

**COURT OF COMMON PLEAS
HARDIN COUNTY, OHIO
JUVENILE DIVISION**

LOCAL RULES

**Steve Christopher, Judge
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Effective February 1, 2015

Revised August 1, 2017

**COURT OF COMMON PLEAS
HARDIN COUNTY, OHIO
JUVENILE DIVISION**

LOCAL RULES

Effective February 1, 2015

- 1) Conduct and operations in the Court of Common Pleas, Hardin County, Ohio, Juvenile Division are governed by the Ohio Revised Code, the Rules of Superintendence of the Supreme Court of Ohio and by these Local Rules adopted pursuant to Civ. R. 83 and Sup. R. 5.
- 2) All persons before this Court are expected to know and comply with all applicable law and the rules.
- 3) In compliance with Sup. R. 75, the numbering of these Local Rules are intended to supplement the Rules of Superintendence in order to facilitate the expeditious disposition of cases and shall be construed and applied in such manner as to be consistent with the Revised Code and the Rules of Superintendence.
- 4) References to "this Court" or "the Court" are to the Court of Common Pleas, Hardin County, Ohio, Juvenile Division.
- 5) For the purpose of these rules, "fiduciary" includes a commissioner in a no administration estate and an applicant in a release from administration.

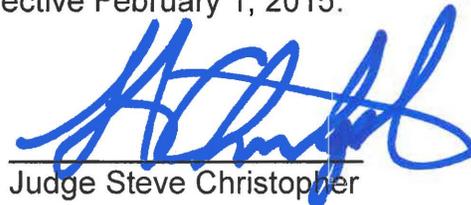
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HARDIN COUNTY
JUVENILE COURT

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

IN RE: ADOPTION OF LOCAL)
 COURT RULES) ENTRY
)
)

In accordance with the Ohio Rules of Superintendence of Courts Rule 5, the Ohio Rules of Criminal Procedure 57, Ohio Rules of Juvenile Procedure and the Ohio Rule of Civil Procedure 83, the Court hereby adopts the attached Local Court Rules after notice and an opportunity for comment effective February 1, 2015.



Judge Steve Christopher

HARDIN COUNTY COURT OF COMMON PLEAS

JUVENILE DIVISION

Judge Steve Christopher

LOCAL RULES OF COURT

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1. HEADERS ON PLEADINGS

All pleadings and documents, other than original documents attached or offered as exhibits, present for filing with the Hardin County Juvenile Court shall be offered for filing without folders or covers and the first page of filings shall have a 3” unobstructed space at the top of the document for the Clerk to place a file stamp, all subsequent pages shall indicate the names of the case/parties, name of document, case number and page number. All pleadings and documents shall be one-sided and on 8.5” x 11” bond paper.

The Court may strike documents for filing that do not conform to this Rule.

2. DEMAND FOR TRIAL BY JURY

The defendant shall be tried by the Court unless said party demands a jury trial. Such a demand must be in writing and filed with the Clerk of this Court not less than ten (10) days prior to the date set for trial, or on or before the third (3rd) day following receipt of notice of the date set for trial, whichever is later.

Failure to demand a jury trial as provided in this rule is a complete waiver of the right thereto.

[See Crim. R. 23(A), Civ. R. 38(D)]

3. JUROR SELECTION

This Court hereby approves the use of magnetic tapes, magnetic discs, punched paper tapes, or other similar devices and the use of an automated information retrieval system and visual display apparatus with provision for the random selection of names of prospective jurors under provisions of O.R.C. 2313, Commissioners of Jurors.

The other provisions of O.R.C. 2313 will be adhered to strictly.

4. JURY MANAGEMENT

This Court hereby adopts the Hardin County Common Pleas Court, General Division’s Jury Management Plan, insofar as they are applicable to matters heard by this Court.

5. ISSUANCE OF SUBPOENAS FOR OUT OF COUNTY WITNESSES

Any party to a proceeding wishing to subpoena a witness who resides outside of Hardin County, Ohio, shall prepare the subpoena and deliver same to the Clerk of this Court

The subpoena shall be accompanied by a check made payable to the witness being subpoenaed for one (1) day’s attendance fee, Six Dollars (\$6.00) for half day and Twelve Dollars (\$12.00)

for full day, along with twenty-five cents (.25) Cents per mile from the person's residence to One Courthouse square, Kenton, Ohio, and return.

The requirement for tendering mileage and attendance fee shall be excused upon filing of an affidavit of indigency by the party requesting issuance of the out of county subpoena. Subpoenas filed without the appropriate fees will be issued, but the Court will not enforce attendance.

6. REQUEST FOR LIVE COURT REPORTER

Any request for a record of the proceedings, other than standard audio, pursuant to Juvenile Rule 37, may be made in writing.

All recording of hearings shall be by electronic recording device, unless the party requests a stenographic record, which shall be provided at the sole expense of the party requesting same.

Arrangements for the attendance of a stenographic report shall be by the requesting party.

7. COURT RECORDS MANAGEMENT AND RETENTION RULE

Pursuant to Rule 26 of the Rules of Superintendence of the Court of Ohio, The Juvenile Division of the Court of Common Pleas, Hardin County, Ohio, adopts the Records Management and Retention Rules of the Superintendence for the Courts of Ohio. (SEE APPENDIX F)

8. JUVENILE CASE MANAGEMENT PLAN (CASES OTHER THAN PATERNITY, CUSTODY, COMPANIONSHIP, AND SUPPORT.)

This Court hereby adopts the Schedule of Events as shown in **Appendix A** (see attached) for the purpose of ensuring the readiness of all cases for pre-trial, trial, adjudication and disposition.

9. BOND FOR ADULTS ARRESTED AND HELD FOR APPEARANCE IN THE JUVENILE DIVISION

Pursuant to Rule 46 of the Ohio Rules of Criminal Procedure, the Bond schedule in **Appendix B** (see attached) is hereby adopted.

Any person arrested on the charges shown in **Appendix B** may be released on his own recognizance, pursuant to the criteria specified in Crim. R. 46, unless he has a history of failure to appear when required in judicial proceedings, or if his physical, mental, or emotional condition appears to be such that he may pose a danger to himself or others if released immediately.

10. MOTION FOR CONTINUANCE OF HEARINGS

A Motion for Continuance due to conflicting court hearing date(s) must be filed at least ten (10) days before the scheduled hearing date and contain the Assignment Notice of the conflicting hearing date(s) from the other court. Said Motion shall:

1. Not be granted if a hearing date was set in this court prior to another court designating a hearing date for that same time.
2. Be granted where a hearing date was set in this court after another court had set a hearing for that same date.
3. Shall state on the face of the Motion that the opposing party has been notified and state the position of the opposing party to said continuance request.
4. Be accompanied by an entry bearing counsel's approval and/or disapproval.

A Motion for continuance for reasons other than conflict with another previously scheduled hearing will not be considered by the Court except as follows:

1. by written consent of all parties;
2. After opposing parties have had adequate response time per the Ohio Rules of Civil Procedure and, if desired by the Court, a hearing upon said continuance request;
3. because of verified emergency or Acts of God.

The Court retains discretions to grant or deny any and all requests for continuances.

11. CONTINUANCE REQUESTS AND REQUEST FOR EARLY RELEASE – CHILD SUPPORT CASES

No continuances for child support related cases shall be granted, nor shall requests for early release from incarceration be granted until the Child Support Enforcement Agency's position on the continuance or request for early release has been filed.

