

TABLE OF CONTENTS

Rule 1	General
Rule 1.01	Sessions of Court
Rule 1.02	Conduct in Court
Rule 1.03	Court Records
Rule 1.04	Ex Parte Communications with Judge/Magistrate
Rule 1.05	Official Record of Proceedings
Rule 1.06	Photographing, Recording or Broadcasting of Proceedings
Rule 1.07	Fascimile Filing
Rule 2	Security for Cost

- Rule 2.01 Deposit for Cost
- Rule 2.02 Inabilities to Secure Cost
- Rule 2.03 Payment of Cost
- Rule 2.04 Deposit for Fees of Guardian ad Litem

- Rule 3 Counsel of Record
- Rule 3.01 Counsel
- Rule 3.02 Withdrawal of Counsel
- Rule 3.03 Attorney Scheduling

- Rule 4 Service
- Rule 4.01 Service by Civil Rules
- Rule 4.02 Service by Posting
- Rule 4.03 Service by Publication

- Rule 5 Case Management
- Rule 5.01 Pleadings and Motions
- Rule 5.02 Continuances
- Rule 5.03 Pre-trial Conferences
- Rule 5.04 Conflict of Trial Assignment Date
- Rule 5.05 Selection of Jurors
- Rule 5.06 Cost of Civil Jury
- Rule 5.07 Jury View of Premises

- Rule 6 Procedures on Appeal

- Rule 7 Allocation of Parental Rights and Responsibilities

- Rule 7.01 Ex Parte Orders
- Rule 7.02 Temporary Orders
- Rule 7.03 Witness Fees
- Rule 7.04 Parentage Action, Motion to Modify Visits, Support, Custody
- Rule 7.05 Motion in Contempt
- Rule 7.06 Residential Parent Notice-Intent to Relocate

- Rule 8 Parenting Time/Visitation/Companionship
 - Rule 8.01 Schooling Information
 - Rule 8.02 Notice of Intent
 - Rule 8.03 Guidelines for Custody and Visitation When Dispute Arises
 - Rule 8.04 Long Distance Parenting Plan and Companionship Calendar
 - Rule 8.05 Additional Companionship Times

- Rule 9 Child Support
 - Rule 9.01 Schedule of Support
 - Rule 9.02 Support Modification request

- Rule 10 Definition of Reasonable & Ordinary Medical Expense

- Rule 11 Guardian ad Litem
 - Rule 11.01 Qualifications
 - Rule 11.02 Duties of Guardian ad Litem
 - Rule 11.03 Conflict

- Rule 12 Home Studies

Rule 13	Magistrate
Rule 13.01	Objection to Magistrate Decision and Appeal of Magistrate Orders
Rule 14	Diversion
Rule 15	Family Intervention Court
Rule 16	Mediation
Rule 16.01	General
Rule 16.02	Case Selection
Rule 16.03	Procedure
Rule 16.04	Qualifications
Rule 17	Preparation of Judgment Entries
Rule 18	Sealing and Expungement of Records
Rule 19	Record Management and Retention
Rule 20	Public Records Policy
Rule 21	Traffic Violations Bureau

APPENDIX

Appendix A Fee Schedule

Appendix B Financial Affidavit
Health Insurance Disclosure Form

Appendix C Personal Identifier Sheet

Appendix D Public Records Policy

**RULES OF PRACTICE
AND PROCEDURE**

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

It is ordered that the following rules shall be adopted for the governance of the practice and procedures in the Court of Common Pleas, Juvenile Division, Seneca County, Ohio, until otherwise provided pursuant to Article IV, Section (5) of the Ohio Revised Constitution, to Section §2123.15 of the Ohio Revised Code, and to the Rules of Superintendence promulgated by the Supreme Court of Ohio.

Adoption, Scope and Construction of Rules

The Juvenile Division of the Common Pleas Court for Seneca County, Ohio, adopts the following Rules for the management of proceedings and other functions of the Court. The Court may amend the Rules from time to time as needed or required by law.

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

These Rules shall be effective September 1, 2010.

RULE 1 GENERAL

RULE 1.01 SESSIONS OF COURT

(A) The Seneca County Juvenile Court shall be open daily from 8:30 a.m. to 4:30 p.m. on all business days, Monday through Friday, with legal holidays, and the day following Thanksgiving, as observed by law. The Juvenile Clerk of Court, at the discretion, and upon the Order of the Judge, may be open or closed at other hours for matters of extraordinary nature or importance.

RULE 1.02 CONDUCT IN COURT

(A) Any person entering Juvenile Court is subject to search at any time by any law enforcement officer, Court Bailiff or Juvenile Court Probation Officer. No person carrying a bag, case, or parcel shall be permitted to enter or remain in any courtroom without first, if requested by the Court, submitting such bag, case, or parcel to security personnel for inspection. No person shall have on his or her possession or under his or her control or direction any dangerous ordnance other than law enforcement officer(s) and Court Bailiffs on official business. No firearms, deadly weapons, or dangerous ordnances are permitted in the courthouse or upon the premises of the courthouse.

(B) The Court will not tolerate any inappropriate facial expressions, grimaces or gestures during any Court appearance. Rude and disrespectful behavior towards opposing counsel, parties, witnesses, jurors or Court staff will not be tolerated. Any of these actions may be considered by the Court as direct Contempt.

(C) All attorneys, parties and witnesses should wear appropriate attire to Court. The Court considers appropriate attire as clothing Seneca County residents would wear to important events in their lives. Counsel should ensure that their clients and witnesses are appropriately attired. Failure of such may result in the hearing or trial being postponed and costs assessed.

(D) The general public may be excluded from the courtroom and only those persons who have a direct interest in the case are to be admitted, in accordance with Ohio Revised Code §2151.35(A). Hearings regarding charges against adults and serious youthful offenders will be open in accordance with Ohio Revised Code §2152.

(E) All attorneys shall remain seated when addressing the Court unless otherwise directed by the Court.

(F) No child shall be permitted to enter or remain in the courtroom unless accompanied by an adult.

(G) Food, beverages, and smoking are prohibited in the courtroom during all hearings. No smoking is permitted on the premises of the courthouse as provided for by law.

(H) The courtroom shall be cleared at all recesses.

(I) Representatives of the media will under no circumstances question or converse with prospective or selected jurors concerning a cause set for trial.

(J) All cellular phones and other communication devices are to be turned off before entering any courtroom. Cellular phones and other communication devices are to remain off during any courtroom proceeding.

(K) Any item, container, vehicle or possession, within the confines of the courthouse or upon the courthouse premises, shall be subject to search and inspection at any time by any law enforcement officer, Court Bailiff, or Juvenile Court Probation officer.

RULE 1.03 COURT RECORDS

(A) The Clerk of this Court shall not permit original files to be taken from the office by anyone other than Court personnel, unless the same are to be delivered to the Judge or Magistrate of said Court, or unless removal is authorized in writing by the Judge or Magistrate.

(B) No person, including parties or counsel, shall have access to or right to inspect any social histories, psychological reports, or probation records without written authorization from the Judge or Magistrate, or by the written consent of the juvenile herein. The written consent of the juvenile shall be executed at the Court in the presence of an officer of the Court or Deputy Clerk.

(C) Written request for information (i.e. military, employment, government) will be processed within seventy-two (72) business hours. Written request may be hand delivered, mailed or faxed to the Court and must be accompanied by a signed release of information. A copy of the Juvenile Prior sheet will be the only information provided.

(D) 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 1.04 EX PARTE COMMUNICATIONS WITH JUDGE OR MAGISTRATE

(A) No attorney or party shall discuss the merits, either orally or in writing, of any litigation with any Judge or Magistrate presiding over the matter before final disposition thereof without the presence of opposing counsel or the unrepresented party.

(B) Letters received by the Court shall not be accepted as an attempted form of direct communication with the Judge or Magistrate. Any letter, e-mail, or facsimile will be returned to the party or destroyed.

RULE 1.05 OFFICIAL RECORD OF PROCEEDINGS

(A) All matters heard by the Judge or the Magistrate will be recorded on an audio recorder. All Official Court Reporters shall serve the Juvenile Judge as needed.

(B) No public use shall be made by any person, including a party, of any juvenile court record, including the recording or transcript thereof of any juvenile court hearing, except in the course of an appeal or as authorized by the order of the Court.

(C) If a request for a transcript is made for the purposes of appeal or an objection filed pursuant to Juvenile Rule 40 and Civil Rule 53, the person seeking the transcript may directly request a court reporter to transcribe the record. No transcript will be prepared by the Court Reporter until payment is made. The Court Reporter may demand payment in full prior to the preparation of the transcript, except for Prosecuting Attorneys, Public Defenders, and indigents. All original transcripts produced shall be filed with the Clerk and become a part of the official court record of a case.

