

RULES OF PRACTICE
OF THE
JUVENILE DIVISION
OF THE
COMMON PLEAS COURT
OF
WOOD COUNTY, OHIO

DAVID E. WOESSNER, JUDGE

Revised January 1, 2023

**WOOD COUNTY COURT OF COMMON PLEAS
JUVENILE DIVISION**

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RULE 1. Attorney decorum

Counsel for all parties shall be present and before the Court at the assigned hearing time, unless notice is given to the Judge or Magistrate. Repeated lateness or absences may result in the removal of Counsel from practice in the Court. Counsel for both the State of Ohio and the defendant shall appear at all pretrial conferences unless, for good cause shown, counsel's presence has been waived by the Court.

RULE 2. Conduct in court

Any conduct which interferes or tends to interfere with the proper administration of the Court is prohibited. Non-party spectators may not be allowed in the courtroom without the consent of the Court. Food, beverages (with the exception of water or other approved beverages), and smoking are prohibited in the courtroom during all hearings. No person carrying a bag, case or parcel shall be permitted to enter or remain in the courtroom without first submitting such bag, case or parcel to the Court Constable for inspection. No pagers, mobile phones, or other electronic devices shall be allowed in the courtroom, unless the audible signal is turned off. The Court reserves discretion to limit the use of any electronic device which interferes with or violates rules or Orders of this Court.

RULE 3. Sessions of court

Offices of the Court shall be open for the transaction of ordinary business from 8:30 A.M. to 4:30 p.m., Monday through Friday. Traffic arraignments are typically held two Wednesdays per month beginning at 4:30 PM and continuing until completed. The

Court shall observe all legal holidays as provided by law. At the discretion of the Judge, the offices of the Court may be open or closed at other times.

RULE 4. Jury management

All jury trials in the Wood County Juvenile Court are governed by the jury management procedure of the General Division of the Wood County Court of Common Pleas.

RULE 5. Copies of court records

Uncertified copies of any public record may be obtained at the cost of \$0.10 per page. Certified copies of any public record may be obtained at the cost of \$1.00 per page.

RULE 6. Files

All papers filed with the Clerk in any action or proceeding shall be filed under the style and number of the cause and shall remain in the Clerk's office unless otherwise directed by the Court.

RULE 7. Requirements for filing papers

All papers filed with the Clerk including, but not limited to, pleadings, motions, applications, judgments and orders, shall be of a suitable material, neatly and legibly printed, written in ink or typed and securely fastened together, if consisting of more than a single sheet. The use of covers or jackets is not permitted. Filings shall be on 8 ½ " by 11" paper.

The first page shall have a margin of at least two inches at the top of the page.

All papers filed subsequent to the complaint shall be designated under this Court's case number and the name of the Judge.

Upon the filing of a complaint or any other pleading or motion for which service of summons is required, sufficient copies shall be filed so that one copy may be served upon each party. The Clerk shall, upon request, furnish additional copies at the fee provided by law.

Upon the filing of any motion or application, sufficient copies shall be filed so that one copy may be provided to the Judge or Magistrate.

Filings by electronic transmission are permissible under the conditions described in Local Rule 7.2 and 7.3.

RULE 7.1. Court costs

1. No motion to proceed In Forma Pauperis shall be granted by the court unless there is attached a statement by the attorney for the party executing such affidavit that the attorney has not accepted and will not accept any attorney's fees in said cause until the costs are paid or secured to be paid.
2. Unless a motion to proceed In Forma Pauperis is filed and accepted by the court, or the court waives deposit for costs, the following amounts shall be deposited with the Clerk of Courts:

\$150 – For all of the following which initiate or re-open a closed matter:
Complaint/Motion/Third Party Motion for custody or modification of parental rights and responsibilities; establishment of paternity; visitation; child support and/or contempt (except for cases initiated by the Wood County

Child Support Enforcement Agency -- in which case any costs will be assessed at the end of the case).

- However the court may determine at the first hearing the party most able to make the deposit; and upon order of the court, that party shall deposit an amount determined by the court; and if the court so orders, the clerk shall refund the original deposit to the extent the combined deposit exceeds that required.
- Failure by the party to deposit the amount ordered may result in the party being sanctioned including the striking of any pleading or the case proceeding as in default.

\$50 – Counterclaims/Crossclaims/ and all subsequent motions in pending cases seeking custody, establishment of paternity, visitation, child support and/or contempt.

\$63 - Consent Judgment Entries as the initial filing. No consent entry will be accepted unless accompanied by a deposit.

\$400 – Additional filing fee required for any civil case requiring service by publication. No charge will be assessed for abuse, dependency and neglect cases initiated by the Wood County Department of Job and Family Services.

\$300 - Jury deposit. The deposit must be paid 30 days before trial or jury trial is waived.

\$125.00 – Surrogacy

\$200 (\$50 by statute - \$150 deposit on costs) - Expungement of criminal conviction.

\$250 – Home study (initial visit).

\$60 – Home study (subsequent visit).

\$150 – Notice of Appeal

3. If a party is due a refund of deposit in any case, before making said refund, the Clerk of Courts may apply the refund to any court costs then owed by the party.
4. All user fees and deposits are paid through the e-filing system and must be paid by credit card. A convenience fee will be charged by the clerk's credit card processing vendor.
5. Unless otherwise ordered by the court, payments received by the clerk of courts in a case where more than one financial obligation exists shall be applied in the following order:

Supervision Fees for Probation (in cases where a criminal defendant or a delinquent/unruly child is sentenced to community control or probation and ordered to pay supervision fees);

To any order of restitution;

To court costs;

To any order to reimburse Wood County for costs of appointed counsel, incarceration, community control sanction, or any other financial sanction;
and

To any fines.

6. If a check or other negotiable instrument for deposit for costs is dishonored for any reason, the filing may be dismissed by the court for failure to pay the required security for costs after ten days' notice is given to the filer.

7. If at any time the deposit for costs becomes insufficient in any case, the clerk shall require of the appropriate parties an additional deposit in an amount sufficient to secure the reasonably anticipated additional costs.
8. When a judgment entry orders payment of costs by a party who has a deposit with the clerk, the costs shall be deducted from that party's deposit, if sufficient, and any balance shall be returned to the depositor. If, however, the deposit is insufficient or the party has no deposit, then the amount still due shall be billed to that party. If there is a failure to pay within 60 days from the clerk's cost statement by the party so ordered, the clerk shall deduct the costs from any deposit held in that case.
9. If notice of voluntary dismissal is filed by a plaintiff or an appellant, the dismissal shall be at the cost of the dismissing party, unless otherwise ordered.
10. When an entry terminating a pending matter does not specify who is to pay the court costs:
 - In civil proceedings initiated by the Wood County Child Support Enforcement Agency, the clerk shall assess the costs to the Wood County Child Support Enforcement Agency IV-D contract.
 - In all other civil proceedings, the clerk shall deduct the costs equally from any deposits held and refund the remainder. If the deposits are insufficient to satisfy the court costs, the clerk shall then assess the excess costs to the parties equally unless otherwise ordered. If there are no deposits, the clerk shall assess the costs to the plaintiff/movant/initiator.

11. The commission charged by the clerk of courts pursuant to R.C. 2303.20(V) shall be paid by the party paying or depositing money at the time of payment or deposit with the clerk unless otherwise ordered by the court.
12. At the termination of any case, the clerk shall not bill any party for costs less than \$5.00. The clerk shall not refund any balance remaining from a deposit that is \$5.00 or less, unless a written request for the refund is made within 14 days after the termination of the case.
13. Arrangements for the payment of the costs of transcripts shall be made with the clerk of court at the time the transcript is ordered. Transcript costs are addressed by separate court rule.

RULE 7.2. ELECTRONIC FILING OF DOCUMENTS (E-FILING).

A. Terms and Definitions as used in Rule 7.2.

“Accepted” means an electronically filed document has been reviewed by the clerk, filed, and docketed.

“Clerk review” means an inspection of electronically filed documents by the clerk for compliance with court rules, policies, procedures, and practices made before creating a docket entry.

“Court electronic record” means documents received in electronic form, recorded in its case management system, and stored in its document management system. Electronically received documents include documents received in paper form and scanned into electronic format, but do not include physical exhibits and other things which cannot be fully captured as an electronic image.

“Court initiated filings” are documents, such as notices or orders, created by the court and entered into the case management system.

“Designated e-file case types” are cases or types of filings which must or may be filed electronically.

“Docketed” is the entry of an item into the official court record.

“Document management system” (“DMS”) is the scheme for receipting, indexing, storing, and retrieving electronic and scanned case documents.

“E-filer” is a person registered with the court and authorized to file and receive documents electronically.

“Electronic filing” (e-filing”) is the electronic transmission of documents to and from the court for the purpose of creating a public record of requests and actions in a case. E-filing is complete when the document is docketed. Documents transmitted by facsimile or e-mail are not e-filed documents.

“E-File System” is the service provided by the court for e-filing and e-service of documents via the internet. The E-File system is an agent of the court for the purpose of electronic filing, receipt, service and retrieval of electronic documents. The service may be accessed at the courthouse using a public access terminal or any internet connected device.

“Electronic receipt” acknowledges transmission of a document to the e-filing system.

“Electronic service” (“e-service”) is the electronic transmission of a document to a party, attorney, or representative. Electronic service does not include facsimile or e-mail.

“Notice of receipt” is the notice sent by the E-file system after a document has been submitted to the court. Notice of receipt does not mean the document has been or will be accepted and docketed.

“Paper filings” include documents filed under seal, presented for in camera review, and other documents as required by the Court.

“Personal identifiers and private information” include the first five digits of a social security number, driver’s license numbers, bank and other financial account numbers, medical records, information protected by law from public disclosure, and any information ordered sealed, private, or non-public by the court.

“Public access terminal” is the e-computer equipment located in the lobby at the Wood County Juvenile Court. No fee is charged to view or upload documents. The clerk may charge a fee for printing copies of e-filed and paper documents.

“Rejected documents” are e-filed documents which have not been accepted and docketed by the clerk.

“Time of filing” is the date and time shown on the clerk’s confirmation notice and reflected on the e-filed document after clerk review.

B. Official Court Record.

1. As of the effective date, this rule pertains to the electronic filing (“E-filing”) of documents and pleadings and shall apply to custody, visitation, paternity, and support actions filed in the Wood County Juvenile Court. All other cases – including delinquency, unruly, traffic, abuse, neglect, and dependency related matters -- are not impacted by this rule at this time. Electronic submission in delinquency, unruly, traffic, abuse, neglect and dependency related matters, as

- well as certain cases specifically referenced in Local Rule 7.3, shall be filed pursuant to Local Rule 7.3.
2. Electronically filed, accepted and docketed documents are the official record of the Common Pleas Court of Wood County, Juvenile Division (“court”). E-filed documents have the same force and effect as those filed by traditional means.
 3. The court’s electronically filed hearing notices, schedules, orders, decisions, judgments, and other documents are the official court record. The digital signature of a judge or magistrate has the same force and effect as a handwritten signature on a paper document.
 4. All parties and persons of interest in court proceedings may access filed and accepted documents electronically via the internet through the Wood County Juvenile Court’s public portal and in person at the Wood County Juvenile Court.
 5. This local rule shall be read in conjunction with an Administrative Order as to E-Filing Procedures. A copy of the order will appear at the end of this local rule.

C. Registered E-Filers.

1. All counsel of record shall register with the court’s E-File system. The registration link may be accessed through the public access link in the court’s website -- <https://www.co.wood.oh.us/juvenilecourt/>.
2. Pro se parties may not register with the E-File system, and are required to file by traditional means.
3. The court may revoke e-filing registration in its sole discretion.

4. By registering as an e-filer, the attorney agrees to file documents electronically and consents to the rules surrounding service of pleadings, motions, and documents as provided for in section E of this rule.
5. A user guide and instructions for the court's E-file system can be found through the public access link in the court's website -- <https://www.co.wood.oh.us/juvenilecourt/>.

