) If the delinquency or unruly case was handled unofficially pursuant to O.R.C. §2151.27;
    - (c) If the juvenile was charged with a violation of O.R.C. §4301.69(E)(1) (Underage Possession or Consumption of Alcohol) and has successfully completed a diversion program pursuant to O.R.C. §4301.69(E)(2)(a);
    - (d) If the complaint is dismissed after a trial and the Court finds the person not to be a delinquent or unruly child or a juvenile traffic offender;

- (e) If the juvenile has been adjudicated an unruly child, the juvenile is eighteen (18) years old and the juvenile does not have any delinquency charges currently pending before the Court; or
- (f) If the juvenile has complied with all terms of the protection order and has reached nineteen (19) years of age pursuant to O.R.C. § 2151.358(D).

(B) Application for Sealing Records

1. Any juvenile who has been found to be delinquent, unruly or a juvenile traffic offender, except for those juveniles who have been adjudicated delinquent by reason of any of the following is eligible to apply to have his or her record sealed:
  - (a) Aggravated Murder or Murder;
  - (b) Rape;
  - (c) Sexual Battery
2. In order to have a record sealed, the juvenile must file an application with the Court and submit a filing fee.
3. Upon receipt of the juvenile's application to have his or her record sealed, the Court will schedule a hearing to be held within thirty (30) days and notify the juvenile and the prosecuting attorney of the date and time of the hearing to be held to determine whether the juvenile has been rehabilitated and whether it is appropriate to seal his or her record.
4. The Court will consider the following in determining whether the person has been rehabilitated:
  - (a) The age of the person;
  - (b) The nature of the case;
  - (c) Whether the person has had any new delinquent, traffic or criminal offenses;
  - (d) The education and employment history of the person;
  - (e) Whether the person has an active driver's license suspension; and
  - (f) Whether the person has outstanding costs or fines in the Juvenile Court.

(C) Expungement of Records

1. A record can only be expunged if it has first been sealed
2. The Court will expunge all records that are sealed pursuant to O.R.C. §2151.356 either:
  - (a) Five (5) years after the Court issues the sealing order; or
  - (b) Upon the twenty-third (23) birthday of the person who is the subject of the sealing order.
3. Any person who has had their juvenile record sealed pursuant to O.R.C. §2151.56 may apply to have his or her record expunged before the person attains the age of twenty-three (23) or before it has been five (5) years since the court issued the sealing order by filing an application with the Court.
4. Upon receipt of the juvenile's application to have his or her record expunged, the Court will schedule a hearing to be held within thirty (30) days and notify the juvenile and the prosecuting attorney of the date and time of the hearing to be



held to determine whether it is appropriate to expunge his or her record at that time.

## **RULE 6. CONTINUANCES AND ADVANCEMENTS.**

- (A) Requests for continuances or advancements will be made in accordance with Supreme Court of Ohio Superintendence Rule 7 and Ohio Rules of Juvenile Procedure Rules 19 and 23. All requests for continuances or advancements shall be submitted to the Judge or Magistrate in writing at the earliest time possible, at least three (3) working days before the day of trial or hearing with a proposed new date intended. The applicant for the request must give notice of such request to all other counsel or parties if not represented by counsel.
- (B) All requests for continuances shall contain the following information:
  - 1. The date on which the need for the continuance arose;
  - 2. The reasons for requesting the continuance;
  - 3. The date on which all other attorneys of record and guardians ad litem on the case were contacted, and whether these attorneys and guardians agree on the need for a continuance; and
  - 4. The earliest date that all parties will be ready to proceed.
- (C) No case will be continued on the day of trial or hearing except for good cause shown, which cause was not known to the party or counsel. This Rule may not be waived by consent of counsel.
- (D) Attorneys shall make reasonable efforts to have a contested request for continuance heard prior to the hearing date.
- (E) If continuance is requested because counsel is scheduled to appear in another case on the same date and time, the Court will not consider any motion for a continuance unless a copy of the conflicting assignment or an affidavit of counsel is attached.
- (F) The Court may waive these requirements for cause.

## **RULE 7. TRANSCRIPTS/RECORDING OF PROCEEDINGS.**

- (A) In accordance with Juvenile Rule 37, a party's attorney or the party, if the party is not represented by counsel, may request a transcript of any proceeding for the purpose of filing an appeal by filing a praecipe, which has been signed by the Court Administrator, with the Clerk.
- (B) The transcript, not the audio tape(s) or the digital recording, constitutes the official record of the proceeding. A party's attorney or the party, if the party is not represented by an attorney, may request a transcript of any proceeding for the purpose of filing a Motion to Set Aside a Magistrate's Order or an Objection to the Magistrate's Decision by filing a praecipe, which has been signed by the Court Administrator, with the Clerk.

- (C) When a party's attorney, a party, if the party is not represented by counsel, or any other person requests a transcript for a purpose other than the filing of an objection, a motion to set aside, or an appeal, the person will file a motion stating the purpose for which the transcript is requested with a proposed order. Any such transcript requested under this section will be provided only upon order of the Court and upon the deposit of costs for the preparation of the transcript with the Court Administrator.
- (D) A praecipe shall be accompanied by the deposit for the cost of the transcript as determined by the Court Administrator. If, for good cause shown, the deposit for the cost of the transcript is not made at the time of the filing of the praecipe, the deposit for the cost of the transcript must be made within seven (7) days of the filing of the praecipe.
- (E) If the deposit for the cost of the transcript is not made within seven (7) days of the filing of the praecipe, the praecipe will not be considered valid and the Court Administrator will not direct the preparation of the transcript. The Court will then rule upon the objection or motion to set aside without the transcript.
- (F) An indigent party may request that the transcript be produced at the Court's cost. Indigency will be determined via a valid affidavit of indigency that has been filed with the Clerk's office or if the party otherwise qualifies as indigent pursuant to indigency guidelines. Requests for transcripts for the benefit of indigent parties, other than those represented by the office of the public defender, shall be submitted to the Court and supported by an order of the Court directing that the transcript be prepared at public expense. This order shall serve in lieu of the deposit otherwise required by this Rule.

## **RULE 8. PHOTOGRAPHING AND BROADCASTING OF COURT PROCEEDINGS.**

The taking of photographs in the courtroom, corridors immediately adjacent thereto or lobby, and the transmitting or sound recording of such proceedings for broadcasting by radio or television shall not be permitted unless so authorized by the Court. Court authorizations shall be governed by Canon 3(A)(7), Code of Judicial Conduct, Superintendence Rule 11 and Ohio Revised Code Section 2151.35.

- (A) Requests for permission to broadcast, televise, record or photograph in the courtroom shall be made in writing to the Judge as far in advance as reasonably practicable but in any event no later than twenty-four (24) hours prior to the courtroom session to be broadcast, recorded, or photographed, unless otherwise permitted by the Trial Judge for good cause shown. Request forms may be obtained from the Juvenile Clerk's office.
- (B) The Court shall immediately attempt to inform the attorneys for all the parties in the case of the media request. If time does not permit notification by mail then telephonic means or notification in person must be attempted. The intent of this Rule is to allow attorneys

for all parties an opportunity to be heard prior to the Trial Judge deciding the media request.

- (C) In the event the Trial Judge approves the media request, the Judge shall prepare and sign a journal entry setting forth the conditions of media broadcasting, televising, recording, or photographing. This entry shall be made a part of the record of the case.
- (D) Arrangements shall be made between or among media for “pooling” equipment and personnel authorized by this Rule to cover the court sessions. Such arrangements are to be made outside the courtroom and without imposing on the Judge or Court personnel to mediate any dispute as to the appropriate media pool representative or equipment authorized to cover a particular session.
- (E) Not more than one (1) portable camera (television, video tape or movie), operated by not more than one (1) person shall be permitted without authorization of the Judge.
- (F) Not more than one (1) still photographer, utilizing not more than two (2) still cameras of professional quality with not more than two (2) lenses for each camera, shall be permitted without authorization of the Judge.
- (G) Not more than one (1) audio system for radio broadcast purposes shall be permitted without authorization of the Judge.
- (H) If audio arrangements cannot be reasonably made in advance, the Judge may permit one (1) audio portable tape recorder at the bench which will be activated prior to the commencement of the courtroom session.
- (I) Visible audio portable tape recorders may not be used by the news media without the permission of the Judge.
- (J) Only professional telephonic, photographic and audio equipment which does not produce distracting sound or light shall be employed to cover courtroom sessions. No motor driven still cameras shall be permitted.
- (K) No artificial lighting device other than that normally used in the courtroom shall be employed. However, if the normal lighting in the courtroom can be improved without becoming obtrusive the Judge may permit modification.
- (L) Audio pick-up by microphone for all media purposes shall be accomplished from the existing audio systems present in the courtroom. Microphones shall be located on the Trial Judge’s bench, witness stand and jury rail. Microphones shall be visible, secured but unobtrusive and located in places designated by this Rule, or the Trial Judge, in advance of any session.

- (M) The television broadcast and still camera operators shall position themselves in a location in the courtroom, either standing or sitting, and shall assume a fixed position within that area. Having established themselves in a shooting position, they shall act so as not to call attention to themselves through further movement. Sudden moves, pans, tilts or zooms by television or still camera operators are prohibited. Operators shall not be permitted to move about in order to obtain photographs or broadcast courtroom sessions, except to enter or leave the courtroom.
- (N) Television cameras, microphones and taping equipment shall not be placed in, moved during or removed from the courtroom except prior to commencement or after adjournment of the session or during recess. Neither television film magazines, rolls, lenses, still camera film, nor audio portable tape cassettes shall be changed within a courtroom except during a recess.
- (O) Proper courtroom decorum shall be maintained by all media pool participants, including proper attire in a manner that reflects positively upon the journalistic profession.
- (P) There shall be no audio pick-up or broadcast of conferences conducted in a courtroom between counsel and clients, co-counsel or the Judge and counsel.
- (Q) The Judge shall prohibit photographing or televising by any means victims of sexual assaults or undercover police officers. The Judge shall retain discretion to limit or prohibit photographing or televising any juror, victim, witness, defendant, counsel or his work product upon objection.
- (R) Upon the failure of any media representative to comply with the conditions prescribed by the Judge, the Rules of Superintendence of the Supreme Court, or this Rule, the Judge may revoke permission to broadcast, photograph or record the trial or hearing.

## **RULE 9. CLOSURE OF JUVENILE PROCEEDINGS.**

A party to a proceeding may request that a hearing or hearings be closed to members of the public, the media, or other specified persons through a written or oral motion. Such requests shall be made as far in advance as is reasonably possible to allow the Court to conduct a hearing and rule on the request without unnecessarily delaying the proceedings.

The right of a victim to attend a hearing pursuant to R.C. 2930.09, the right of a foster parent, relative or prospective adoptive parent to attend a hearing pursuant to R.C. 2151.424, the right of a defendant to an open and public hearing in a serious youthful offender proceeding, and the right of any other person who has a lawful right to attend a hearing shall be preserved.

## **RULE 10. ASSIGNMENT OF MAGISTRATES.**

- (A) Pursuant to Rule 40 of the Ohio Rules of Juvenile Procedure, Rule 53 of the Ohio Rules of Civil Procedure, Rule 19 of the Ohio Rules of Criminal Procedure, and the Ohio Revised Code, magistrates are empowered and authorized to hear all cases assigned.

(B) All further matters shall be heard by the same Magistrate, unless otherwise ordered.

### **RULE 10.1 – Objection to Magistrate’s Decisions and Motion to Set Aside Magistrate’s Order.**

Civil Rule 53 shall govern all procedures including filings and rulings by the Court regarding Magistrate’s Decisions and Orders.

(A) Objection to a Magistrate’s Decision

1. Objections to a Magistrate’s Decision shall be filed and served upon all opposing parties within fourteen (14) days after the date the Decision is filed.
2. Any objections by an opposing party shall be filed within ten (10) days after the first objections are filed.
3. A party filing objections that require a transcript must file his or her objections within the fourteen (14) day period set forth above and must file a Notice of Intent to supplement objections after the transcript has been completed, for which leave will be automatically granted. See Court’s Website.
4. Objections shall be specific and state the grounds with particularity. They shall identify the relevant law and the facts in contention and reference pages of the transcript in support of the objections.
5. A party may have an additional fourteen (14) days following the completion of the transcript within which to file supplement objections, provided that Notice was filed as set forth in (3) above.
6. A party opposing the objections and/or supplemental objections may file a brief in opposition within fourteen (14) days from the date of objections or supplemental objections. If supplemental objections are filed, the opposing party should file only one brief in opposition.
7. If no objections are filed within the initial fourteen (14) day period, the Magistrate’s Decision will become final.

(B) Requirement of Transcript

1. If a party is objecting to factual findings in the Magistrate’s Decision, a transcript of the record of proceedings before the Magistrate must be filed. If a transcript is not available, the party must file an affidavit of all evidence submitted to the magistrate.
2. The cost per page of the transcript is set by the Court Administrator.
3. The party filing objections shall order the transcript from the Court Administrator and shall file a Praecipe with the Clerk of Courts within the initial fourteen (14) day period after the date the Magistrate’s Decision is filed. See Court’s Website.
4. The Praecipe shall be signed by the party or his/her attorney; it shall contain an acknowledgement by the Court Administrator that the deposit for the transcript has been paid and the date the Court Administrator expects the transcript to be completed. The Praecipe shall also include the date the Magistrate’s Decision was filed, and whether supplemental objections will be filed after the completion of the transcript.

5. The deposit for the transcript must be paid to the Court Administrator before the Court Administrator will sign the Praecipe.
6. Failure to timely file the Praecipe or filing a Praecipe without the signature of the Court Administrator shall result in the objections as to factual findings being overruled.
7. Upon its completion, the Court Administrator shall file with the Clerk of Courts a notice of the availability of the transcript. Payment in full will be required before the transcript is released.
8. A party must file the transcript contemporaneously with the filing of the supplemental objections. The attorney or party requesting the transcript is responsible for the full cost upon completion. Failure to remit payment to the Court Administrator may result in a judgment against the person requesting the transcript.

(C) Extensions of Time

1. No extension of time shall be granted for filing objections within the initial fourteen (14) day period.
2. One fourteen (14) day extension of time to file a Praecipe may be granted by the Court for good cause shown.
3. Requests for extensions of time to file the transcript shall include the endorsement or affidavit of the Court Administrator indicating the reason that the transcript has not been completed and the expected date of completion.
4. The time to file supplemental objections may be extended, at the discretion of the Court, for up to but not more than a total of fourteen (14) days from the date the transcript is completed.
5. The time to file a brief in opposition to objections or supplemental objections may be extended, at the discretion of the Court, but not more than a total of fourteen (14) days from the date the objections or supplemental objections were filed.

(D) Motions to Set Aside Magistrate's Order

1. A party may file a Motion to Set Aside a Magistrate's Order within ten (10) days after the date of its issuance.
2. A Motion to Set Aside must be specific and state grounds for the motion with particularity.
3. No extension of time to file a Motion to Set Aside will be granted.

## **RULE 11. COURT COSTS.**

- (A) Filing Fee. The Clerk of Courts shall not accept any action or proceeding for filing without the requisite filing fee set forth on the Schedule of Filing Fees. Child Support Enforcement Agency forms are exempt from this requirement.
- (B) Indigence. The filing fee is met, in the case of indigence, by filing a poverty affidavit swearing that the party is without funds or assets to pay the deposit and a certification by the attorney, if any, that no attorney fees have been paid. The filing of a poverty affidavit does not relieve a party from liability for court costs.