12. IV-D APPLICATION TO BE FILED WITH A PATERNITY COMPLAINT

The Clerk of this Court shall not accept any complaints, other than those filed by the Child Support Enforcement Agency, that request the determination of the existence or non-existence of a parent and child relationship unless the Complaint is accompanied by a "IV-D Application" as shown in **Appendix C** (see attached), prepared by the attorney or the party filing the Complaint, or an attorney certification that such has been sent to with the Hardin County Child Support Enforcement Agency.

13. MAGISTRATES

- A. Paternity, custody and other matters relating thereto may be heard by a magistrate appointed by this Court. Objections to the decision of the magistrate shall be in accordance with Juv. R. 40. Any Party wishing to respond to objections filed in their case shall do so within 14 day of the filing of the objections. A reply to a response may be filed within seven (7) days of the filing of the response.
- B. A decision of the magistrate shall be made pursuant to Juv. R. 40, unless an agreement or other pleading in the case provides for a waiver of decision generally following the format set forth below:
By stipulation this Judgment Entry constitutes the decision of the magistrate required by Juvenile Rule 40 (E), and the parties hereby waive any objections thereto, and waive service of a separate magistrate's decision.
- C. The merits of any objections relating to factual findings, without other evidence contained in the record, will not be considered unless a transcript is filed with the court within a period designated by the court upon motion for extension.
- D. The time for filing objections may be extended upon the written request of either party, only if said request is made during the initial objection or appeal period. This extension will automatically extend any response time by the same period. All requests for extensions of time in which to file objections to a magistrate's decision must include the following information:
 - 1. The party filing objections to a magistrate's decision shall specify the nature of the objections and the bases for them within the original 14 day period for objections. The time for filing objections may be extended for cause shown upon the written request of either party filed within the initial objection period. Any extension shall automatically extend any response time by the same period. All transcripts supporting the objections shall be filed with the court within 40 days after the filing of objections, unless, with leave of court, an alternative method of reviewing the evidence is approved by the court within that 40 day period. If additional objections become apparent after the transcript is prepared and filed with the court, and that party has timely filed his/her initial objections, the objecting party may seek leave of court to supplement previously filed objections.
 - 2. It is objecting party's or attorney's responsibility to have the transcript filed within the required 40 day period. Any requests to extend the period for filing the transcript must include the following:
 - a. A statement by the attorney, or party if appearing *pro se*, that the court reporter who will be preparing the transcript has been contacted and the transcript ordered, and the date the transcript was ordered; and
 - b. A statement by the attorney, or party if appearing *pro se*, that (i) the costs or fees required by the court reporter for the preparation of the transcript have been paid and the date payment was made, or (ii) the estimated cost has been requested but not yet received and the date the estimate was requested, **OR** a written statement from the court reporter that the transcript cannot otherwise be prepared within the necessary 40 day period.

- E. Objections shall be ruled upon by the Court without a formal hearing.
- F. Attorneys are required to prepare a Judgment Entry based upon the Magistrate's Decision or upon the Court's Order on objections.
- G. All Judgment Entries for cases being handled by the Magistrate must first be approved by the Magistrate before being submitted to the Judge.

14. EX-PARTE ORDERS

- A. Unless an emergency situation exists, as determined by the Court, based upon supporting affidavits, no ex-parte orders will issue, except reciprocal, mutual restraining orders following the language in Rule 31, below, for which no affidavits are necessary.
- B. Requests for Temporary Orders shall be set for hearing at the Court's earliest convenience. A continuance may be granted to either party for good cause shown.
- C. Notice of hearing shall be served with the pleadings pursuant to Civil Rules.
- D. After filing of a Paternity or Custody Complaint and prior to any temporary Orders being issued, except for parenting time periods, neither party shall relocate the minor child(ren) from the child(ren)'s home, school district, or the jurisdiction of the Court. The purpose of this rule is to not disrupt the home and school environment of the child(ren) any more than necessary.

15. TEMPORARY STANDING ORDERS

All parties to actions in the Hardin County Juvenile Court may be subject to reciprocal, mutual restraining orders from the date service of summons is completed. This order shall be strictly complied with under penalty of contempt of Court. Use of the following language is suggested:

- A. Each party is hereby enjoined and restrained from doing, attempting to do, or threatening to do any act of injuring, maltreating, vilifying, molesting, or harassing the adverse party, their attorney, family members, employer, or any of the child(ren) of the parties.
- B. Each party is hereby enjoined from removing any child(ren) who is/are subject to the jurisdiction of the Court in this matter from the jurisdiction of the Court without first obtaining consent, in writing, from the other party or the Court.

C. Except for parenting time periods, neither party shall relocate the minor child(ren) from the child's home, school district, or the jurisdiction of the Court. The purpose of this rule is to not disrupt the home and school environment of the child(ren) any more than necessary.

16. HEARING AND PRE-TRIALS

A. No contested Complaints or Motions shall be set for hearing on the merits until such matter has been set for pre-trial unless a pre-trial is waived by the Court.

B. Any requests for Psychological Evaluations, the appointment of a Guardian Ad Litem (GAL), etc., must be made no later than the time of the first scheduled Pre-Trial, unless leave to file said request is granted by the Court.

C. A final Pre-Trial will be scheduled within 30 days prior to the date set for final hearing.

D. If attendance at the Parenting Seminar is ordered, the attendance certificate must be filed by the date of the final Pre-Trial.

E. All parties should mark all exhibits and have stipulations filed prior to trial.

17. CONTINUING JURISDICTION – POST JUDGMENT RELIEF

Post decree motions shall contain the exact language of the original order sought to be changed, the change requested, and a complete and accurate statement of the movant's reasons and/or basis for change, as well as a citation to pertinent Ohio Revised Code Sections. Failure to supply this information may result in the motion being dismissed.

All motions to invoke the continuing jurisdiction of the Court in all post-paternity matter and other matters relating thereto, such as parental rights and responsibilities, shall be made by written motion filed in the original action. Said motions shall be accompanied by instructions to the Clerk for service of notice on all parties as set forth in Civ. R. 4 through 4.6, incl. by the movant.

Service and notice shall be made to all parties individually. Notice to an attorney is not proper service on a party. Courtesy copies to opposing counsel are appropriate if the party has reason to believe that prior counsel is still representing the other party.

In all Motions of Modification of Support, the modification shall be effective as of the date of the filing of the request for the modification, unless otherwise directed by the Court or required by statute. If either party acts in a manner to prolong or delay the proceedings, the Court may, in its discretion, assign a different effective date, including the date of notice of a request for administrative hearing. All modifications or terminations of child support based on the emancipation of a child shall be effective on the date of such occurrence.

**18. CONTINUING JURISDICTION – POST JUDGMENT RELIEF
ACCOMPANIED BY CITATION FOR CONTEMPT**

A. Since contempt actions are controlled by Chapter 2705 of the Ohio Revised Code, any motion requesting a citation in contempt shall:

1. Specifically state the basis for the contempt citation, including the alleged contemnor's conduct and the order alleged to have been violated.
2. Contain notice of hearing and after filing shall be submitted to the assignment commissioner for scheduling.
3. Include the following language:

FAILURE TO APPEAR MAY RESULT IN THE ISSUANCE OF AN ORDER OF ARREST AND IN THE ISSUANCE OF AN ORDER FOR PAYMENT OF SUPPORT BY WITHHOLDING AN AMOUNT FROM YOUR PERSONAL EARNINGS OR BY WITHHOLDING OR DEDUCTION AN AMOUNT FROM SOME OTHER ASSET YOU MAY OWN.