D. Fees

1. Registered e-filers must pay all required filing fees and other costs or fees by credit card when prompted by the e-filing system. Any document filed electronically that requires a filing fee may be rejected by the clerk unless the e-filer has paid the appropriate fee.

E. Electronically Submitting Documents.

1. Except as otherwise provided in this rule, all pleadings, motions, briefs, memoranda of law, orders or other documents submitted in designated e-file case types shall be filed electronically through the court's authorized electronic filing system. The clerk shall not accept or file any document in paper form in e-file cases from litigants represented by counsel.
2. Litigants not represented by counsel shall file documents in paper form with the clerk in person, or by U.S. Mail. These pro se paper documents will then be placed into the electronic file system.
3. At all times, the court reserves the right to accept documents for electronic filing or in paper format as may be necessary for the orderly conduct of business.

F. Filing and Service.

1. COMPLAINT AND RELATED DOCUMENTS. Upon electronically filing the original complaint, third party complaint, a pleading which initiates or reopens a case, or any pleading that adds a new party, the filing party shall also electronically file instructions for service of process. The clerk shall issue a summons and process by the designated method of service in accordance with the party's instructions and the Rules of Civil Procedure. Summons and service cannot be issued or completed electronically and must be accomplished as required by the applicable rule or statute.
2. SERVICE OF DOCUMENTS AFTER THE COMPLAINT.
 - a. E-SERVICE. Unless another form of service is required by rule or statute, all documents filed after initial service has been completed shall be served by the E-File system on registered e-filers. The electronic service of a subsequent pleading, filing or other document in E-file cases shall be considered valid and effective service on all parties and shall have the same legal effect as an original paper document served under former rules. Parties not registered with the court's E-File system shall be served a paper copy by the filing party, not the court or clerk, in accordance with the applicable Rules of Civil Procedure.
 - b. CERTIFICATE OF SERVICE. A certificate of service on all parties entitled to service is still required when a party files a document electronically. The certificate must state the manner in which service was accomplished on each party so entitled.

G. Time, Effect and Process of E-Filing through the Justice E-File System.

1. Any document may be submitted remotely with the clerk through the E-File system 24 hours a day, 7 days a week.
2. Upon electronic receipt, the court's E-File system shall issue a confirmation to the e-filer that the submission has been received. The confirmation shall include the date and time of receipt and serve as proof of receipt. The date and time of receipt is NOT the date and time of filing, as all received documents are subject to clerk review.
3. Clerk Review: After clerk review, an e-filer will receive notification from the clerk that the submission has been accepted or rejected by the clerk.
 - a. Documents that are submitted electronically and do not comply with these rules or any associated administrative order may be rejected by the clerk. If the submission is rejected, the document shall not become part of the court record and the filer shall be required to re-submit the document to meet requirements.
 - b. If the submission is accepted, the document shall be docketed and filed.
4. Upon acceptance, the submission shall be deemed filed and shall receive an electronic stamp that includes the date and time the document was electronically filed. Once accepted, the document will be deemed filed for purposes of Ohio law and relevant rules of court procedure.
5. E-filers must always be aware of the statute of limitations, the savings statute, and similar time limits. It is solely the e-filer's obligation to submit only documents which fully comply with court rules, policies, procedures, and

practices. Documents which do not fully comply may be rejected, not docketed, and not filed. The e-filer must allow sufficient time for filing, clerk review, and any necessary re-submission. **ELECTRONIC FILING DOES NOT ALTER OR EXTEND APPLICABLE TIME LIMITS.**

6. If a submission is not received because of a system error, the court may, upon satisfactory proof, enter an order permitting the document to be filed nunc pro tunc to the date it was submitted and accepted.
7. Any signature on electronically transmitted documents shall be considered that of the attorney or party or magistrate or judge it purports to be for all purposes. If it is established that the documents were transmitted without authority, the court may order the filing stricken.

H. Personal Identifiers and Private Information

1. The E-filer is responsible for complying with all rules regarding the redaction of personal identifiers and private information. See Local Rule 31.
2. The inclusion of personal identifiers and/or private information may be cause for the clerk to reject the filing.

I. Exceptions to E-Filing

1. All documents relating to civil protection orders shall be filed in paper form with the clerk. All delinquency, dependency, abuse, neglect, traffic, unruly and adult cases shall be filed in paper form with the clerk, or by electronic submission pursuant to Local Rule 7.3.
2. Pro se parties shall file documents in paper form with the clerk in person, or by U.S. mail, or by electronic submission pursuant to Local Rule 7.3.

3. The following specific pleadings shall be filed in paper form with the clerk:
Transcripts of proceedings prepared by the court's assigned court reporter;
original exhibits; subpoenas which are to be issued by the clerk; deposition transcripts; a form 'Motion, Entry and Certification for Appointed Counsel Fees'; and Affidavits of Indigency. The court reserves the right to electronically scan any of these documents and include them in digital format in the official court record.

J. Court Access to Electronically Filed Documents.

1. Pro se litigants and the public lacking access to appropriate equipment may access records through a public access terminal located in the Wood County Juvenile Court during normal business hours. Registered attorneys may utilize the public access terminal to E-file documents and to view documents.
2. The clerk may charge a fee for printing copies of e-filed and other documents. No fee is charged to view documents.

RULE 7.3. Filing by electronic transmission

Pleadings and other papers may be filed with the Juvenile Court electronically by facsimile to (419) 352-6084 or email to juvenilecourt@woodcountohio.gov subject to the following conditions:

A. Applicability and Exceptions

1. These rules apply only to delinquency, dependency, abuse, neglect, traffic, unruly, and adult proceedings, as well as to pro se filers in custody, visitation, paternity, and support actions in the Wood County Juvenile Court.

Matters being filed by an attorney pertaining to custody, visitation, paternity, and support actions filed in the Wood County Juvenile Court shall be filed in accordance with Local Rule 7.2. All civil protection orders shall be filed in paper form with the clerk.

2. Documents required to be certified, notarized, or documents intending to initiate a case, such as but not limited to, complaints and accompanying documents and documents required to be notarized, or any other documents as the Clerk of Court deems necessary, are not permitted to be filed by electronic transmission.

B. Definitions

1. A facsimile transmission is the transmission of a source document by a facsimile machine or other device which encodes a document into electronic and optical signals, transmits and reconstructs the signals to print a duplicate of the source document at the receiving machine.
2. A facsimile machine means a machine either capable of transmitting or receiving a facsimile transmission as a stand-alone machine or as part of a computer system.
3. Fax is an abbreviation for facsimile and refers to the document transmitted or to be transmitted via a facsimile machine.
4. An email is a message sent and received electronically through a system for transmitting messages electronically as between computers on a network.
5. Source document means the document transmitted to the court by facsimile or email.

6. Effective as original document means the electronic copy of the source document received by the Clerk of Court and maintained as the original document in the court's file.
7. Effective date and time of filing means the date and time that an electronic filing is accepted by the Clerk of Court for filing.

C. Acceptance as Original – Maintaining of Original Filing

1. All documents submitted via electronic filing are accepted as the effective original document in the court file.
2. The attorney submitting the document shall maintain the original/source copy and make it available to the Juvenile Court upon demand for inspection. The document shall be retained by the attorney for the requisite time period until opportunities for post judgment relief are exhausted.

D. Electronic Filing Requirements

1. All electronic filings shall conform to the requirements of Civil Rule 10 and shall include a transmission sheet conforming to the requirements of Rule D(2) of this section.
2. All electronic filings shall include a cover page. The cover page shall include:
 - a. The name of the court;
 - b. The caption of the case;
 - c. The case number;
 - d. The assigned judge;

- e. The description of the document being filed (e.g. Defendant's Answer to Doe's Amended Complaint, Plaintiff Smith's Response to Defendant's Motion to Dismiss, Plaintiff's Notice of Filing Exhibit G);
 - f. The date of transmission;
 - g. The transmitting fax number;
 - h. The indication of the total number of pages included in the transmission, including the cover page;
 - i. If a judge or case number has not been assigned, state that fact on the cover page;
 - j. The name, address, telephone number, fax number, Supreme Court registration number, if applicable, and the email address of the person filing the fax document if available; and
 - k. If applicable, a statement explaining how the costs are being submitted.
3. If an electronic filing is sent to the Clerk of Court without the cover page as designated in this rule, the clerk at their discretion may:
 - a. Enter the document in the case docket and file the document if the document contains all other necessary information;
 - b. Deposit the document in a file of failed documents with a notation as to the reason for the failure. In this instance the document **shall not** be considered filed with the Clerk of Courts.
 4. The Clerk of Courts is not required to notify the transmitting party of a failed filing, but may notify if practical to inform the party.

E. Signature

1. All electronic filings shall include a signature or indication of the party filing such document as controlled by this rule.
2. Any signature on electronically submitted documents shall be considered that of the attorney or the 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.
3. Any document in which the original signature does not or will not appear on the electronic copy shall include the notation /s/ followed by the name of the signer on the source document to indicate that the original document contains the signature in the place specified.

F. Exhibits

1. If an exhibit is not included in the electronic filing, the appropriate box shall be checked on the cover sheet.
2. An insert page shall be inserted in the place of such exhibit explaining why the exhibit is not being transmitted. Unless the Court otherwise orders, the filer is to provide a copy of the missing exhibit to the court not later than five business days following the electronic filing.
3. Failure to adhere to the above rules regarding the filing of exhibits may result in the Court striking the document and/or exhibit.
4. Any exhibit filed pursuant to Rule F(2) shall be attached to a cover sheet containing the caption of the case which sets forth the name of the court, caption 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 Defendant's Motion to Dismiss), and shall be signed and served in conformance with the rules governing the signing and service of pleadings in this court.

G. Time for Filing

1. Subject to the provisions of these rules, all documents sent by fax or email and accepted by the clerk shall be considered filed with the Clerk of Courts as of the date and time the clerk time stamps the document received, as opposed to the date and time of the transmission. For purposes of this rule, the office of the clerk shall be deemed to receive electronic transmission of documents on the basis of 24 hours per day seven days a week including holidays. Electronic transmissions received on weekends, after normal business hours, or on holidays will not be file stamped until the next business day. Documents will be filed stamped in the queue order received based upon the time and date stamp imprinted by the facsimile machine or time and date the email was sent.
2. **The risks of transmitting a document by electronic means to the Clerk of Courts shall be borne entirely by the sending party. Anyone using electronic filing is urged to verify receipt by the clerk's office.**
3. Electronic filings may not be sent directly to the court for filing, but may only be transmitted directly through the facsimile machine or email address operated by the Clerk of Courts.

H. Document/Filing Requirements

1. All electronic submissions of filings shall include a proposed judgment entry when appropriate.
2. The court reserves the right to limit the size of any electronic submissions.

I. Fees and Costs

1. Fees associated with any filings shall be assessed by the court's fee schedule.
2. It is the responsibility of the attorney or sender of the electronic filing to determine whether sufficient monies are on deposit with the Court to cover filing fees associated with the electronic filing.

If insufficient monies are on deposit to cover all filing fees associated with an electronic filing - payment shall be due with seven (7) days of the date in which the electronic document was transmitted to the Court for filing. Payment may be made in person or sent via United States Postal Service.

RULE 7.4 Service of pleadings and other papers subsequent to the original complaint

Service upon counsel and parties of pleadings and other papers subsequent to the summons and original complaint shall be made pursuant to Rule 20 of the Ohio Rules of Juvenile Procedure and Rule 5(B) of the Ohio Rules of Civil Procedure, and may include service by e-mail per Civ. R. 5(B)(2)(f). Service by e-mail is effective upon transmission of the document, unless the serving party learns that it did not reach the person served.

RULE 7.5 Service by publication

Pursuant to Ohio Rule of Juvenile Procedure 16 and by local rule, before service by publication can be made, an affidavit of the party or party's counsel requesting service shall be filed with the Court. The affidavit shall aver that service of summons cannot be made because the residence of the person is unknown to the affiant and cannot be ascertained with reasonable diligence, and describe the efforts made to ascertain the person's residence, and shall set forth the last known address of the party to be served. Upon the filing of the affidavit, the Clerk shall cause service by publication to be made by newspaper publication, by posting and mail, or by a combination of these methods.