RULE 1.06 PHOTOGRAPHING, RECORDING OR BROADCASTING OF PROCEEDINGS

(A) No radio or television transmission, voice recording device, imaging equipment, communication devices of the proceedings for the Court, other than a device used in

making an official record, or making and taking of photographs shall be permitted without the prior approval of the Judge.

RULE 1.07 FACSIMILE FILING

(A) Pleadings and other papers may be filed with the Clerk of Courts by facsimile transmission [fax] to 419-448-5060 pursuant to the authority extended by Civil Rule 5(E) and Juvenile Rule 8. The Court adopts the following procedures for the acceptance of facsimile copies, subsequent to the original filing of the complaint, of pleadings and other papers not longer than ten (10) pages in length. No document longer than ten (10) pages in length shall be filed this way.

(B) The following documents will be the only pleadings accepted for fax filing:

1. Entry of appearance of counsel.
2. Denial to the Complaints
3. Motions for leave to Plead
4. Answer to Complaint
5. Motion for Continuance with proposed Journal Entry
6. Discovery request
7. Response to Discovery
8. Motion for Sanctions
9. Motion in Limine
10. Briefs as ordered by the Court.

(B) A document filed by fax shall be accepted as the effective original filing. The person making the filing need not file any source document with the Juvenile Court but must, however, maintain in his or her records and have available for production upon request by the Court, the source document filed by fax, with original signatures as otherwise required

and under applicable rules, together with the source copy of the facsimile cover sheet used for the subject filing.

(C) The source document filed by fax shall be maintained by the person making the filing until the case is formally closed by the Court and all opportunities for post judgment relief are exhausted. The person making the filing shall also maintain the verification receipt that the transmission was completed without problems.

(D) The person filing a document by fax shall also provide therewith a cover page containing the following information:

1. The name of the Court;
2. The title of the case;
3. The case number;
4. The assigned Judge/Magistrate
5. The title of the document being filed;
6. The date of transmission;
7. The transmitting fax number;
8. An indication of the number of pages in transmission including the
Cover page;
9. The name, address, telephone number, fax number, Supreme Court
Registration Number, if applicable, and e-mail address of the person
filing the fax document, if available.

(E) The Clerk's Office is not required to send any form of notice to the sending party of a failed fax filing. However, if practicable, the Clerk or Deputy Clerk may inform the sending party of a failed fax filing. Burden of confirming receipt of fax is on the sending party.

(F) Subject to the provisions of these rules, all documents sent by fax and accepted by the Juvenile Court Clerk or Deputy Clerk shall be considered filed with the Juvenile Court Clerk's Office as of the date and time the Clerk or Deputy Clerk time-stamps the document received, as opposed to the date and time of the fax transmission. The office of the Juvenile Court will be deemed open to receive facsimile transmission of documents on the same days and time the Juvenile Court is regularly open for business as set forth in Rule 1.01. The risks of transmitting a document by fax to the Clerk's Office shall be borne entirely by the sending party. Anyone using facsimile filing is urged to verify receipt of such filing by the Clerk.

RULE 2 SECURITIES FOR COST

RULE 2.01 DEPOSITS FOR COSTS

(A) Except in any action initiated by and through the State of Ohio or any of its political subdivisions, the Juvenile Clerk shall not file any action or proceeding unless accompanied by a deposit or a court approved poverty affidavit. Cost and fees will be taxed in accordance with the fee schedule as incorporated. See attached Appendix A.

RULE 2.02 INABILITIES TO PRE-PAY COST

(A) If a litigant claims the inability to pay or give security for costs, the litigant shall complete an Affidavit of Indigency required by Ohio Revised Code §2323.30 and Ohio Revised Code §2323.31, substantiating said inability, all of which shall be filed with the pleadings and treated as other papers in such case, and be subject to review by the Court. Cost will be assessed at the end of the action.

RULE 2.03 PAYMENT OF FINES AND COSTS

In any case where fines and/or costs are assessed against a party, said fines and/or cost are due immediately unless otherwise ordered by the Court. Failure to pay can result in a citation for contempt or other collection efforts. Any over payment in excess of \$1.00 will be returned to the payer.

RULE 2.04 DEPOSIT FOR FEES OF GUARDIAN AD LITEM

Any party requesting appointment of a Guardian ad Litem in a proceeding involving allocation of parental rights and/or parenting time shall, at the time of appointment of a Guardian ad Litem, deposit with the court the sum as outlined in Appendix A.

RULE 3 COUNSEL OF RECORD

RULE 3.01 COUNSEL

(A) It is the duty of any attorney upon representation of a juvenile or a party in any civil or criminal action to immediately notify the Court of such representation in writing.

(B) In cases where counsel is appointed by the Court, representation shall continue until completion of the case or until an Order for Withdrawal is approved by the Judge or Magistrate.

(C) The Court shall maintain a list of appointees qualified to serve in the capacity as designated by the Court. Appointments shall be made from said list taking into consideration the qualifications, skills, expertise, and caseload of the appointee in addition to the type, complexity, and requirements of the case. Any licensed Attorney in the State of Ohio may submit his/her name to the Court for consideration to be placed on the appointment list. The Court may maintain separate list for different types of appointments.

(D) Compensation for all court appointed counsel is set at the rate determined by the County Commissioners.

(E) Fees and expenses for representation shall be submitted to the Court on the forms as established by the Office of the Public Defender within sixty (60) days of final disposition. Application for fees submitted after ninety (90) days shall not be paid.

RULE 3.02 WITHDRAWAL OF COUNSEL

(A) Unless otherwise ordered, the substitution or withdrawal of a trial attorney shall be permitted only upon filing with the Juvenile Court, and service on all other parties, a Notice of Substitution of Trial Attorney signed by the withdrawing attorney, the client, and a substitute trial attorney; or upon written application for substitution or withdrawal served upon the client and showing of good cause and upon such terms as the Juvenile Court shall impose. Unless otherwise ordered, a trial attorney shall not be permitted to withdraw at any time later than twenty (20) days in advance of a trial or the setting of a hearing on any motion. Unless otherwise ordered, the substitution of a trial attorney shall not serve as a basis for postponement of a trial or any hearing.

RULE 3.03 ATTORNEY SCHEDULING

(A) Each attorney shall cooperate fully with the Court in the scheduling of all appearances before the Court with consideration for prior scheduled appearances in other courts. Each attorney shall have a copy of his or her calendar available at all scheduling conferences, status conferences, pretrial conferences, and hearings.

RULE 4 SERVICE

RULE 4.01 SERVICE BY CIVIL RULES

(A) Service in any matter filed or pending before the Court shall be in accordance with the Rules of Civil Procedure.

RULE 4.02 SERVICE BY POSTING

(A) Pursuant to Rule 16 (A) of the Ohio Rules of Juvenile Procedure, in actions before the Common Pleas Court of Seneca County , Ohio, Juvenile Division, when the residence of a party is unknown and cannot be ascertained with reasonable diligence, service shall be made by any of the following methods or any combination of these methods, to wit:

1. By publication as set forth in Rule 16(A) of the Ohio Rules of Juvenile Procedure.
2. By posting and mail pursuant to this Local Rule and Rule 16(A) of the Ohio Rules of Juvenile Procedure.

(B) Before service by posting and mail can be made, a praecipe shall be filed with the Clerk requesting service by posting and mail pursuant to this rule and Rule 16(A) of the Ohio Rules of Juvenile Procedure. With the praecipe there shall be an affidavit of a party or a party's counsel, captioned in the name of the action pending before the Court stating the following:

- (1) That the affiant is a party, or counsel for a party to an action filed in the Seneca County Common Pleas Court, Juvenile Division, together with their address and telephone number.
- (2) The caption of the case, the case number, and the nature of the action before the Court.
- (3) The name and date of birth of the party whose residence is unknown and is sought to be served by posting and mail.

- (4) A chronology of the reasonable and diligent efforts used by affiant to locate the party sought to be served by posting and mail.
- (5) The last known address of the party sought to be served by posting and mail.
- (6) A certificate of service to all parties and their respective counsel as required by the Ohio Rules of Juvenile Procedure.

Upon the filing of the praecipe and affidavit seeking service by posting as set forth in this rule, the Clerk shall cause a summons and accompanying pleadings to be mailed by ordinary mail, address correction requested, to the last known address of the party to be served as required by Rule 16(A) of Ohio Rules of Juvenile Procedure. The Clerk shall proceed as required by Rule 16(A) of Ohio Rules of Juvenile Procedure if notified of a corrected or forwarding address of the party sought to be served pursuant to this rule.