YOU HAVE THE RIGHT TO COUNSEL AND IF YOU BELIEVE YOU ARE INDIGENT YOU MAY APPLY FOR COURT APPOINTED COUNSEL WITHIN THREE (3) BUSINESS DAYS AFTER YOUR RECEIPT OF THIS SUMMONS.

THE COURT MAY REFUSE TO GRANT A CONTINUANCE AT THE TIME OF THE HEARING FOR THE PURPOSE OF YOUR OBTAINING COUNSEL, IF YOU FAIL TO MAKE A GOOD FAITH EFFORT TO RETAIN COUNSEL PRIOR TO THE HEARING.

IF YOU ARE FOUND GUILTY OF CONTEMPT, THE COURT MAY IMPOSE ANY OF THE FOLLOWING PENALTIES (Ohio Revised Code Section 2705.05

(A):

(1) FOR A FIRST OFFENSE, A FINE OF NOT MORE THAN \$250.00, A DEFINITE TERM OF IMPRISONMENT OF NOT MORE THAN 30 DAYS IN JAIL, OR BOTH;

(2) FOR A SECOND OFFENSE, A FINE OR NOT MORE THAN \$500.00, A DEFINITE TERM OF IMPRISONMENT OF NOT MORE THAN 60 DAYS IN JAIL, OR BOTH;

(3) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF NOT MORE THAN \$1,000.00, A DEFINITE TERM OF IMPRISONMENT OF NOT MORE THAN 90 DAYS IN JAIL, OR BOTH.

B. Notice of such motion and of the hearing thereon shall be served upon the subject party pursuant to the rules of service of summons contained in Civ. R. 4 through Civ. R. 4.6, incl., and the responsibility for initiating such service shall be on the movant.

- C. Any finding in contempt on the part of a party will include an assessment of costs and may include an award of reasonable attorney's fees and costs. Unless proper evidence is presented justifying a higher fee awarded, the Court will not award attorney's fees in excess of \$250.00.

19. REMOVAL FROM COUNTY AND LONG DISTANCE PARENTING TIME

If any legal custodian and residential parent of a minor child or children subject to the jurisdiction of the Court intends to move more than 20 miles from the child(ren)'s residence, then such party shall file a written notice of relocation at least 45 days in advance of such removal and serve said notice of relocation upon the other parent. A period of less than 45 days may be appropriate in emergency situations.

If any legal custodian and residential parent of a minor child or children subject to the jurisdiction of the Court moves more than 20 miles from the child(ren)'s residence then, if the Court determines it to be in the best interest of the child(ren), **Rule 27 of the local rules of the Hardin County Common Pleas Court, General Division** to these Rules shall become the Order of the Court.

If a written notice of relocation is filed and served as required herein, and no objection or request for hearing is filed within 45 days of the filing of the notice of relocation and served on the party filing the notice of relocation, then **Hardin County Common Pleas Court, General Division, Rule 27** shall become the order of the Court. Hardin County Juvenile Court 16 Rules of Court.

20. JUDGMENT ENTRIES

- A. All judgment entries in this Court in paternity matters or other matters relating thereto shall contain the approval of the judgment entry by signature of both parties and/or their attorneys and a recommendation and approval of such judgment entry by the magistrate. In addition thereto such judgment entry shall recite the waiver of such decision by the magistrate, when appropriate.
- B. Judgment entries shall dispose of all matters prayed for in the proceedings including, costs, interest, and attorney fees, if applicable.
- C. Judgment entries which initiate child support shall include or have attached thereto:
1. The Orders, as applicable, which are contained in Section 3121.01 *et seq.* of the Ohio Revised Code. The wording contained in **Appendix D** should be used, if applicable.
 2. Requirements contained in Section 3121.28, 3121.51, 3121.52 and 3121.53 of the Ohio Revised Code, including the provisions that all support orders shall be in monthly support obligation for all children of the parties, rather than a weekly per child order.

D. The following language is required in all orders pertaining to the allocation of parental rights and responsibilities.

1. The plaintiff/defendant/petitioner will, in spite of his/her differences with the other party, discuss with him/her matters pertaining to the children's welfare, health and education, knowing full well that the general welfare of said children is of paramount importance.
2. Each of the parties shall encourage the children to respect, honor and love the other party, and neither party shall use the children to solve differences between themselves.
3. As residential parent, the plaintiff/defendant/petitioner shall:
 - a. Take any necessary action with the school authorities of the schools in which the children are enrolled to:
 - (1) List the other party as a parent of the child.
 - (2) Authorize the school to release to the other party any and all information concerning the children.
 - (3) Make sure that the other party receives copies of any notices regarding the children.
 - b. Promptly transmit to the other party any information received concerning parent teacher meetings, school club meetings, school programs, athletic, etc.
 - c. Promptly after receipt of same, furnish to the other party a photocopy of the children's grade report cards and copies of any other reports concerning the children's status or progress.
 - d. Notify the other party of when to make appointments for parent-teacher conferences.
 - e. Promptly inform the other party of any illness of the children which shall require medical attention.
4. Further, open and free communication between the children and the other party shall be encouraged and neither party shall do anything to impede or restrict communications by any method between the children and the other party. The communication between the children and the other party shall be kept confidential and shall not be opened or read by the party to whom the mail was not addressed.
5. Both parties shall refrain from criticizing the other parent in the presence of the children. Neither parent shall encourage the children to call anybody other than biological parent "Mom, Dad", or an equivalent.
6. Neither of the parties shall attempt to modify the religious practices of the children without first having consulted each other and the Court.

- E. In all matters involving children, the requisite order regarding health insurance coverage shall be a part of the final order. See **Appendix E**.
- F. Counsel for the party in whose favor a judgment is rendered, or who is directed to do so by the court, shall, within fourteen (14) days thereafter, unless further time be given by the Court, prepare and submit a judgment entry to opposing counsel who shall approve or reject same within fourteen (14) days after its receipt. All objections to such proposed judgment entry shall be in writing and may be answered in writing. If an agreement of the parties is placed on the record, the Court will approve a Judgment Entry which contains said agreement even if a party or attorney fails to approve the Judgment Entry. Failure to timely submit a judgment entry may result in sanctions being imposed by the Court, including but not limited to the dismissal of the pending matter or an award of attorney fees related to the preparation of the judgment entry by opposing counsel.

21. PARENTING TIME

Absent a stipulation of the parties, **Hardin County Common Pleas Court, General Division, Rules 26 and 27** of these Local Rules will be the standard parenting time order of the Court, unless the Court determines that such order would not be in the best interests of the child(ren). In each case in which **Hardin County Common Pleas Court, General Division, Rules 26 and 27** is the order of the Court, there shall be, attached to the entry in which the order occurs, or a certification that each party has been provided with a true and accurate copy of the applicable parenting time rule, and which version of the rule is being used. The certification shall be signed by counsel for the party, if any, and by the party acknowledging receipt of the rule. (See **Appendix G**) **Hardin County Common Pleas Court, General Division, Rules 26 and 27** may be attached to an entry with prior approval of the Court.

22. PSYCHOLOGICAL EVALUATIONS

A. If any party wishes to have any minor child(ren) who are involved in a dispute as to the allocation for parental rights and responsibilities evaluated by a psychologist or psychiatrist for the purpose of testimony at a Court hearing he/she must obtain the consent of the Court prior to such evaluation.

B. In no event will an expert be permitted to testify regarding such an evaluation if the above procedure is not followed.

C. The Court may order psychological evaluations of the entire family at any time during a contested matter, upon the request of any party or upon the Court's own motion. The reports from the psychological evaluations will be made available to counsel for the parties, and the GAL if one has been appointed, unless good cause is found which would justify restriction of access to said evaluations, and the parties will have the opportunity to depose or subpoena the evaluator at hearing. By requesting the evaluation, the party or parties consent(s) to the Court considering the Court ordered psychological reports, even if the evaluator is not called upon to testify.