If service by publication is made by newspaper publication, the clerk shall serve notice by publication in a newspaper of general circulation in the county in which the complaint is filed. The Bowling Green Sentinel Tribune is a newspaper of general circulation in Wood County. The publication 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, if any, of the person or persons whose residence is unknown. The publication shall also contain a summary statement of the object of the complaint and shall notify the person to be served that the person is required to appear at the time and place stated. The time stated shall not be less than seven days after the date of publication. The publication shall be published once and service shall be complete on the date of publication.

Service by posting and mail pursuant to Juvenile Rule 16 shall be at the main entrance of the Wood County Courthouse, at the Perrysburg Municipal Court in Perrysburg, Ohio, and at the North Baltimore Post Office in North Baltimore, Ohio. 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, if any, of the person or persons whose residence is unknown. The notice shall also contain a summary statement of the object of the complaint and shall notify the person to be served that the person is required to appear at the time and place stated. The notice shall be posted for not less than seven consecutive days. The time stated shall not be less than seven days after the date of posting. The Clerk also shall cause the summons and accompanying pleadings to be mailed by ordinary mail, address correction requested, to the last known address of the party to be served. The Clerk shall obtain a certificate of mailing from the United States Postal Service. If the Clerk is notified of a corrected or forwarding address of the party to be served within the seven day period that notice is posted pursuant to this rule, the Clerk shall cause the summons and accompanying pleadings to be mailed to the corrected or forwarding address. The Clerk shall note the name, address, and date of each mailing in the docket. After the seven days of posting, the Clerk shall note on the docket where and when notice was posted. Service shall be complete upon the entry of the posting.

RULE 7.6 Acceptance of filing of electronic traffic ticket

The use and filing of a traffic ticket that is produced by computer or other electronic means is hereby authorized in the Wood County Juvenile Court pursuant to Traffic Rule 3(F). The electronically produced traffic ticket shall conform in all substantive respects to the Ohio Uniform Traffic Ticket. If an electronically produced traffic ticket is issued at the scene of an alleged offense, the issuing officer shall serve the defendant with the

defendant's paper copy of the ticket as required by division (E) of Traffic Rule 3. The court record of the ticket shall be filed with the Wood County Juvenile Court on paper of sufficient quality to allow the court record copy to remain unchanged for the period of the retention schedule for the various traffic offenses as prescribed by the Rules of Superintendence for the Courts of Ohio. The court record of the ticket may also be filed electronically with the court in lieu of the paper court record. A law enforcement officer who files a ticket with the court and electronically affixes the officer's signature thereto shall be considered to have certified the ticket and shall have the same rights, responsibilities and liabilities as with all other traffic tickets issued pursuant to the authority granted by the Rules of Superintendence for the Courts of Ohio.

RULE 8. Refunds

At the termination of any case, the Clerk shall not bill any party for costs less than \$5.00. The Clerk shall not refund any balance remaining from a deposit that is \$5.00 or less, unless a written request for the refund is made within 14 days after the termination of the case.

RULE 9. Court appointed attorneys

This Court maintains a list of court appointed attorneys qualified to serve in the capacity designated by the Court. Appointments are generally assigned in the order in which the names of court appointed attorneys are listed. Assignments may also be made considering the skill and expertise which may be required as well as prior representation of an individual. The Court will periodically review the appointments. The Court maintains

separate lists for different types of appointments. For each assignment, appointees shall be compensated at a rate of \$75.00/hour for casework completed outside the courtroom and at a rate of \$75.00/hour for courtroom work. If ordinary fees for a case or related cases exceed the authorized county limits (See APPENDIX C), an application for extraordinary fees must be filed and approved.

RULE 10. Continuances

Requests for continuances will be made in accordance with Ohio Rules of Juvenile Procedure 19 and 23.

All applications for continuances shall be made as far in advance of hearing dates as practicable except as herein provided. All requests shall be in writing. Requests shall be granted only after notice to all other counsel and/or parties involved. No case will be continued on the day of the hearing except for good cause shown. Attorneys shall make reasonable efforts to have a contested request for continuance heard prior to the hearing date.

Ruling on a continuance request may be reserved until the scheduled hearing date where continuances on the record are necessary to preserve service or notice on parties.

RULE 11. Detention hearings

All juveniles received into detention shall be brought before the Judge or Magistrate for a detention hearing as provided for in Rule 7(F) of the Ohio Rules of Juvenile Procedure. If a parent is unable to attend a detention hearing and has not received notice of a detention hearing, a rehearing shall be held pursuant to Rule 7(G) of

the Ohio Rules of Juvenile Procedure. An appeal from a Magistrate's detention order may be filed in writing requesting a review by the Judge, who may or may not, at his discretion, hold a rehearing.

RULE 12. Sealing/expungement of records

All sealing and expungement requests shall be made in accordance with Section 2151.356 and other relevant sections of the Ohio Revised Code. Any person seeking sealing or expungement of juvenile matters may make a written request through the Clerk's office. After notice to the Prosecutor's Office, the Court may conduct a hearing to determine whether the sealing or expungement should be granted. Upon journalization of an Order of sealing or expungement the Clerk shall notify all appropriate court departments, law enforcement and other agencies as required by statute.

RULE 13. 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 authorized by the Court as follows:

- 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 not later than 24 hours prior to the courtroom session to be broadcast, recorded or photographed, unless otherwise permitted by the Judge for good cause shown.

- 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 telephone or electronic 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 a Closure Hearing where the Judge will determine if the proceedings will be open or closed.
- C. In the event the Judge approves the media request, a Journal Entry shall be prepared 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 portable camera (television, video tape or movie), operated by not more than one person shall be permitted without authorization of the Judge.
- F. Not more than one still photographer, utilizing not more than two still cameras of professional quality with not more than two lenses for each camera, shall be permitted without authorization of the Judge.
- G. Not more than one audio system for radio broadcast purposes shall be permitted without authorization of the Judge.
- H. Visible audio portable tape recorders may not be used by the news media without the permission of the Judge.

- I. 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.
- J. 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.
- K. Audio pick-up by microphone for all media purposes shall be accomplished from existing audio systems present in the courtroom. Microphones shall be visible, secured but unobtrusive. If no technically suitable audio system exists in the courtroom, microphones and related wiring essential for all media purposes shall be unobtrusive and located in places designated by this Rule, or the Judge, in advance.
- L. 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.
- M. 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.

- N. Proper courtroom decorum shall be maintained by all media pool participants, including proper attire in a manner that reflects positively upon the journalistic profession.
- O. 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.
- P. The Judge may 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 objections.
- Q. 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.
- R. Court security concerns may require a modification of the procedures set forth herein.

RULE 14. Warrants

Warrants for the arrest of juveniles will be issued only upon the authorization of the Judge or Magistrate.

RULE 15. Motions

All motions, unless made during a hearing or trial, shall be made in writing in accordance with Rules 19 and 22 of the Ohio Rules of Juvenile Procedure unless otherwise permitted by the Court. All motions shall state with particularity the grounds and shall clearly state the relief or order sought.

Any motion, unless made during a hearing or trial, shall be submitted and determined by the Court upon the briefs served and filed, unless an oral hearing is required or allowed by the Court. No oral argument will be allowed except by leave of the Judge or Magistrate in response to a written request by a party prior to the final submission of the motion. The length of any oral argument shall be fixed by the Judge or Magistrate.

The moving party shall serve and file with the motion a brief or memorandum containing the reasons and authorities which support the motion. If consideration of facts not appearing on the record is required, the moving party shall serve and file copies of those documents, exhibits and affidavits offered in support of the motion simultaneously with the motion.

Opposing counsel or party shall serve and file an answer brief or memorandum, along with attachment and materials offered in opposition to a motion, within fourteen (14) days after service of such motion, unless otherwise allowed by the Court. The moving party may file a reply brief only with permission of the Court, which shall be granted upon a showing of necessity.

RULE 15.1 Special Rules for private custody, visitation and child support matters

A. Filing Complaints or Motions for Allocation of Parental Rights and Responsibilities, Modification of Parental Rights and Responsibilities, Visitation, and/or Child Support

1. In addition to complying with the requirements of Local Rule 7, all filings shall be accompanied by a UCCJEA affidavit, which has been completed in full and signed in the presence of a notary.
2. Any pleading tendered for filing that does not comply with this rule and Local Rule 7 shall not be accepted for filing by the clerk and shall be returned immediately to the tendering party, and, if accepted for filing, may be dismissed.
3. An application for benefits under Title IV-D of the Social Security Act shall be received by the Wood County Child Support Enforcement Agency prior to the issuance of any child support order.

B. Representing the Defendant or Respondent

An attorney shall file an entry of appearance immediately after being retained by a party so that the court can provide all notices to the attorney and the opposing party can serve any subsequent pleadings upon the attorney.

C. Motions for Attorney's Fees

1. A request for attorney's fees and expenses to prosecute an action shall be included in the body of the motion or other pleading that gives rise to the request for fees.
2. A request for attorney's fees and expenses to the opposing party shall be made by motion filed at least fourteen (14) days prior to hearing.

3. No oral motion for fees shall be entertained unless good cause is shown why the provisions of this rule could not be complied with.
4. At the time of the hearing on the motion that gives rise to the request for fees, the party seeking such fees shall present:
 - i. An itemized statement describing the services rendered, the time for such services, and the requested hourly rate for in-court and out-of-court time.
 - ii. Testimony as to whether the case was complicated by any or all of the following:
 1. New or difficult issues of law;
 2. Problems with service or completing discovery;
 3. Any other factor necessitating extra time being spent on the case.
 - iii. Expert testimony is not required to prove the reasonableness of attorney's fees.

D. Motions for Continuance

Once a case is assigned for a hearing or trial, absent an emergency, it may be continued only by leave granted by the court for good cause shown and upon written request fourteen (14) days in advance. Consent of counsel or the parties does not constitute good cause.

No motion for continuance shall be considered unless the moving party states that opposing counsel consents to the continuance or the reason that no consent has been received. Parties must also consent to the request to continue. The reason for the

continuance and the number of previous continuances must be stated.

E. In Camera Interviews

All interviews with children shall be conducted in camera in accordance with R.C. 3109.04. The court may permit the guardian ad litem and the attorney for the child to be present.

The transcript of the interview shall be sealed and preserved for appellate review and neither party shall be permitted to obtain a copy.

F. Psychological Evaluations

1. A motion for psychological evaluations shall be made as soon as possible, but no later than 60 days after the action is filed.
2. If a motion for psychological evaluation is granted, the court will allocate the costs of the evaluation at the time of appointing an evaluator.
3. If either party fails to pay his/her share of the costs, she/he may be found in contempt and subject to sanctions, including the dismissal of his/her motion.
4. The psychologist's report shall be made available to the attorneys and the guardian ad litem at the court. It is not to be copied or released to the parties or any other person/entity without court approval.

G. Trials

1. Two weeks prior to the final hearing or motion hearing, each party or counsel shall notify the opposing party of the name of any witnesses expected to testify. Joint stipulations are encouraged and should be filed one week prior to the hearing.

2. Exhibits for the hearing shall be exchanged at least one week prior to the hearing.

H. Reopening a Case

1. All motions to modify a prior order, either contested or by consent of the parties, must state:
 - i. The date of the prior order;
 - ii. The exact language of the prior order sought to be modified;
 - iii. Complete and accurate statement of the reasons or basis for change;
 - iv. The specific modification(s) requested;
 - v. The name and address of the plaintiff and defendant;
 - vi. The name(s), address(es) and date(s) of birth of the child(ren) involved.
 - vii. The UCCJEA affidavit;
 - viii. If the parties have previously agreed to a shared parenting plan, a statement that they have participated in mediation but were unable to reach an agreement.
2. Failure to comply with this rule may be sufficient grounds to deny a motion for filing, or if filed, for the motion to be dismissed.
3. All contested motions shall be served according to Civ.R.4.