Upon the filing of the praecipe and affidavit seeking service by posting, the Clerk of the Common Pleas Court of Seneca County, Ohio, Juvenile Division, shall cause service to be made pursuant to Rule 16(A) of Ohio Rules of Juvenile Procedure by instructing the party or counsel for said party seeking service by posting and mail to post in a conspicuous place, **on yellow paper, not smaller than 8 ½ by 11 in size**, a notice containing the same information required in a newspaper publication as set forth in Rule 16(A) of Ohio Rules of Juvenile Procedure. This notice shall be posted by the party seeking service by posting and mail in a conspicuous place, **on yellow paper, not smaller than 8 ½ "by 11" in size**, at all the following locations and any other locations the posting party deems appropriate:

1. The Juvenile Court of Seneca County, Ohio, located at 108 Jefferson Street, Tiffin, Ohio.
2. The Tiffin Municipal Building, located at 51 East Market Street, Tiffin, Ohio.

3. The Seneca County Common Pleas Courthouse, 117 E. Market Street, Tiffin, Ohio.
4. The Seneca County Auditor's Office, 109 S. Washington Street, Tiffin, Ohio.
5. The Seneca County Department of Job and Family Services located at 3362 S. Eden Twp. Rd. 151, Tiffin, Ohio.
6. The Fostoria Municipal Building, located at 213 South Main Street, Fostoria, Ohio.

The party seeking service by posting and mail shall cause each of these notices to be posted on the same date. Each notice shall be posted in the required locations for seven (7) consecutive days. After the conclusion of the seven (7) day posting period, party or the counsel causing the posting shall promptly remove the posted notices from each posting site.

Each posted notice shall be in the English language and shall be typewritten. All printed matter must appear in at least a twelve point type.

The party or counsel causing service to be made by posting and mail pursuant to this rule shall file an affidavit, captioned in the name of the action, with the Court after posting for the required consecutive days setting forth the following information:

- a. The name of the party or counsel making the affidavit together with their address and telephone number.
- b. An accurate full size copy of the notice that was posted at the locations as required by this rule. Said affidavit shall identify a copy of the notice annexed to the

affidavit as Exhibit "A" as a fair and accurate copy of the notice that was so posted pursuant to this rule.

c. Affiant shall set forth facts in the affidavit from affiant's personal knowledge that posting was in fact made at the locations set forth in this rule for the required number of days, setting forth the dates each notice was posted, the locations that each notice was posted and the affiant personally posted said notices for the duration of the term of said posting.

d. Said affidavit of posting shall be filed with the Court not later than five (5) days after the last date of posting.

e. Said notice shall be served on all parties and counsel of record as required by the Juvenile Rules.

After the seven (7) consecutive days of posting and upon the filing of the affidavit of posting, the Clerk shall note on the docket where and when notice was posted. Service shall be complete upon the entry of posting by the Clerk.

RULE 4.03 SERVICE BY PUBLICATION

(A) In an action where service is to be made by publication as authorized by Civil Rule 4.4, the attorney filing the necessary affidavit shall, at the same time, furnish to the Juvenile Clerk the form of notice of publication which is to be published in a newspaper of general circulation in Seneca County, Ohio.

(B) Counsel or parties requesting publication shall pay for the costs of publication directly to the publisher. The Juvenile Clerk shall request the publication and proof of service, and notify the publisher that costs are to be forwarded to the requesting party.

RULE 5 CASE MANAGEMENT

RULE 5.01 ALL PLEADINGS AND MOTIONS

(A) The complaint filed upon initiation of the action and all other pleadings shall be offered for filing without folding or covers, suitable for flat filing. All papers shall have double space type with the exception of legal descriptions and quotations which shall be singled space, and all papers must not exceed 8 ½" x 11" in size.

(B) Every pleading, motion, and memorandum filed shall be served upon all opposing counsel, or upon all parties not represented by counsel, and shall have typed or printed thereon the name, address, and telephone number of counsel filing the same. When counsel is a firm of attorneys, a particular attorney within the firm having primary responsibility for the case shall execute the document.

(C) Before a new party can be joined to an existing case, a motion must be filed requesting same.

(D) All Judgment Entries granting motions shall be on a separate document.

(E) The Court will not accept any abuse, neglect, or dependent complaints unless they are filed through the Seneca County Department of Job and Family Services Department. Further, the Court will not accept any delinquent or unruly complaints unless they are filed

through the Seneca County Prosecutor's Office, Law Enforcement Agency, School Authority or Juvenile Probation Officer.

RULE 5.02 CONTINUANCES

(A) All Motions for Continuance must be in writing and state the specific reason for the continuance. All motions for continuances must be served upon the opposing party(ies) prior to the hearing as soon as possible. The movant shall first attempt to secure consent of the opposing party(ies); set forth in the motion whether consent was obtained or denied; and shall state the number of prior continuances. Both sides must approve of the continuance. No case will be continued on the day of the hearing except for good cause shown. All continuances shall contain the date on which the need for the continuance arose, the reason(s) for requesting the continuance, and the date in which all attorneys of record, parties and guardian ad litem were notified of the requested continuance. 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 5.03 PRE-TRIAL CONFERENCES

(A) A pre-trial conference will be held at the discretion of the Judge or Magistrate involving a contested issue. A final hearing date will be scheduled at the pre-trial conference if matters are not settled at that time. If counsel for any party fails to appear at pre-trial conference, the Juvenile Court may, for good cause, dispose of the case as though counsel had failed to appear for trial.

RULE 5.04 CONFLICT OF TRIAL ASSIGNMENT DATES

(A) The Court shall not grant continuances because a hearing previously scheduled in this Court conflicts with the scheduled appearance of the attorney in another case when that conflict was apparent when the attorney took the case. The Court shall not, unless good cause is shown, consider any motion for continuance due to conflict of trial assignment dates unless a copy of the conflicting assignment is attached to the motion and the motion is filed not less than ten days prior to hearing.

RULE 5.05 SELECTION OF JURORS

The Juvenile Court hereby adopts the rules of jury selection according to the Common Pleas Court, General Division.

RULE 5.06 COST OF CIVIL JURY

(A) If a case is settled after 4:30 P.M. two calendar days immediately preceding the first day of trial, the Juvenile Court may assess the costs of the jury to each one or both parties.

RULE 5.07 JURY VIEW OF PREMISES

In any case where a jury view is requested, the party making the request shall deposit with the Clerk, the sum of \$100.00 with the Clerk. This deposit will be applied by the Juvenile Clerk for transportation costs and the amount applied will be charged as court cost against the party ordered to pay costs.

RULE 6 PROCEDURES ON APPEAL

All appeals are subject to the Local Rules of the 3rd District Court of Appeals. Parties are cautioned to review those rules at the time of the filing of the appeal.

RULE 7 ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES

RULE 7.01 EX PARTE ORDERS

(A) There shall be no ex parte orders for residential parenthood prior to non-oral temporary orders, except upon showing of good cause and supported by adequate affidavits indicating an immediate or imminent risk to the health, safety and welfare of the child if the requested relief is not granted.

(B) All motions for ex parte relief shall be served upon the opposing party by personal service.

(C) A respondent may request oral-hearing, in writing, to modify such ex parte temporary order, which the Court shall schedule for hearing within fourteen (14) days of the request.

(D) The Court may schedule a hearing on its own Motion within thirty (30) days.

RULE 7.02 TEMPORARY ORDERS

(A) Request for temporary allocation of parental rights and responsibilities shall be made by either parent, with a memorandum in support thereof and a child custody affidavit.

(B) If either party wishes to contest a temporary order granting temporary residential parent status, the party shall file a motion for relief or motion to set aside, as appropriate.

Copies of the motion shall be served in accordance with the Rules of Civil Procedure.

Upon filing, the Court shall schedule the matter for hearing.

RULE 7.03 WITNESS FEES

(A) A party requesting the issuance of subpoenas for a witness shall, at the time of filing the request for subpoena, submit a check or checks payable to the witness or witnesses under the Witness Fee Statue (Ohio Revised Code §2335.06 or as hereafter amended) for said witness with the Juvenile Court Clerk. A check must be made out for the witness fee and mileage.

RULE 7.04 PARENTAGE ACTION, MOTION TO MODIFY VISITS, CHILD SUPPORT, CUSTODY

(A) Any person may bring an action to establish parent-child relationship or for an Order establishing visitation and companionship before an administrative determination of the existence or nonexistence of a parent-child relationship from the Child Support Enforcement Agency.