D. Unless otherwise agreed by the parties or ordered by the Court, the costs associated with a psychological evaluation will be assessed against the party requesting the evaluation. If the
Hardin County Juvenile Court
Rules of Court

Court, upon its own motion, orders psychological evaluations, the costs associated with a psychological evaluation, unless otherwise ordered, will be assessed equally against the parties.

23. MEDIATION

- A. The Court adopts Rule 18 of The Hardin County Common Pleas General Division, as supplemented in this Rule, to effect mediation in the Juvenile Division of the Court.
- B. In cases where violence or fear of violence is alleged, suspected, or present, and in addition to any other requirements set forth by Rule, mediation shall proceed only if the following conditions are met:
 - 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 the mediation process, and his or her option to have a support person present at mediation session(s);
 - 2. The parties are able to mediate without fear of coercion or control;
 - 3. Security, if deemed necessary by the court, is provided for the safety of the person who is or may be the victim of domestic violence and all other persons present at the mediation. In such cases, the mediator is authorized to terminate mediation if the mediator believes there is a threat of domestic violence or coercion between the parties.
- C. If a party has been convicted of domestic violence or another offense involving physical harm to a family or household member at the time of the offense, or a party has been determined to be the perpetrator of an abusive act toward a child, the court shall hold a hearing on the request for mediation and shall make written findings of fact regarding the parties' best interests prior to referral to mediation. The parties have the obligation to disclose to the court any information regarding prior convictions for violence against family or household members or adjudication as a perpetrator of child abuse. The court shall also consider any stalking, domestic violence, or temporary protection orders issued against either party to protect the other party or any children of the parties.
- D. Each party shall deposit the value of one (1) hour mediation charges for the Court's mediator before mediation will be scheduled.

24. GUARDIAN AD LITEM

The Court hereby adopts Rules 19 and 20 of the Local Rules of Court of the Hardin County Common Pleas Court, General Division.

- K. All Guardians ad Litem, either attorney or volunteer, shall be in full compliance with Rule 48 of the Rules of Superintendence for the Courts of Ohio.

25. MEDICAL SUPPORT OBLIGATIONS

The Court hereby adopts Rule 24 of the Hardin County Common Pleas General Division.

26. COST DEPOSIT FOR ATTORNEY/GAL AND COLLECTION OF FEES

Upon the filing of a motion for appointment of an Attorney Guardian ad Litem (GAL) the movant shall, in addition to any other cost deposit that may be required by the Court, make a deposit of Three Hundred Fifty Dollars (\$350). The deposit may be waived by the Court. The Court may request that the parties make additional cost deposits while the case is pending as may be necessary to compensate the GAL. Any deposits made for the GAL should be reserved for the GAL unless these funds are otherwise released by the Court. It shall be the GAL responsibility to notify the Court ahead of time if the deposit is going to be insufficient.

27. COST DEPOSIT FOR VOLUNTEER CASA/GAL

RESERVED

28. SECURITY FOR COST

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

28.1 DEPOSIT FOR COSTS

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

DEPOSITS (ORC §§ 2151.54 / 2303.20)

- | | | |
|----|---|----------|
| 1. | Civil Complaint | \$300.00 |
| 2. | Cross Claim, Counterclaim, Third Party Complaint/
Motion to Intervene (<i>except in delinquent, unruly,
abuse, neglect, or dependency proceedings</i>) | \$200.00 |

3.	Additional Defendants	\$25.00
4.	Motion for Guardian ad Litem (<i>includes deposit of \$250.00</i>)	\$350.00
5.	All post-judgment Motions	\$150.00
6.	All pleadings after deposit depletion	\$50.00
7.	Service by Publication	\$175.00
8.	Personal Service by Sheriff per person served	
	a. Foreign Sheriff	\$100.00
	b. Hardin County Sheriff	\$150.00

COURT COSTS (ORC §§ 2151.54 / 2303.20)

1.	Felony Delinquent Base Costs	\$170.00
2.	Misdemeanor Delinquent Base Costs/Probation Violations	\$139.00
3.	Status Offense (Unruly) Base Costs	\$110.00
4.	Juvenile Traffic Base Costs	
	a. Non-moving Offenses	\$110.00
	b. Moving Offenses	\$149.00
5.	Adult Criminal Base Costs	\$139.00
6.	Civil Complaint or Post Decree Civil Motions Base Costs	\$81.00
7.	Abuse, Neglect, & Dependency Base Costs	\$81.00
8.	Additional entries requiring Court Signature	\$2.00
9.	Witness Fees (<i>ORC § 2335.06</i>)	
	a. half day or less	\$6.00
	b. more than half day	\$12.00
	c. round trip mileage beyond Kenton city limits	\$0.25

NOTE: ANY PARTY TO A CASE SUBPOENAING AN OUT OF COUNTY

WITNESS IS REQUIRED TO PROVIDE A MILEAGE CHECK MADE

PAYABLE TO THE WITNESS AT THE TIME THE PRAECIPE IS FILED

IN THE COURT

12.	Photo copy (per page) (ORC§149.43)	\$0.10
13.	Certification of Court Records (per document)	\$1.00
14.	Documents faxed by the Court	\$2.00 plus \$1.00/page
15.	All Postal Fees	Actual Costs
16.	Court Appointed Attorney Application (ORC§120.36)	\$25.00
17.	Bond or Recognizance	\$2.00
18.	Notice of Appeal (ORC§2303.20)	\$25.00
19.	Drug & Alcohol Testing (ORC§2152.202):	
	a. Dual Analysis Testing	Actual Costs
	b. ETG Alcohol Testing	Actual Costs
	c. Initial Urinalysis Testing	Actual Costs
20.	Curriculum and Assessment Fees:	
	a. Gain Q	Actual Costs
	b. Gain I	Actual Costs
	c. Gain 90	Actual Costs
	d. MRT Workbook	Actual Costs
21.	Detention Costs (per day)	Actual Costs
23.	CarTeens Driver Education Program (ORC§2152.20)	\$25.00
24.	Electronic Monitoring (ORC§§2152.19(A)(3)(k) / 2929.23):	
	a. Daily Fee	\$11.00
	b. Daily Fee including alcohol monitoring unit	\$12.00
	c. EM Installation Fee	\$50.00

d.	EM Removal Fee	\$20.00
e.	Mileage for installation & removal	\$0.50/mile
25.	Copy of Local Court Rules	\$5.00

28.2 INABILITY TO SECURE COSTS

If a litigant claims inability to either pre-pay or give security for costs, the litigant shall complete an Affidavit of Poverty required by the O.R.C. 2323.30 and O.R.C. 2323.31, substantiating such inability, all of which shall be filed with the pleadings and treated as other papers in such case, and be subject to review by the Court at any stage of the proceedings.

28.3 PAYMENT OF FINES AND COSTS

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

28.4 RECORDING OF PROCEEDINGS

- A) All hearings before the court, if requested, will be recorded electronically. The audio electronic recording shall be the official record. In addition, any party, by the party's own arrangement and at that party's own expense, may provide for a court reporter. The stenographer record, upon special order, may be the official record.
- B) A transcript of the record may be requested in accordance with Rule 9(A) of the Rules of Appellate Procedure.
- C) The original CD or other recording medium of the audio-electronic recording shall be maintained by the court for a period of one (1) year from journalization of the final entry or judgment in the case. However, if a written request for transcription has been made, the original CD or other recording medium shall become part of the record of proceedings.
- D) A party may request a copy of the electronic recording of all proceedings at the party's expense. The court may permit a party to hear the electronic recording. The court does not permit indiscriminate public access to electronic recordings of hearings; a request for access by a non-party must be served on all parties. (See commentary to Sup. R. 11(D)).