I. Final Judgment Entries and Other Entries Involving Support.

1. The final entry shall be submitted prior to or at the time of the final hearing, or pursuant to court order.
 - i. Failure to submit a Judgment Entry as directed may result in

sanctions under the court's contempt power or dismissal of the action.

RULE 15.2 Joint Pretrial Statement

A. The pretrial order may provide for the filing of a joint pretrial statement. If a joint pretrial statement is required, then it shall be as follows:

1. Counsel shall prepare a joint pretrial statement which shall be delivered by the initiating party's counsel to the court no later than one week prior to final pretrial conference.
2. The joint pretrial statement shall not be filed with the clerk.

B. The joint pretrial statement shall contain the following:

1. A concise statement of the general claims and defenses of the parties;
2. Those facts established by admissions in the pleadings, admissions by discovery and stipulations by counsel;
3. The contested issues of fact;
4. The contested issues of law, together with counsels' respective positions with regard to the applicable law, with citations of authority for counsel's position;
5. The names and addresses of all witnesses, together with a brief statement of the subject matter and general import of each witness's expected testimony;

6. The names, addresses and qualifications of the expert witnesses expected to testify, together with a brief statement of each expert witness's expected testimony;
 7. A list of exhibits each counsel intends to offer into evidence marked as follows:
 - a. Joint exhibits with Roman numerals'
 - b. Plaintiff's exhibits with Arabic numerals;
 - c. Defendant's exhibits with letters;
 - d. Third-party exhibits identified as such.
 8. Motions in limine not already filed;
 9. An itemization of all special damages being requested;
 10. Each counsel's expected time of trial needed to present its side of the case;
 11. The status of settlement negotiations including most recent specific demands and offers;
 12. Requested jury instructions (other than boilerplate);
 13. Certification that copies of all exhibits to be introduced have been provided to opposing counsel.
- C. The deadline for filing of the joint pretrial statement is firm and may be extended only by leave of court for good cause shown.
- D. Failure to submit the joint pretrial statement in a timely manner may result in the imposition of appropriate sanctions, including exclusion of testimony or exhibits, denial of claims, directed verdicts, dismissal of the case or contempt of court.

E. The court recognizes that preparation of the joint pretrial statement will require considerable time and cooperation between counsel. To ensure completion, the first named plaintiff shall initiate a joint pretrial draft two weeks prior to the due date. If such plaintiff has been dismissed or fails to initiate, the first named defendant shall initiate. Discussion and preliminary drafting should begin several weeks before the due date. Filing of an incomplete joint pretrial statement supplement with later amendments thereto will not be considered compliance with this rule.

RULE 16. Mediation

[NOTE: Revised pursuant to Rule 16 through 16.43 of the Ohio Rules of Superintendence]

The Wood County Juvenile Court incorporates by reference ORC 2710, the Uniform Mediation Act (UMA) and Rule 16 of the Ohio Rules of Superintendence.

DEFINITIONS

- A. Mediation: Any process in which a neutral third party helps the parties communicate and negotiate with each other to help them reach a voluntary agreement regarding their dispute.
- B. Mediation communication: A statement, whether oral, in a record, verbal or nonverbal, that occurs during a mediation or is made for the purposes of considering, conducting, participating in, initiating, continuing, or reconvening a mediation or retaining a mediator.
- C. Mediator: An individual who conducts mediation.

D. Non-party participant: A person, other than a party or mediator, that participates in mediation.

RULE 16.01 Referral and participation in mediation

All contested civil cases, other than delinquency, abuse, dependency, and neglect within the Juvenile Court may be mediated. Mediation is a voluntary and non-binding option for resolving contested matters before the Court which is open to parties who wish to participate. There is no additional cost for mediation provided that the parties utilize the Wood County Common Pleas Court Mediator. Parties who wish to utilize mediation may be accompanied by their attorneys and other designated individuals.

Prior to the initial pre-trial in a contested matter, counsel shall discuss the appropriateness of mediation with their client and with opposing counsel. After discussion of mediation with their client, counsel may submit a written request for mediation. Upon review of the case, the Court, if appropriate, may issue an order to refer the case to mediation. The Court reserves the right to refer a case to mediation on its own. Any party opposing a written request for mediation shall file a written response within seven (7) days of receiving notice of the request for mediation.

The court mediator will determine the final eligibility and appropriateness of each referral prior to the commencement of the mediation process and may decline any referral(s) deemed inappropriate. In accordance with all applicable provisions of this rule, if a case is deemed appropriate by the Wood County Common Pleas Court Mediator, mediation will be scheduled. A mediator may meet with the parties individually prior to

bringing the parties together for any reason including, but not limited to, further screening. A mediator may schedule multiple mediation sessions, if necessary and mutually acceptable for the resolution of the issues in part or in their entirety.

A. Exceptions. Mediation is prohibited in the following:

1. As an alternative to the prosecution or adjudication of domestic violence;
2. In determining whether to grant, modify, or terminate a protection order;
3. In determining the terms and conditions of a protection order;
4. In determining the penalty for violation of a protection order.

B. Nothing in this division shall prohibit the use of mediation in a subsequent divorce or 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 domestic violence.

RULE 16.02 Procedures

A. The court shall utilize procedures for all cases that will:

1. Ensure that parties are allowed to participate in mediation, and if the parties wish, that their attorneys and other individuals they designate are allowed to accompany them and participate in mediation.
2. Screen for domestic violence both before and during mediation.
3. Encourage appropriate referrals to legal counsel and other support services for all parties, including victims of and suspected victims of domestic violence.
4. Prohibit the use of mediation in any of 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; and
- (d) In determining the penalty for violation of a protection order.

B. Mediation of allocation of parental rights and responsibilities or the care of, or visitation with, minor children or delinquency or status offense cases shall abide by all provisions set forth in 17.02 (A) of this rule. Mediation may then proceed, when violence or fear of violence is alleged, suspected, or present, only if the mediator has specialized training set forth in “Qualifications” section 17.09 of this rule and all of the following conditions are satisfied:

1. The person who is or may be the victim of domestic violence is fully informed, both orally and in writing, about the mediation process, his or her right to decline participation in the mediation process, and his or her option to have a support person present at mediation sessions.
2. The parties have the capacity to mediate without fear of coercion or control.
3. Appropriate procedures are in place to provide for the safety of the person who is or may be the victim of domestic violence and all other persons present at the mediation.
4. Procedures are in place for the mediator to terminate mediation if he or she believes there is continued threat of domestic violence or coercion between the parties.
5. Procedures are in place for issuing written findings of fact, as required by R.C. 3109.052, to refer certain cases involving domestic violence to mediation.

RULE 16.03 Mediation case summary

Each party shall submit to the mediator a summary of facts and circumstances of the dispute together with any arguments in support of their case. Parties shall provide any additional information or material which they believe will aid the mediator in understanding the dispute or which the mediator requests relevant to the issues at hand.

RULE 16.04 Report of mediator

At the conclusion of any mediation, the mediator shall inform the Court in compliance with ORC 2710.06 who attended the mediation and whether the case has settled. This report shall be submitted by the mediator within 10 days of the conclusion of the mediation.

RULE 16.05 Confidentiality/privilege/legal advice

The mediation process is confidential. All mediation communications as defined herein and by statute are privileged. The mediation process shall be considered a compromise negotiation for purposes of the Federal Rules of Evidence and Ohio Rules of Evidence.

The mediator is disqualified as a witness, consultant, or expert in any pending or future action relating to the dispute between the parties. The efforts of any mediator approved by the Wood County Juvenile Court shall not be construed as giving legal advice.

RULE 16.06 Effect of ongoing court orders on mediation

Ongoing Court Orders such as discovery or temporary Orders remain in effect throughout the mediation process. Further, specific Orders of the Court as to a particular case may supersede these general mediation rules.

RULE 16.07 Domestic violence matters

Counsel shall advise the Court prior to any mediation of any known domestic violence history involving the litigants or interested parties. The Court on its own volition may also inquire into issues which may provide information impacting the potential for domestic violence before and during any mediation. As needed, referrals may be made by the Court to legal counsel or support services for parties including victims of and suspected victims of domestic violence. When violence or threat of violence is alleged, suspected, or present, mediation may proceed only if the mediator has specialized training set forth herein and all of the following conditions are satisfied:

The person who is or may be the victim of domestic violence is fully informed, both orally and in writing, about the mediation process, his or her right to decline participation in the mediation process, and his or her option to have a support person present at mediation sessions.

- A. The parties have the capacity to mediate without fear of coercion or control.
- B. Appropriate procedures are in place to provide for the safety of the person who is or may be the victim of domestic violence and all other persons present at the mediation.

- C. Procedures are in place for the mediator to terminate mediation if he or she believes there is continued threat of domestic violence or coercion between the parties.
- D. Procedures are in place for issuing written findings of fact, as required by R.C. 3109.052, to refer certain cases involving domestic violence to mediation.

RULE 16.08 Qualifications of mediators

To be a court approved mediator the following qualifications apply:

- A. General Qualifications and Training. A mediator employed by the division or to whom the division makes referrals for mediation of allocation of parental rights and responsibilities, the care of, or visitation with, minor children, cases shall satisfy all of the following:
 1. Possess a bachelor's degree, or equivalent education or experience as is satisfactory to the division, and at least two years of professional experience with families. "Professional experience with families" includes mediation, counseling, casework, legal representation in family law matters, or such other equivalent experience satisfactory to the division.
 2. Complete at least twelve hours of basic mediation training or equivalent experience as a mediator that is satisfactory to the division.
 3. After completing the above training, complete at least forty hours of specialized family or divorce mediation training which has been approved by the Dispute Resolution Section of the Supreme Court.

B. Specific Qualifications and Training: Domestic Abuse. A mediator employed by the division or to whom the division makes referrals for mediation of any case shall complete at least fourteen hours of specialized training in domestic abuse and mediation through a training program approved by the Ohio Supreme Court Dispute Resolution Section. A mediator who has not completed this specialized training may mediate these cases only if he/she co-mediate with a mediator who has completed the specialized training.

RULE 16.09 Default of Confidentiality

A. General. All mediation communications related to or made during the mediation process are subject to and governed by the Uniform Mediation Act. Mediation communications are confidential, and no one shall disclose any of these communications unless all parties and the mediator consent to disclosure. This court may impose penalties for any improper disclosures made in violation of this rule. Disputes regarding confidentiality should first be addressed with the mediator or mediation department where possible. 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.

B. Exceptions. All mediation communications are confidential with the following exceptions:

1. Parties may share all mediation communications with their attorneys;

2. Certain threats of abuse or neglect of a child or an adult;
3. Statements made during the mediation process to plan or hide an ongoing crime;
4. Statements made during the mediation process that reveal a felony.

RULE 16.10 Referral to Resources

The Court Mediator will maintain information for the public, mediators, and other staff as appropriate. The information will include: 1) attorney referral contact information, 2) information regarding Children Services and 3) resource information for local domestic violence prevention, counseling, substance abuse and mental health services

RULE 16.11 Sanctions

If any individual ordered by the court to attend mediation fails to attend mediation without good cause, the court may impose sanctions which may include, but are not limited to, the award of attorney's fees and other costs, contempt or other appropriate sanctions at the discretion of the assigned Judge or Magistrate.

RULE 17. Informal intake conference

Informal intake conferences may be conducted in lieu of formal actions for certain delinquency and unruly cases. Generally, informal conferences will be available only for first time misdemeanor charges and status offenses. Discretion regarding the availability of an informal conference shall be exercised by the Intake Department.

RULE 18. Transcripts/recording of proceeding

Pursuant to Rule 37 of the Ohio Rules of Juvenile Procedure, a complete record of all testimony or other oral proceedings shall be taken in shorthand, stenotype, or by any other adequate mechanical or electronic recording device as prescribed by the Court. The Wood County Juvenile Court utilizes electronic recording as its primary recording means. When approved, a Court appointed stenographer may be utilized.