(B) All Motions shall be commenced by the filing of the following:

1. Motion
2. Memorandum in Support
3. Affidavit of Income filed by the parents
4. Child Custody Affidavit (in all actions except support)
5. Personal Identifier Sheet (Appendix C)
6. The appropriate filing fee (Appendix A), per case
7. All Shared Parenting Plans must be filed pursuant to Ohio Revised Code

§3109.04

Upon the receipt of the proper paperwork and application fee, the Juvenile Clerk shall set said Motion for pre-trial. All parties are to attend the pre-trial. If the matter is not settled, a trial date shall be set.

(C) All documents shall only contain the last four digits of the Social Security number of the parties and the date of birth of any minor child(ren).

RULE 7.05 MOTION IN CONTEMPT

A motion in Contempt shall be commenced by the moving party filing the following:

1. Motion specifically stating the basis for the contempt citation.
2. Notice of Rights
3. Brief in Support
4. Supporting Affidavits
5. Appropriate filing fee.

RULE 7.06 RESIDENTIAL PARENT- NOTICE OF INTENT TO RELOCATE

(A) A residential parent shall file a notice of intent to relocate with the deputy clerk of this Court and the Child Support Enforcement Agency (herein CSEA) within thirty (30) days of said move, the notice shall contain the name and address of the residential parent, names

of the child(ren), proposed residence, and the name and address of non-residential parent.

RULE 8 PARENTING TIME/VISITATION/COMPANIONSHIP (Previous Rules 49,50, and 51. Prior to the effective day of these Rules refer to prior Local Rule 49, 50 and 51)

Visitation is the time to enjoy companionship with 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 for 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 ABSOLUTE AFFIRMATIVE DUTY OF THE RESIDENTIAL PARENT TO MAKE CERTAIN THAT HIS OR HER CHILD GOES FOR THE PARENTING TIME PERIOD.

RULE 8.01 SCHOOLING INFORMATION

(A) The residential parent shall take the necessary action with school authorities of the schools in which the child(ren) are enrolled to:

1. List the non-residential parent as a parent of the child(ren).
2. To authorize the school to release to the non-residential parent any and all information concerning the child(ren).
3. To insure that the non-residential parent receives copies of any notice regarding the child(ren).

(B) The residential parent shall promptly transmit to the non-residential parent any information received concerning parent-teacher meetings, school club meetings, school programs, athletic schedules, and any other school activities in which the child(ren) may be engaged or interested.

(C) The residential parent shall promptly after receipt of same, furnish to the non-residential parent a photo copy of the child(ren)'s grade or report card and copies of any other reports concerning the child(ren)'s status or progress.

(D) The residential parent shall, when possible, arrange appointments for parent-teacher conferences at a time when the non-residential parent can be present and whenever possible they shall be attended by both parents.

(E) The residential parent shall promptly inform the non-residential parent of any illness of the child(ren) which shall require medical attention. Elective surgery shall only be performed after consultation with the non-residential parent. Emergency surgery necessary for the preservation of life or to prevent a further serious injury or condition may be performed without consultation provided, however, if time permits, the non-residential

parent shall be consulted and in any event the non-residential parent shall be informed as soon as possible.

RULE 8.02 NOTICE OF INTENT

(A) Failure to give notice of no visitation is a waiver of that visitation.

(B) Visitation shall not terminate support for that period of time, unless by specific order, since the weekly rate is adjusted for those periods of visitation and vacation visitation at the non-custodial residence.

(C) Both parties shall be diligent in having the child(ren) ready and available at the appointed times and the transporting party shall be prompt in picking up and delivering the child(ren) at their residence, provided however, that the transporting parent for visitations shall have a grace period of thirty (30) minutes for pickup and delivery if both parties live within a distance of thirty (30) miles of each other. If the one-way distance to be traveled is in excess of thirty (30) miles, the grace period shall be one (1) hour. In the event that the visiting parent exceeds the grace period, the visitation for the weekend is forfeited, unless prior notification and arrangements have been made and except in cases where the visiting parent lives in excess of thirty (30) miles away and suffers an unavoidable breakdown or delay en route, and the visiting parent promptly notifies the residential parent by phone of the delay. The non-residential parent shall bear the costs of transporting the child(ren).

(D) The residential parent shall send with the child(ren) on visitation sufficient clothing and outer wear appropriate for the season to last the period of visitation. For a weekend

visitation, this shall consist of a minimum of two (2) extra sets of play clothes and one (1) dress outfit in addition to the clothes the child(ren) is wearing at the time of the start of visitation. In the case of infants, the residential parent shall send with the child(ren) sufficient bottles, formula, and diapers to last the visitation period.

(E) Visitation does not include picking up the child(ren) and leaving them with a non-family member while the visiting parent pursues his or her own pleasure nor does it include taking the child(ren) to a bar for extended periods of time. Further, visitation shall be forfeited unless the visiting parent is able to spend at least One (1) full day with the child(ren) during the visitation period. Violations may be deemed cause for curtailment of visitation.

(F) The residential parent shall encourage free communication between the child(ren) and the non-residential parent and shall not impede or restrict communications between the child(ren) and non-residential parent whether initiated by the child(ren) or the non-residential parent. This rule applies equally to the non-residential parent when the child(ren) is/are on extended visitation with the non-residential parent.

(G) Both parents shall refrain from criticizing the other parent in the presence of the child(ren).

(H) Neither parent shall attempt to modify the religious practice of the child(ren) without first having consulted each other.

(I) Non-Compliance: Any of the rights or responsibilities outlined in this schedule may be enforced by the Court after the filing of the appropriate motion of 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 which is a fine not to exceed \$250.00 and a jail sentence not to exceed 30 days for each separate act of contempt. Any subsequent findings of contempt may include days of no more that 179 and a fine of no more than \$1000.00. The Court may also assess attorney fees, court cost, transportation cost, and make-up parenting time in addition to any other remedy of law.

RULE 8.03 GUIDELINES FOR CUSTODY AND VISITATION WHEN A DISPUTE ARISES

(A) Whenever “reasonable visitation” for a non-residential parent appears in an Entry, and a dispute arises between the parties, it shall be defined as providing visitation at a minimum as follows:

1. Visitation by the non-residential parent on alternate weekends from Friday at 7:00 P.M. to Sunday at 7:00 P.M. (the beginning and ending times may vary to accommodate the work schedules of the parties).
2. Mother’s Day the child(ren) shall be with the mother and Father’s Day the child(ren) will be with the father. In the event this provision requires the child(ren) to be with the non-residential parent on a day not falling within the non-residential parent’s visitation weekend, said non-residential parent shall receive the child(ren) at 9:00 A.M. on that day and shall return the child(ren) at 7:00 P.M. on said day.
3. The parents shall have the child(ren) on the holidays as follows:

EVEN YEARS

MOTHER

President's Day (Friday evening 7:00 p.m. to Monday evening at 7:00 p.m.)

Memorial Day (Friday evening 7:00 p.m. to Monday evening at 7:00 p.m.)

Labor Day (Friday evening 7:00 p.m. to Monday evening at 7:00 p.m.)

Christmas Eve at 2:00 P.M. until Christmas Day at 2:00 p.m.

FATHER

Easter (Thursday evening 7:00 p.m. to Sunday evening 7:00 p.m.)

Fourth of July (evening before the 4th at 7:00 p.m. to continue to the morning after the 4th at 10:00 a.m.) When the 4th falls on Friday, visitation shall commence on the evening before the 4th at 7:00 p.m. and continue to Sunday at 7:00 p.m. When the 4th falls on a Saturday, visitation shall commence on Friday night at 7:00 p.m. and continue to Sunday night at 7:00 p.m. When the 4th falls on a Sunday, visitation shall commence on the Friday before the 4th at 7:00 p.m. and continue to the morning after the 4th at 10:00 a.m.

Thanksgiving Day (Wednesday night at 7:00 p.m. to Sunday night at 7:00 p.m.)

Christmas Vacation and New Year's Day (Christmas Day at 2:00 p.m. until 7:00 p.m. New Year's Day)

ODD YEARS

MOTHER

Easter (Thursday evening 7:00 p.m. to Sunday evening at 7:00 p.m.)