- E) Any party requesting a transcript will bear the responsibility of arranging and paying for said transcript, as well as responsibility for filing the same with any appropriate court or administrative agency.

28.5 DISCRETION OF THE COURT

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

A. If the costs are not paid at the termination of the litigation, any deposit for costs or bond to secure appearance may be applied to the unpaid costs. Unused deposits will be first applied to cost owed, being the same party in other cases before a refund is remitted.

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

28.6 STATUTORY CHARGES

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

The Clerk of this Court is directed and hereby authorized to charge and collect an additional fee of three dollars (\$3.00) upon the filing of each cause or appeal under O.R.C. 2303.20 (A), (Q), and (U).

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

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

The Clerk of this Court is directed and hereby authorized to charge an additional fee of ten dollars (\$10.00) upon the filing of each cause of action, appeal, certificate of judgment, or the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment under O.R.C. 2303.20 (A), (P), (Q), (T), and (U).

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

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

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

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

28.7 PUBLICATION BY POSTING

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

B. In addition to the Juvenile Courthouse at One Courthouse Square, Suite 200, Kenton, Ohio, the Court designates the following as locations where publication of service of process by posting may be made, in accordance with Juvenile Rule 16 (A). Pursuant to that Rule, posting shall be made at any two (2) of the following designated locations:

(1) The Hardin County Department of Job and Family Services, 175 West Franklin Street, Kenton, Ohio, or any other location to which it might relocate;

(2) The Hardin County Department of Health, 175 West Franklin Street, Kenton, Ohio, or any other location to which it might relocate.

C. The Clerk of this Court shall cause the required notice to be posted in a conspicuous place and manner in the above denominated places for the requisite seven (7) days.

Upon completion of the posting for seven (7) days, the Clerk shall remove the notice, complete the return of service, file the same and notify counsel as provided by law.

29. COURT FEES FOR COMPACT DISC BEING PREPARED AND DISTRIBUTED

Effective immediately any person, who would be entitled to a copy of the record in a juvenile proceeding, may request a copy of the hearing on compact disc and shall pay this court Ten Dollars (\$10.00) for the cost of the same prior to the compact disc being prepared. Recordings of court hearings will be kept for one (1) years from the date the recording is made, except in abuse neglect or dependency cases.

30. SEALING/EXPUNGEMENT

The Clerk of this Court shall not accept a filing fee for any Application for Sealing or Expungement of Record.

At the age of 23 or beyond, the court may, upon its own motion, seal and expunge any court record so long as the matter is paid in full and the person is no longer the subject of any court actions. This rule does not apply to the precluded by statute.

31. ADDITIONAL FEE FOR COURT COMPUTERIZATION

Pursuant to Ohio Revised Code 2153.081 this Court hereby determines that for the efficient operation of this Court additional funds are required to computerize the office of the Clerk of the Juvenile Court and therefore authorizes, pursuant to the above-section, that the Clerk or a Deputy Clerk of this Court shall charge an additional fee of Twenty Dollars (\$20.00) on the filing of each cause of action filed in this Court. The additional Twenty Dollars (\$20.00) fee shall be paid to the County Treasurer to be disbursed upon an order of this Court and subject to appropriation by the Board of County Commissioners in an amount no greater than the actual costs to this Court for procuring and maintaining computer systems for the Clerk's Office.

32. INCREASE IN COURT COSTS FOR COURT COMPUTERIZATION ORC 2151.541(A)

Pursuant to the provisions of O.R.C. 2151.541(A), this Court hereby determines that for the efficient operation of this Court additional funds are required to computerize the court and to make available computerized legal research services. Therefore this Court orders that an additional fee in the amount of Three Dollars (\$3.00) be added to the costs of all actions or appeals under division A, Q, or U of section 2303.20 of the Revised Code if filed in this Court on or after the effective date of this rule of court.

All moneys collected under this Rule shall be paid to the County Treasurer to be distributed upon an order of this Court and subject to appropriation by the Board of County Commissioners in an amount no greater than the actual cost to the Juvenile Court of procuring and maintaining computerization of this Court, computerized legal research services, or both.

33. TRANSCRIPT FEES AS TO RECORDED PROCEEDINGS

- A. All hearings before the Court, if requested, will be recorded electronically. The audio electronic recording shall be the official record. In addition, any party, by the party's own arrangement and at that party's own expense, may provide for a court reporter. The stenographer record, upon special order, may be the official record.
- B. A transcript of the record may be requested in accordance with Rule 9(A) of the Rules of Appellate Procedure.

- C. The original CD or other recording medium of the audio-electric recording shall be maintained by the court for a period of one (1) year from journalization of the final entry or judgment in the case. However, if written request for transcription has been made, the original CD or other recording medium shall become part of the record of proceedings.
- D. A party may request a copy of the electronic recording of all proceedings at the party's expense. The court may permit a party to hear the electronic recording. The court does not permit indiscriminate public access to electronic recordings of hearings; a request for access by a non-party must be served on all parties. (See commentary to Sup. R. 11(D)).
- E. Any party requesting a transcript will bear the responsibility for filing the same with any appropriate court or administrative agency.

34. FAX FILING

- A. Authorization: The Juvenile Clerk shall maintain a telephone line and facsimile (fax) machine to allow parties to file documents no longer than 10 pages in length with the court. Filings in excess of 10 pages shall be charged a fee of \$2 per page, payable within fourteen (14) days.
- B. Fax Copies: Filing of documents subsequent to an original complaint and prior to a final judgment entry and other filings not requiring a security deposit may be filed by fax copy with the Juvenile Clerk, exhibits shall be filed with the Juvenile Clerk as a separate document no later than five (5) court days following the filing of the original fax document. The Court may strike any document or exhibit, or both, if missing exhibits are not filed as required by Rule. Any exhibit filed pursuant to this rule shall include a cover sheet or notice of the filing that contains the caption of the case, i.e. sets forth the name of the Court, title of the case, the case number, name of the Judge or Magistrate and the title of the exhibit being filed (e.g., Defendant's Smith's Notice of Filing Exhibit "G" to Motion to Dismiss). The exhibit and cover sheet shall be signed and served in conformance with the rules governing the signing and service of pleadings in this Court.

In accordance with Civ. R.5(E), any signature on the fax filing shall be considered to be authentic. If it is established that any transmission was made without authority, the Court shall order the filing stricken.

Subject to the provisions of these rules, all documents sent by fax and received by the Juvenile Clerk shall be considered filed with the Court as of the date and time the Juvenile Clerk time-stamps the document during regular hours, as opposed to the date and time of the fax transmission that is imprinted by the facsimile machine.

However, the fax machine will be available to receive fax transmission of documents on the basis of 24 hours per day, seven days per week, including holidays at the following number: 419-675-2941. If a facsimile filing is sent by fax to the Clerk of Court without the cover page as designated in this rule, the Clerk at their discretion may deposit the document in a file of failed faxed 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. The Clerk of Courts is not required to notify the transmitting party of a failed fax filing.