No public use shall be made by any person, including a party, of any record or transcript thereof, except in the course of the proceedings or appeal or as authorized by the Court.

Any request for the preparation of transcripts of Court proceedings shall be filed with the Clerk.

All original transcripts shall be filed by the approved Court Reporter with the Clerk and shall thereby become part of the official record of the case. Requests for transcripts for the benefit of indigent parties other than those represented by the office of the Public Defender, may be submitted to the Court and supported by an order of the Court directing that the transcript be prepared at public expense.

RULE 19. Case management

Cases pending in the Wood County Juvenile Court shall be disposed of pursuant to the time guidelines set forth by the Ohio Supreme Court noted below.

Delinquency: 6 months

Traffic: 3 months

Dependency, Neglect or Abuse: 3 months or as required by rule or statute

Unruly:	3 months
Adult Cases:	6 months or as required by rule or statute
Motion for Permanent Custody:	9 months or as required by rule or statute
Custody, Change of Custody, Visitation:	9 months
Support Enforcement/Modification:	12 months
Parentage:	12 months
U.I.F.S.A.:	3 months
All others:	6 months

These timeframes shall be construed as maximums and shall not preclude the more rapid resolution of cases. Failure to follow these timeframes shall not affect the Court's jurisdiction or be grounds for dismissal.

RULE 20. Guardian ad litem

The Court shall adhere to the standards contained in Rule 48 of the Rules of Superintendence for the Courts of Ohio (effective 1/1/21) regarding the appointment of a guardian ad litem, the responsibilities of a guardian ad litem, and the training and reporting requirements of guardians ad litem. In permanent custody cases, Rule 48 standards shall apply when not in conflict with the provisions of Ohio Revised Code 2151.414. The Juvenile Court's CASA/GAL Director shall be the Court's administrator for purposes of monitoring GALs compliance with Rule 48, and performing on behalf of the Court all other administrative requirements of Rule 48.

RULE 20.1. Guardian ad litem comments and complaints procedure

Pursuant to Rule 48 of the Ohio Supreme Court Rules of Superintendence for the Courts of Ohio, this rule outlines the process for submitting and processing a complaint concerning a guardian *ad litem* (GAL) in the Wood County Juvenile Court. Every GAL is expected to comply with Rule 48 and Wood County Juvenile Court Local Rules 20 and 21. As noted in Local Rule 20, the Juvenile Court's CASA/GAL Director shall be the Court's administrator for purposes of monitoring GAL compliance with Rule 48, and performing on behalf of the Court all other administrative requirements of Rule 48. Copies of Superintendence Rule 48 and Local Rules 20 and 21 may be obtained from the Court's CASA/GAL (Court Appointed Special Advocate/Guardian Ad Litem) Department.

- A. Any person may make a written complaint concerning a GAL practicing in Wood County Juvenile Court to the Court's CASA/GAL Department Director, or the Director's designee.
- B. The CASA/GAL Department shall send the GAL a copy of the complaint and may investigate the circumstances of the comment or complaint or request additional information.
- C. Within 14 calendar days of receiving a copy of the complaint, the GAL has the option to submit a written response to the CASA/GAL Department Director, or the Director's designee.
- D. After investigation, the CASA/GAL Director may forward complaints and responses and, if deemed appropriate, recommendations, to the Juvenile Court Judge.

- E. Possible dispositions which the Judge may consider include, but are not limited to, taking no action, counseling the GAL, requiring continuing education or GAL training, assigning a mentor, issuing a letter of commendation or a letter of reprimand, removal of the GAL from the case, or suspending or permanently removing the GAL from the approved list.
- F. After a decision by the Judge, the CASA/GAL Director shall timely take any action necessary, inform the GAL and the person making the complaint, and file the disposition in the GAL's file.
- G. The complaint, the results of the investigation, and the disposition of the matter shall be maintained in the GAL's file in the Court's CASA/GAL office.

RULE 21. Court appointed special advocates (CASA)

The Court reserves the right to appoint a Court Appointed Special Advocate in certain instances, including appropriate custody/visitation or delinquency cases. Case criteria established by the CASA Program Director will be applied by the Court to determine whether appointment of a CASA is appropriate. The provisions of Local Rule 20 apply equally to Court Appointed Special Advocates, whether or not they are serving the dual function of CASA/GAL.

RULE 22. Consent Judgment Entries

If an agreement is reached on all issues before the Court, counsel for the petitioning party shall prepare a consent judgment entry and submit it to the Court prior to, at the time of the final hearing, or pursuant to court order. Failure to timely submit said consent judgment entry may result in sanctions under the court's contempt power or the

proceedings being dismissed.

RULE 23. Bonds

Appearance bonds for adults shall be fixed by the Judge or Magistrate in each individual case upon arraignment, or at such other times as may be provided. The Clerk shall endorse on all warrants for the arrest of adults the amount of bond as may be provided by the Judge or Magistrate for each offense. The issuance of a warrant without endorsement as to the amount of bond shall indicate that the bond must be fixed by the Judge or Magistrate in Court.

The sufficiency of sureties shall be determined by the Judge or Magistrate in each case. When real property is offered as security by a surety, the Court shall require twice the value of the bond in real property as such value shall appear upon the county tax list maintained by the office of the County Auditor.

RULE 24. Magistrates

The powers and duties of Magistrates in the Wood County Juvenile Court are defined by Rule 40 (Ohio Rules of Juvenile Procedure); Rule 19 (Ohio Rules of Criminal Procedure); and Rule 53 (Ohio Rules of Civil Procedure). All decisions of the Magistrate shall be in writing. Magistrate's Orders shall take effect immediately unless stayed by Court order. Decisions of the Magistrate shall have full force and effect upon being adopted by the Court unless timely written objections are filed.

RULE 25. Objections to magistrate's decisions and appeals of magistrate's orders

Any party to the action may file written objections to a Decision of the Magistrate pursuant to Juvenile Rule 40(D)(3)(b). The filing deadline for an objection is fourteen (14) days after the file-stamped date appearing on the Magistrate's Decision.

A party shall have ten (10) days from the file stamp date of a Magistrate's Order to file a motion to set aside a Magistrate's Order pursuant to Juvenile Rule 40(D)(2)(b).

The Judge may affirm, reject or modify the decision or order upon the timely filing of an objection or motion to set aside. The Judge may hear additional evidence at his/her discretion.

The objection or motion to set aside should be accompanied by a supporting memorandum. If a finding of fact or weight of the evidence argument is part of or all of the basis for the objection or request to set aside an order, a transcript of the testimony is necessary to support the objection to the Magistrate's Decision or request to set aside an order and **must** be filed with the Court by the moving party within thirty (30) days after the filing of the objections or request to set aside an order, unless the Judge, in writing, extends the time period. Partial transcripts may be permitted upon leave of the Court. If a transcript is necessary, a party may file a Motion for Extension of Time to allow for preparation of the transcript.

Failure to file a transcript when one is required by this Rule is a basis for dismissal of the objections or request to set aside an order.

Objections or motions to set aside may be set for oral hearing at the request of any party and at the discretion of the Court.

A memorandum in response may be filed by any party within seven (7) days of the filing of the memorandum in support of the objections or motion to set aside or upon a schedule set by the Court.

RULE 26. Local parenting plan and companionship schedule; Long distance parenting time schedule

LOCAL PARENTING PLAN AND COMPANIONSHIP SCHEDULE

Parenting time is a time for children to enjoy the companionship of the non-residential parent. Parents can effectively use this time by spending time with their children, developing a hobby, teaching them skills and helping them meet friends in the neighborhood.

If a child indicates a strong opposition to being with the other parent, it is the responsibility of each parent to appropriately deal with the situation, by calmly talking to the child as to the child's reasons, to work with the other parent to do what is in the child's best interests, and particularly to avoid confrontation or unpleasant scenes. If the matter is not settled, either parent should seek the immediate assistance of a mental health professional or file a motion with the court. As uncomfortable as this issue may be for a parent, this issue should not go unresolved. IT IS THE AFFIRMATIVE DUTY OF THE RESIDENTIAL PARENT TO MAKE CERTAIN THAT HIS OR HER CHILD GOES FOR THE PARENTING TIME PERIOD.

This Parenting Plan and Companionship Schedule is based upon two guiding principles: 1.) The child's age/development and 2.) Predictability for both the parents and the child.

Parents of a very young child should keep in mind:

- For children up to age 2: At the time the residential parent and/or legal custodian start allowing other care givers to care for the child, the non-residential parent with parenting time should be equally involved.
- For children up to age 5: Vacation limits apply to both parents. Prolonged absence of children from either parent is not recommended.
- The child should be returned to the custodial parent's home one hour before bedtime. If this means ending earlier than the scheduled times, back up the beginning times accordingly. Total time will be the same. If bedtimes change, one week notice must be given.

EXTRACURRICULAR ACTIVITIES: Regardless of the parenting time schedule, the children's participation in extracurricular activities, school related or otherwise, shall continue uninterrupted. It shall be the responsibility of the parent in physical possession at the time of the activity to provide the physical and/or cost of transportation to these activities. The residential parent shall timely provide the other parent with notice of all extracurricular activities, school related or otherwise, in which the children participate, schedules of all extracurricular activities and the name of the activity leader (including address and telephone number if reasonably available).

Scheduled parenting time periods shall not be delayed or denied because a child has

other scheduled activities (routine appointments, lessons, sports, etc.) If the activities are regularly scheduled and are not emergencies, they should be agreed upon in advance. Both parents are encouraged to attend all child(ren)'s activities and each parent is entitled by law to equal access to the student activities of their child(ren), unless limited by court order.

WAITING: The children and the residential parent have no duty to wait for the visiting parent for more than 15 minutes after the scheduled visitation time. A parent who is late forfeits parenting time for that period, unless other arrangements are made.

CANCELLATION BY NON-RESIDENTIAL PARENT: The non-residential parent must give 24-hour advance notice of intent NOT to exercise parenting time. Unless prior arrangements are made, a parent who does not exercise the parenting time forfeits that time. Failure to exercise scheduled time is upsetting to the child(ren). A parent who continually fails to exercise this right may have parenting time modified and may be subject to other legal remedies.

ILLNESS: If a child is ill, requiring medication or consultation with a doctor/dentist, each parent must notify the other as soon as possible. If the child becomes ill while with the residential parent prior to a scheduled parenting time period, the parent must contact the other parent and discuss the advisability of parenting time while considering the best interest of the child as the primary concern.

If the parents agree that there will be parenting time, the residential parent must provide written instructions and sufficient medication for the parenting time period. The non-residential parent shall notify the other parent if the child's condition worsens or does not improve as expected.

If one child is ill and does not participate in the parenting time period, other child(ren) shall enjoy their regularly scheduled parenting time period.

The non-residential parent shall seek emergency treatment if necessary for the child(ren) during his/her period of parenting time.

The residential parent shall communicate, in writing, any allergic or chronic condition of the minor child(ren), together with the medication and recommended treatment.

If the residential parent determines that the child(ren) needs immediate medical treatment during a time of scheduled visitation, the residential parent should give 24-hour notice, if possible, so that appropriate plans can be made by the non-residential parent. However, if more than twenty-four hours is missed due to non-emergency and/or non-critical illness, then any missed visitation shall be made up within 60 days.

VACATIONS : The non-residential parent has priority of choice for vacation parenting time dates if written notice is given to the other parent as shown below. If notice is not timely given, the residential parent has priority in scheduling any vacation plans. As part of his/her summer parenting time, each parent may arrange a period of consecutive (uninterrupted) days as set forth below. Otherwise, no two summer weeks are to be taken consecutively by the non-residential parent. If otherwise allowed, during summer parenting time, the residential parent receives weekday parenting time as enjoyed by the non-residential parent during the rest of the year. The alternating weekends are to continue without interruption.

If summer school is necessary for the child to pass to the next grade, both parents shall ensure that it is completed.

A parent who takes the child(ren) out of town and overnight on vacation, shall provide

a general itinerary to the other parent, including dates, locations, addresses, and telephone numbers.