Fourth of July (evening before the 4th at 7:00 p.m. to continue to the morning after the 4th at 10:00 a.m.). When the 4th falls on Friday, visitation shall commence on the evening before the 4th at 7:00 p.m. and continue to Sunday at 7:00 p.m. When the 4th falls on a Saturday, visitation shall commence on Friday night at 7:00 p.m. and continue to Sunday night at 7:00 p.m. When the 4th falls on a Sunday, visitation shall commence on the Friday before the 4th at 7:00 p.m. and continue to the morning after the 4th at 10:00 a.m.

Thanksgiving Day (Wednesday night at 7:00 p.m. to Sunday night at 7:00 p.m.)

Christmas Vacation and New Year's Day (Christmas Day at 2:00 p.m. until 7:00 p.m. New Year's Day)

FATHER

President's Day (Friday evening 7:00 p.m. to Monday evening at 7:00 p.m.)

Memorial Day (Friday evening 7:00 p.m. to Monday evening at 7:00 p.m.)

Labor Day (Friday evening 7:00 p.m. to Monday evening at 7:00 p.m.)

Christmas Eve at 2:00 p.m. until Christmas Day at 2:00 p.m.

Unless otherwise indicated, said holiday visitations shall commence at the regular hour set forth for the commencement of weekend visitation and shall end at the regular hour set for the ending of weekend visitation. Said holiday visitations shall have PRECEDENCE over the regular visitation schedule but shall not otherwise modify (for example, if the holiday granted in any particular year to a non-residential parent falls between the regular weekend visitation, the non-residential parent will have visitation three weekends in a row that particular time. The same rule would apply for the resident parent to have three weekends in a row at that particular time.

(B) The non-residential parent shall have an extended visitation each summer (summer is defined as June 15 through August 15) not to exceed (5) weeks in duration. The exception would be that a child(ren) under the age of two (2) years shall visit one week maximum for the summer, and a child(ren) two (2) to five (5) years shall visit two weeks maximum for the summer. Visitation for the child(ren) ages five years and older shall not exceed five weeks. The non-residential parent shall not be permitted to exercise his/her right to one, two or five weeks visitation with the child(ren) unless he/she has established a regular visitation schedule with the child(ren). The non-residential parent shall notify the residential parent of the time thereof at least thirty (30) days before said visitation shall begin. If said period is continuous, the residential parent shall have alternate weekend visitation with the child(ren).

RULE 8.04 LONG DISTANCE PARENTING PLAN AND COMPANIONSHIP CALENDAR

(parents who live more that 150 miles apart)

(A) COMPANIONSHIP SHALL TAKE PLACE AT SUCH TIMES AND PLACES AT THE PARTIES CAN AGREE (these are the most important words)

This shall not normally be less than:

The non-residential parent must give the residential parent thirty (30) days notice IN WRITING to exercise the following:

Summer Vacation- June 15 through August 15 each year, and in the

EVEN NUMBERED YEARS

Christmas Vacation (from
The day vacation starts to December 26)

ODD NUMBERED YEAR

Christmas Vacation (from
December 26 to January 2)

For purposes of this Rule, the 30 day notice time period shall commence upon the actual receipt of written notice by the residential parent.

RULE 8.05 ADDITIONAL COMPANIONSHIP TIMES

(A) Weekend: Third Friday at 7:00 P.M. through Sunday at 7:00 P.M. every month if travel time between homes is less than four (4) hours. Advance notice, of one week, must be given to the residential parent of one week to exercise this additional companionship time.

(B) Father's Day to the father, and Mother's Day to the mother if there is one week advance notice to exercise this additional companionship time.

(C) If the non-residential parent travels to the community where the residential parent lives, and gives one weeks advance notice of intent to exercise companionship, companionship must occur.

RULE 9 CHILD SUPPORT

RULE 9.01 SCHEDULE OF SUPPORT

(A) In every case in which child support is ordered, the amount of support shall be calculated in accordance with the schedule of support set forth in Ohio Revised Code §3113.215, subject to the permissible statutory deviations.

(B) All support payments for child support are ordered payable through the Child Support Enforcement Agency and shall include a poundage fee on each payment in accordance with the Ohio Revised Code.

(C) Both parties shall complete Court Form B and submit it to the Court within five (5) working days after being requested by the Court.

(D) Support shall be computed and a copy shall accompany the Judgment Entry addressing the issue of support with the appropriate effective date the support is to begin being paid.

(E) All payments made by the obligor directly to the obligee shall be considered a gift, unless the payment is made to discharge an obligation other than support.

RULE 9.02 SUPPORT MODIFICATIONS REQUEST

Any motion filed by either the obligor or obligee to terminate or reinstate support due to a change in the living arrangements between the two parties, will be addressed by the Court after the parties have either lived together for a period of six (6) months or have been separate for six (6) months.

RULE 10 DEFINITION OF REASONABLE AND ORDINARY MEDICAL EXPENSES

(Previous Rules 48. Prior to the effective day of these Rules refer to Local Rule 48)

(A) Reasonable and ordinary shall mean medical, dental, etc., expenses totaling \$100.00 or less per calendar year per child.

(B) Anything over \$100.00 per year per child shall be deemed extra-ordinary and shall be split between the parties according to the percentage of child support due. The custodial parent shall promptly notify the other parent by written statement of the date, cost, service provided, and by whom for each child when the total sum of \$100.00 per year per child has been paid by the custodial parent for that year. After the custodial parent has paid the expense of \$100.00 per year for a minor child, he or she shall provide the other parent any medical, dental, etc. bills incurred under this order. The parent shall either reimburse the custodial parent or pay the bill directly to the creditor within ten (10) days of receipt of said expense.

(C) When it is determined that it is necessary for the minor child to have major medical, dental, orthodontic, optical, surgical, hospital, prescription, psychiatric, or psychological expense not of an emergency nature, which the non-custodial parent is obligated to pay, then the custodial parent shall immediately notify the non-custodial parent before authorizing treatment. The non-custodial parent has the right to know the necessity for, proposed cost of, and proposed payment schedule for treatment. The non-custodial parent may also secure an independent evaluation to determine the necessity for treatment of the child.

(D) The Juvenile Court expressly reserves jurisdiction to apportion payment of exceptional medical, dental, etc. expenses between the parties, which are not covered by insurance, upon motion of either party.

(E) The parent obligated to provide insurance coverage shall promptly provide the other parent the insurance cards and forms for all dependents for all coverage available for the use and benefit of the minor child(ren).

RULE 11 GUARDIAN AD LITEM

(A) The Court may appoint a CASA/Guardian ad Litem or Attorney Guardian ad Litem to represent the best interest of a minor child in Delinquency/Unruly, Dependent, Neglected and Abuse proceedings consistent with the Ohio Rules of Juvenile Procedure.

(B) Any party requesting appointment of a Guardian ad Litem in a proceeding involving custody, parenting time or visitation shall, at the time of filing of the written motion, deposit with the Clerk the fee (see Appendix A) to be applied toward the satisfaction of the fees for the Guardian ad Litem.

(C) No deposit for fees of a Guardian ad Litem shall be required in cases alleging a minor child to be delinquent, unruly, dependent, neglected or abused.

RULE 11.01 QUALIFICATIONS

(A) The Court shall maintain a public list of attorneys and volunteers willing to accept appointment as Guardian ad Litem while maintaining individual privacy under Rule 48 of the Rules of Superintendence .

(B) All Guardian ad Litem must successfully complete a pre-service training course to qualify for appointment and thereafter, successful completion of continuing education in each succeeding year as established in Rule 48 of the Rules of Superintendence.

RULE 11.02 DUTIES

Refer to Superintendence Rule 48 as set forth by the Supreme Court.

RULE 11.03 CONFLICT

When a Guardian ad Litem determines there is a conflict between the child's best interest and the child's wishes, the Guardian ad Litem shall at the earliest practical time, request in writing that the Court promptly resolve the conflict by entering appropriate orders.

RULE 12 HOME STUDIES

The Court may order a home study to be performed in any case of allocation of parental rights and responsibilities, parenting time and companionship, or placement of a child outside the home. Parties, unless determined to be indigent, shall pay the home study

investigator directly at such rates/terms as investigator shall require, subject to motion for contempt for non-payment.

RULE 13 MAGISTRATE

(A) The power and duties of Magistrate's are defined in Rule 40 (Ohio Rules of Juvenile Procedure); Rule 19 (Ohio Rules of Criminal Procedure); and Rule 53 (Ohio Rules of Civil Procedure). Where any party of interest may request a hearing by a Judge rather than by a Magistrate to whom such case has been previously assigned, such request must be in writing seven (7) days before the date originally set for the hearing. All decisions of the Magistrate shall be in writing. Magistrate's Order shall take effect immediately unless stayed by a court order. Decisions of the Magistrate shall have full force and effect upon being adopted by the Court unless a timely written objection is filed.