C. 1. Requirements : Any fax copy filed shall conform to the Civil and Juvenile Rules and shall be preceded in transmission by a cover page, which includes the following information:

- a. Caption of the case
- b. Case number
- c. Assigned Judge/Magistrate
- d. Description of the document being filed
- e. Attorney name, address, Ohio Supreme Court registration number, telephone number and fax number
- f. Date and time of fax initiation
- g. Transmitting fax number
- h. Number of pages, including the cover page, being transmitted

2. Any document requiring a signature shall either contain the signature on the source document at the time of fax transmission or be submitted without the signature by the notation “/s/” followed by the name of the signing person where the signature appears in the signed source document.

D. Fax Documents as Originals: The faxed document shall be considered the original. Additional originals of the document shall not be filed with the Juvenile Clerk. The sending party must maintain possession of the source documents and make them available for inspection by the Court upon request.

E. Fees: No additional fee shall be assessed for facsimile filings of 10 pages or less. However, facsimile filings shall not exceed ten (10) pages in length, including exhibits.

F. Copies to Serve: The party filing documents by fax shall not transmit copies by fax to the Juvenile Clerk for service upon other parties but shall provide service directly upon all necessary parties.

G. Applicability: This rule applies to cases involving all areas of the court’s jurisdiction, with the exception of cases filed pursuant R.C. 2151.85 regarding a minor’s complaint for an abortion. In such cases, no document shall be filed by facsimile transmission.

The following documents may not be sent by facsimile transmission to the Juvenile Clerk for filing:

- a. an ex-parte motion for emergency custody;
- b. any document in whole or part under seal;
- c. original complaints;
- d. pleadings pursuant to appeal;
- e. filings requiring a deposit; and

- H. This Local Rule has been instituted solely as an accommodation to persons filing documents with the Clerk of the Juvenile Court. The person making the facsimile filing shall bear all risk of transmitting a document by facsimile, including all risk of equipment failure.
- I. Effective date: This rule shall govern all proceedings in actions brought after it takes effect, and also in further proceedings in pending actions, except to the extent that, in the opinion of the court, the application in a particular action pending on the effective date would not be feasible or would work an injustice, in which event, the former procedure applies.

35. DELIVERY BY OR TO COUNSEL OR PARTIES/SERVICE OF NOTICES

- A. Where copies of pleadings, motions, briefs, memoranda and other papers have been placed in the appropriate attorneys drawer in the Hardin County Probate Court, One Courthouse Square, Suite 210, and certificate of delivery reflects such action, it shall be deemed by the Court as delivery to counsel pursuant to the requirements of the Ohio Rules of Civil Procedure.
- B. All assignment notices generated by the Hardin County Juvenile Court shall be placed in the attorney drawer of appropriate counsel in the Hardin County Probate Court or Clerk of Courts office. If counsel has no such drawer, the assignment notices shall be deposited with the Postal Service, postage prepaid.

If a party or counsel wants a file-stamped copy of a document filed by that party or counsel to be returned by the Clerk of this Court via U.S. mail, that party or counsel must provide an addressed, postage prepaid envelope for that purpose.

The Clerk of this Court shall note on the docket of the case the type of service completed using language such as ***“Judgment Entry filed. Photo copy served on all parties.”***

36. RULES TO EXPEDITE COMPETENCY PROCEEDINGS

The purpose of this rule is to expedite proceedings under sections 2152.51 to 2152.59 of the Ohio 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.

- A. Upon the request for a competency hearing, the court shall schedule a hearing 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.
- B. Upon conclusion of each hearing, the court shall provide written notice or oral notice on the record to the prosecuting attorney, the child’s attorney, the child’s guardian ad litem, and the child’s parents, guardian or custodian, of the date, time and place of the next scheduled hearing. Mailed notice shall not be required for any party or other individual designated in this rule to whom notice of the next hearing was provided in writing upon conclusion of the immediately preceding hearing.

- C. 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.

37. PARENTING CLASS

The Court hereby adopts Rule 21 of the Local Rules of Court of the Hardin County Common Pleas Court, General Division.

38. CHILD SUPPORT DEVIATION

The Court hereby adopts Rule 23 of the Local Rules of Court of the Hardin County Common Pleas Court, General Division.

39. TAX EXEMPTION

The Court hereby adopts Rule 25 of the Local Rules of Court of the Hardin County Common Pleas Court, General Division.

40. MEDICAL REPORTS IN PATERNITY/CUSTODY CASES

The Court hereby adopts Rule 17 of the Local Rules of Court of the Hardin County Common Pleas Court, General Division.

41. EMAIL OR ELECTRONIC FILINGS

The Court will not accept email or electronic filings, except as otherwise provided in these rules.

42. COURT APPOINTED COUNSEL AND GUARDIAN ad LITEM MOTION FOR FEES

1. All Motion, Entry, and Certification for APPOINTED COUNSEL Fees (hereinafter "*Motion*") submitted by court appointed attorneys shall be filed with the Court in following manner:
 - a. the original *Motion*, fully completed, attached to copies of:
 - i. the client's Affidavit of Indigency (a copy of which shall be served upon attorney by Deputy Clerks of the Juvenile Division); and
 - ii. the Court's entry appointing the attorney to the case.

- b. one (1) copy of the *Motion* with the same attachments referenced above.
 - c. two (2) additional copies of the *Motion*, without attachments.
2. All Motion, Entry, and Certification for *Guardian AD Litem* Fees ("*Motion*") submitted by the *Guardian ad Litem* shall be filed with the Court in the following manner:
 - a. the original *Motion*, fully completed, attached to a copy of the Court's entry appointing them to the case;
 - b. one (1) copy of the *Motion*, attached to appointment entry; and
 - c. two (2) additional copies of the *Motion*, without attachments;
 - d. the *Guardian ad Litem* shall check the appropriate box in the caption section of the *Motion*, indicating that they were appointed as *Guardian ad Litem*.
3. At the time they are appointed to the case, the Court shall provide to all court appointed attorneys and *Guardian ad Litem* (when applicable) copies of their client's Affidavit of Indigency and the Court's entry appointing them to the case. In the event a court appointed attorney or *Guardian ad Litem* requires additional copies of these documents for their records, they may request copies from the Court, subject to the standard copy fee of ten cents (.10) per page.
4. Defective *Motions* shall be returned to the court appointed attorney and/or *Guardian ad Litem* to provide them the opportunity to remedy the defect. The time provided to remedy the defect shall not stay any time limits established by this rule, or any other rule or order of this Court, unless approved and journalized by the Court. For the purpose of this rule:
 - a. defective *Motions* are those which fail to conform with requirements of this rule and any rule adopted by this Court or other Court's of competent jurisdiction; and
 - b. unless otherwise approved and journalized by the Court, Appointed Counsel and Guardian ad Litem fees included on defective *Motions* which do not conform to the time limits established by this rule, or any other rule or order of this Court, **SHALL NOT BE APPROVED** for payment.
 - c. **IF GRANTED, ANY EXTENSION BEYOND THE TIME LIMITS HEREIN MAY BE SUBJECT TO SIGIFICANT REDUCTION IN APPROVED COMPENSATION.**

5. All *Motions* shall be filed with the Court **WITHIN THIRTY (30) DAYS** after the case is finally disposed of by the Court. For the purpose of determining timelines, “finally disposed of by the Court” is defined as follows:
 - a. the date of final judgment or journal entry filed by the Court, excluding extraordinary fees motions;
 - b. if no journal entry or disposition date, the date of the last appearance in Court; or
 - c. in periodic billings, the last date of activity on Itemized Fee Statement portion of the *Motion* (excluding time spent preparing the bill, which is not allowable) or the filing of the journal entry from the last Court appearance.
 - d. requests for phone, photo copy, travel and other expenses must be approved before the expenditures are made.
6. **Requests for extraordinary fees** shall be made by written motion, and shall be filed with supporting information and documentation **NO LATER THAN THIRTY (30) DAYS** after the final disposition date as defined in paragraph 5 of this rule. An award of extraordinary fees will be made upon the Court finding a reasonable basis and justification for said fees, and sustaining said motion.