- (C) Subsequent deposit. If, during the course of a proceeding, the Court learns that a party, who has filed a poverty affidavit, is or has become able to pay the applicable filing fee, the Court may order that party to pay the filing fee within a reasonable period of time commensurate with the circumstances.

## **RULE 12. COUNSEL.**

- (A) No officer or employee of the court shall recommend attorneys to persons involved in action in the Court, except to assist in obtaining counsel for indigent participants.
- (B) Appearance of counsel. An attorney shall enter an appearance by filing a written notice with the Court or by personally appearing at a Court hearing and informing the Court.
- (C) Withdrawal of counsel. An attorney may withdraw only with the consent of the Court and upon good cause shown.
1. An attorney who has either been appointed by the Court or has been retained by a party may request the Court's permission to withdraw as counsel for a party by filing a Motion to Withdraw, stating with particularity the grounds for the motion accompanied by a proposed Order.
  2. An attorney who requests the Court's permission to withdraw as counsel for a party must do the following:
    - (a) Notify the client and opposing counsel of the attorney's request to withdraw as counsel.
    - (b) Notify the client of all scheduled hearing dates and that the client's attendance at the hearings is mandatory.
    - (c) When appropriate, file a Notice of Appeal, Objection, or Motion to Set Aside a Magistrate's Order on behalf of client to preserve the client's rights.
  3. An attorney is not withdrawn as counsel for a party unless and until the Court grants the attorney's Motion to Withdraw.
- (D) Substitution of Counsel  
If an attorney has been retained to represent a party who was previously represented by another attorney, the current attorney shall file a Notice of Substitution of counsel within seven (7) days of being retained by the client or appointed by the Court.
- (E) Change of Address  
An attorney of record for a party, or a party who is not represented by an attorney, who has a case pending before this Court must notify the Court, in writing, opposing counsel and any party not represented by counsel, of any change of address of the attorney or party as soon as the change is known to the attorney or party.
- (F) Guardian ad litem as counsel. When a guardian ad litem appointed is an attorney admitted to practice in this state, the guardian ad litem may also serve as counsel to the ward.

### **RULE 13. GUARDIANS AD LITEM.**

- (A) Applicability. This Rule shall implement the provisions contained in Rule 48 of the Rules of Superintendence for Court of Ohio as it relates to a guardian ad litem appointed in cases in the Juvenile Division of the Pickaway County Court of Common Pleas.
- (B) Definitions. “Final Report” means: (1) in cases involving dependency, neglect or abuse, a written report that is prepared for a Final Disposition; (2) in cases involving private custody or visitation matters, a written report that is prepared for a hearing on the merits of the complaint or motion on custody or visitation. “Interim Report” means any other report than a Final Report.
- (C) Appointment. In order to superintend the best interest of minor children in any action over which this Court has jurisdiction, the Court may appoint a guardian ad litem upon its own motion or the motion of either party. When necessary, the Court may also appoint an attorney to represent the child, or may appoint an attorney in the dual capacity of attorney and guardian ad litem for the child, so long as those roles do not conflict.

It shall be the responsibility of counsel in the case to copy the guardian ad litem with all pleadings, notices of hearings and depositions, entries and any other necessary documents. Any additional expenses incurred by the guardian ad litem as a result of counsel’s failure to notify, including the costs of transcripts, shall be charged to the party or parties responsible for such failure.

In cases not involving a CASA guardian ad litem, 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. If any party has filed an affidavit of indigency, the Court may, in its discretion, not require that party to pay an initial deposit. The Court shall retain jurisdiction to reallocate the guardian ad litem fees along with all costs of the proceedings, upon motion and at the conclusion of the case. No later than seven (7) days after final hearing in the matter on which the guardian ad litem has been appointed, the attorney/guardian ad litem shall submit an affidavit of fees to the Court. If approved by the Court, said fees shall be made a part of the final entry. Nothing herein shall delay the filing of said entries, and they shall be filed in accordance with the Rules of the Supreme Court as to Civil Procedure and Superintendence. In order to protect the fee for the services of the attorney/guardian ad litem, the Court shall have the discretion to issue a lump sum judgment against the party or parties for the attorney or guardian ad litem fees due and owing at the time of the final adjudication.

- (D) Responsibilities of the guardian ad litem. If a non-attorney guardian ad litem determines that the assistance of legal counsel is necessary in order to perform the duties of a guardian ad litem, then the guardian ad litem shall timely submit a written request to the Court for appointment of counsel by the Court or for authority to employ counsel.



- (E) Training and Eligibility Requirements. A guardian ad litem may be removed from the Court appointment list by the Juvenile Judge. After losing eligibility for any reason, a guardian ad litem may not seek reinstatement of eligibility for six (6) months and thereafter must submit a new application requesting reinstatement.
- (F) Reports of a guardian ad litem. Any written report shall be filed with the Clerk and maintained with the pleadings, unless otherwise ordered by the Court. If a guardian ad litem believes that the entire report or portions thereof should be filed as “confidential,” the guardian ad litem shall submit a written request, with supporting reasons for recommending such confidentiality, with the Court, providing copies of such request to all counsel and unrepresented parties. Such request shall be submitted to the Court by the guardian ad litem at least one (1) Court day prior to the day that the written report is required to be filed. The Court will thereupon rule upon such a request. The decision of the Court shall not affect the right of counsel or the parties to access and view the guardian ad litem written report.

Any written report filed by the guardian ad litem may be viewed by the parties or their counsel personally at the office of the Juvenile Clerk of Courts. Any written reports may be accessed only in person by the parties or their legal representatives. Copies of any written report shall be made available to counsel or to any party if not represented by counsel upon request. A guardian ad litem shall maintain the confidential nature of personal identifiers, as defined in Rule 44 of the Rules of Superintendence, or addresses where there are allegations of domestic violence or risk to a party’s or child’s safety. A guardian ad litem may recommend that the Court restrict access to the report or a portion of the report to preserve the privacy, confidentiality, or safety of the parties, witnesses, or the person for whom the guardian ad litem was appointed in accordance with Rule 45 of the Rules of Superintendence. Upon such application, the Court, under such conditions as may be necessary to protect from potential harm the witnesses, parties, or person for whom the guardian ad litem was appointed, may restrict access or order disclosure of or access to the information that addresses the need to challenge the truth of the information received from the proposed confidential source. Any written report shall be filed within the time required by Rule 48 of the Rules of Superintendence, unless the guardian ad litem submits a written request for an extension of time and states the reasons for such request. For good cause shown upon such written request, the Court may extend the time for filing the written report. Any costs associated with the reproduction of copies of the report shall be assessed to the requesting party.

- (G) Responsibilities of the Court. In order to serve as a guardian ad litem, an individual shall submit an application to the Court on a form as set forth in Appendix “A-5” and verify compliance with the requirements set forth in Rule 48 of the Rules of Superintendence and by this local Rule. The application shall be accompanied by a certificate of completion of the six (6) hour pre-service training, a resume stating the applicant’s training, experience and expertise demonstrating the applicant’s ability to successfully perform the duties and responsibilities of the guardian ad litem, and a copy of the

applicant's criminal background check. The civil background check will be satisfied by completion of the application form consisting of letters of reference and a check of any records through Pickaway County Jobs and Family Services. Any fee or costs associated with a criminal background check shall be the responsibility of the applicant.

For attorneys who are submitting this application, the attorney is indicating a commitment to the acceptance of an appointment on a pro bono basis at least once a year.

All files for applicants and for individuals approved for appointment as guardians ad litem and all records and information required by Rule 48 of the Rules of Superintendence and this local Rule for the selection and service of guardians ad litem including a certificate or other satisfactory proof of compliance with training requirements shall be maintained by the Director of the CASA program for the Pickaway County Juvenile Court.

Comments or complaints regarding the performance of a guardian ad litem appointed pursuant to this Rule shall be in writing and shall be submitted to the Magistrate for the Pickaway County Juvenile Court. A copy of comments and complaints submitted to the Magistrate shall be provided to the guardian ad litem who is the subject of the complaint or comment. The Magistrate may forward any comments and complaints to the Judge of the Court for consideration and appropriate action. The Magistrate shall maintain a written record in the guardian ad litem's file regarding the nature and disposition of any comment or complaint and shall notify the person making the comment or complaint and the subject guardian ad litem of the disposition of the comment or complaint.

#### **RULE 14. DIVERSION PROGRAM.**

- (A) Pursuant to Juvenile Rule 9(A), if the best interests of the child and of the public require, a matter may be referred to unofficial status and the child subject to the complaint referred to diversion, in lieu of formal Court action.
- (B) Unofficial cases considered by the Court shall not be subject to the other provisions of these rules.
- (C) Unofficial cases shall not be part of the permanent record of the child and shall be removed from the child's file when he/she is no longer subject to the jurisdiction of the Juvenile Court.
- (D) No person, except for Court staff, shall have access to records of unofficial matters, without the consent of the Court.
- (E) Cases that might otherwise qualify for diversion may remain in an official status where there are multiple offenders not all of whom are eligible for diversion or where family or other circumstances indicate that the best interests of the child and the public are not served by a referral to diversion and unofficial status.

- (F) WITHIN THE DIVERSION PROGRAM, THE COURT SHALL MAINTAIN A TRUANCY DIVERSION PROGRAM. FOR A JUVENILE TO QUALIFY FOR THE TRUANCY DIVERSION PROGRAM, THE FOLLOWING CRITERIA MUST BE MET:
1. IF A SCHOOL TRUANCY COMPLAINT IS FILED AND THE JUVENILE HAS PREVIOUSLY BEEN IN OUR DIVERSION PROGRAM WITHIN THE LAST TWELVE (12) MONTHS FOR A PRIOR SCHOOL TRUANCY COMPLAINT, THE COMPLAINT WILL BE SET ON THE OFFICIAL COURT DOCKET.
  2. IF THE JUVENILE WAS ON DIVERSION FOR SCHOOL TRUANCY MORE THAN TWELVE (12) MONTHS FOR A PRIOR SCHOOL TRUANCY OR FOR ANOTHER OFFENSE, THEN THE COMPLAINT WILL BE SET IN THE TRUANCY DIVERSION PROGRAM, UNLESS OTHERWISE DETERMINED THROUGH THE COURT INTAKE EVALUATION THAT OFFICIAL COURT HEARINGS SHOULD BE CONDUCTED.
  3. IN ADDITION TO THE STANDARD TERMS AND PROGRAMS OF THE DIVERSION PROGRAM, THE TRUANCY DIVERSION PROGRAM SHALL CONSIST OF SUCH OTHER TERMS THAT THE DIVERSION OFFICER DEEMS APPROPRIATE UPON COLLABORATION WITH THE JUVENILE'S SCHOOL DISTRICT TO MEET THE ACADEMIC AND ATTENDANCE NEEDS OF THE JUVENILE.

#### **RULE 15. DETENTION/SHELTER CARE HEARINGS.**

All juveniles received into detention or shelter care before 8:00 A.M. shall be entitled to a detention/shelter care hearing on that same day. All juveniles received into detention after 2:00 p.m. shall be entitled to a detention hearing on the next Court day, unless otherwise ordered by the Court.

#### **RULE 16. JUVENILE TRAFFIC OFFENSES/DIVERSION OF CERTAIN OFFENSES.**

- (A) There is hereby created the Pickaway County Juvenile Court Traffic Diversion Program.
- (B) The following offenses are eligible for referral to the Safeteens Program:
1. All non-moving traffic violations
  2. First time speeding offenses, not in excess of sixteen (16) miles per hour over the posted speed limit, except speeding in a school zone, which is not eligible for this program and requires a Court appearance.
  3. First time minor misdemeanor traffic offenses which do not involve an accident.
- (C) The following offenses are not eligible for referral to Juvenile Court Traffic Diversion and require a Court appearance:

1. Any traffic offense, moving or non-moving, in which the offender has previously participated in the Traffic Diversion Program.
  2. Second or subsequent moving violations or non-moving violations.
  3. Reckless operation of a motor vehicle.
  4. Leaving the scene of an accident.
  5. Fleeing a police officer.
  6. Operating a vehicle while under the influence of alcohol and/or drugs.
  7. Passing a loading or unloading school bus.
  8. Operating a vehicle without a valid operator's license.
  9. Operating a vehicle while the operator's license is under suspension or revocation.
  10. Speeding in excess of sixteen (16) MPH over the posted speed limit.
  11. Drag racing.
- (D) In order to be eligible for the Juvenile Traffic Offender Program, the juvenile traffic offender must admit to the operative facts of the alleged violation and participate in the Safe Teen program. Upon the successful completion of the Safe Teen program, the Court will dismiss the traffic complaint pursuant to Juvenile Rule 29.

**RULE 17. PRIVATE CUSTODY AND ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES AND/OR COMPANIONSHIP ACTIONS.**

- (A) After parentage has been established, a parent or other interested party may bring an action in this Court to determine custody, the allocation of parental rights and responsibilities regarding the child, or modification of the allocation of parental rights and responsibilities. The person filing shall allege in the complaint that parentage has been established and the means by which it has been established, including stipulations of the parents. Any order, affidavits or other documentation establishing parentage shall be attached to the complaint. The plaintiff shall attach a uniform child Custody Jurisdiction Act Affidavit to the complaint. The complaint shall be served pursuant to Civ. R. 4 through 4.6.
- (B) Unless emergency custody orders are sought by Children Services, the Court will not issue any *ex parte* custody orders.
- (C) The initial hearing on allocation of parental rights and responsibilities shall be handled within twenty-eight (28) days after service of the complaint. In no event shall the defendant be given less than seven (7) days' notice of the initial hearing.
- (D) At the initial hearing, the Court may rule upon the temporary allocation of parental rights and responsibilities, including child support and visitation.
- (E) At the initial hearing, which is not evidentiary, the court shall determine whether the motion is contested and the basis of the motion. The Court may order an evaluation pursuant to O.R.C. § 3109.04, counseling, psychological evaluation, or appointment of a

guardian ad litem. The Court shall determine the payment of costs pursuant to Pick. Juv. Rule 13.

- (F) The Court may set a pre-trial and final hearing date at the initial hearing or by order, unless the case was settled and finalized at the initial hearing by the parties.
- (G) Prior to the final hearing, at the pre-trial, counsel shall review all written reports which shall be made available pursuant to Pick. Juv. Rules and discuss settlement options with their clients.
- (H) Parties as well as counsel are to appear at the pre-trial.
- (I) Parentage cases: request and deposit. A party requesting the appointment of a guardian ad litem in a parentage action shall file a written request no later than thirty (30) days prior to the hearing scheduled to determine custody or visitation issues. Unless otherwise ordered by the Court, the party requesting the appointment shall deposit an amount as designated by the Court in a separate Entry of Appointment.
- (J) Any party who is seeking medical records by way of Court Order or subpoena shall file a motion or submit the subpoena no later than thirty days prior to the hearing date for which the records sought will be offered for admission. No continuance of the hearing will be granted to obtain such records if there has been a failure to comply with this rule, unless good cause is shown for such failure.

#### **RULE 18. UNCONTESTED CHANGE OF CUSTODY.**

There shall be a hearing on any uncontested motion for a reallocation of parental rights and responsibilities when one of the parties is not represented by counsel. If all parties are represented by counsel, an agreed entry, signed by both counsel, reallocating parental rights and responsibilities may be submitted to the Court for approval. The Court may approve the submitted agreed entry without a hearing. If the Court determines that a hearing is necessary, then the Clerk shall notify counsel of the hearing.