RULE 13.01 OBJECTION TO THE MAGISTRATE'S DECISION AND APPEALS OF MAGISTRATE'S ORDERS

(A) Any party to the action may file written objections to a Decision of the Magistrate. The filing date of the Objection shall be within fourteen (14) days of the file stamped date of the Magistrate's Decision. A party shall have ten (10) days to appeal from a Magistrate's Order pursuant to Juvenile Rule 40 (C)3.

(B) The Judge may affirm, reject, or modify the order only upon the timely filing of an objection or appeal. The Judge may hear additional evidence at his/her discretion. The objection or appeal should be accompanied by a supporting memorandum. If a finding of

fact or weight of the evidence argument is part or all of the basis for the objection, a transcript of testimony is necessary to support of the objection to the Magistrate's Decision or Magistrate's Order and must be filed with the Court by the moving party within thirty (30) days after the filing of the objections, 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 File Objections or Appeal to allow for preparation of transcript. Failure to file a transcript when one is required by this Rule is basis for dismissal of the objections.

(C) Objections or appeals may be set for oral hearing upon the request of any party at the sole 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 appeal.

RULE 14 DIVERSION

(A) The Court may, in its discretion, divert any case, pursuant to Juvenile Rule 9, that is felt to be in the best interest of the juvenile. The juvenile and/or parent shall be assessed a fee for each case (See Appendix A) diverted and complete all requirements set forth by the Diversion Officer.

(B) Actions that are diverted are subject to prosecution in the event that the diversion was deemed not successful by the Court. Such a finding may be made by the Court, in its discretion, upon the Court's own motion and without hearing or notice to the parties or counsel.

RULE 15 FAMILY INTERVENTION COURT

(A) After presentation or referral of a complaint alleging a delinquent child, an unruly child a juvenile tobacco offender, or a truant child, the Court on its own Motion may refer the action to the Family Intervention Court. Referral of the matters is discretionary with the court and determinations are made on a case by case basis by the Family Intervention Court Team.

(B) Matters are placed in the Family Intervention Court with the consent of the parties appearing in the action. All parties involved in a referral to Intervention Court are to comply with all the aspects of the intervention and the orders of the Court.

(C) Matters that are placed in the Family Intervention Court are subject to prosecution and will be placed back upon the regular court docket in the event that the juvenile fails to successfully complete the Family Intervention Court Program.

RULE 16 MEDIATION

RULE 16.01 GENERAL

(A) The Court of Common Pleas incorporates by reference Ohio Revised Code §2710 “Uniform Mediation Act” (UMR), Ohio Revised Code §3109.052, Mediation Differences as to Allocation of Parental Rights and Responsibilities and Rule 16 of the Supreme Court of Ohio Rules of Superintendence as it applies to juvenile court jurisdiction.

(B) At any time in any action under the jurisdiction of the Seneca County Court of Common Pleas, Juvenile Division, Court Mediation Services may be chosen as an

appropriate method of resolution. The following actions shall be exempted from mediation upon request of any party:

1. Cases in which one party has been convicted of, or plead guilty to a violation of Ohio Revised Code §2915.25 (domestic violence) within the past two (2) years or when a civil temporary protection order is in effect;
2. Cases in which the physical distance between parties is so great it is not feasible for them to participate in mediation sessions;
3. Cases in which one party is mentally ill;
4. In emergency circumstances requiring an immediate hearing by a jurist, or;
5. Cases in which the parties have achieved an executed Agreed Judgment Entry.

RULE 16.02 CASE SELECTION

(A) A case in the Juvenile Division may be referred to Court Mediation Services in the following manner:

1. The Judge or Magistrate may refer any case for mediation by Court Order.
2. Upon written or oral motion, the Court may refer the matter to mediation.

(B) Court Mediation Services will determine the eligibility and the appropriateness of each referral prior to the commencement of the mediation process. Court Mediation Services may decline any referral.

(C) All parties shall advise the assigned Judge or Magistrate of any domestic violence allegations known to them to exist or to have existed in the past, or which may become

known to them following entry of the order but before conclusion of all mediation proceedings, which allegations involve any two or more persons whose attendance is required by the referral order.

(D) The mediation shall be commenced via a “Notice of Scheduled Mediation” which shall, at minimum, indicate the date, time, place of mediation and contact information for the mediator.

RULE 16.03 PROCEDURE

(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.

(B) Prohibit the use of mediation in any of the following:

1. As an alternative of 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; and
4. In determining the penalty for violation of a protection order.

Nothing in division (B) of this rule shall prohibit the use of mediation in a subsequent divorce or custody case even though that case may result in the termination of provision of a protective order.

(C) Mediation of allocation of parental rights and responsibilities or the case of, or visitation with, minor cases shall abide by all provisions set forth in (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 16.04 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 opinion 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 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 Ohio Revised Code §3109.052, to refer certain cases involving domestic violence mediation.

RULE 16.04 QUALIFICATIONS

(A) General Qualifications and Training.

A Mediator employed by the division or to whom the division makes referrals for mediation or allocation of parental rights and responsibilities, the case of, or visitation with, minor children, abuse, neglect or dependency, or juvenile perpetrated domestic violence 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 (12) 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 (40) 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 Violence

A Mediator employed by the division or to whom the division makes referrals for mediation of any case shall complete at least fourteen (14) hours of specialized training in domestic abuse and mediation through a training program approved by the Ohio Supreme Court.

RULE 17 PREPARATION OF JUDGMENT ENTRIES AND ORDERS

(A) In all juvenile Delinquency, Unruly and Traffic Offender cases, the Court will prepare all final orders, unless the Court otherwise directs. However, all preliminary matters decided by the Court prior to the final adjudicatory hearing which requires journalization are the responsibility of counsel and all entries shall be drafted as designated by the Court.

(B) All Judgment Entries or other Court orders prepared by an attorney on behalf of the Court shall contain the following:

1. A certificate of service stating the names and address of the attorneys or parties to be served with the Court order and directing the Clerk of Courts to complete such service.
2. The hearing date before the Court, if applicable.
3. Appropriate Civil Rule 54 language if the Court order is a final appealable order.
4. The party who is responsible for payment of the court cost. In the absence of such language, court cost shall be assessed against the movant.
5. Any required statutory language.

(C) The Judgment Entry required by the Ohio Rules of Civil procedure shall be journalized within twenty-one (21) days from the hearing date. If the attorney fails to provide the Court with an appropriate Judgment Entry within twenty-one (21) days, the Court may dismiss the case without prejudice. The attorney who is preparing the entry shall forward same to opposing counsel within seven (7) days of hearing date. If not returned within seven (7) days from mailing, the preparer of the Judgment Entry may then forward it to the Court for its signature. Where an agreement and/or ruling has been

placed on record in the presence of counsel and the parties, the Court may waive the necessity of signature of counsel and/or parties.

(D) In cases where agreement is reached prior to the final hearing, the parties shall prepare and execute a Judgment Entry. Counsel designated by the Court shall prepare a Judgment Entry or Magistrate's Decision consistent with the terms of the agreement and submit the proposed entry to the Court within thirty (30) days.

RULE 18 SEALING AND EXPUNGEMENT OF RECORDS

(A) Any delinquency/unruly case that is dismissed that is not a part of a plea agreement will be sealed immediately.

(B) Any delinquency/unruly case which is handled as a diversion pursuant to Juvenile Rule 9 will be sealed upon successful completion of terms and conditions of diversion.

(C) All other delinquency/unruly cases are subject to provisions as set forth in Ohio Revised Code §2151.358 regarding the sealing and expungement of records as applicable.

RULE 19 RECORDS MANAGEMENT AND RETENTION RULES

(A) The purpose of this Rule is to establish a system for court records management and retention, to provide the minimum standards for the production, maintenance, preservation, and destruction of records within the court, and to authorize alternative electronic methods and techniques for record preservation. The adoption of this rule is consistent with the Ohio Supreme Court's Superintendence Rule 26.

(B) In accordance with division (A) of this Rule, the Seneca County Common Pleas, Juvenile Division, hereby adopts Superintendence Rule 26, and any amendments thereto, in its entirety, and in special reference, to the records of the Seneca County Common Pleas Court, Juvenile Division, adopt Superintendence Rule 26.03 and 26.04, (and any amendments thereto), which govern the administration of the records created by the Common Pleas Court.

(C) This Rule shall also be employed by all departments within the Juvenile Division.