43. PRIOR RULES

All previous Local Rules adopted by this Court and not embodied in these Rules are hereby resinded.

44. ELECTRONICALLY PRODUCED TRAFFIC TICKETS

The use and filing of a ticket that is produced by computer or other electronic means is hereby authorized in the Hardin County Municipal Court. The electronically produced ticket shall conform in all substantive respects to the Ohio Uniform Traffic Ticket. If an electronically produced ticket is issued at the scene of an alleged offense, the issuing officer shall provide the defendant with a paper copy of the ticket, in compliance with Traffic Rule 2 (F) (1) and (2).

45. RESTRAINTS IN THE COURTROOM

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

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

APPENDIX A

SCHEDULE OF EVENTS (scheduling starts with the date the complaint is filed and continues sequentially)

DAY

- | | |
|----------------------------------|--|
| One (1)
Through
Sixty (60) | <ul style="list-style-type: none">* Complaint received and filed*Prior History Sheet printed*Case Number and I.D. Number assigned*Arraignment date set*Summons typed and served by regular or certified mail or personally delivered and said service is docketed.*Placed in "hearing" drawer according to hearing date |
|----------------------------------|--|

ARRAIGNMENT

- *If charge is admitted, give disposition immediately or continue for disposition
 - *If charge is denied, set for trial within sixty (60) days. (appoint counsel if indigent)
-

Sixty (60)
Through
Ninety (90)

FINAL DISPOSITION

- *All abused / neglected / dependent child complaints shall be disposed of within ninety (90) days.
 - *All adult criminal cases shall be disposed of within ninety (90) days, unless an extension is granted pursuant to Supreme Court Rules.
-

Ninety (90)
through One
Hundred
Twenty (120)

- *All delinquency, unruly, tobacco and permanent custody cases shall be disposed of within one hundred and twenty (120) days.
-

APPENDIX B

Bond	Code Section	Charge
\$500.00	R.C. 2919.21	Non-Support of dependents, first offense
\$500.00	R.C. 2919.22	Endangering Children
\$1000.00	R.C. 2919.22	Second Offense -- and/or serious harm
\$250.00	R.C. 2919.23	Interference with custody
\$500.00	R.C. 2919.24	Contributing / Abuse / Neglect
\$100.00	R.C. 2151.421	Failure to Report Neglect or Injury

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

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

I the undersigned, _____, request Child Support Services from the _____ County Child Support Enforcement Agency. I understand and agree to the following conditions:

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

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

1. **Location of Absent Parents.**
The agency can assist in finding where an absent parent is currently living, in what city, town or state. The applicant can request "Location Services Only", if the sole need is to find the whereabouts of the absent parent.
2. **Establishment or Modification of Child Support and Medical Support.**
The CSEA can assist you to obtain an order for support if you are separated, have been deserted or need to establish paternity (fatherhood). The CSEA can also assist you in changing the amount of support orders (modification), and to establish a medical support order.
3. **Enforcement of Existing Orders.**
The CSEA can help you collect current and back child support.
4. **Federal and State Income Tax Refund Offset Submittals for the Collection of Child Support Arrearages.**
The agency can assist in collecting back support (arrearages) by intercepting a non-payor's federal and state income tax refunds on some cases.
5. **Withholding of Wages and Unearned Income for the Payment of Court Ordered Support.**
The agency can help you get payroll deductions for current and back child support and can intercept unemployment compensation to collect child support.
6. **Establishment of Paternity.**
The agency can obtain an order for the establishment of paternity (fatherhood), if you were not married to the father of the child. An absent parent may request paternity services.
7. **Collection and Disbursement of Payments.**
The CSEA can collect the child support for you, and send you a check for the amount of the payments received. Back support collected will be paid to you until all of the back support you are owed is paid.

If you received ADC in the past and support was assigned to the state, back support collected will be paid to the state after you receive back support owed to you.
8. **Interstate Collection of Child Support.**
The agency can assist you in collecting support if the payor is living in another state or in some foreign countries.
- C. The only fee you can be charged for services is a one dollar application fee. Some counties pay this fee for the applicants.
- D. In providing IV-D services, the CSEA and any of its contracted agents (e.g., prosecutors, attorneys, hearing officers, etc.) represent the best interest of the children of the state of Ohio and do not represent any IV-D recipient or the IV-D recipient's personal interest.

APPLICANT INFORMATION (INFORMATION ABOUT YOU)	
Name	Date of Birth
Social Security Number (SSN)	Current Marital Status (Check One) <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Deserted <input type="checkbox"/> Widowed

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

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

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

Applicants Name (Last, First, Middle)	Telephone Number (Home)
Address (Street/Route, P.O. Box)	(Work)
City, State, and Zip Code	

INFORMATION ON CHILDREN

	Child 1	Child 2	Child 3	Child 4
a. Name				
b. Sex				
c. SSN				
d. Date of Birth (DOB)				
e. Name(s) of Absent Parent				
f. Has Paternity (Fatherhood) Been Established?				
g. Is There An Order For Support (Yes or No)				

ABSENT PARENT INFORMATION OR PARENT ORDERED TO PAY CHILD SUPPORT

	Absent Parent #1	Absent Parent #2	Absent Parent #3
Name			
Address City, State, Zip Code			
SSN			
Date of Birth (DOB)			
Name of Employer			
Address of Employer (City, State, Zip Code)			
Amount of Support Ordered (Wk, Bi-Wk, Mo)			
Case Number on Support Order			
Date of Support Order			
Location Where Order Was Issued (City, County, State)			
Military Service Give Date and Branch Entered			
Arrest Record: Give Date and Place of Arrest			
If the absent parent has been on Public Assistance: Give Date and Place			
Give Name and Address of Current Spouse of Absent Parent			

• Have you ever been on public assistance? Yes No

When _____ Date Where _____ City and State _____ County

(Do Not Write In This Space)		FOR AGENCY USE ONLY	
Case Name	Date Requested	Date Mailed or Provided	
Case Number	Date Returned or File Date		

APPENDIX D

NOTICE TO OBLIGOR (Pursuant to RC 3119 and 3121)

It is Hereby Ordered that the Obligor is to make all present and/or past due child support payments as directed by the Hardin County Child Support Enforcement Agency, unless deducted from the Obligor's wages. All payments given directly to the Obligee shall be considered a gift pursuant to ORC 3121.45 and no credit will be given

It is Further Ordered that all support under this order shall be withheld or deducted from the income or assets of the Obligor pursuant to a withholding or deduction notice or appropriate court order issued in accordance with Chapter 3119, 3121, 3123 and 3125 of the Ohio Revised Code or a withdrawal directive issued pursuant to sections 3123.24 to 3123.38 of the Revised Code and shall be forwarded to the Obligee in accordance with Chapters 3113, 3121 and 3125 of the Revised Code.