MOVING: Either parent must notify the other in writing at least 30 days in advance of his/her intent to change residence. Each parent shall provide a current address and telephone number to the other parent, at all times. If the parties move more than 150 miles apart, unless the parties agree otherwise, each shall comply with this Court's Long Distance Parenting Time Schedule without further order of the court.

ACCESS TO RECORDS: Both parents shall have access to all educational, medical, dental, optometric, psychiatric and psychological records of the minor child(ren) and may consult with any educators, treating physician, dentist or other health care provider to the children, subject to any specific limitations set forth in the court order. The residential parent shall list the non-residential parent as a parent on all required forms. Upon request of the non-residential parent, the residential parent shall immediately take whatever action is required to assist the non-residential parent in gaining access to all records of the minor child(ren).

OTHER ACCESS: The child(ren) must be allowed to communicate by telephone with both parents a minimum of once per week. In addition, the parties may agree to allow email access to both parents.

CLOTHING: The residential parent is responsible for providing sufficient appropriate clean clothing for every parenting time period. The non-residential parent shall return all items sent with the child. If there is a need to send special clothing needs, the non-residential parent must notify the residential parent at least 2 days in advance of the parenting time.

TRANSPORTATION: It is the Court's intent that each parent provides half of the transportation. The parent who receives the child(ren) shall be responsible to transport the child(ren). The person who transports shall be a licensed, insured driver, shall not be under the influence of alcohol or drugs, and shall follow all traffic laws, including child restraint and seat belt laws.

COMMUNICATION BETWEEN PARENTS: It is the parent's responsibility, not the child(ren)'s, to make all parenting time arrangements. Other than as necessary for 16 and 17 year old children in discussing the parenting time schedules noted below, neither parent should communicate with a child about the issue of parenting time, or future events or activities which conflict with the other parent's scheduled time. It is not the child's responsibility to mediate or become involved in parental differences over parenting times, dates or activities. If the parties are unable to communicate with each other, they may use other adults to make parenting time arrangements. The best solution is to seek professional help to improve their ability to communicate for the best interest of the child(ren).

DISCIPLINE: It is presumed that the parents will use consistent discipline between the households and will communicate with each other concerning the need for discipline of the child(ren). If the parents disagree over the appropriate discipline or solutions to the child(ren)'s behavior, they should seek the help of a professional. Examples of concern are decline in grades, truancy problems, delinquency, or drastic changes in behavior.

NON-COMPLIANCE: Any of the rights or responsibilities outlined in this schedule may be enforced by the Court after the filing of an appropriate motion by either party. A parent may not withhold parenting rights because the other party does not obey a court order.

A parent who willfully fails to comply with this schedule may be found guilty of contempt of court, the penalty for which is a fine not to exceed \$250.00, and a jail sentence for an initial contempt not to exceed 30 days. The Court may also assess attorney fees, court costs, transportation cost and make-up parenting time in addition to any other remedy at law. Failure to obey court orders may also be the basis for a reallocation of parental rights.

MISCELLANEOUS: Curb-Side Exchange - A legal term written into a court order if necessary. This prohibits the parent from entering upon the property of the other parent for exchange of the children. The residential parent remains in the home while the other parent remains in the car and there is no communication between the parents. The parent who is picking up the child(ren) is to park in front of the home at the scheduled time and honk the horn once to notify the other parent to send the child(ren) to the car.

IF THE COURT ORDER OR DECREE INDICATES THAT THE COURT SCHEDULE IS THE ORDER FOR PARENTING TIME/ACCESS, THEN THE ORDER OF THE COURT IS THE FOLLOWING: PARENTING TIME SHALL TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES CAN AGREE. This shall not be less than:

Age 0 - 4 Months:

Frequent, short visits in the baby's home or Monday, Wednesday, Friday, and Sunday from 5:00 p.m. until 7:00 p.m.

Vacation: None

Holidays as set forth below: From 5:00 p.m. to 7:30 p.m.

Age 19 months - 3 Years:

Alternate Weekends: Friday 6:00 p.m. to Sunday 6:00 p.m.

Midweek: 5:00 p.m. to 8:00 p.m.

Vacation: Five weeks, including one occasion of 7 consecutive days with 60 days written notice

Holidays as set forth below

Age 5 - 9 Months:

Wednesdays: 4:30 p.m. to 7:30 p.m.

Fridays: 4:30 p.m. to 7:30 p.m.

Sundays: 2:00 p.m. to 5:00 p.m.

Vacation: 24 hours, one time per month, first weekend of the month

Holidays as set forth below: From 4:30 p.m. to 7:30 p.m.

Age 4 - 5 Years:

Alternate Weekends: Friday 6:00 p.m. to Sunday 6:00 p.m.

Midweek: 4:00 p.m. to 8:00 p.m.

Summer Vacation: Five weeks, including one first occasion of 10 consecutive days, with written notice by May 1.

Holidays as set forth below

Age 10 - 18 Months:

Week 1: Saturday from 11:00 a.m. to 7:00 p.m.

Week 2: Sunday from 11:00 a.m. to 7:00 p.m.

Tuesday and Thursday from 4:30 p.m. to 7:30 p.m.

Vacation: 48 hours every other month with 10 days written notice

Holidays as set forth below: From 4:30 p.m. to 7:30 p.m.

Age 6 - 16 Years:

Alternate Weekends: Friday 6:00 p.m. to Sunday 6:00 p.m.

Midweek: 4:00 p.m. to 8:00 p.m.

Summer Vacation: Five weeks, including one occasion of 14 consecutive days, with written notice by May 1.

Holidays as set forth below

Age 17 Years:

On alternate weekends, child can choose either Saturday from 7:00 p.m. to Sunday at 7:00 p.m.; or Friday from 7:00 p.m. to Saturday at 7:00 p.m. with one week notice to non-residential parent

Midweek: 5:00 p.m. to 9:00 p.m.

Summer Vacation: Five weeks, with written notice by May 1 and with consideration for child's job and extracurricular schedule during the summer break.

Holidays as set forth below

HOLIDAYS, MOTHER'S DAY, FATHER'S DAY, SCHOOL BREAKS

Holiday	Even Years	Odd Years	Days and Times - As Agreed or as Follows
MLK Day	Mother	Father	Ages 0-18 months, see times above All others: 6 pm Sunday to 6 pm Monday
President's Day	Father	Mother	Ages 0-18 months, see times above All others: 6 pm Sunday to 6 pm Monday
Easter Sunday	Mother	Father	Ages 0-18 months, see times above All others: 9 am to 6 pm
Spring Break	Mother	Father	School aged children (Kindergarten and above): 6 pm day school ends to 6:00 PM day before school begins
Memorial Day	Father	Mother	Ages 0-18 months, see times above All others: 6 pm Sunday to 6 pm Monday
Mother's Day	Mother	Mother	Ages 0-18 months, see times above All others: 9 am to 6 pm
Father's Day	Father	Father	Ages 0-18 months, see times above All others: 9 am to 6 pm
Fourth of July	Mother	Father	Ages 0-18 months, see times above All others: 6 pm July 3 rd to 6 pm July 4 th
Labor Day	Father	Mother	Ages 0-18 months, see times above All others: 6 pm Sunday to 6 pm Monday
Thanksgiving	Mother	Father	Ages 0-18 months, see times above All others: 6 pm Wednesday to 6 pm Thursday
Christmas Eve	Father 24 th	Mother	Ages 0-18 months, see times above All others: 6 pm December 23 rd to 9 pm December
Christmas Day	Mother 25 th	Father	Ages 0-18 months, see times above All others: 9 pm December 24 th to 9 pm December

For School Aged Children (Kindergarten and above)

Christmas Break Father Mother Divide into equal number of days based upon the schedule of the school district within which the children reside
(First Half)

Christmas Break Mother Father
(Second Half)

- (A) Any alternating weekend visitation shall be interrupted as a consequence of the spring break schedule and the Christmas break schedule. Despite this interruption, the alternating weekend pattern shall continue as scheduled.
- (B) The children’s birthdays will be spent with mother in even years and father in odd years. Siblings should attend birthday events. Times are according to the child’s availability or 10:00 a.m. to 7:00 p.m. for a birthday falling on a weekend day or 5:00 p.m. to 9:00 p.m. for a birthday falling on a weekday.
- (C) Holidays and Birthdays take precedence over other parenting time in this schedule.
- (D) For parents that have children of various ages. They will abide by the time schedule for the oldest child so that all of the children will remain together for parenting time.

LONG DISTANCE PARENTING SCHEDULE
(To be read together with the Local Schedule)

The provisions of the Local Parenting Time Schedule will apply, unless modified by the following paragraphs. Although frequent contact is recommended, distance and cost of transportation may prohibit implementing the local schedule. The parties are encouraged to agree to a schedule that is convenient and workable for the parents and the child. It will be important to consider the child’s extracurricular activities when scheduling parenting time. In the absence of agreement, parenting time for the non-residential parent of the school age child will NOT BE LESS THAN the following:

WEEKENDS: Once per month if the travel time one way is less than 3 hours. The non-residential parent shall notify the other parent as soon as possible and not less than 10 days in advance.

WEEKDAYS: There will be no weekday parenting time, unless the parent is in the child’s vicinity. The non-residential parent has the responsibility to notify the residential parent at least two days in advance when (s)he will be in the area and the residential parent shall allow reasonable parenting time.

HOLIDAYS AND BIRTHDAYS: For the holidays that create a 3-day weekend, the non-residential parent shall have parenting time from Friday to Monday when the holiday is his/her scheduled holiday. In addition, if there is an extended weekend as a result of a school conference, the non-residential may exercise parenting time for the weekend.

During the even numbered years, the non-residential parent shall have the entire Christmas break for school age children. For preschoolers, the non-residential parent shall have up to 5 days during the Christmas break.

The non-residential parent shall be entitled to any days afforded him/her under the schedule so long as arrangements can be made at his/her expense.

SUMMER and SPRING BREAK: There are two options for summer and spring vacation. The residential parent shall notify the non-residential parent of the *summer vacation* dates by March 15. The non-residential parent then has the responsibility to notify the residential parent of their intentions by April 15. *The parents will decide which schedule (I or II) to use at the time the parent moves or at the time of final hearing.*

- I. A. If the parents do not communicate in advance or make provisions in a court order, the non-residential parent shall enjoy the *first half of the summer* in even numbered years and the second half of the summer in odd numbered years.
B. The parents are reminded that *summer vacation* shall be arranged to allow summer school for the child if it is necessary for the child to be promoted to the next grade.
C. Additionally, the non-residential parent will enjoy *every Spring Break*, from the evening of the last day of school until 6 p.m. the day before school starts

-OR-

- II. A. The Saturday after the last day of school until the first Saturday in August.
B. The residential parent shall have *every Spring Break*.

WAITING: The children and the residential parent have no duty to await the non-residential parent for more than 30 minutes after the scheduled parenting time, unless there is an emergency and advance notice is reasonably given.

COSTS OF TRANSPORTATION shall be considered at the time of final hearing based on all the circumstances of the case and shall be set forth in the Judgment Entry. In the absence of agreement or a decision, the costs shall be divided based on the percentages of income as set forth in the child support worksheet.

RULE 27. Court record retention

The Court shall retain all administrative records and index, docket, journal and

case files pursuant to the Ohio Rules of Superintendence. Pursuant to Rule 26.03 of the Ohio Rules of Superintendence and as extended by the Wood County Juvenile Court, Juvenile Court records shall be retained as indicated in the attached APPENDIX A.

RULE 28. Traffic violations bureau

Under Ohio law, certain juvenile traffic offenses can be processed through a local juvenile court traffic violations bureau in lieu of a court appearance.

A traffic violations bureau is established by the Wood County Juvenile Court. The Clerk of Courts is appointed its violations clerk, who shall collect fines paid to, give receipts for, and render accounts of the bureau.

The schedule of fines and costs which shall be charged by the violations bureau are established and are published and attached as APPENDIX B, "Fines and Costs in Traffic Cases."