#### **RULE 19. COMPANIONSHIP/VISITATION.**

The Court adopts the standard companionship schedules as set forth in Appendix “A-3” and “A-4”.

#### **RULE 20. INACTIVE CASES.**

Cases not served in six (6) months, or where no action has occurred on the part of the movant for six (6) months, will be subject to dismissal for failure to proceed after written notice to the parties. Cases that exceed the timeline requirements of the Supreme Court of Ohio shall be placed on inactive status.

## **RULE 21. ENTRIES.**

Unless the Trial Judge otherwise directs, counsel for the party in whose favor an order, decree, or judgment is rendered shall within five (5) days thereafter prepare the proper journal entry and submit it to the counsel for the adverse party, who shall approve or reject the same within three (3) days after the receipt thereof. Name of counsel, counsel's Ohio Supreme Court registration number, and the name of the Trial Judge shall be typed or printed upon the entry. When the entry is approved by counsel, it shall be so endorsed and presented to the Judge who made the decision for approval and if signed by the Judge shall be filed with the Clerk. If counsel is unable to agree upon the entry, each counsel shall prepare his/her version. Counsel who prepared the initial entry shall forthwith notify the other counsel of when he/she intends to submit the entry to the Trial Judge, which entry shall be submitted within fourteen (14) days after the decision is rendered. The Trial Judge shall direct which entry shall be filed.

## **RULE 22. SERVICE BY PUBLICATION.**

### **22.01**

A party requesting service by the Clerk of Court must provide the current address of all parties to be served regardless of the form of service requested.

Any request for service of a complaint, counterclaim, motion, order, or other paper requiring service pursuant to the Ohio Rules of Civil Procedure shall be accompanied by a time stamped copy of the paper to be served.

Unless otherwise requested, all service shall be by certified mail. It remains the responsibility of the party seeking the action or relief to secure service of process in accordance with the Ohio Rules of Civil Procedure.

### **22.02(A) Publication by Newspaper:**

In accordance with Ohio Rule of Juvenile Procedure 16, publication service may be perfected by newspaper. In all cases when service of process is to be accomplished by publication, it shall be the responsibility of the party to ensure that the publication is accomplished, including the selection of the means of publication and the preparation of the Motion for Publication, Affidavit in Support, Entry authorizing Service by Publication and the Notice for Publication.

A request for service by publication must be accompanied by an affidavit executed by the party or the party's attorney stating that service cannot be made because the residence of the person is unknown and cannot be ascertained with reasonable diligence and providing, with particularity, what attempts were made to ascertain the address. The affidavit must also state the last known address of the person to be served.

The Clerk shall serve notice by publication in a newspaper of general circulation in Pickaway County as set forth below:

1. The notice shall include the following information: the name and address of the court, the case number, the name of the first party on each side, the name and last known address, if any, of the person who is to be served, a summary statement of the object

- of the pleading, a summary statement of the demand for relief, and the date, time and place the person is to appear. *If reference to a minor child is made in the notice, the date of birth and the initials of the minor child shall be substituted for the child's name.*
2. The affidavit for service by publication by posting and mail shall be submitted at least twenty (20) days before the date and time of the hearing stated in the notice. The date for the person to appear shall not be less than seven (7) days after the last day of publication. The notice shall be posted in the newspaper once.
  3. Service of process shall be deemed completed at the date of publication.
  4. After publication, the publisher or its agent shall file with the court an affidavit showing the fact of publication together with a copy of the notice of publication.
  5. Service must be perfected at least seven days before the date set for hearing or trial.

### **22.02(B) Publication by Posting and Mail:**

In accordance with Ohio Rule of Juvenile Procedure 16, publication service may be perfected by posting and mail. In all cases when service of process is to be accomplished by posting and mail, it shall be the responsibility of the party requesting that service to prepare the Motion for Posting and Mail, Affidavit in Support, Entry authorizing Service by Posting and Mail and the Notice for Posting.

A request for service by publication by posting and mail must be accompanied by an affidavit executed by the party or the party's attorney stating that service cannot be made because the residence of the person is unknown and cannot be ascertained with reasonable diligence and providing, with particularity, what attempts were made to ascertain the address. The affidavit must also state the last known address of the person to be served.

The Clerk will serve notice by publication by posting and mail as set forth below:

1. The notice shall include the following information: the name and address of the court, the case number, the name of the first party on each side, the name and last known address, if any, of the person who is to be served, a summary statement of the object of the pleading, a summary statement of the demand for relief, and the date, time and place the person is to appear. *If reference to a minor child is made in the notice, the date of birth and the initials of the minor child shall be substituted for the child's name.*
2. A request for service by publication by posting and mail shall be submitted at least twenty (20) days before the date and time of the hearing stated in the notice. The date for the person to appear shall not be less than seven (7) days after the last date of posting.
3. The notice shall be posted on the Pickaway County Juvenile Court website, in a section designated "Public Notices," for seven (7) consecutive days.
4. In addition to posting the notice, the Clerk shall mail the summons or other pleading to be served, by ordinary mail with a certificate of mailing, address correction requested, to the last known address of the party to be served, if known.

5. If the clerk is notified of a corrected or forwarding address for the party to be served within the seven (7) day period that the notice is posted pursuant to this rule, the Clerk shall mail the summons or other pleading to be served, by ordinary mail with a certificate of mailing, to the corrected or forwarding address.
6. Upon completion of service by posting and mail, the Clerk shall docket where and when the posting was completed and a copy of all certificates of mailing.
7. Service must be perfected at least seven days before the date set for hearing or trial.

### **22.02(C) Publication by Posting and Mail - Private Custody and Allocation of Parental Rights and Responsibilities and/or Companionship Actions:**

In conjunction with Ohio Juvenile Rule 16 and Ohio Civil Rule 4.4, publication service may be perfected by posting and mail for private custody and allocation of parental rights and responsibilities and/or companionship complaints or motions. In all cases when service of process is to be accomplished by posting and mail, it shall be the responsibility of the party requesting that service to prepare the Motion for Posting and Mail, Affidavit in Support, Entry authorizing Service by Posting and Mail, and the Notice for Posting.

A request for service by publication by posting and mail must be accompanied by an affidavit executed by the party or the party's attorney stating that service cannot be made because the residence of the person is unknown and cannot be ascertained with reasonable diligence and providing, with particularity, what attempts were made to ascertain the address. The affidavit must also state the last known address of the person to be served.

The Clerk will serve notice by publication by posting and mail as set forth below:

1. The notice shall include the following information: the name and address of the court, the case number, the name of the first party on each side, the name and last known address, if any, of the person who is to be served, a summary statement of the object of the pleading, a summary statement of the demand for relief, and the date, time and place the person is to appear. *If reference to a minor child is made in the notice, the date of birth and the initials of the minor child shall be substituted for the child's name.*
2. The affidavit for service by publication by posting and mail shall be submitted at least eight weeks (8) weeks before the date and time of the hearing stated in the notice.
3. The notice shall be posted on the Pickaway County Juvenile Court website, in a section designated "Public Notices," for six (6) successive weeks. The date for the person to appear shall not be less than seven (7) days after the last day of publication.
4. In addition to posting the notice, the Clerk shall mail the summons or other pleading to be served, by ordinary mail with a certificate of mailing, address correction requested, to the last known address of the party to be served, if known.
5. If the clerk is notified of a corrected or forwarding address for the party to be served within the six (6) week period that the notice is posted pursuant to this



- rule, the Clerk shall mail the summons or other pleading to be served, by ordinary mail with a certificate of mailing, to the corrected or forwarding address.
6. Upon completion of service by posting and mail, the Clerk shall docket where and when the posting was completed and a copy of all certificates of mailing.
  7. Service is complete when the notation of posting and mail is docketed by the Clerk.
  8. Service must be perfected at least seven days before the date set for hearing or trial.

## **22.02(D) Publication by Publication and by Posting and Mail – Motion for Permanent Custody:**

As allowed by Juvenile Rule 16, this Court, by local rule, orders that service of publication of a Motion for Permanent Custody must be accomplished by newspaper and by posting and mail, if the address of the party is unknown.

It shall be the responsibility of the party to ensure that the publication and posting and mail are accomplished, including the selection of the means of publication and the preparation of the Motion for Publication and Posting and Mail, Affidavit in Support, Entry authorizing Service by Publication and Posting and Mail and the Notice for Publication and Posting and Mail.

A request for service by publication and by posting and mail must be accompanied by an affidavit executed by the party or the party's attorney stating that service cannot be made because the residence of the person is unknown and cannot be ascertained with reasonable diligence and providing, with particularity, what attempts were made to ascertain the address. The affidavit must also state the last known address of the person to be served.

The Clerk shall serve notice by publication in a newspaper of general circulation in Pickaway County and notice by posting and mail as set forth below:

1. A request for service by publication in a newspaper and by posting and mail shall include the following information to be included in the notice: the case number, the name of the first party on each side, the name and last known address of the person who is to be served a summary statement of the allegations made in the complaint, and the date, time and place the person is to appear. *If reference to a minor child is made in the notice, the date of birth and the initials of the minor child shall be substituted for the child's name.*
2. The affidavit for service by publication and by posting and mail shall be submitted at least seven (7) weeks before the date and time of the hearing stated in the notice.
3. The date for hearing shall not be less than seven (7) days after the date of publication in a newspaper of general circulation. The publication shall be posted once.
4. The publisher or the publisher's agent shall file an affidavit stating that the notice by publication was published and provide a copy of the notice to the Court. This affidavit and the copy of the notice will constitute proof of service by publication.

5. The notice also shall be posted on the Pickaway County Juvenile Court website, in a section designated “Public Notices,” for six (6) successive weeks prior to the hearing stated in the notice.
6. The date for hearing shall not be less than seven (7) days after the last day of posting.
7. In addition to posting the notice, the Clerk shall mail the summons or other pleading to be served, by ordinary mail with a certificate of mailing, address correction requested, to the last known address of the party to be served, if known.
8. If the clerk is notified of a corrected or forwarding address for the party to be served within the six (6) week period that the notice is posted pursuant to this rule, the Clerk shall mail the summons or other pleading to be served, by ordinary mail with a certificate of mailing, to the corrected or forwarding address.
9. Upon completion of service by posting and mail, the Clerk shall docket where and when the posting was completed and a copy of all certificates of mailing.
10. Service is complete when the notation of posting and mail is docketed by the Clerk.
11. Service by publication and by posting and mailing must be perfected at least seven days before the date set for hearing or trial.

### **RULE 23. COMPETENCY HEARINGS; STAY OF DELINQUENCY PROCEEDINGS.**

- (A) General purpose. The purpose of these Rules is to expedite proceedings under §§ 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.
- (B) Expedited hearings. Juvenile competency hearings 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.
- (C) 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.
- (D) 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 24. IN CAMERA INTERVIEW OF CHILDREN.**

In all cases where an *in camera* interview of a minor child or children have been requested, the Court shall make a record of said interview. The parents shall have no access to the report of the interview, even if the record has been transcribed for purposes of appeal or objections. The record or transcript shall be sealed, to be opened only by the Court or upon order of the Court. Attorneys may have access to the transcript of the child's interview only upon written motion and judgment entry signed by the Court.

## **RULE 25. FILING BY FACSIMILE.**

Pleadings and other papers may be filed with the clerk of the Pickaway County Juvenile Court by facsimile transmission to (740) 474-8451 as provided in this rule.

### **(A) Applicability:**

1. This rule applies to proceedings in the Pickaway County Juvenile Court.
2. The following documents will not be accepted for fax filing: Original Delinquent Unruly, Traffic, Abuse, Neglect, Dependency, Parentage, Contempt filings or any filing that requires a filing fee.

### **(B) Original Filing:**

1. A document filed by fax shall be accepted as the effective original filing. The person filing a document by fax is not required to file any source document with the Clerk. The person filing the document shall maintain in his or her records and have available for production on request by the Court the source document filed by fax, with original signatures as otherwise required under the applicable rules, and the source copy of the facsimile cover sheet used for the subject filing.
2. The source document filed by fax shall be maintained by the person making the filing until the case is closed and all opportunities for post judgment relief are exhausted.

### **(C) Definitions. As used in these rules:**

1. "Facsimile transmission" means the transmission of a source document by a facsimile machine that encodes a document into optical or electrical signals, transmits and reconstructs the signals to print a duplicate of the source document at the receiving end. "Facsimile transmission" does not include transmission by email.
2. "Facsimile machine" means a machine that can send and receive a facsimile transmission.
3. "Fax" is an abbreviation for "facsimile" and refers, as indicated by the context, to facsimile transmission or to a document so transmitted.

### **(D) Cover Page:**

The person filing a document by fax shall also include a cover page containing all of the following information:

1. Name of the court;
2. Title of the case;
3. Case number;
4. Name of the judge to whom the case is assigned, if any;
5. Title and or description of the document being filed
6. Date of transmission;
7. Transmitting fax number;
8. Indication of the number of pages included in the transmission, including the cover page;
9. If a judge or case number has not been assigned, state that fact on the cover page;
10. Name, address, telephone number, fax number, Supreme Court registration number, if applicable, and e-mail address of the person filing the fax document if available;

If a document is sent by fax to the Clerk without the cover page information listed above, the Clerk may do either of the following:

1. Enter the document in the case docket and file the document;
2. Deposit the document in a file of failed faxed documents with a notation of the reason for the failure.
3. If the Clerk acts pursuant to division (2) of this section, the document shall not be considered filed with the Clerk.

(E) Signature

A party who wishes to file a signed source document by fax shall do either of the following:

1. Fax a copy of the signed source document;
2. Fax a copy of the document without the signature but with the notation “/s/” followed by the name of the signing person where the signature appears in the signed source document.

A party who files a signed document by fax represents that the physically signed source document is in his or her possession or control. Any signature on electronically transmitted documents shall be considered that of the attorney or party it purports to be for all purposes. If it is established that the documents were transmitted without authority, the Court shall order the filing stricken.

(F) Exhibits

1. Each exhibit to a facsimile produced document that cannot be accurately transmitted via facsimile transmission for any reason shall be replaced by an insert page describing the exhibit and why it is missing. Unless the Court otherwise orders, the missing exhibit shall be filed with the Court, as a separate document, not later than five (5) Court days following the filing of the facsimile document. The Court may strike any document or exhibit, or both, if missing exhibits are not filed as required by this section.

2. Any exhibit filed shall include a cover sheet containing the caption of the case that sets forth the name of the Court, title of the case, the case number, name of the Judge and the title of the exhibit being filed (e.g., Plaintiff Smith's Notice of Filing Exhibit "G" to Plaintiff Smith's Response to Defendants' Motion to Dismiss). The exhibit and cover sheet shall be signed and served in conformance with the rules governing the signing and service of pleadings in this Court.
- (G) Subject to the provisions of these rules, all documents sent by fax and received by the Clerk shall be considered filed with the Clerk of Court as of the date and time automatically imprinted by the fax machine of the Clerk of Court. The fax machine will be available to receive facsimile filings on the basis of 24 hours per day seven (7) days per week including holidays.
- (H) Fax filings may not be sent directly to the Court for filing but may only be transmitted directly through the facsimile equipment operated by the Clerk of Court.
- (I) The Clerk of Court may, but need not, acknowledge receipt of a facsimile transmission.
- (K) The risks of transmitting a document by fax to the Clerk of Court shall be borne entirely by the sending party. Anyone using facsimile filing is urged to verify receipt of such filing by the Clerk of Court through whatever technological means are available.
- (L) No documents filed by facsimile that requires a filing fee shall be accepted by the Clerk for filing until court cost and fees have been paid. Court cost and fees may be paid by credit or debit cards. The forms necessary for the authorization of payment by credit or escrow account shall be available at the Clerk's office during normal business hours. See attached Appendix "A-1" and "A-2". Documents tendered to the Clerk without payment of court cost and fees, or with incomplete information on the charge authorization or request, or which do not conform to applicable rules will not be filed. (See Appendix "A-2" for sample credit/debit card payment form.) INFORMATION FURNISHED FOR AUTHORIZATION OF PAYMENT BY CREDIT/DEBIT CARD SHALL NOT BE PART OF THE CASE FILE.