RULE 20 PUBLIC RECORDS POLICY

It is the policy of the Seneca County Common Pleas Court, Juvenile Division, to adhere to Ohio's Public Records Act and to those portions of the Ohio Revised Code and the Ohio Rules of Juvenile Procedure, and the Rules of Superintendence (and any amendments thereto), that require certain records to remain confidential. Any denial of public records in response to a valid request must be accompanied by an explanation. If the request is in writing, the explanation must also be in writing.

The Court hereby attaches as Appendix D, a copy of the Public Records Policy.

RULE 21 TRAFFIC VIOLATIONS BUREAU

(A) Pursuant to Ohio Traffic Rule 13.1, there is hereby established a Traffic Violations Bureau for Juvenile Traffic Offenders to be operated in the manner prescribed by Ohio Traffic Rules 13 and 13.1.

(B) The Judge of the Juvenile Division of the Seneca County Common Pleas Court shall serve as violations clerk, and shall appoint deputy clerks to conduct the business of said Bureau as necessary. The Violations Bureau shall accept waiver of appearance, waiver of hearing, plea of admit, and payment of fine and cost for offenses within its authority.

JUVENILE COURT FEE SCHEDULE

APPENDIX A

AMENDED & EFFECTIVE September 1,2010

Delinquent Actions/Unruly Actions:

Bindover-Transfer of Jurisdiction to
General Division for Prosecution \$169.00 per case

Serious Youthful Offender \$169.00 per case

Juvenile Felony Case \$144.00 per case

Juvenile Misdemeanor Case \$119.00 per case

Unruly/School Truancy \$114.00 per case

Juvenile Tobacco Offense: \$135.00 per case

Juvenile Traffic Offender:

Seat Belt - Driver \$111.00 per case

Juvenile Traffic Offender:
Seat belt - Passenger \$101.00 per case

Juvenile Traffic Offender
(Misdemeanor) \$129.00 per case

Juvenile Traffic Offender
(Felony) \$144.00 per case

Adult Criminal Action: \$159.00 per case

Complaint, Motion, or Application
In Civil Case \$163.00 per case/child

Complaint, Motion, or Application
In Paternity Actions \$163.00 per case/child

Complaint , Motion, or Application for Custody or
Modification of Custody, Shared Parenting Plan,
Parenting Time, Tax Exemption, Child Support \$163.00 per case/child

Consent Judgment Entry without Pending
Motion: \$ 78.00 per case/child

Motion or Application for Post-Dispositional
Hearing \$163.00 per case/child

Application or Motion to Seal or Expunge \$128.00 per case

Copy per page: \$.05

Certified copy per page:	\$ 1.00
Citation For Contempt	\$163.00 per case/child
Habeas Corpus	\$163.00 per case/child
Deposit for Guardian ad Litem	\$1000.00 (1-4 children) \$1500.00 (5+ children)
Deposit for home Investigation:	\$1000.00
Jury Demand:	As established by Common Pleas, General Division
Probation/Community Control: (Juvenile Traffic Offender & Delinquent Only)	\$ 75.00 per case
Drug Test for Juvenile on Probation:	\$ 5.00
Drug Test for Adult:	\$ 35.00
Payment Plan Fee: (Juvenile Traffic Offender & Delinquent Only)	\$ 5.00
Certified Mail Fee	\$ 6.00
"Buy-Out" Community Services per hour	Current minimum wage per hour
Transcript Fees	As determined by Court Reporter
Filing Of Appeal	As established by 3 rd District Local Rules
Restitution Surcharge – 5% of total amount collected (Juvenile Traffic Offender & Delinquency only)	
Credit Card/Debit Card Fee	As charged by Credit Card Company
Diversion Fee:	\$ 30.00
Witness Fee:	As provided by the Rules & Statute
Sheriff Fees:	As requested by Sheriff
Publication Deposit:	As determined by newspaper

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

JUDGE JAY A. MEYER

AFFIDAVIT OF INCOME AND EXPENSES

PLEASE NOTE: THIS FORM IS TO BE COMPLETED AND RETURNED TO SENECA COUNTY JUVENILE COURT, 108 JEFFERSON STREET, TIFFIN, OHIO, 44883 WITHIN SEVEN (7) DAYS. YOU MUST ATTACH YOUR THREE (3) LATEST PAY STUBS AND YOUR MOST RECENT TAX RETURN (FORM), INCLUDING ALL SCHEDULES.

DO NOT LEAVE A BLANK AFTER ANY QUESTION. IF YOU CANNOT ANSWER A QUESTION, INSERT "UNKNOWN."

State of Ohio, County of _____, ss:

Name _____

Address _____

DOB _____ SSN, last 4 digits _____

Are or have you been know by any other names: _____ If so please them list and when you used them:

Names of children for whom you pay or receive support in this court case:

Name _____	DOB _____
Name _____	DOB _____
Name _____	DOB _____
Name _____	DOB _____

Full name and date of birth of biological or legally adopted children living with you who are not included in this case [not step children]

Name _____	DOB _____
Name _____	DOB _____
Name _____	DOB _____

Name _____ DOB _____

INCOME:

EMPLOYER _____
ADDRESS _____

EMPLOYER TELEPHONE NO. _____

NAME OF SUPERVISOR: _____

Rate of pay per Hour \$ _____ Hours worked per week _____
Weekly gross income \$ _____ Yearly gross income _____
City income tax paid to what city _____
Percentage _____

Yearly bonuses \$ _____
Overtime \$ _____
\$ _____ one year ago
\$ _____ two years ago
\$ _____ three years ago

Work Related expenses:

Union Dues \$ _____ (MONTHLY)
Uniforms \$ _____ (MONTHLY)

Interest and Dividends \$ _____ (MONTHLY)
Unemployment \$ _____ (MONTHLY)
Worker's Compensation \$ _____ (MONTHLY)
Social Security Type _____ \$ _____ (MONTHLY)
Other Sources (rentals, etc.) \$ _____

OWF/General Relief _____ Food Stamps _____
Other income _____ Source _____

IF YOU ARE NOT WORKING, WHEN DID YOU LAST WORK AND WHY ARE YOU NOT WORKING AT THIS TIME?

Are the children in this court action covered by you as to health/medical/ dental/optical insurance? _____

If so, what is the monthly amount of the cost for coverage for you?

Medical \$ _____ Dental \$ _____
Optical \$ _____

If so, what is the monthly amount of the cost for coverage of the child(ren) of this action?

Medical \$ _____ Dental \$ _____
Optical \$ _____

How many other children are covered? _____

Annual work-related monthly child care costs for the child(ren) of this action?
\$ _____ [rate per hour _____ ; hours per week _____]

YOU MUST BRING VERIFICATION OF CHILD CARE COSTS TO THE COURT HEARING WITH YOU.

Annual court-ordered child support received by you \$ _____
(Do not include support received in this case)

LIST WHAT COUNTY CSEA AND SETS NUMBERS:

COUNTY _____ SETS NO. _____
COUNTY _____ SETS NO. _____
COUNTY _____ SETS NO. _____
COUNTY _____ SETS NO. _____

Annual court-ordered spousal support received by you \$ _____

Annual court-ordered child support paid by you \$ _____

LIST WHAT COUNTY CSEA AND SETS NUMBERS:

COUNTY _____ SETS NO. _____
COUNTY _____ SETS NO. _____
COUNTY _____ SETS NO. _____
COUNTY _____ SETS NO. _____

Annual court-ordered spousal support paid by you \$ _____

NOTE: You must submit proof of the above expenses to receive adjustments.

IF SELF-EMPLOYED, ANSWER THESE QUESTIONS:

Gross receipts from business \$ _____

Annual ordinary and necessary business expenses

\$ _____

The amount which is 5.6% of your gross annual income or the actual marginal difference between the actual rate paid by you and the FICA rate.

\$ _____

If you are self-employed, you must attach your latest federal and state tax returns with the appropriate schedules

I swear that the answers given above are true and accurate.

Signature

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

Notary Public
Commission expires:

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

HEALTH INSURANCE DISCLOSURE FORM

Name: _____

Employer: _____

Employer Address: _____

Employer Telephone Number: _____

Are you currently receiving Medicaid? _____ Medicare? _____

Do you currently have health insurance available to you through your employer? _____

Is the coverage in effect? _____

If so, who is presently covered?