It is Further Ordered that the obligor shall immediately notify the Child Support Enforcement Agency administering this support order of the following:

- Any change in the obligor's income source and of the availability of any other sources of income that can be the subject of withholding or deductions;
- The nature of any new employment or income source and the name, business, address, and telephone number of the new employer or income source;
- The commencement of employment, including self-employment, or of the availability of any other sources of income that can be subject of withholding or deduction;
- If the support is being paid pursuant to a deduction notice, any change in the status of the account from which the support is being deducted or the opening of a new account with any financial institution and the name and business address of that financial institution;
- If the support is being paid to pursuant to a deduction notice, the nature of any new account opened at a financial institution and the name and business address of that financial institution;
- **FAILURE TO PROVIDE NOTICE AS REQUIRED HEREIN IS PUNISHABLE BY CONTEMPT OF COURT.**

Appendix E

**ORDERS FOR HEALTH INSURANCE COVERAGE FOR MINOR CHILD(REN)
NAMED IN THE CHILD SUPPORT ORDER
(Ohio Revised Code sections 3119.30 et seq.)**

The parties are hereby notified and it is further ORDERED

A. The party who is required to provide health insurance coverage shall provide to the other, not later than 30 days after the issuance of this order, information regarding the benefits, limitations, and exclusions of the coverage, copies of any insurance forms necessary to receive reimbursement, payment, or other benefits under the coverage, and a copy of any necessary insurance cards (R.C. 3119.32).

B. Unless a name, address, and telephone number are provided below for the person to be reimbursed by the insurer for costs paid, the health insurance provider shall continue making payment for services directly to any health care provider in accordance with the applicable health insurance policy, contract, or plan (R.C. 3119.32).

Name: _____

Address: _____

Telephone: _____

C. Not later than 30 days after issuance of this order, the party who is required to provide health insurance coverage for the children shall designate the children as covered dependents under any health insurance policy, contract, or plan for which the person contracts (R.C. 3119.32).

D. The employer of the person required to obtain health insurance coverage is required to release to the other parent, any person subject to an order issued under section 3109.19 of the Revised Code, or the child support enforcement agency on written request any necessary information on the health insurance coverage, including the name and address of the health plan administrator and any policy, contract, or plan number, and to otherwise comply with section

3119.32 of the Revised Code and any order or notice issued under section 3119.32.

E. If the person required to obtain health care insurance coverage for the children subject to this child support order obtains new employment, the agency shall comply with the requirements of section 3119.34 of the Revised Code, which may result in the issuance of a notice requiring the new employer to take whatever action is necessary to enroll the children in private health care insurance coverage provided by the new employer (R.C. 3119.32).

F. Any employer who receives a copy of an order or notice relating to provision of health insurance coverage is required to notify the child support enforcement agency of any change in or the termination of the health insurance coverage that is maintained pursuant to the order or notice (R.C. 3119.364).

G. If the person required to obtain health insurance coverage pursuant to a child support order issued in accordance with statute does not obtain the required coverage within 30 days after the order is issued, the child support enforcement agency shall notify the court that issued the child support order in writing of the failure of the person to comply with the child support order (R.C. 3119.43).

H. Whoever violates a court child support order issued accordance with section 3119.30 of the Revised Code may be punished as for contempt under Chapter 2705 of the Revised Code (R.C. 3119.44), and the court may consider multiple violations in modifying the support amount (R.C. 3119.45).

I. Either the obligee or the obligor under a court child support order may file a motion with the court that issued the order requesting that the court modify the order with regard to health insurance coverage for the children who are the subject of the order (R.C. 3119.46) or that the court modify the support amount to meet a child's medical need (R.C. 3119.49).

J. An obligor or obligee who fails to comply with a child support order issued in accordance with section 3119.30 of the Revised Code is liable to the other for any medical expenses incurred as a result of the failure to comply with the order (R.C. 3119.56).

K. Upon receipt of notice by the child support enforcement agency that private health insurance coverage is not available at a reasonable cost, cash medical support shall be paid in the amount as determined by the child support computation worksheets in section 3119.022 or 3119.023 of the Revised Code, as applicable. The child support enforcement agency may change the financial obligations of the parties to pay child support in accordance with the terms of the court or administrative order and cash medical support without a hearing or additional notice to the parties. (R.C. 3119.32).



APPENDIX F

Section E: Records Retention Schedule

(local government entity)

(unit)

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS- LGRP
2012-1	Bank Records (revision of 89-1)	3 years after the end of the fiscal year provided audited	Paper unless microfilm ed		<input type="checkbox"/>
2012-2	Cash Books (revision of 89-2)	3 years after the end of the fiscal year provided audited	Paper unless microfilm ed		<input type="checkbox"/>
2012-3	Appearance docket	Permanently	Paper unless microfilm ed		<input type="checkbox"/>
2012-4	Delinquency and adult records – unruly and marriage consent records and probation files	2 years after the final order of the juvenile division or one year after the issuance of an audit report by the auditor of state, whichever is later	Paper unless microfilm ed		<input type="checkbox"/>
2012-5	Minor misdemeanor traffic records	5 years after the final order the juvenile division or one year after the issuance of an audit report by the Auditor of State, whichever is later	Paper		<input type="checkbox"/>



Ohio Historical Society
 State Archives of Ohio
 Local Government Records Program

800 E. 17th Avenue
 Columbus, Ohio 43211-2497

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS- LGRP
2012-6	Misdemeanor traffic records	25 years	Paper unless microfilm ed		<input type="checkbox"/>
2012-7	All other traffic records	50 years	Paper unless microfilm ed		<input type="checkbox"/>
2012-8	Juvenile by-pass records	2 years	Paper unless microfilm ed		<input type="checkbox"/>
2012-9	Permanent custody, custody, parentage, visitation, support enforcement, abuse, neglect, dependency and URESA records	2 years after the child who is subject of the case obtains the age of majority	Paper unless microfilm ed		<input type="checkbox"/>
2012-10	Search warrant records	5 years after date of service or last service attempt	Paper unless microfilm ed		<input type="checkbox"/>
2012-11	Annual reports	2 copies permanentl y	Paper unless microfilm ed		<input type="checkbox"/>
2012-12	Employment application for posted positions	2 years	Paper		<input type="checkbox"/>
2012-13	Fiscal records, payroll records, receipt records, leave requests, purchase orders, budget files, pay-in records, receipts, and inventory records	3 years after the end of the fiscal year provided audited	Paper unless microfilm ed		<input type="checkbox"/>
2012-14	Grant records	3 years after expiration of grant	Paper unless microfilm ed		<input type="checkbox"/>
2012-15	Expunged records	immediatel y			<input type="checkbox"/>
2012-16	Daily courtroom recordings	10 years after recording is made	Tape or CD		<input type="checkbox"/>



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(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS-LGRP	(6) RC-3 Required by OHS- LGRP
2012-17	Supreme Court reports	2 years	Paper unless microfilm ed		

APPENDIX G

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

)	CASE NO. _____
Plaintiff,)	
)	JUDGE _____
vs.)	
)	<u>CERTIFICATION OF RECEIPT OF HARDIN</u>
)	<u>COUNTY COMMON PLEAS, GENERAL</u>
Defendant.)	<u>DIVISION, RULES 26 & 27</u>

I _____, am the _____ set forth above, and hereby certify and acknowledge that I received a complete and accurate copy of the Hardin County Common Pleas, General Division, Rules 26 & 27 of the Local Rules of Court and that same has been provided to me in lieu of attaching a copy to the attached Order or Entry. I further acknowledge that I have had an opportunity to review this Appendix with an attorney of choosing, and have had any questions which I may have regarding this Appendix answered to my satisfaction.

Name Date

Witness:

Name Date

ATTORNEY CERTIFICATION

I, _____, counsel for _____ the above named _____, do hereby certify that a complete and accurate copy of the Hardin County Common Pleas, General Division, Rules 26 and 27 of the Local Rules of Court has been provided to my client. I further acknowledge that I have discussed same with my client and have explained that this Appendix has been provided in lieu of attaching Appendix to the attached Order or Entry.

Attorney Date