No additional fee shall be assessed for facsimile filings. An Authorization for Payment form shall accompany each fax transaction for which payment is being authorized.

#### **RULE 26. HEARING NOTICE VIA ELECTRONIC MAIL.**

Upon the written consent of a party or counsel if represented, the Court may send all hearing notices via electronic mail.

#### **RULE 27. RECORDS SUBPOENAED FROM CHILDREN SERVICES.**

- (A) In the event a party subpoenas or otherwise requests copies of records from a children services agency, and the agency files an objection to the disclosure, the agency shall provide copies of the records to the court for an in camera review as to their discoverability along with their objection. The identity of a referent of child abuse/neglect and identifying information regarding the foster parents shall be redacted. The agency will also file a statement with the Court indicating which portions of the records in question should not be provided to the parties and the reasons for their objection to the disclosure.
- (B) Agency records submitted for in camera review shall be maintained as non-public records in the Court's unofficial file. The inspection of the records by counsel, if authorized by the Judge or Magistrate, shall proceed under the direction of the Clerk's Office as set out in Pick. Juv. R. 5. No copies of the records shall be made absent a Court Order.
- (C) If authorized by the Court, counsel may make copies of select records for use at trial only, and if entered into evidence the records shall be retained only so long as they are needed for the purposes of trial or possible appeal. They shall thereafter be destroyed. To the extent the records are to be retained by the Court, they shall be kept in a sealed record and not re-disclosed to third parties. Agency records released to the counsel for use at trial shall be designated as "counsel only" materials, which may not be reproduced, copied or disseminated in any way. Counsel may orally communicate the content of the "counsel only" material to the parties they represent, but not provide those parties with copies of the records. The Court may specifically regulate the time, place and manner of a pro se party's access to any discoverable material, not to exceed the scope of this rule. If not entered into evidence, counsel shall return any copies of agency records to the Juvenile Court at the conclusion of the trial.

#### **RULE 28. INCONSISTENT ORDERS FROM OTHER COURTS.**

- (A) In the event that a temporary protection order, civil protection order, restraining order or other no contact order is issued by a Court with jurisdiction that prohibits contact between persons who are parties in the proceedings in the Juvenile Division, that temporary protection order, civil protection order, restraining order or no contact order will take precedence over any visitation orders issued by this Court until such time as the issue is specifically addressed by this Court. A temporary protection order, civil protection order, restraining order or other no contact order does not, however, excuse a party from appearing in Court.

#### **RULE 29. NOTICE TO FOSTER CAREGIVER/RELATIVE PLACEMENT PROVIDER OF HEARINGS.**

- (A) In accordance with O.R.C. §2151.424 the Court will provide notice to foster caregivers and relative placement providers of their right to attend hearings and present evidence concerning the child in their care. The Court shall also provide with the Notice a Caregiver Information Form (Appendix A-7) to the kinship caregiver or foster caregiver to complete.

- (B) To facilitate the Court in fulfilling its duty to provide proper notice of hearings to foster caregivers and relative placement providers a Child Placement Form (Appendix A-6) must be completed by the Child Protection Service Agency and filed with the clerk the next business day or no later than seven (7) days following the initial placement and any change in placement of the child or children.
- (C) Information provided regarding foster caregivers to assist the Court in fulfilling its duties under this rule is non-public and will not be available to the public, including any party to a case. The Court shall maintain this information in the unofficial file.
- (D) Any foster caregiver or kinship caregiver may file the Caregiver Information form with the Court by fax, email, U.S. Regular Mail or delivery to the Children Services case worker or CASA/GAL. The Children Services case worker or CASA/GAL who receives such form shall promptly file the form with the court upon receipt.

### **RULE 30. OMISSION OF PERSONAL IDENTIFIERS PRIOR TO SUBMISSION OR FILING.**

Personal identifiers must be omitted prior to submission or filing. A personal identifier is a social security number except for the last four digits; financial account numbers, including but not limited to debit card, charge card and credit card numbers; and a minor child's name when the minor child is a victim in any kind of case; and a minor child's name when a party is seeking service by publication or posting.

- (A) When submitting a case document to the Court or filing a case document with the Clerk of Courts, a party to a judicial action or proceeding shall omit personal identifiers from the document.
- (B) When submitting a request for service by publication or posting, the party shall substitute the minor child's name with the child's initials.
- (C) When personal identifiers are omitted from a case document submitted to the Court or filed with the Clerk of Courts, the party shall submit or file that information on a Pickaway County Juvenile Court Information Sheet. All Information Sheet information must be typed. A separate Information Sheet must be submitted for each case number.
- (D) All Information Sheets shall be retained by the Clerk of Courts and are not subject to service on the parties.
- (E) Redacted or omitted personal identifiers shall be provided to the Court or Clerk upon request, or to a party to the judicial action or proceeding upon Motion.
- (F) The responsibility for omitting personal identifiers from a case document submitted to a Court or filed with the Clerk of Courts shall rest solely with the party. The Court or Clerk

is not required to review the case document to confirm that the party has omitted personal identifiers, and shall not refuse to accept or file the document on that basis.

- (G) Failure to follow these mandatory rules may result in sanctions.

### **RULE 31. USE OF RESTRAINTS.**

- (A) Instrument of restraint, including, but not limited to handcuffs, chains or shackles shall not be used on a juvenile during a court proceeding unless both of the following apply:
1. The necessity of using restraints is demonstrated to the satisfaction of the judge or magistrate by the presence of one or more of the following factors:
    - (a) The child represents a current and significant threat to the safety of the child's self or other persons in the courtroom; or
    - (b) There is a significant risk that the child will flee the courtroom; and
  2. The court determines that there are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another person, including, but not limited to, the presence of court personnel, law enforcement officers or bailiffs.
- (B) When used, restraints should allow the juvenile limited movement of the hands to read and handle documents and writings necessary to the hearing unless there is a demonstrated need for more restricted movement.
- (C) This rule shall not limit the ability of law enforcement, security personnel or other court staff from restraining a juvenile if necessary to ensure the courtroom is properly functioning and/or to maintain the safety and security of court facilities. This Rule shall not apply to duly adopted policies of law enforcement agencies in their custodial transportation of juveniles outside of the courtroom.
- (D) Upon written or verbal request of any party, the prosecuting attorney, court security staff, the probation department, or the victim advocate, the court may order any child who is brought before the court to be restrained. If such an order is issued, the order and the reasons for the order shall be communicated to the child, the child's parents, and the child's attorney. The parties shall be advised of the right to be heard on the use of physical restraints as provided in Ohio Sup. R. 5.1(B).
- (E) In order to assist the Court in its determination of whether and to what extent the use of physical restraints may be appropriate pursuant to this Rule, the Court shall utilize the "Court Security Determination" form contained in the Appendix herein, as may periodically be amended.

### **RULE 32. COURT APPOINTMENTS.**

- (A) **Definitions**
1. "Appointment" means the selection by the Court of any person or entity



designated pursuant to constitutional or statutory authority, Rule of Court, or inherent authority of the Court to represent, act on behalf or in the interest of another, or perform any services in a court proceeding.

2. “Appointee” means any person, other than a court employee, receiving a court appointment that is selected by the Court. “Appointee” does not include an arbitrator, mediator, investigator, psychologist, interpreter, or other expert in a case following independent formal or informal recommendations to the court or judicial officer by litigants; any individual who is appointed by any court pursuant to the Revised Code or the inherent authority of the court to serve in a non-judicial public office for a full or unexpired term or to perform any function of an elected or appointed public official for a specific matter as set forth in the entry of appointment; a guardian ad litem; or the appointment of counsel pursuant to the Public Defender contract for assignment of counsel to indigent parties involving delinquency, unruly, dependency, neglect, abuse or adult criminal cases.

**(B) Court Appointments**

1. Persons appointed by the Court may be selected from lists maintained by the Court. Such lists will be located in miscellaneous case file. Persons desiring appointments and seeking to be added to the list should provide to the Court in writing a brief summary describing their qualifications, skills, and any special expertise, along with the position(s) sought to be considered for appointment.
2. Appointments will be made from such lists taking into consideration the qualifications, skills, and expertise of the appointee in addition to the type, complexity, and requirements of the case.
3. Court appointees will be paid a reasonable fee with consideration given to the factors contained in DR-2-106 of the Code of Professional Responsibility, the Ohio Revised Code, and the Local Rules of Court relating to fees.
4. The Court will review Court appointment lists in December and June of each year to ensure the equitable distribution of appointments and to determine whether to continue or remove the person on the appointment list. If the person is removed, the court will inform the person in writing. If a complaint is made with the court about the performance of the appointee or the court, on its own, may review such performance and remove the appointee from the list.

**RULE 33. SPECIALIZED DOCKET: PICKAWAY COUNTY FAMILY TREATMENT COURT.**

- (A) Establishment of the Pickaway County Family Treatment Court Docket. Established in 2017, the Pickaway County Family Treatment Court is a Specialized Docket designed in accordance with Appendix I, Specialized Docket Standards of the Rules of Superintendence for the Courts of Ohio. As a Specialized Docket, the Pickaway County Family Treatment Court offers a therapeutically-oriented, judicial approach to providing court supervision and appropriate treatment for substance-dependent parents/guardians of children who have been or are likely to be adjudicated abused, neglected or dependent by the Juvenile Court. The Pickaway County Family Treatment

Court strives to help each participant attain sobriety and complete the participant's individualized Case Plan objectives.

- (B) Placement in Pickaway County Family Treatment Court Docket: Referrals to the Family Treatment Court may come from the Judge, the Pickaway County Prosecuting Attorney's Office, Defense Counsel, or Children Services staff. Said persons may refer a potential participant to the Pickaway County Family Treatment Court by contacting the Treatment Court Coordinator. In addition a potential participant may personally apply for admission. Potential participants must meet the following eligibility requirements for participation in the program:
1. Clinical Eligibility Criteria
    - (a) If mental health issues exist, it is believed that those conditions can be effectively controlled by treatment and/or medication.
    - (b) Potential participants who are actively suicidal, homicidal or psychotic will not be admitted until those conditions have been assessed by a licensed mental health professional as being adequately managed by medication and/or mental health treatment.
    - (c) Potential participants whose developmental disability or mental health issues are so significant that the individual may not be able to parent despite achieving sobriety will not be admitted.
  2. Legal Eligibility Criteria
    - (a) Not be convicted of or currently charged with any sexual offense;
    - (b) Not have a permanent custody hearing scheduled on their children;
    - (c) Child Protective Services has or intends to have a court ordered case;
    - (d) Be a resident of Pickaway County;
    - (e) Substance abuse treatment must be a requirement of the CPS case plan.
- (C) Pickaway County Family Treatment Court Docket Process: As described fully in the Pickaway County Family Treatment Court Program Description, the following is a general description of the plan to provide services to the participants:
1. INITIAL. The Family Court Coordinator shall conduct an initial screen of the potential participant. The screen will serve as preliminary identification as to whether the offender meets the Legal Criteria as identified in Chapter 2 (Target Population). If represented by counsel, the coordinator shall first contact the attorney for permission to meet with the client to discuss Family Treatment Court. After the initial screening, if counsel and participant agree, an assessment time is scheduled. All chemical dependency, mental health and other programming assessments shall include any available collateral information to ensure that the assessments are accurate.
  2. ADMISSION. The participant will read the Participant Handbook and execute appropriate waivers, as well as the Participation Agreement, Drug Testing Agreement, and Consent for Release and Exchange of Confidential Information, to enter the specialized docket.

3. **PARTICIPATION.** Individualized Family Treatment Court case plans will be developed for every participant and the participant is expected to comply with every aspect of the Treatment Court case plan, or face sanction or termination from the Specialized Docket. Each participant's substance use shall be monitored by random, frequent and observed drug testing protocols that meet the requirements set forth in *Sup.R., Appx. I, Std. 8*. Progress shall be closely monitored by judicial interaction and oversight.
  4. **COMPLETION.** Compliance with all case plan goals and court orders is required for successful completion. The Judge shall have the discretion to determine if the participant has achieved successful completion of the Treatment Court case plan.
- (D) Termination from Family Treatment Court Docket: Participants can be terminated from Pickaway County Family Treatment Court at the discretion of the Family Treatment Court Judge in three ways: Unsuccessful, Neutral Discharge or Suspended Status.
1. **TERMINATION.** The participant may be terminated from the Specialized Docket for failure to appear for Status Review Hearings without just cause, failure to participate in treatment, continued willful non-compliance with program expectations, persistent use of illegal drug and/or alcohol, continued disrespect to other participants or Treatment Court staff and failure to comply with case plan.
  2. **NEUTRAL DISCHARGE.** The participant may be neutrally discharged from the Specialized Docket for inability to participate in Family Treatment Court due to (but not limited to): Death, incarceration for an extended period of time, injury, illness, relocation, military deployment; or if the participant's mental health problems develop to the point that Family Treatment Court can no longer meet his/her needs or other factors.
  3. **SUSPENDED STATUS.** Participants may also be suspended from active status in the Pickaway County Family Treatment Court due to placement in a residential facility that cannot transport the participant for drug court hearings or for an outstanding warrant for noncompliance from the Treatment Court and the issue has not been resolved. Upon resolution of either issue, the participant's case plan will become active again, at which point the participant will either comply with the plan or face termination.
- (E) Use of Information from Family Treatment Court
1. Pursuant to Evidence Rule 408, statements made in the Pickaway County Family Treatment Court hearings shall be treated as evidence of conduct or statements made in compromise negotiations and are not admissible to prove the underlying cause of action.
  2. Pursuant to Evidence Rule 410, statements made in the Pickaway County Family Treatment Court hearings will be treated as statements made in the course of plea discussions and will not be admissible to prove the underlying cause of action.
  3. This Rule does not limit the admissibility of evidence provable by independent, extrinsic evidence.

## **RULE 34. MEDIATION.**

### **(A) Uniform Mediation Act and Definitions**

The R.C. 2710 "Uniform Mediation Act" (UMA), including all definitions found in R.C. 2710.01, are incorporated by reference and adopted by this court through this local rule.

### **(B) Cases Eligible for Mediation**

1. General. The Pickaway County Juvenile Court may refer any civil action or proceeding that is within the jurisdiction of the Court for dispute resolution, which shall include mediation. A case may be submitted to mediation as provided in this rule. The court may issue an order on its own motion, upon the motion of counsel, upon the request of a party, or upon referral by the mediator.
2. Exceptions. Mediation is prohibited in the following:
  - a. As an alternative to the prosecution or adjudication of domestic violence;
  - b. In determining whether to grant, modify, or terminate a protection order;
  - c. In determining the terms and conditions of a protection order;
  - d. In determining the penalty for violation of a protection order.
3. Nothing in this division shall prohibit the use of mediation in a subsequent custody case, even though that case may result in the termination of the provisions of a protection order; or in a Juvenile Court delinquency case, even though the case involves juvenile-perpetrated violence.
4. The selection of the mediator, fees for the mediator, and source of payment for mediator fees shall be within the sole discretion of the Probate Court Judge. Payment for any additional expenses associated with the resolution of disputes must have prior approval of the Probate Court.