RULE 29. Protection of personal information

Pursuant to Rule 44 of the Rules of Superintendence for the Courts of Ohio, the Court shall restrict the following sensitive documents from public access:

- Health care records
- Drug and alcohol reports
- Guardian ad litem reports – including reports of Court Appointed Special Advocates
- Home investigation reports
- Evaluations and reports relating to child custody, allocation of parental rights and responsibilities, parenting time, companionship and visitation
- Domestic violence assessments, not including petitions for civil protection

orders or criminal charges in another court

- Supervised parenting time, companionship, visitation or exchange information
- Financial records and disclosure statements
- Asset appraisals and evaluations
- Victim impact statements
- School reports

When the Court receives any of the above-listed sensitive documents, said documents will be date stamped and maintained by the Court pursuant to Court policy.

The above-listed documents are not for public viewing. All of the restricted documents may be accessed by attorneys of record and parties of record. Authorized viewers may take notes while reviewing confidential reports and documents, but are strictly prohibited from photocopying these documents, distributing or showing them to unauthorized individuals, or removing them from the Juvenile Courthouse. Upon completing a review of the restricted documents, these documents are to be immediately returned to the Judge, Magistrate, or designated Court clerk.

As a general rule, unless otherwise noted in these rules or as may be exempted by law, the following records in Juvenile Court proceedings will remain accessible:

- Dockets
- Complaints
- Responses
- Answers
- Motions
- Decisions
- Judgment Entries along with Orders

Pursuant to an administrative Judgment Entry filed by this Court on January 13, 2011, all abuse, neglect and dependency case documents are exempt from public record access, except as specifically ordered by the Court after motion and good cause shown.

RULE 30. Court Security

- A. Appropriate levels of security should exist in the court to protect the integrity of court procedures, protect the rights of individuals before it, deter those who would take violent action against the court or litigants, sustain the proper decorum and dignity of the court, and assure that court facilities are secure for all those who visit and work there.
- B. Under Sup.R. 9:
 - 1. The court has appointed a Court Security Committee to meet on a periodic basis for purposes of reviewing and implementing court security standards.
 - 2. The court has implemented a local security policy and procedure plan consistent with the Ohio Court Security Standards adopted by the Supreme Court of Ohio.
- C. The court shall adopt a security operations manual, which shall set forth written directives for the purpose of ensuring security within the court while maintaining accessibility to the community.

RULE 30.1. Weapons prohibited

- A. No person, with the exception of those persons listed in section B of this rule, may convey or attempt to convey, possess or have under his or her control a deadly weapon or dangerous ordnance in the Wood Court Juvenile Court or in another

building or structure in which a Wood County Juvenile Courtroom is located. This prohibition includes those persons licensed to carry a concealed weapon pursuant to R.C. 2923.125 or 2923.1213.

B. The following persons are permitted to convey, possess, or have under their control a deadly weapon or dangerous ordnance in the Wood County Juvenile Court or in another building or structure in which a Wood County Juvenile Courtroom is located:

1. A judge or magistrate of a court of record of Ohio
2. A peace officer who is authorized to carry a deadly weapon or dangerous ordnance, who possesses that weapon or ordnance as a requirement of that peace officer's individual duties, and who is acting within the scope of his or her duties at the time of possession or control
3. A person who conveys, attempts to convey, possesses or has under his or her control a deadly weapon or dangerous ordnance that is to be used as evidence in a pending criminal or civil action or proceeding
4. A bailiff of the court or court constable authorized to carry a firearm by R.C. 109.77 who possess or has under his or her control a firearm as a requirement of his or her duties and who is acting within the scope of his or her duties at the time of possession
5. A prosecutor appointed by a county prosecuting attorney, who is authorized to carry a deadly weapon or dangerous ordnance in the performance of his or her duties, who possesses or has under his or her control a deadly weapon or dangerous ordnance as a requirement of his or her duties, and who is acting within the scope of his or her duties at the time of possession or control

- C. This Court does not provide the service of securing handguns, except to authorized law enforcement personnel.

RULE 30.2. Juvenile restraint

Consistent with Rule 5.01 of the Rules of Superintendence for the Courts of Ohio, a presumption is created by this local rule that physical restraint of juveniles shall not be utilized unless the judge or magistrate before whom the child is appearing makes an individualized determination on the record that there is no less restrictive alternative to the use of physical restraint and that the physical restraint of the child is necessary because of either of the following:

- A. The child represents a current and significant threat to the safety of the child's self or other persons in the courtroom;
- B. There is a significant risk the child will flee the courtroom.

The judge or magistrate is required to permit any party to be heard on the issue of whether the use of physical restraint is necessary for that particular child at that particular proceeding. A party is defined in Juv R. 2(Y) as a child who is the subject of a juvenile court proceeding, the child's spouse, if any, the child's parent or parents, or if the parent of a child is a child, the parent of that parent, in appropriate cases, the child's custodian, guardian, or guardian ad litem, the state, and any other person specifically designated by the court

If physical restraint is found to be necessary by the judge or magistrate, the restraint shall be the least restrictive necessary to meet the risk requiring the restraint and in a manner which does not unnecessarily restrict the movement of the child's hands.

RULE 31. Personal information

Upon the filing or submission of a case document a party shall omit personal identifiers from the document.

- A. "Personal Identifiers" means social security numbers, except for the last four digits; financial account numbers, including but not limited to debit card, charge card, and credit card numbers; employer and employee identification numbers. Consistent with this Court's Judgment Entry filed January 13, 2011, abuse, neglect and dependency cases are not generally accessible to the public absent an Order of this Court. Given this, parties to abuse, neglect and dependency cases may file pleadings with the full names of the youth involved.
- B. When personal identifiers are omitted from a case document submitted to the court, the party shall submit or file that information on a separate form. The parties may use a form provided by the court or a form of their own. Redacted or omitted personal identifiers shall be presented to the court upon request or to a party by motion.
- C. The responsibility for omitting personal identifiers from a case document submitted to the court or filed with a clerk pursuant to this rule 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.

RULE 32. Competency proceedings

- A. General Purpose

The purpose of these rules is to expedite proceedings under sections 2152.51 to 2152.59 of the Revised Code, to ensure that proper notice of competency hearings is

provided to the appropriate persons, and to ensure that any proceedings on an underlying complaint are stayed pending the determinations under these sections.

B. Expedited Hearings

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

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.

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 33. Court Technology Plan

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

- (1) A comprehensive strategy for implementing and maintaining technology solutions for conducting remote hearings, electronic service, the acceptance of

electronic signatures, and any other technology-related solution utilized by the court or divisions; and

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

This plan will be available from the office of the Clerk of Court and posted on the Court's website at www.co.wood.oh.us/juvenilecourt/.

APPENDIX A

WOOD COUNTY JUVENILE COURT RECORDS RETENTION SCHEDULE

Case Records – Superintendence Rule 26

<u>RECORD TITLE</u>	<u>RETENTION PERIOD</u>	<u>MEDIA TYPE</u>
Delinquent (including appeal exhibits, depos and transcripts)	3 years after final Court Order (extended from Sup. R. 26)	Paper
Unruly (including appeal exhibits, depos and transcripts)	3 years after final Court Order (extended from Sup. R. 26)	Paper
Permanent custody, custody, parentage, visitation, support enforcement, abuse, neglect, dependency, and URESA records (including appeal exhibits, depos and transcripts)	Once youngest child reaches 20 years of age or 1 yr after post decree adjudication order, whichever is later (extended in part from Sup. R. 26)	Paper
Adult (including appeal exhibits, depos and transcripts)	50 years after final Court Order (extended from Sup. R. 26)	Paper
Traffic (including appeal exhibits, depos and transcripts)	Minor misdemeanors – 5 years after final Court Order Misdemeanors – 25 years after final Court Order All others – 50 years after final Court Order	Paper
Recordings of Court Proceedings	11 years from date of recording	Tape and Digital
Exhibits/Transcripts/Depos (except appealed cases)	Conclusion of case and appeal time (after 60 days notice)	Paper
Judge/Magistrate's Notes	Destroyed at the discretion of the preparer	Paper
Supreme Court Reports	Kept permanently	Paper
Search Warrants	5 years after date of service	Paper

**Wood County Juvenile Court Probation Department
Records Retention Schedule**

<u>Record title</u>	<u>Retention Period</u>	<u>Media</u>
Juvenile Probation Files (includes CSW docs)	3 years after termination or age 18, whichever is later	Paper
Policy/Procedure Manual	2 years after superseded	Paper
Tox Screen docs	2 years from screen date	Paper
Program docs	1 year from program date	Paper
Employee- requests for leave	3 years from request or completion of audit	Paper
Employee history and discipline	10 years after termination of employment	Paper
Applications for advertised positions (unsuccessful)	2 years from receipt	Paper
Communication records, correspondence, general office records	Until no further administrative value	Paper
DYS grant documents	DYS acceptance of closing expenditures report, or 3 years from end of grant year, whichever is later	Paper

**WOOD COUNTY JUVENILE COURT RECORDS RETENTION SCHEDULE
CASA DEPARTMENT**

Per Superintendent Rule 26

<u>RECORD TITLE AND DESC.</u>	<u>RETENTION PERIOD</u>	<u>MEDIA/RULE</u>
ANNUAL REPORTS	PERMANENT (2 copies)	PAPER/26.01(B)
APPLICATION FOR EMPLOYMENT	2 YEARS FROM DATE OF APP	PAPER/26.01(H)
ATTORNEY GAL RECORDS	2 YEARS FROM DATE REMOVED FROM LIST	PAPER/26.01(F)
CASA BUDGET LOG	UNTIL NO FURTHER ADMINISTRATIVE VALUE	PAPER
CASA CASE FILES	UNTIL YOUNGEST CHILD IN FAMILY REACHES AGE 21	PAPER
CASA POLICY MANUAL	UNTIL SUPERSEDED OBSOLETE OR REPLACED	PAPER/26.01(F)
CASA VOLUNTEER APPLICATIONS (Those not administered Oath)	2 YEARS AFTER DATE OF RECORD	PAPER/26.01(H)
CASA VOLUNTEER TRAINING INSERVICE SIGN-IN SHEETS TRAINING EVALUATION FORMS	UNTIL NO FURTHER ADMINISTRATIVE VALUE	PAPER/26.01(F)
CITIZEN REVIEW BOARD APPL. (Those not administered Oath)	2 YEARS AFTER DATE OF RECORD	PAPER/26.01(H)
COMMUNICATION RECORDS	UNTIL NO FURTHER OF ADMIN. VALUE	PAPER/26.01(E)
CRB CASE RECORDS	UNTIL YOUNGEST CHILD IN FAMILY REACHES AGE 21	PAPER/26.01(F)
GRANT APPLICATIONS PAPER/26.01(F) (UNSUCCESSFUL)	1 YEAR AFTER NOTIFICATION (NON-APPROVAL)	
GRANT RECORDS PAPER/26.01(L)	3 YEARS AFTER	