_____	relationship: _____
_____	relationship: _____
_____	relationship: _____
_____	relationship: _____
_____	relationship: _____

Name of Insurance Company _____

Insurance Company Address: _____

Insurance Company Telephone Number: _____

Policy or Group #: _____

Are insurance cards required for services? YES _____ NO _____

What is the cost (premium) of providing health insurance per month? _____

What is the cost (premium) for individual coverage per month? _____

What is the cost (premium) for family coverage per month? _____

TYPE OF COVERAGE:

Does your plan cover hospitalization? YES _____ NO _____

Is there a deductible? YES _____ NO _____

If YES, what is the deductible? \$ _____ per visit / month / year

Does your plan cover Doctor visits? YES _____ NO _____
 Is there a co-payment required? YES _____ NO _____
 If YES, what is th co-payment? \$ _____ per visit

Is prescription coverage available? YES _____ NO _____
 Is there a co-payment? YES _____ NO _____
 If YES, what is the co-payment? \$ _____ per prescription
 Is there a different rate for generic? YES _____ NO _____
 If YES, what is that co-payment? \$ _____ per prescription

DOES THE OTHER PARENT OF THE CHILD(REN) HAVE HEALTH INSURANCE
 COVERAGE? _____

PLEASE COMPLETE THE FOLLOWING:

Other parent's Name: _____
 Other parent's Employer: _____
 Other parent's Employer Address: _____

 Other parent's Employer Telephone Number: _____

Is other parent currently receiving Medicaid? _____ Medicare? _____

Does other parent currently have health insurance available through his/her employer? _____

Is the coverage in effect? _____

If so, who is presently covered?

_____	relationship: _____
_____	relationship: _____
_____	relationship: _____
_____	relationship: _____
_____	relationship: _____

Name of Insurance Company _____

Insurance Company Address: _____

Insurance Company Telephone Number: _____

Policy or Group #: _____

Are insurance cards required for services? YES _____ NO _____

What is the cost (premium) of providing health insurance per month? _____

What is the cost (premium) for individual coverage per month? _____

What is the cost (premium) for family coverage per month? _____

TYPE OF COVERAGE:

Does the plan cover hospitalization? YES _____ NO _____
Is there a deductible? YES _____ NO _____
If YES, what is the deductible? \$ _____ per visit / month / year

Does the plan cover Doctor visits? YES _____ NO _____
Is there a co-payment required? YES _____ NO _____
If YES, what is the co-payment? \$ _____ per visit

Is prescription coverage available? YES _____ NO _____
Is there a co-payment? YES _____ NO _____
If YES, what is the co-payment? \$ _____ per prescription
Is there a different rate for generic? YES _____ NO _____
If YES, what is that co-payment? \$ _____ per prescription

I hereby certify that the above is a full and complete statement to the best of my knowledge and belief.

DATE _____

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

Notary Public

NOTE: This disclosure form must be completed and attached to the Affidavit of Income Form.

**SENECA COUNTY JUVENILE COURT INFORMATION SHEET
EFFECTIVE JULY 1, 2009**

Please complete the following information. This will allow the court to have needed demographic information without it being released to the other parties on your case.

Please provide complete Social Security numbers, financial account numbers, debit/credit/charge numbers, or employer and/or employee identification numbers as necessary, since they are also considered personal identifiers which must be omitted prior to submission or filing. On all filing(s), you must place the last four digits of the Social Security number (in each area required). It should appear in this format: xxx-xx-1234. **YOU MUST COMPLETE A SEPARATE INFORMATION SHEET FOR EACH CASE NUMBER.**

THE FOLLOWING INFORMATION MUST BE TYPED:

Juvenile Court Case # _____

Sets# _____

Complainant/Petitioner/Plaintiff

Name: _____

Address: _____

Social Security Number: _____ - _____ - _____ Date of Birth: _____ / _____

Respondent/Petitioner/Defendant

Name: _____

Address: _____

Social Security Number: _____ - _____ - _____ Date of Birth: _____ / _____

Child's Name

Child's Name: _____

Address: _____

Social Security Number: _____ - _____ - _____ Date of Birth: _____ / _____

Mother's Name: _____

Father's Name: _____

Additional Party

Circle the party's role: Petitioner/Plaintiff OR Respondent/Defendant

Name: _____

Address: _____

Social Security Number _____ - _____ - _____ Date of Birth: _____ / _____

**SENECA COUNTY COMMON
PLEAS COURT**

JUVENILE DIVISION

PUBLIC RECORDS POLICY

JAY A. MEYER
JUDGE

SENECA COUNTY JUVENILE COURT
108 JEFFERSON STREET
TIFFIN, OHIO 44883

419-447-4912

Rule 1.05 – Public Records Policy
Effective January 1, 2008

It is the policy of the Seneca County Common Pleas Court, Juvenile Division, to adhere to Ohio's Public Records Act and to those portions of the Ohio Revised Code and the Ohio Rules of Juvenile Procedure, and the Rules of Superintendence (and any amendments thereto), that require certain records to remain confidential. Any denial of public records in response to a valid request must be accompanied by an explanation. If the request is in writing, the explanation must also be in writing.

1.05.01 Public Records

This court, in accordance with the Ohio Revised Code, defines records as including the following: any document – paper, electronic (including, but not limited to e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of this court are public records unless confidential or otherwise exempt from disclosure under the Ohio Revised Code, the Ohio Rules of Juvenile Procedure, or the Rules of Superintendence (and any amendments thereto).

1.05.02 It is the policy of this court that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and posted prominently.

1.05.03 Certain records kept by this court are excluded from public inspection by applicable provisions of the Ohio Revised Code, the Ohio Rules of Juvenile Procedure and the Rules of Superintendence, if applicable, (and any amendments thereto), and shall not be released to the general public. These records include, but are not limited to:

- a. Adoption records or documents (R.C. 149.43(A)(1)(d);
- b. Probation documents, including but not limited to: probation officers' case notes, community service, diversion, and restitution information for children on probation. (R.C. 149.43(A)(1)(b); 2151.14(B);
- c. Judge's or Magistrate's trial notes (R.C. 149.43(A)(1)(g);
- d. Putative Father Registry information (R.C. 149.43(A)(1)(e);

- e. Records of Minors seeking approval for abortion (R.C. 149.43(A)(1)(C);
- f. DNA records (R.C. 149.43(A)(1)(j));
- g. Records maintained by the Ohio Department of Youth Services pertaining to children in its custody released to the Department of Rehabilitation and Correction (R.C. 149.43(A)(1)(l));
- h. Estate tax returns in the possession of the Probate Court, Department of Taxation, County Auditor, County Treasurer and Ohio Attorney General (R.C. 5731.90);
- i. Medical records which include documents pertaining to medical history, diagnosis, prognosis, or medical condition of a patient including psychiatric history, diagnosis and prognosis (R.C. 149.43(A)(1)(a); 2151.14(B); Juv.R. 32(C);
- j. Confidential law enforcement investigatory records (R.C. 149.43(A)(1)(h);
- k. Sealed or expunged records (R.C. 2151.355 to 2151.358, et seq.);

- l. Recording of proceedings (Juv.R. 37(B);
- m. Fingerprints and photographs, and records of an arrest or custody that was the basis of the taking of fingerprints or photographs (R.C. 2151.313(D); and,
- n. Records the release of which is prohibited by state or federal law (R.C. 149.43(A)(1)(v).

1.05.04 Each request for public records should be evaluated for a response using the following guidelines:

- a. Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the court to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.
- b. The requestor does not have to put a records request in writing, and

does not have to provide his or her identity or the intended use of the requested public record. It is this court's general policy that this information is not to be requested.

c. Public records are to be available for inspection during regular business hours, with the exception of holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time.

"Prompt" and "reasonable" take into account the volume of records requested; the proximity of the location where the records are stored; the accessibility of the records; and, the necessity for any legal review of the records requested.

d. Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. All requests for public records must either be satisfied or be acknowledged in writing by the court within five (5) business days following the court's receipt of the

request. If a request is deemed significantly beyond "routine", such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following: i) an estimated number of business days it will take to satisfy the request; ii) an estimated cost if copies are requested; and, iii) any items within the request that may be exempt from disclosure.

1.05.05 Any denial of public records must include an explanation. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the remainder released, if permitted by Ohio law. If there are redactions, each redaction must be accompanied by a supporting explanation.

1.05.06 Those seeking public records will be charged only the actual cost of making copies. Requestors may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

1.05.07 Documents in electronic mail format are records as defined in the Ohio Revised Code when their content relates to the business of the court and is not confidential or

otherwise exempt by applicable Ohio law or the Ohio Rules of Juvenile Procedure or the Rules of Superintendence, or any amendments thereto. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

a. Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of the court are instructed to retain their e-mails that relate to public business and to copy them to their business e-mail accounts and / or to the court's records custodian.

1.05.08 This policy applies to all departments of the Juvenile Division.