### **(C) Confidentiality**

Except as provided in sections 121.22 and 149.43 of the Revised Code, mediation communications are confidential to the extent agreed by the parties or provided by other sections of the Revised Code or rules adopted under any section of the Revised Code. Parties desiring confidentiality of mediation communications shall advise the mediator as soon as practical and all mediation participants shall execute any confidentiality agreement prior to the start of mediation.

By participating in mediation, a nonparty participant, as defined by R.C. 2710.01(D), submits to the Court's jurisdiction to the extent necessary for enforcement of this rule. Any nonparty participant shall have the rights and duties under this rule as are attributed to parties, except that no evidence privilege shall be expanded.

### **(D) Referral to Resources**

The court shall maintain resources for mediation parties, including victims and suspected victims of domestic violence, encouraging appropriate referrals to legal counsel and other support services such as Children Services, domestic violence prevention, counseling, substance abuse, and mental health services.

## **RULE 35. CUSTODY EVALUATION.**

### **(A) Definitions:**

1. “Custody evaluation”, as defined in Sup. R. 91.01, means an expert study and analysis, by an individual qualified to be a custody evaluator of the needs and development of a child who is the subject of an action or proceeding in which child custody or parenting time is an issue, and of the comparative and relative capacities of the parties and other relevant adults to care for and meet the needs and best interest of the child. Custody evaluation shall include full and partial evaluation. Custody and parenting time shall include allocation of parental rights and responsibilities, companionship, and visitation.
2. “Custody evaluator” means an objective, impartial, qualified mental health professional appointed by the court to perform a child custody evaluation.
3. A “full custody evaluation” is an evaluation that includes all items outlined in Sup.R. 91.04(B) unless contraindicated by the custody evaluator. A full evaluation shall be performed by an appropriately licensed individual who can perform both a forensic study and analysis of the situation and can administer and interpret formal assessment instruments as required in Sup.R. 91.04(B)(7). Any custody evaluator who is not able to perform formal assessments may partner with another professional to complete this portion of the custody evaluation.
4. A “partial custody evaluation” may be utilized when issues in a dispute are narrowly defined, or a narrow inquiry is necessary because of time constraints. The order of appointment shall provide specific issues to be addressed through the partial custody evaluation.

### **(B) Custody Evaluator Qualifications and List:**

#### **1. Private Custody Evaluator List**

Pursuant to Sup.R. 91.05, the court shall maintain a list of all custody evaluators eligible to receive appointments in Pickaway County. The list shall include the professional licensing of the evaluator, their hourly rate or flat fee amount, their deposit amount, and their rate for expert testimony for trial. The list of evaluators may be obtained by contacting the court.

By agreement of the parties and with permission of the court, a custody evaluator maintained on the Custody Evaluator List in another county in the State of Ohio may be used so long as that custody evaluator meets the qualifications as outlined in Sup. R. 91.08 and this rule.

The Judge shall annually review the court’s compliance with Sup.R. 91.05(B).

#### **2. Licensure and Training Requirements.**

A custody evaluator shall ensure that they meet the requirements of Sup.R. 91.08 and this rule. If they fail to meet these requirements at any time, they shall notify the appointing Judge or Magistrate immediately.

3. Pre-appointment Training

All Custody Evaluators maintained on the court's list shall complete the training requirements outlined in Sup.R. 91. However, an individual who has served as a custody evaluator shall have until February 1, 2024 to complete the training required under those rules. Approved topics for the initial training are detailed in the Supreme Court of Ohio's Custody Evaluator Training Guidelines.

4. Continuing Education

- (a) All court-connected or private custody evaluators shall comply with the continuing education requirements as outlined in Sup.R. 91.09.
- (b) Custody evaluators shall provide a report to the court annually outlining their completion of these requirements. Any custody evaluator that fails to meet the continuing education requirements shall not be eligible for new custody evaluation appointments until their continuing education requirements are satisfied. However, a custody evaluator shall be permitted to complete all of their ongoing appointments. Ongoing appointments include those where the court expands or limits the scope of the evaluation after the initial order of appointment, and those changes occur after the date that the evaluator is no longer eligible to accept new appointments.
- (c) In order to regain eligibility for new appointments, a custody evaluator must become current on all outstanding continuing education requirements. If the deficiency in continuing education is more than three calendar years, the custody evaluator shall complete the initial training requirements before they may regain eligibility.

(C) Appointment of a Custody Evaluator:

1. Court Order

Upon motion of a party, guardian ad litem, counsel for a child, or on its own initiative, a court may order a custody evaluation to aid in evaluating the best interest of a child in a contested custody, parenting time, or visitation case. The order shall be issued on the form prescribed by the court and shall include the information included in Sup.R. 91.05(C). The order shall specifically indicate whether the custody evaluation is a full evaluation or a partial evaluation. If a partial evaluation is ordered the court shall indicate in the order the specific issue or issues to be addressed by the evaluation. The order shall also outline with specificity the payment and allocation of fees and deposits as required by Sup.R. 91.05.

2. Fees and Expenses

- (a) Prior to the appointment of a custody evaluator, the parties to the case shall have a right to be heard on the issue of appointment and the allocation of fees.
- (b) In determining the allocation of fees and expenses for a private custody evaluator as indicated in Sup.R. 91.05(F), including advance deposit amounts, the court shall consider the flat fee or rate of reasonable compensation required by the custody evaluator and the ability of each party to pay said fees

and expenses. Each party shall have the right to be heard as it relates to allocation of reasonable fees and expenses, which at the discretion of the court may include brief oral testimony, submission of narrative affidavits, and/or submission of financial affidavits that are required by other local rules or the Ohio Rules of Civil Procedure. In determining a party's ability to pay, the court shall consider:

- i. The income, assets, liabilities, and financial circumstances of the parties as demonstrated by an affidavit or statement of income and expenses, testimony to the court, or evidence of qualification for any means-tested public assistance;
- ii. The complexity of the issues;
- iii. The total anticipated fees and expenses of the custody evaluator, including any reasonable fees and expenses related to providing oral testimony.

(c) Upon request of any party or upon the request of the custody evaluator, and for good cause shown, the court may approve additional fees or expenses, reallocate reasonable fees or expenses, or require a party to reimburse another party in part or in whole for reasonable fees and expenses paid. Good cause shall include, but not be limited to, a change of financial circumstances, the conduct of any party, or some unforeseen circumstance. Until such time as a motion to reallocate fees is decided by the court, the parties shall continue to comply with all existing orders regarding the allocation of fees and expenses.

### 3. Complaints

Comments or complaints regarding the performance of a custody evaluator appointed pursuant to this Rule shall be in writing and shall be submitted to the Judge for the Pickaway County Juvenile Court. A copy of comments and complaints submitted to the Judge shall be provided to the custody evaluator who is the subject of the complaint or comment. The Judge may forward any comments and complaints to the assigned Magistrate, if applicable, for consideration and appropriate action. The Judge will issue a timely disposition of the comment or the complaint and will notify the person making the comment or the complaint of the disposition. The Judge shall maintain a written record in custody evaluator's file regarding the nature and disposition of any comment or complaint.

### 4. Removal of Custody Evaluator

The Judge or Magistrate presiding over the case in which a custody evaluator was appointed may remove a custody evaluator upon a showing of good cause. Any party may file a motion in the case requesting removal and shall include specific information outlining what they believe to be good cause for removal. The motion shall be provided to all parties and the custody evaluator.

### 5. Resignation of Custody Evaluator

A custody evaluator appointed to perform a custody evaluation may resign prior to the completion of their evaluation only upon a showing of good cause, notice to the parties and their counsel, an opportunity to be heard, and with the approval of the court.

6. Access to Court Records

Once the order of appointment is filed, the custody evaluator may access the court file.

(D) Responsibilities of Custody Evaluator

1. General Responsibilities

A custody evaluator appointed by the court shall be familiar with the duties and responsibilities outlined in this local rule, the order of appointment, and Sup.R. 91.01 - 91.09, including those set forth in Sup.R. 91.06.

2. Communication with the Court

If the custody evaluator requires assistance as outlined in Sup.R. 91.06(B) when one party resides in another jurisdiction, or if they require an amendment to the order of appointment as outlined in Sup.R. 91.06(C), the custody evaluator may request a status conference with Judge or Magistrate by contacting the assigned clerk. Any request must also be provided to all counsel and *pro se* parties, the guardian ad litem, and any attorney advocate, if one has been appointed.

(E) Custody Evaluation Report

1. Dissemination and Time Frame

A custody evaluator shall provide their Custody Evaluation Report to the assigned Judge or Magistrate. The court shall then provide the copies of the report to the attorneys and guardian ad litem on the case. If any party is not represented by counsel, the report shall be provided directly to that party. The written report shall be provided at least 30 days prior to the final status conference.

2. Required Notice

The written report shall include the statement:

**“The custody evaluator’s report shall be provided to the Court for distribution to all parties and legal counsel. Unauthorized disclosure or distribution of the report may be subject to court action, including the penalties for contempt which include fines and/or incarceration.”**

3. Prohibition Against Dissemination

Custody evaluation reports and recommendations shall not be disseminated to anyone other than the individuals listed in (E)(1) nor placed on social media. Reports of the recommendations shall not be shared with minor children who are the subject of the case. Unauthorized disclosure or distribution of the report may be subject to court action, including the penalties of contempt which include fines and/or incarceration.



4. Court Access to Report

In accordance with Sup.R. 91.07(B), the court shall not review the report prior to trial unless the parties and counsel have agreed in advance for the purpose of conducting a settlement conference. If the court reviews the report in advance, it shall not consider the report for any other purpose until it has been properly admitted into evidence.

5. Discovery

The written report filed by the custody evaluator shall be subject to the Ohio Rules of Civil Procedure applicable to discovery in civil actions. Any records, information, or other materials relied upon by the evaluator may be subject to discovery pursuant to the Ohio Rules of Civil Procedure applicable to discovery in civil actions even if not filed by the custody evaluator.

6. Public Access

The written report shall not be available for public access pursuant to Sup.R. 44 through 47.

7. Use of Report

The court shall consider only those custody evaluations and reports completed by a custody evaluator appointed by the court. This provision shall not limit either party from retaining an additional expert or experts to review the custody evaluation and offer additional testimony as to its content.

**RULE 36. DISCOVERY IN ABUSE, NEGLECT, DEPENDENCY CASES.**

(A) Standing Order for Discovery on the Filing of a Complaint:

After the filing of a Complaint alleging that a minor child is abused, neglected, or dependent, Pickaway County Jobs and Family Services (hereinafter “PCJFS”) shall provide discovery to the parties or counsel for the parties within thirty (30) days of a party’s first appearance in court or the appointment or retention of counsel for a party, whichever occurs first. Discovery shall be provided either by mail or remotely through a mutually agreed upon electronic platform and shall include:

(1) The names and last known addresses of each witness, telephone number and e-mail address of each individual likely to have discoverable information, along with the subjects of that information that forms the basis of the charge or defense or that PCJFS may use to support its claims and defenses, unless the use would be solely for impeachment to the occurrence that forms the basis of the charge or defense or is otherwise prohibited by law;

(2) Copies of any written statements made by any party or witness;

(3) Transcriptions, recordings, and summaries of any oral statements of any party or witness, except the work product of counsel;

- (4) Any scientific or other reports that PCJFS intends to introduce at the hearing or that pertain to physical evidence that PCJFS intends to introduce;
  - (5) Photographs and any physical evidence which PCJFS intends to introduce at the hearing;
  - (6) Other evidence favorable to the requesting party and relevant to the subject matter involved in the pending action; and
  - (7) Treatment records, medical records, drug screens, agency case notes with redacted referral sources / information, paternity results, child support information, updated addresses, updated contact information, change in placement of the child, change in household composition, etc.
- (B) Reciprocal Discovery and Continuing Duty to Update:  
The Standing Order for Discovery makes discovery reciprocal and continuing upon PCJFS, all parties, and counsel for parties. Parties and counsel for the parties shall provide reciprocal discovery to PCJFS no more than fifteen (15) days after receiving discovery from PCJFS on the agency's Complaint. Thereafter, PCJFS, parties and counsel for the parties have a continuing duty to update any additional discovery they may acquire up to the time of the adjudication hearing and final hearing.
- (C) Standing Order for Reciprocal Discovery and Continuing Duty to Update after the Adjudication and Final Disposition Hearings:  
PCJFA and all parties have a continuing duty to supplement their disclosures after the initial adjudication and final disposition hearing and a finding that the child is an abused, neglected, or dependent duty.
- (1) Case Review Hearings: Seven (7) days prior to a case review hearing, PCJFS and the parties and/or counsel for the parties shall exchange updated discovery as set forth in subsection (A). PCJFS and the parties or counsel for the parties have a continuing duty to provide any additional discovery may be acquired after the seven (7) day cut off up to the time of the case review hearing.
  - (2) Legal Custody, Permanent Custody, or PPLA Hearings: Thirty (30) days prior to a hearing on a Motion for Legal Custody, Permanent Custody, or Planned Permanent Living Arrangement or as otherwise ordered, PCJFS shall provide the parties and/or counsel for the parties updated discovery as forth in subsection (A). PCJFS has a continuing duty to provide any additional discovery it may acquire after the thirty (30) day cut off up to the time of the hearing. Parties and/or counsel for parties have a reciprocal duty to provide PCJFS with discovery as forth in subsection (A) no more than fifteen (15) days after receiving discovery from PCJFS. Parties and/or counsel for parties have a continuing duty to provide any additional discovery that may be acquired after the fifteen (15) day cut off up to the time of the hearing.

(D) Failure to Comply:

If at any time during the course of the proceedings, it is brought to the attention of the court that PCJFS, the parties, or counsel for the parties has failed to comply with an order issued pursuant to this Rule, the court may grant a continuance; prohibit the introduction into evidence the material not properly provided in discovery; or enter such other order as it deems just under the circumstances. Records that are not properly certified or appropriately self-authenticating may be deemed inadmissible.

(E) Limitation:

Notwithstanding the provisions herein, the court may limit or set conditions on the discovery ordered herein upon its own motion or upon a showing of the party that the discovery ordered may jeopardize the safety of a party, witness, or other; may result in the production of perjured testimony or evidence; may endanger the existence of physical evidence, may violate a privileged communication; or may impede the criminal prosecution of a minor or an adult charged with an offense arising from the same transaction or occurrence.

**RULE 37. USE OF ELECTRONICALLY PRODUCED TICKET.**

The use and filing of a traffic ticket that is produced by computer or other electronic means is authorized in the Pickaway County Juvenile Court. Such ticket shall conform in all substantive respects, including layout and content, to the “Ohio Uniform Traffic Ticket,” except that standards for the color and weight of paper and method of binding shall not apply. If an electronically produced ticket is issued at the scene of an alleged offense, the issuing officer shall provide the juvenile with a paper copy of the ticket as required by the Ohio Traffic Rules. The issuing officer shall be considered to have certified the ticket and shall have the same rights, responsibilities, and liabilities as with all other tickets issued pursuant to the Ohio Traffic Rules.