(other than VOCA/SVAA)	END OF GRANT PERIOD	
VOCA GRANT RECORDS INCLUDES: FINANCIAL, SUPPORTING DOCUMENTS STATISTICAL RECORDS, EMPLOYEE SCHEDULES AND PAYROLL, RECEIPTS, Vol. TIME SHEETS, EQUIPMENT PURCHASES, ALL OTHER RECORDS PERTAINING TO AWARD; Outcome measure survey	3 YEARS FROM DATE OF AWARD	PAPER/VOCA
SVAA GRANT RECORDS INCLUDES: FINANCIAL, SUPPORTING DOCUMENTS STATISTICAL RECORDS, ALL OTHER RECORDS PERTAINING TO AWARD	3 YEARS FROM DATE OF AWARD	PAPER/SVAA
GRIEVANCE FILES PAPER/26.01(F) (Both Attorney GAL and CASA/GAL)	5 YEARS AFTER RESOLVED	
EMPLOYEE HISTORY AND DISCIPLINE RECORDS	10 YEARS AFTER TERMINATION OF EMPLOYMENT	PAPER/26.01(J)
OCASA FUNDING REQUESTS PAPER/26.01(O) FOR TRAINING REIMBURSEMENTS	3 years	
PROGRAM INTERNAL ASSESSMENT REVIEWS	UNTIL SUPERSEDED OR NO FURTHER ADMINISTRATIVE VALUE	PAPER
STAFF MEETING NOTES	UNTIL NO FURTHER ADMINISTRATIVE VALUE	PAPER/26.01(E)
STANDARD REVIEWS (NATIONAL CASA COMPLIANCE REPORTS)	UNTIL SUPERSEDED OR NO FURTHER ADMINISTRATIVE VALUE	PAPER
STATE/NATIONAL CASA MEMBERSHIP	UNTIL SUPERSEDED	PAPER/26.01(F)
STATISTICAL REPORTS MONTHLY/QUARTERLY SEMI-ANNUAL	UNTIL INCORPORATED INTO ANNUAL REPORT	PAPER/26.01(F)
VOLUNTEER FILES (CASA, CRB, INTERNS)		PAPER
Criminal record checks	10 YEARS AFTER TERMINATION OF SERVICE (ATOS)	
Application/References	10 YEARS ATOS	
Disciplinary action	10 YEARS ATOS	

Exit Questionnaire
Development Evaluation
Volunteer agreement and
Confidentiality agreement

UNTIL NO FURTHER ADMIN. VALUE
UNTIL NO FURTHER ADMIN VALUE
3 YEARS ATOS

VOLUNTEER HANDBOOK

UNTIL SUPERSEDED
OBSOLETE OR REPLACED

PAPER

Updated 1/27/2021

**WOOD COUNTY JUVENILE COURT
RETENTION SCHEDULE FOR FISCAL RECORDS**

<u>RECORD TITLE</u>	<u>RETENTION PERIOD</u>	<u>SUP RULE</u>
ANNUAL REPORTS	PERMANENT – 2 COPIES	26.01 (B)
BANK RECORDS	3 YEARS AFTER DATE OF RECORD OR COMPLETION OF AUDIT	26.01 (C)
CASH BOOKS	3 YEARS AFTER DATE OF RECORD OR COMPLETION OF AUDIT	26.01 (D)
COMMUNICATION RECORDS	UNTIL NO LONGER OF ADMIN. VALUE	26.01 (E)
CORRESPONDENCE AND GENERAL OFFICE RECORDS	UNTIL NO LONGER OF ADMIN VALUE	26.01 (F)
DYS GRANT RECORDS	DYS ACCEPTANCE OF CLOSING EXPENDITURES REPORT OR 3 YRS FROM END OF GRANT YEAR WHICHEVER IS LATER	
DRAFTS AND INFORMAL NOTES	UNTIL NO LONGER OF ADMIN VALUE	26.01 (G)
EMPLOYEE BENEFIT AND LEAVE RECORDS	3 YEARS AFTER DATE OF RECORD OR COMPLETION OF AUDIT	26.01 (I)
EMPLOYEE HISTORY AND DISCIPLINE RECORDS	10 YEARS AFTER TERMINATION OF EMPLOYMENT	26.01 (J)
FISCAL RECORDS	3 YEARS AFTER DATE OF RECORD OR COMPLETION OF AUDIT	26.01 (K)
GRANT RECORDS (EXCEPT DYS GRANT)	3 YEARS AFTER EXPIRATION OF THE GRANT	26.01 (L)
PAYROLL RECORDS	3 YEARS AFTER DATE OF RECORD OR COMPLETION OF AUDIT	6.01 (M)
PUBLICATIONS RECEIVED	UNTIL NO LONGER OF ADMIN VALUE	26.01 (N)
RECEIPT RECORDS	3 YEARS AFTER DATE OF RECORD OR COMPLETION OF AUDIT	26.01 (O)
REQUESTS FOR PROPOSALS, BIDS, AND CONTRACTS RESULTING FROM RFPs	8 YEARS AFTER CONTRACT EXPIRES [extended from 3 years as allowed in Sup R 26.01(P)]	26(G) + L.R. 27
ALL OTHER WRITTEN CONTRACTS	8 YEARS AFTER CONTRACT EXPIRES [newly created provision]	26(G) + L.R. 27

Wood County Juvenile Detention Center Records Schedule

RECORD TITLE	MEDIA TYPE	RETENTION PERIOD
Daily Detention Status Sheet	Paper	Retain until no further administrative value
Daily Detention Roster	Paper	Retain until no further administrative value
Monthly Statement of Juveniles Detained	Paper	10 years from date of record
Resident Files	Paper	5 years or age 21 whichever is later
Admissions & Release Form Certificate of Arrest Form Property Inventory Form Daily Youth Logs: S5, S15, Regular Medical Screening Receiving Form Incident Reports Drug Abuse Screening Form Release Authorization Form Phone Call History Form Juvenile Grievance Form Juvenile Grievance Response Form Resident Interstate Compact Form Resident Request for Medical Attention Form Resident Statement of Facts Form Crisis Intervention/Risk Evaluation Forms Resident Restraint Chair Log		
Resident Medical Files	Paper	6 years after juvenile released
Official Head Counts	Paper	2 years after date of record
Medical Staff Log	Paper	2 years after date of record
Staff Phone Log and Visitors' Sign-in Sheet	Paper	1 year after date of record
Key Sign-in Sheet Meal Verification Form First Aid Checklist Form Request for Service (Maintenance)	Paper	Until no further admin value

Supervised School Suspension Records	Paper	1 year after date of record
Inspection Records (DYS, Health Dept, Fire)	Paper	3 years after date of record
Shift Activity Reports	Paper	2 years after date of record
Employee Leave Records	Paper	3 years after date of record or completion of audit
Employee History and Discipline Record	Paper	10 years after termination of employment
Attendance Records	Paper	3 years after date of record
Correspondence and General Office Records	Paper	Until no further admin value
Inventory Records	Paper	3 years after date of record
Policy and Procedure Manuals	Paper	2 years after superseded
Employee Read and Sign Records	Paper	2 years after date of record

APPENDIX B
TRAFFIC CASES FINES AND COURT COSTS
EFFECTIVE 01/01/2023

The following amounts pertain to non-accident, first offenses when the driver is under the age of 18. If not listed, or if the offense involves an accident, or if there has been a prior moving violation, a court appearance is required.

ORC or Local
Equivalent

MOVING VIOLATIONS

4511.12	Obeying traffic control devices	\$102
4511.13	Signal lights	\$102
4511.15	Flashing traffic signals	\$102
4511.20	Willful/wanton disregard of safety on highway/elsewhere	\$117
4511.202	Operation without reasonable control	\$107
4511.21	Speeding 1-10 miles above limit	\$102
	11-20 miles above limit	\$112
4511.21(A)	Failure to maintain the assured clear distance	\$102
4511.22	Slow speed	\$102
4511.25	Lanes of travel upon roadways	\$102
4511.26	Vehicles traveling in opposite direction	\$112
4511.27	Rules governing overtaking and passing of vehicles	\$102
4511.28	Overtaking and passing on right	\$102
4511.29	Driving left of center in passing	\$112
4511.30	Prohibition against driving to left of center	\$102
4511.31	Hazardous zones	\$117
4511.32	One-way traffic	\$112
4511.33	Rules for driving in marked lanes	\$102
4511.34	Space between moving vehicles	\$102
4511.36	Rules for turns at intersections	\$102
4511.37	Turning in roadway prohibited	\$102
4511.38	Care to be exercised in starting or backing vehicles	\$102
4511.39	Use of signals	\$102
4511.41	Right of way at intersections	\$102
4511.42	Right of way when turning left	\$102
4511.43	Driving in response to stop or yield sign	\$102
4511.44	Right of way	\$102
4511.45	Right of way of public safety vehicles	\$102
4511.451	Right of way funeral vehicle	\$102
4511.521	Equipment and operation of motorized bicycles	\$97
4511.70	Obstruction and interference affecting view of driver	\$97
4513.02	Operation of unsafe vehicle	\$102
4513.114	Animal drawn moving vehicles	\$102
4513.112/113	Slow moving vehicles	\$102
4513.28	Display of warning devices on disabled vehicles	\$102

NON-MOVING VIOLATIONS

4503.11	Expired plates	\$78
4503.21	Display of license plates	\$78
4511.051	Prohibition against slow moving vehicles on freeway	\$78
4511.50	Pedestrians walking along highways	\$78

4511.53	Rules for bicycles, motorcycles and snowmobiles	\$78
4511.54	Prohibition against attaching bicycles and sleds	\$78
4511.55	Operating bicycles and motorcycles on roadway	\$78
4511.66	Prohibition against parking on highways	\$78
4511.661	Parking and leaving motor vehicle unattended	\$78
4511.68	Parking prohibitions	\$78
4511.681	Parking on private property/posted prohibition	\$78
4511.69(F)	Parking in handicap space	\$83
4511.81 (A)-(D)	Certain children to be secured in child restraint system	\$83
4511.82	Littering offenses	\$78
4513.03	Lighted lights required	\$78
4513.04	Headlights	\$78
4513.05	Taillights and illumination of rear license plate	\$78
4513.07	Safety lighting of commercial vehicles	\$78
4513.09	Red light or flag required	\$78
4513.10	Lights on parked vehicles	\$78
4513.12	Spotlights/auxiliary driving lights specification	\$78
4513.13	Cowl, fender, and back up lights	\$78
4513.14	Two lights required	\$78
4513.15	Headlights required	\$78
4513.17	Number of lights permitted	\$78
4513.19	Regulations for focus and aim of headlights	\$78
4513.20	Brake equipment	\$78
4513.21	Horns, sirens, and warning devices	\$78
4513.22	Mufflers; excessive smoke or gas	\$78
4513.23	Rear view mirrors	\$78
4513.24	Windshields and wipers	\$78
4513.241	Illegal window tint	\$78
4513.261	Directional signals	\$78
4513.263(A)	Seat Belt-Driver	\$50
4513.263(B)(3)	Front seat passenger shall wear device	\$40

APPENDIX C

Wood County Court Appointed Attorney Maximum Fee Schedule

Pursuant to Wood County Commissioners resolution dated December 31, 2020, fees for Court appointed attorneys in Juvenile Court matters shall not exceed:

Offense/Proceeding

Delinquency:

Aggravated murder (w/specs) Per R.C. 2929.04(A) and R.C. 2941.14(B)	As set by Capital Fee Counsel – see R.C. 120.33(D)
Aggravated murder (w/o specs)	\$7,500/1 attorney \$12,500/2 attorneys
Murder	\$6,000.00
Felonies (1-2)	\$5,000
Felonies (3-5)	\$3,500
Misdemeanor OVI/BAC	\$2,500
Misdemeanors	\$2,000
Traffic	\$300
Objections	\$750
Bind Over - Mandatory	\$750/1 attorney \$1,200/2 attorneys
Bind Over – Discretionary	\$2,000/1 attorney \$3,000/2 attorneys
Reverse Bind Over Amenability	\$1,500
SYO	Adult degree + 50%/ 2 attorneys
SYO Invocation	\$2,000/1 attorney \$3,000/2 attorneys
VCO	\$750
Sex Offender Classification/ Reclassification/Declassification	\$750
Expungement	\$300

Unruly	\$1,000
A/D/N:	
Initial Custody	\$1,500
Annual After Custody	\$1,500
Permanent Custody	\$2,500
Juvenile Traffic Offender	\$950
Contempt of Court	\$500
Purge	\$150.00
Parole, probation, judicial release, and all other proceedings not elsewhere classified	\$750
Adult Misdemeanors (degrees 1-4)	\$1,500

Payment for representation in juvenile proceedings will be made based on the maximum rate of \$75.00 per hour for representation out of court and \$75.00 per hour for representation in court as set forth in Local Rule 9.

Any request for fees exceeding this schedule must be accompanied by a Motion for Extraordinary fees with an Order, and must be approved by the Court.