APPENDIX A-1  
**FACSIMILE FILING COVER PAGE**

**RECIPIENT INFORMATION**

Name of Court: \_\_\_\_\_

Fax Number: \_\_\_\_\_

**SENDING PARTY INFORMATION**

Name: \_\_\_\_\_

Supreme Court Registration Number (If Applicable): \_\_\_\_\_

Office/Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

E-Mail Address (If Available): \_\_\_\_\_

**CASE INFORMATION**

Title of Case: \_\_\_\_\_

Case No: \_\_\_\_\_

Title of the Document: \_\_\_\_\_

Judge\*: \_\_\_\_\_

**FILING INFORMATION**

Date of Fax Transmission: \_\_\_\_\_

Number of Pages: \_\_\_\_\_

Statement Explaining How Costs Are Being Submitted, If Applicable: \_\_\_\_\_

\_\_\_\_\_

\*If a Judge or Case Number Has Not Been Assigned, Please State That Fact in the Space Provided.

APPENDIX A-2

**CREDIT/DEBIT CARD AUTHORIZATION FORM**

**To: Clerk, Pickaway County Common Pleas, Juvenile Division**

Fax Number: \_\_\_\_\_

**REGARDING**

Case Name: \_\_\_\_\_

Case No: \_\_\_\_\_

**Dear Clerk's Office Representative:**

Please charge my debit/credit card in the amount of \$ \_\_\_\_\_ in payment of fees for the following Court costs/service(s): (Identify document to be filed or other service to be performed by the Clerk's Office for which a fee is assessed): \_\_\_\_\_

\_\_\_\_\_

Circle One:     MasterCard                      Visa

Credit/Debit Card Number: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

Name of Cardholder: \_\_\_\_\_

Billing Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Cardholder Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name & Telephone Number of Person Submitting this Form: \_\_\_\_\_

\_\_\_\_\_

APPENDIX A-3  
RULE 19  
PARENTING SCHEDULE  
UNDER 150 MILES ONE WAY  
PICKAWAY COUNTY COURT OF COMMON PLEAS, JUVENILE DIVISION

Liberal parenting arrangements are encouraged, as extensive contact with both parents is important to the children. Specific items in the judgment entry may take precedence over this schedule. Changes or modifications can be made by the Court, if the need for such is shown. This schedule does not affect support payments, nor does it apply to parents living more than 150 miles apart, as the Long-Distance Parenting Schedule (Rule 19) shall apply.

- I. **PARENTING TIME:** Parenting time between the child(ren) and the non-residential parent shall take place at such times and places as the parties may agree, but in the absence of agreement, will not be less than:
- A. **INFANTS UP TO 12 MONTHS:** Every Sunday from 12:00 P.M. until 6:00 P.M. and two weekday evenings from 5:30 P.M. until 8:30 P.M. If the parents cannot agree, the weekdays shall be Tuesday and Thursday. The non-residential parent shall also have holiday parenting time on Easter, The Fourth of July and Christmas Day from 12:00 P.M. until 6:00 P.M. The child(ren) shall be with the mother on Mother's Day from 12:00 P.M. until 6:00 P.M. and with the father on Father's Day from 12:00 P.M. until 6:00 P.M. If the non-residential parent misses Sunday parenting time due to the other parent's Mother's Day/Father's Day parenting time, the non-residential parent shall exercise his or her Sunday parenting time on Saturday on that particular weekend from 12:00 P.M. until 6:00 P.M. If the non-residential parent misses his or her weekday parenting time due to the residential parents' exercise of holiday parenting time; the missed parenting time shall be made up on the day immediately following the holiday. Said parenting time shall be modified so as not to interfere with breastfeeding in the event the mother is nursing the child.
- B. **AFTER 12 MONTHS OF AGE:**
1. **Weekends:** Alternate weekends from Friday at 6:00 P.M. until Sunday at 6:00 P.M.
  2. **Weekdays:** Two weekday evenings per week from 5:30 P.M. until 8:30 P.M. If the parents cannot agree, the weekdays shall be Tuesday and Thursday.
  3. **Holidays and School Vacations:** In the odd-numbered years, Mother shall have parenting time on Martin Luther King Day, Easter, Fourth of July, Trick-or-Treat night, Thanksgiving, Christmas Day and the second half of the Christmas vacation (if applicable). Father shall have parenting time on President's Day, Spring Break (if applicable), Memorial Day, Labor Day, Christmas Eve, and the first half of Christmas vacation (if applicable). In the even-numbered years the schedules are reversed.  
The following are general rules for holiday and birthday parenting time:
    - (a) Holiday and birthday parenting time shall take precedence over regularly scheduled parenting time. Any regularly scheduled parenting time missed due to the exercise of holiday or birthday parenting time shall not be made up.
    - (b) A holiday which falls on a weekend should be spent with the parent who is supposed to have the child(ren) for that holiday. The rest of the weekend is spent with the parent who would normally have that weekend.
    - (c) Mother's Day and Father's Day shall be spent with the appropriate parent. The times are from 6:00 P.M. the night proceeding until 6:00 P.M. on the day of the holiday.
    - (d) Other days of special meaning such as religious holidays shall be decided together, written into the Court order, and alternated as above.
    - (e) Spring Break shall be applicable for all children when one or more is of school age and receives a Spring Break from school. It shall commence at 6:00 P.M. on the day school is out until 6:00 P.M. on the day before school recommences.
    - (f) Easter shall be from 6:00 P.M. the night before until 6:00 P.M. Easter day, unless at least one child is entitled to a Spring Break from school and Easter is during that time in which case subsection (e) hereinabove shall apply.

- (g) Fourth of July shall be from 9:00 A.M. on July 4 until 9:00 A.M. on July 5.
  - (h) Thanksgiving shall be from 6:00 P.M. on the day before Thanksgiving until 6:00 P.M. the Sunday after Thanksgiving.
  - (i) Christmas Eve shall be from 12:00 P.M. on December 24 until 12:00 P.M. on December 25.
  - (j) Christmas Day shall be from 12:00 P.M. on December 25 until 12:00 P.M. on December 26.
  - (k) At such time as one or more of the children is of school age and entitled to a Christmas vacation, then the Christmas holiday shall consist of the entire school vacation, with the first half of Christmas vacation commencing at 6:00 P.M. on the day school is out until 12:00 P.M. on December 25, and the second half commencing at 12:00 P.M. on December 25 through 6:00 P.M. on the day before school recommences.
  - (l) Memorial Day, President's Day, Labor Day, and Martin Luther King Day shall be from 9:00 A.M. until 6:00 P.M. on the day of the holiday.
  - (m) 48 hours notice shall be given by the parent with whom the holiday is being spent for any arrangements for out of town travel on the holidays or change in pick-up/return times.
4. **Birthdays:** The children's birthdays shall be alternated between the parents on an annual basis, with mother to have the children in all odd-numbered years and father to have the children in all even-numbered years. The parenting time shall be from 10:00 A.M. until 6:00 P.M. unless the birthday falls on a school day, in which case it shall be from 5:30 P.M. until 8:30 P.M. Siblings shall attend the birthday event. Birthday parenting time shall take precedence over regular weekend time and all holidays excepting Christmas Day.
  5. **Summer:** Four weeks of parenting time each year to be arranged with 45 days advance notice by the non-residential parent. The residential parent must give the non-residential parent 60 days notice of vacations or special plans for the child(ren) to avoid planning conflicts. In the event the child(ren) must attend summer school in order to pass to the next grade, school must be attended. **Mandatory** camps or tryouts attached to a school-sanctioned extracurricular activity shall also be attended. If proper notice has been given and a scheduling conflict still exists, Mother's choice shall take precedence in odd-numbered years and Father's choice shall take precedence in even-numbered years. Said parenting time shall be exercised in one-week non-consecutive periods for children under three years of age and in one or two week non-consecutive periods for children three years of age and over, or for families wherein at least one child is three years of age or over. During the summer months, the residential parent shall have weekday parenting time two weekday evenings per week from 5:30 P.M. to 8:30 P.M. if the non-residential parent is not traveling pursuant to paragraph 6 below. If the parents cannot agree, the weekdays shall be Tuesday and Thursday.
  6. **Vacations:** Each parent may arrange an uninterrupted vacation of not more than two weeks with the child(ren). The non-residential parent shall schedule this during his or her four-week summer parenting time, and the residential parent shall schedule this at a time other than the non-residential parent's four-week summer parenting time. A general itinerary shall be provided to the other parent, including dates, locations, addresses and telephone numbers. Holiday and birthday celebrations with either parent shall not be missed. Scheduling of the vacation around these events shall be required or the missed occasion be made up if the parties so agree. Alternate weekends which are missed during vacation are not required to be made up. A vacation is defined as a parent's time off from work where that parent spends time with the child(ren).

II. **TRANSPORTATION:** Unless otherwise agreed upon or ordered by the Court, and subject to paragraph XI, the parties shall be equally responsible for all transportation involving exchanges of children for parenting time, excluding mid-week parenting time which shall be the responsibility of the non-residential parent. The parent providing transportation may employ another responsible adult known well and trusted by the child(ren) when necessary.

- III. **SPECIAL ACTIVITIES:** The residential parent shall not unilaterally schedule activities for the child(ren) which necessarily conflict with or limit the parenting time of the non-residential parent. However, activities of a continuing nature which are important to the child(ren) and an integral part of the responsibility of the residential parent, such as regular or compulsory church attendance or religious training, regular extracurricular activities including academic clubs, sports, cheerleading, and musical and dramatic organizations, and summer recreation programs such as a little league baseball, should be encouraged. In such instances, the non-residential parent shall be responsible for good faith efforts to help the child(ren) participate when activities occur during scheduled parenting time.
- IV. **CHILDREN RESIDING WITH DIFFERENT PARENTS:** Whenever the children are “split” between the parents, that is one or more residing with the mother and one or more residing with the father, all parenting time under this Schedule shall be coordinated so that the children are together on all weekends, holidays and during the summer.
- V. **PARENTING TIME SHALL NOT CONFLICT WITH SCHOOL ATTENDANCE:** If any one of the holidays listed above is not a school holiday, there shall be no special parenting time on said holiday.
- VI. **RELATIONSHIP WITH CHILD(REN):** No overnight parenting time shall commence at any age unless the non-residential has exercised regular, consistent parenting at least during the sixty (60) days preceding the overnight. The purpose of this section is to prevent undue emotional distress for the child(ren) who has had little or no contact with the non-residential parent. In such circumstances, the non-residential parent should exercise parenting time pursuant to Section I (A) for at least sixty (60) days before beginning overnight parenting time.
- VII. **CANCELLATION:** The non-residential parent shall give twenty-four (24) hours notice to cancel. Time cancelled or not exercised by the non-residential parent is forfeited.
- VIII. **ILLNESS:** If a child is ill, the residential parent should give twenty-four (24) hours notice if possible, so appropriate plans can be made. However, if more than one day of any weekend, holiday, or vacation is missed due to a non-emergency or non-critical illness, then any missed parenting time shall be made up as soon as practicable.
- IX. **MAKE-UP PARENTING TIME:** Any make-up parenting time required by this Schedule shall occur the first weekend allocated to the other parent immediately following the missed parenting time, and shall continue during the other parent’s weekends until made up in full, including partial weekends.
- X. **WAITING:** The children and residential parent have no duty to await the visiting parent more than thirty (30) minutes past the scheduled parenting time. A parent who is more than thirty minutes late forfeits parenting time for that period, unless the delay is reasonable, advance notice is given, and other arrangements are made, which do not work a hardship on the child(ren) or residential parent.
- XI. **MOVING:** Upon either parent learning that he or she will be moving, he or she shall immediately notify the other parent and provide the other parent with the moving date, new residence address and telephone number, and such other pertinent information necessary to effectuate a smooth move for the child(ren). The parents shall attempt in good faith to renegotiate an appropriate and beneficial new parenting schedule. If they are unable to do so, the non-residential parent shall, at a minimum, enjoy the existing parenting schedule for distances under 150 miles or the long-distance parenting schedule for distances farther than 150 miles. If the residential parent moves farther than fifty (50) miles from his/her current residence, then he/she shall bear the expense and responsibility of transportation until a Court order modifying parenting time is entered. In the event the residential parent learns or determines that he or she will be moving, he or she shall file a Notice of Intent to Relocate with this Court, as provided by law.
- XII. **MEDICAL CONCERNS:** Each parent shall timely notify the other of any health problems of the child(ren) and shall provide necessary instructions for the administration of prescription or over-the-counter medications.
- XIII. **SCHOOL:** Both parents shall have the right to participate in parent/teacher conferences, school trips, school programs, and other school events in which parents are invited to participate. The parent receiving the notices of such events shall notify the other of the details of said events within three (3) days of receipt, or sooner if applicable. Both parents are equally entitled to receive grade cards for the children and shall individually notify the school to make arrangements to directly receive the information. The parent completing the required contact/information form and/or emergency contact information form for the child(ren) SHALL provide contact information for the other parent.



- XIV. **TELEPHONE ACCESS:** Unless otherwise excused by the Court, each parent shall disclose to the other her/his telephone number(s). The child(ren) must be allowed to communicate by telephone two times per week with both parents, regardless of with whom the child(ren) is/are currently residing. Telephone conversations shall be no less than fifteen (15) minutes in length. The calling party shall bear the expense. The child(ren) may call either parent collect at any and all reasonable times as he or she wishes/ Telephone communication shall not be monitored or censored.
- XV. **CURRENT ADDRESS AND TELEPHONE NUMBER(S):** Each parent must keep the other informed of his or her current address and telephone at all times.
- XVI. **SCHEDULE TO BE FURNISHED PARTIES:** Attorneys representing parties in domestic relations actions in this Court where there are minor children shall furnish their clients with a copy of this Schedule when applicable.

APPENDIX A-4  
RULE 19  
PARENTING SCHEDULE FOR LONG DISTANCE TRAVEL  
OVER 150 MILES ONE WAY  
PICKAWAY COUNTY COURT OF COMMON PLEAS, JUVENILE DIVISION

Liberal parenting arrangements are encouraged, as extensive contact with both parents is important to the children. Specific items in the judgment entry may take precedence over this schedule. Changes or modifications can be made by the Court, if the need for such is shown. This Long Distance Parenting Schedule shall apply to parents living more than 150 miles apart, and is intended to limit the time a child must travel for short term visitation to four hours or less.

- I. **PARENTING TIME:** The non-residential parent who wishes to travel to the residence of the child shall be entitled to exercise the same rights of parenting time as set forth in the Parenting Schedule for parent who live within 150 miles of each other (Local Rule 19) as long as the travel associated with said parenting time does not create an undue burden on the minor child(ren). In such circumstances, however, the non-residential parent shall notify the residential parent of the intent to follow the regular schedule.

The non-residential parent who is unable to visit regularly due to distances between residences shall have parenting time with the children at such times and places as the parties may agree, but in the absence of an agreement, or a specific Court order, will not be less than:

- A. **INFANTS UP TO 12 MONTHS:** Any time said parent travels to the general area of the child's residence with said parenting time to be on a daily basis for a period of up to seven (7) consecutive days, not to exceed 28 days per year. The daily parenting time shall be from 12:00 P.M. until 6:00 P.M. Said parenting time shall not be exercised on any holiday except Easter, the Fourth of July, and Christmas Day and Father's Day if the non-residential parent is the father, or Mother's Day if the non-residential parent is the mother. Said parenting time shall be modified so as not to interfere with breastfeeding in the event the mother is nursing the child.

B. **AFTER 12 MONTHS OF AGE:**

1. **Weekends:** One weekend per month from Thursday at 4:00 P.M. until Sunday at 6:00 P.M. or from Friday at 4:00 P.M. until Monday at 6:00 P.M. at the option of the non-residential parent, as long as the parenting time does not interfere with school or with holidays, vacations or birthdays assigned to the residential parent as set forth hereinbelow. The non-residential shall give the residential parent at least seven (7) days' notice of his or her intention to exercise the one weekend per month
2. **Holidays and School Vacations:** In the odd-numbered years, Mother shall have parenting time on Martin Luther King Day, Easter, Fourth of July, Trick-or-treat night, Thanksgiving, Christmas Day and the second half of the Christmas vacation (if applicable). Father shall have parenting time on President's Day, Spring Break (if applicable), Memorial Day, Labor Day, Christmas Eve, and the first half of Christmas vacation (if applicable). In the even-numbered years the schedules are reversed.

The following are general rules for holiday and birthday parenting time:

- a. The non-residential parent must give at least seven (7) days' notice of the intent to exercise holiday and/or birthday parenting time.
- b. Holiday and birthday parenting time shall take precedence over regularly scheduled parenting time. Any regularly scheduled parenting time missed due to the exercise of holiday or birthday parenting time shall not be made up.
- c. A holiday which falls on a weekend should be spent with the parent who is supposed to have the child(ren) for that holiday. The rest of the weekend is spent with the parent who would normally have that weekend.
- d. Mother's Day and Father's Day shall be spent with the appropriate parent. The times are from 6:00 P.M. the night preceding until 6:00 P.M. on the day of the holiday.

- e. Other days of special meaning such as religious holidays shall be decided together, written into the Court order, and alternated as above.
  - f. Spring Break shall be applicable for all children when one or more is of school age and receives a Spring Break from school. It shall commence at 6:00 P.M. on the day school is out until 6:00 P.M. on the day before school recommences.
  - g. Easter shall be from 6:00 P.M. the night before until 6:00 P.M. Easter day, unless at least one child is entitled to a Spring Break from school and Easter is during that time in which case subsection (f) hereinabove shall apply.
  - h. Fourth of July shall be from 9:00 A.M. on July 4 until 9:00 A.M. on July 5.
  - i. Thanksgiving shall be from 6:00 P.M. on the day before Thanksgiving until 6:00 P.M. the Sunday after Thanksgiving.
  - j. Christmas Eve shall be from 12:00 P.M. on December 24 until 12:00 P.M. on December 25.
  - k. Christmas Day shall be from 12:00 P.M. on December 25 until 12:00 P.M. on December 26.
  - l. At such time as one or more of the children is of school age and entitled to a Christmas vacation, then the Christmas holiday shall consist of the entire school vacation, with the first half of the Christmas vacation commencing at 6:00 P.M. on the day school is out until 12:00 P.M. on December 25, and the second half commencing at 12:00 P.M. on December 25 through 6:00 P.M. on the day before school recommences.
  - m. Memorial Day, President's Day, Labor Day and Martin Luther King Day shall be from 9:00 A.M. until 6:00 P.M. on the day of the holiday.
  - n. 48 hours notice shall be given by the parent with whom the holiday is being spent for any arrangements for out of town travel on the holidays or change in pick-up/return times.
  - o. Should the non-residential parent have parenting time on a weekend immediately following or preceding a holiday to which he or she is also entitled, then said non-residential parent need not return the children until the end of the holiday and visitation weekend.
3. **Birthdays**: The children's birthdays shall be alternated between the parents on an annual basis, with Mother to have the children in all odd-numbered years and Father to have the children in all even-numbered years. The parenting time shall be from 10:00 A.M. until 6:00 P.M. unless the birthday falls on a school day, in which case it shall be from 5:30 P.M. until 8:30 P.M. Siblings shall attend the birthday event. Birthday parenting time shall take precedence over regular weekend time and all holidays except Christmas Day. The non-residential parent shall give at least seven (7) days notice of the intent to exercise birthday parenting time.
4. **Summer**: For children under five (5) years of age, but over 12 months, the non-residential parent shall have four (4) weeks of parenting time each year, and for children five (5) years of age and older, the non-residential parent shall have six (6) weeks of parenting time each year, to be arranged with 45 days advance notice by the non-residential parent. The residential parent must give the non-residential parent 60 days notice of vacations or special plans for the child(ren) to avoid planning conflicts. If proper notice has been given and a scheduling conflict still exists, Mother's choice of dates shall take precedence in odd-numbered years and Father's choice of dates shall take precedence in even-numbered years. In the event the child(ren) must attend summer school in order to pass to the next grade, school must be attended. **Mandatory** camps or tryouts attached to a school-sanctioned extra-curricular activity shall also be attend. Said parenting time shall be exercised in one or two week non-consecutive periods for children under five (5) years of age.

5. **Vacations:** Each parent may arrange an uninterrupted vacation of not more than two (2) weeks with the child(ren). The non-residential parent shall schedule this during his or her summer parenting time, and the residential parent shall schedule this at a time other than the non-residential parent's summer parenting time. A general itinerary shall be provided to the other parent, including dates, locations, addresses and telephone numbers. Holiday and birthday celebrations with either parent shall not be missed. Scheduling of the vacation around these events shall be required of the missed occasion be made up if the parties so agree. Alternate weekends which are missed during vacation are not required to be made up. A vacation is defined as a parent's time off from work where that parent spends time with the child(ren).
- II. **TRANSPORTATION:** Unless otherwise agreed upon or ordered by the Court, and subject to paragraph XI, the parties shall be equally responsible for all transportation involving exchanges of child(ren) for parenting time. The parent providing transportation may employ another responsible adult known well and trusted by the child(ren) when necessary.
- III. **SPECIAL ACTIVITIES:** The residential parent shall not unilaterally schedule special activities for the child(ren) which necessarily conflicts with or limits the parenting time of the non-residential parent. However, activities of a continuing nature which are important to the child(ren) and an integral part of the responsibility of the residential parent, such as regular or compulsory church attendance or religious training, regular extracurricular activities including academic clubs, sports, cheerleading and musical and dramatic organizations, and summer recreation programs such as little league baseball, should be encouraged. In such instances, the non-residential parent shall be responsible for good faith efforts to help the child(ren) participate when activities occur during scheduled parenting time.
- IV. **CHILDREN RESIDING WITH DIFFERENT PARENTS:** Whenever the children are "split" between the parents, that is on or more residing with the mother and one or more residing with the father, all parenting time under this Schedule shall be coordinated so that the children are together on all weekend, holidays and at least one-half of the summer.
- V. **PARENTING TIME SHALL NOT CONFLICT WITH SCHOOL ATTENDANCE:** If any one of the holidays listed above is not a school holiday, there shall be no special parenting time on said holiday.
- VI. **RELATIONSHIP WITH CHILD(REN):** No overnight parenting time shall commence at any age unless the non-residential parent has exercised regular, consistent parenting time at least during the sixty (60) days preceding the overnight. The purpose of this section is to prevent undue emotional distress for the child(ren) who has/have had little or no contact with the non-residential parent. In such circumstances, the non-residential parent should exercise parenting time pursuant to Section I(A) for at least sixty (60) days before the beginning overnight parenting time.
- VII. **CANCELLATION:** The non-residential parent shall give at least twenty-four (24) hours' notice to cancel. Time cancelled or not exercised by the non-residential parent is forfeited.
- VIII. **ILLNESS:** If a child is ill, the residential parent should give twenty-four hours notice if possible, so appropriate plans can be made. However, if more than one (1) day of any weekend, holiday or vacation is missed due to a non-emergency or non-critical illness, then any missed parenting time shall be made up as soon as practicable.
- IX. **MAKE-UP PARENTING TIME:** Any make-up parenting tie required by this Schedule shall occur the first weekend allocated to the other parent immediately following the missed parenting time, and shall continue during the other parent's weekend until made up in full, including partial weekends.
- X. **WAITING:** The children and residential parent have no duty to await the visiting parent more than two (2) hours past the scheduled parenting time. A parent who is more than two (2) hours late forfeits parenting time for that period, unless the delay is reasonable, advanced notice is given, and other arrangements are made, which do not work a hardship on the child(ren) or residential parent.

- XI. **MOVING:** Upon either parent learning that he or she will be moving, he or she shall immediately notify the other parent and provide the other parent with the moving date, new residence address and telephone number, and such other pertinent information necessary to effectuate a smooth move for the child(ren). The parents shall attempt in good faith to renegotiate and appropriate and beneficial new parenting schedule. If they are unable to do so, the non-residential parent shall, at a minimum, enjoy the existing parenting schedule for distances under 150 miles or the long-distance parenting schedule for distances farther than 150 miles. If the residential parent moves farther than fifty (50) miles from his/her current residence, then he/she shall bear the expenses and responsibility of transportation until a Court order modifying parenting time is entered. In the event the residential parent learns or determines that he or she will be moving, he or she shall file a Notice of Intent to Relocate with this Court, as provided by law.
- XII. **MEDICAL CONCERNS:** Each parent shall promptly notify the other of any health/medical problems of the child(ren) and shall provide necessary instructions for the administration of prescription or over-the-counter medications.
- XIII. **SCHOOL:** Both parents shall have the right to participate in parent/teacher conferences, school trips, school programs, and other school events in which parents are invited to participate. The parent receiving the notices of such events shall notify the other of the details of said events within three days of receipt, or sooner if applicable. Both parents are equally entitled to receive grade cards for the children and shall individually notify the school to make arrangements to directly receive the information. The parent completing the required contact/information form and/or emergency contact information form for the child(ren) SHALL provide contact information for the other parent.
- XIV. **TELEPHONE ACCESS:** Unless otherwise excused by the Court, each parent shall disclose to the other his/her telephone number(s). The child(ren) must be allowed to communicate by telephone two (2) times per week with both parents, regardless of with whom the child(ren) is/are currently residing. Telephone conversations shall be no less than fifteen (15) minutes in length. The calling party shall bear the expense. The child(ren) may call either parent collect at any and all reasonable times as he or she wishes. Telephone communication shall not be monitored or censored.
- XV. **CURRENT ADDRESS AND TELEPHONE NUMBER(S):** Each parent must keep the other informed of his or her current address and telephone number(s) at all times.
- XVI. **SCHEDULE TO BE FURNISHED PARTIES:** Attorneys representing parties in domestic relations actions in this Court where there are minor children shall furnish their clients with a copy of this Schedule when applicable. A copy of the applicable parenting schedule shall be attached to the Decree of Dissolution or Divorce and incorporated therein.



**Pickaway and Hocking County CASA Program**  
**Division of Pickaway Co. Juvenile Court**  
207 South Court Street  
Circleville, Ohio 43113  
740-420-2906 800-474-TEEN #239  
Fax 740-474-8451  
E-mail: [pickawaycasa@yahoo.com](mailto:pickawaycasa@yahoo.com)

**For Office Use Only:**

Date Rec'd \_\_\_\_\_ PCDJFS Check \_\_\_\_\_  
Date Refs Sent \_\_\_\_\_ BCI CHECK \_\_\_\_\_  
Refs Rec'd 1 2 3  
Sheriff Check \_\_\_\_\_ Interview Date \_\_\_\_\_

**PLEASE RETURN THE COMPLETED APPLICATION AND SIGNED RELEASE OF INFORMATION TO THE CASA OFFICE.**

**CASA VOLUNTEER APPLICATION FORM**

**PLEASE PRINT OR TYPE**

**TODAY'S DATE** \_\_\_\_\_

Name \_\_\_\_\_  
Last First Middle

Date of Birth \_\_\_\_\_ Social Security No. \_\_\_\_\_

Home or Mailing Address \_\_\_\_\_  
Street City Zip

Prior addresses for last 5 years & dates at each address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Phone (Home): \_\_\_\_\_ Phone (Work) \_\_\_\_\_ Phone (Cell) \_\_\_\_\_  
E-Mail (Home) \_\_\_\_\_ E-Mail (Work) \_\_\_\_\_ I don't have E-Mail \_\_\_\_\_

May we call you at work? \_\_\_\_\_ May we e-mail you at work? \_\_\_\_\_

Employer \_\_\_\_\_ How Long? \_\_\_\_\_

Brief Description of Work \_\_\_\_\_

\_\_\_\_\_

May we phone you at work? Yes \_\_\_\_\_ No \_\_\_\_\_

Education Completed: \_\_\_\_\_ High School \_\_\_\_\_ Some College \_\_\_\_\_ 2 Yr. Degree \_\_\_\_\_ 4 Yr. Degree \_\_\_\_\_ Post Grad

Education (Include all education, including Major & Minor Fields of Study) \_\_\_\_\_

Do you currently volunteer in any capacity? Yes \_\_\_\_\_ No \_\_\_\_\_

Your Children	Name	Age
	_____	_____
	_____	_____
	_____	_____
	_____	_____

Personal Interests & Hobbies \_\_\_\_\_

Past Volunteer/Paid Experience \_\_\_\_\_

Was this experience with youth Yes \_\_\_\_\_ No \_\_\_\_\_

With Juvenile Justice System Yes \_\_\_\_\_ No \_\_\_\_\_

Have you ever applied to or volunteered for another CASA program? If yes, what county?  
\_\_\_\_\_

Do you currently volunteer in any capacity? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, indicate position, agency and days/hours per week: \_\_\_\_\_

List any specific skills/qualifications you have which would be of value to the program \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Please check if you have any training or experience in any of the following:

_____ Mental Health/Medical	_____ Education
_____ Counseling/Psychology	_____ Drug/Alcohol Abuse Programs
_____ Child Development/Child Welfare	_____ Social Work
_____ Support Group/Facilitation	_____ Criminology/Law Enforcement
_____ Public Speaking	_____ Art or Graphics
_____ Grant Writing/Fund Raising	_____ Child Care
_____ Advertising/Public Relations/News Media	

**Emergency Contact**

Name \_\_\_\_\_

Relationship \_\_\_\_\_

Telephone No. \_\_\_\_\_

List any health problems or handicaps you have which should be taken into account \_\_\_\_\_  
\_\_\_\_\_

Do you have access to a computer? Yes \_\_\_\_\_ No \_\_\_\_\_

Have you ever been convicted of a crime Yes \_\_\_\_\_ No \_\_\_\_\_

(A conviction will not necessarily bar you from acceptance into this program)

Do you hold a valid driver's license Yes \_\_\_\_\_ No \_\_\_\_\_

Do you have access to a car Yes \_\_\_\_\_ No \_\_\_\_\_

Are you willing to travel Yes \_\_\_\_\_ No \_\_\_\_\_

Do you have Auto Liability Insurance Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, with which company \_\_\_\_\_

How did you learn about CASA?  
\_\_\_\_\_**PLEASE LIST THREE REFERENCES:**

Please submit professional references only. Do not include family members as references.

PLEASE ALERT REFERENCES WE WILL BE CONTACTING THEM SOON AND NEED A PROMPT  
REPLY

Name \_\_\_\_\_ Relationship \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone \_\_\_\_\_ Business Phone \_\_\_\_\_

Name \_\_\_\_\_ Relationship \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone \_\_\_\_\_ Business Phone \_\_\_\_\_

Name \_\_\_\_\_ Relationship \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone \_\_\_\_\_ Business Phone \_\_\_\_\_



## RELEASE OF INFORMATION

I hereby give my informed consent to the Pickaway County Juvenile Court, Court Appointed Special Advocate/Guardian Ad Litem (CASA/GAL) to complete a thorough investigation of my character and fitness to be a CASA/GAL Volunteer. I understand that by signing this release, I authorize inquiries to be made concerning my suitability as a volunteer to references that I have provided, which include my past and present employers. I further authorize police checks, Bureau of Criminal Investigation checks, National Background Checks, and child(ren) protective services agencies history checks. I understand that information requested in this application and other information that may otherwise be obtained will be used only for the purpose of deciding my fitness and suitability to serve as a CASA/GAL Volunteer and may be shared with other CASA programs, if appropriate. I further understand that Ohio law may require additional background checks on me in the future to remain a CASA/GAL Volunteer. I hereby agree to cooperate with such required checks and/or investigations and to sign all necessary releases or resign as a CASA/GAL Volunteer.

This release is good until revoked by me, in writing, at any time before it has been acted upon.

Criteria used in the selection of CASA/GAL volunteer will be such as to ensure that each accepted applicant is able to meet the responsibilities of a CASA/GAL volunteer. No individual will be rejected because of ethnicity, gender, handicap, nationality, race, religion, sexual orientation, age, if at least 21 years of age, or marital status.

I understand that Pickaway County Juvenile Court reserves the sole right to determine which individuals are suitable to become CASA/GAL Volunteers. Individuals who have been convicted of a felony, who have been convicted of any criminal act involving drugs or alcohol within the past five (5) years and/or who have a history with a child protective service agency may not be accepted as a CASA/GAL Volunteer. An individual who has been adjudicated to have abused or neglected a child including, but not limited to, any sexual offense, abuse, child endangerment, neglect or who has been involved in related acts that would pose a risk to children or to the program's credibility will not be accepted as a CASA/GAL Volunteer.

Print Name \_\_\_\_\_ Social Security # \_\_\_\_\_

Date of Birth \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

APPENDIX A-6  
IN THE COURT OF COMMON PLEAS, PICKAWAY COUNTY, OHIO  
JUVENILE DIVISION

**NON-PUBLIC: INTENDED FOR COURT PERSONNEL ONLY**

*Information contained in this form must not be made available to the public or any party.*

IN THE MATTER OF: \_\_\_\_\_

CASE NO: \_\_\_\_\_

DOB: \_\_\_\_\_

**CHILD PLACEMENT FORM**

- ☐ The above captioned child has been placed with the Foster or Kinship Caregiver listed below and this caregiver should be provided with notice of future hearings in compliance with R.C. § 2151.424. Any previous Foster or Kinship Caregiver should no longer be provided with notice of hearings.
- ☐ The above captioned child is no longer placed with a Foster or Kinship Caregiver and therefore any previous Foster Caregiver or Kinship Caregiver should no longer be provided with notice of hearings in compliance with R.C. § 2151.424.

☐ Foster      ☐ Kinship      ☐ Other: \_\_\_\_\_

Caregiver Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Placement Information Provided By: \_\_\_\_\_

Date Information Provided: \_\_\_\_\_

*This form shall be completed or updated and submitted to the Clerk's Office the next business day following the initial placement or no later than 7 days after any change in placement of the above-captioned youth.*

APPENDIX A-7

**CAREGIVER INFORMATION FORM**

Child's Name: \_\_\_\_\_

Case No.: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Name of Caregiver: \_\_\_\_\_

Type of Caregiver:

☐ Foster Parent

☐ Kinship Caregiver

☐ Other (Please specify): \_\_\_\_\_

Date of Child's Placement with you: \_\_\_\_\_

Date of this Report: \_\_\_\_\_

---

Under Ohio law, foster and kinship caregivers have the right to attend and be heard in court proceedings related to the children in their care. This form is intended to help you provide information to the court at the next hearing related to the child in your care. Please answer questions below that are relevant to the child's current status and needs. You can also obtain a fillable form online at \_\_\_\_\_. Once you have completed the online form, please print and bring or mail to the court.

**You do not need to answer all questions. Use of this form is voluntary.**

1. Have you received a copy of the most recent case plan? (circle one) Yes No

2. Is there anything you would suggest be added to the case plan? (circle one) Yes No

If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Please describe any behavioral, emotional, or mental health concerns with the child, if any exist (for example, any changes in eating or sleeping patterns, acting out or aggressive behaviors, withdrawal, etc.). Are any such concerns being addressed with services? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Please identify any needs this child has that are not currently being addressed with services. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Please describe the child's educational progress and identify any concerns (for example, peer or teacher issues, bullying, academic progress or lack of progress, special education needs). \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. If age appropriate, what independent living services have been provided? What age-appropriate tasks and skills have you provided to the child to assist them in preparing for independence (e.g. cooking, cleaning, finances)? Are there such services you would recommend? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Please describe your observations of the child's interactions with other children and adults. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Has this child received any medical or dental treatment since the last hearing?  
Yes No  
If Yes, please describe. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. Please note your observations related to child's contacts and visits with his or her birth parents. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Does the child have regular, ongoing opportunities to socialize or participate in recreational activities with peers?    Yes    No  
If so, please describe. Please include any challenges to participation in activities.

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11. Are there any additional services or supports needed for the child or for you that were not previously mentioned? \_\_\_\_\_

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12. Has a guardian ad litem or Court Appointed Special Advocate (CASA) been appointed for the child/youth? Yes    No

If so, what was the date and location of the last contact? \_\_\_\_\_

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13. Have you been made aware of the most recent report and/or recommendations by the Guardian ad Litem (GAL) or Court Appointed Special Advocate (CASA) in this case?

Yes                      No

If so, do you agree with the recommendations? Yes                      No

If you do not agree with the recommendations, what recommendations would you make?

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Are there any additional recommendations you would make? \_\_\_\_\_

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14. Have you been made aware of the most recent report(s) and/or recommendations in this case made by persons other than the GAL or CASA?                      Yes    No

If so, do you agree with the report(s) and/or recommendations?    Yes    No

If you do not agree with the report or recommendations, please explain. \_\_\_\_\_

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Are there any additional recommendations you would make? Yes No

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15. If the child/youth is in the permanent custody of the public children services agency (PCSA), please describe any efforts of which you are aware to locate a permanent adoptive family or kinship placement. \_\_\_\_\_

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16. General progress, comments, or recommendations regarding the child/youth: \_\_\_\_\_

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\_\_\_\_\_  
Caregiver Signature

\_\_\_\_\_  
Date

## **LIST OF DOCUMENTS:**

1. Motion for Service by Publication or Posting with Supporting Affidavit
2. Entry / Instructions – Complaint
3. Notice of Posting – Complaint
4. Legal Notice for Publication - Complaint
5. Entry / Instruction – Motion
6. Notice of Posting – Motion
7. Legal Notice for Publication – Motion

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

\*\*\*

Plaintiff

Case No.

-v-

\*\*\*

Defendant

**MOTION FOR SERVICE BY PUBLICATION OR POSTING  
WITH SUPPORTING AFFIDAVIT**

Now comes \*\*\*, Plaintiff/Defendant herein, and makes a motion to have Plaintiff/Defendant, \*\*\*, served by publication / posting and mail (select one). An affidavit in support is attached.

---

Signature of Counsel / Plaintiff

Printed name of Counsel / Plaintiff

Address

Telephone No. / Email Address



## AFFIDAVIT

\*\*\*, being first duly sworn, deposes and says that he/she is a party in the above-entitled action for \*\*\* and that service cannot be made upon the \*\*\* (list each party to be served by posting of notice with last known place of residence).

The following are all the efforts made to ascertain the residence of the party to be served: (YOU MUST BE SPECIFIC AND DETAILED IN YOUR EFFORTS: contact with family members, friends, former neighbors, search of area court records, internet search, phone book, city directory, attempts to locate through social media, etc.); that he/she exercised reasonable diligence to ascertain the residence of the said party and that said party is, other than herein set forth, unknown, and cannot with reasonable diligence be ascertained.

STATE OF OHIO

COUNTY OF PICKAWAY

\_\_\_\_\_, being duly sworn, says that the facts stated in the above application are true as he/she verily believes.

\_\_\_\_\_  
Signature

SWORN TO BEFORE ME, and subscribed in my presence this \_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public – Signature and Seal

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

\*\*\*

Plaintiff

Case No.

-v-

\*\*\*

Defendant

**ENTRY AND INSTRUCTIONS**

(use for complaint)

\*\*\* has demonstrated reasonable diligence in attempting to locate the current residence of  
\*\*\*, and service shall be made in this case by posting.

\_\_\_\_\_  
Judge / Magistrate

Date: \_\_\_\_\_

**TO THE CLERK:**

1. Post copies of the Custody Complaint, Summons, Affidavit in Support of Temporary Custody, Parenting Proceeding Affidavit, Notice of Final Hearing, and Notice of Posting upon Defendant, \*\*\*, the father/mother of \*.\*., DOB \*\*\* on the Pickaway County Juvenile Court website, in the section designated as “Public Notices”.

2. The notice shall contain the name and address of the court, the case number, the name of the first party on each side, and the name and last known address of, if any, of the person or persons whose residence is unknown. The notice shall contain a summary statement of the object of the complaint; the demand for relief; and shall notify the person to be served that he or she is required to answer within twenty-eight (28) days after the last date of posting.
3. This notice shall be posted for six (6) consecutive weeks.
4. The clerk shall also cause the complaint and summons to be mailed by ordinary mail, address correction requested, the person's last known address. The clerk shall obtain a certificate of mailing from the USPS. If the clerk is notified of a corrected or forwarding address within the six-week period that notice is posted, the clerk shall cause the complaint and summons to be mailed to the corrected or forwarding address. The clerk shall note the name, address, and date of each mailing in the docket.
5. After the last week of posting, the clerk shall note on the docket where and when notice is posted. Service shall be complete upon the entry of posting.

**IT IS SO ORDERED.**

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Judge / Magistrate

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

\*\*\*

Plaintiff

Case No.

-v-

\*\*\*

Defendant

**NOTICE of POSTING**  
(use for complaint)

Father/Mother, \*\*\*, will take notice that a Custody Complaint, requesting that father/mother, \*\*\*, be designated as the residential and legal custodian of \*.\*., DOB \*\*\*, has been filed in the Pickaway County, Ohio, Common Pleas Court, Juvenile Division on \*\*\* (date of filing), being Case No. \*\*\*. The Complaint alleges the following grounds: (list grounds).

Defendant is required to file an answer within twenty-eight (28) days of publication.

The Complaint will be heard before said Court on **(date and time)** at Pickaway County Courthouse, 207 South Court Street, Circleville, Ohio 43113 before Judge Harsha / Magistrate Pritchard.

You are hereby notified that: The granting of the Complaint will result in the parent losing physical and legal custody of the child until there is a subsequent complaint or motion to modify custody.

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JUDGE / MAGISTRATE

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DEPUTY CLERK

PICKAWAY COUNTY COMMON PLEAS COURT

JUVENILE DIVISION

STATE OF OHIO

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

\*\*\*

Plaintiff

Case No.

-v-

\*\*\*

Defendant

**LEGAL NOTICE for PUBLICATION**

(use for complaint)

\*\*\*, father / mother, whose last known address was \*\*\* and whose current address is unknown, shall take notice that on the \*\*\* day of \*\*\*, 20\*\*, Plaintiff, \*\*\*, has filed a Complaint for Custody / Complaint to Establish a Child Support Order / Complaint for Paternity / other relief) in the Pickaway County Court of Common Pleas, Juvenile Division, 207 South Court Street, Circleville, Ohio on \*\*\* (date of filing), being Case No. \*\*\*.

The Complaint alleges the following grounds: (list grounds). Plaintiff is requesting to be designated as the residential parent and legal custodian of the parties' minor child(ren) / that Defendant be ordered to pay child support / that paternity be established / etc.

\*\*\*, Defendant, is required to answer within twenty-eight days after publication.

This matter is set for hearing before the Pickaway County Juvenile Court on \*\*\* (the date must be 28 days after the last date of publication). You may lose valuable rights if you fail to appear for any hearing in the case.

Date: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Plaintiff's Counsel

Address

Telephone no. / email

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

\*\*\*

Plaintiff

Case No.

-v-

\*\*\*

Defendant

**ENTRY AND INSTRUCTIONS**

(use for motion)

\*\*\* has demonstrated reasonable diligence in attempting to locate the current residence of  
\*\*\*, and service shall be made in this case by posting.

\_\_\_\_\_  
Judge / Magistrate

Date: \_\_\_\_\_

**TO THE CLERK:**

1. Post copies of the Motion, Affidavit in Support of Temporary Custody, Parenting Proceeding Affidavit, Notice of Final Hearing, and Notice of Posting upon Defendant, \*\*\*, the father/mother of \*.\*., DOB \*\*\* on the Pickaway County Juvenile Court website, in the section designated as “Public Notices”.
2. The notice shall contain the name and address of the court, the case number, the name of the first party on each side, and the name and last known address of, if any, of the person or persons whose residence is unknown. The notice shall contain a summary statement of the object of the complaint and the demand for relief.
3. This notice shall be posted for six (6) consecutive weeks.
4. The clerk shall also cause the motion and accompanying pleadings to be mailed by ordinary mail, address correction requested, to the person’s last known address. The clerk shall obtain a certificate of mailing from the USPS. If the clerk is notified of a corrected or forwarding address within the six-week period that notice is posted, the clerk shall cause the complaint and summons to be mailed to the corrected or forwarding address. The clerk shall note the name, address, and date of each mailing in the docket.
5. After the last week of posting, the clerk shall note on the docket where and when notice is posted. Service shall be complete upon the entry of posting.

**IT IS SO ORDERED.**

---

Judge / Magistrate



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

\*\*\*

Plaintiff

Case No.

-v-

\*\*\*

Defendant

**NOTICE of POSTING**  
(motion)

Father/Mother, \*\*\*, will take notice that a Motion, requesting that custody be modified and that father/mother, \*\*\*, be designated as the residential and legal custodian of \*.\*., DOB \*\*\*, has been filed in the Pickaway County, Ohio, Common Pleas Court, Juvenile Division on \*\*\* (date of filing), being Case No. \*\*\*. The Motion alleges the following grounds: (list grounds).

The Motion will be heard before said Court on **(date and time)** at Pickaway County Courthouse, 207 South Court Street, Circleville, Ohio 43113 before Judge Harsha / Magistrate Pritchard.

You are hereby notified that: The granting of the Motion may result in the loss of valuable parental rights if you fail to appear for any hearing in the case.

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JUDGE / MAGISTRATE

---

DEPUTY CLERK

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

\*\*\*

Plaintiff

Case No.

-v-

\*\*\*

Defendant

**LEGAL NOTICE for PUBLICATION**

(use for motion)

\*\*\*, father / mother, whose last known address was \*\*\* and whose current address is unknown, shall stake notice that on the \*\*\* day of \*\*\*, 20\*\*, Plaintiff/Defendant, \*\*\*, has filed a Motion to Modify Custody / Motion to Modify Child Support Order / other relief) in the Pickaway County Court of Common Pleas, Juvenile Division, 207 South Court Street, Circleville, Ohio on \*\*\* (date of filing), being Case No. \*\*\*.

The Complaint alleges the following grounds: (list grounds). Plaintiff/Defendant is requesting to be designated as the residential parent and legal custodian of the parties' minor child(ren) / that Plaintiff's/Defendant's child support be modified / etc.

This matter is set for hearing before the Pickaway County Juvenile Court on \*\*\* (the date must be 14 days after the last date of publication). You may lose valuable rights if you fail to appear for any hearing in the case.

Date: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

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Plaintiff's Counsel

Address

Telephone no. / email