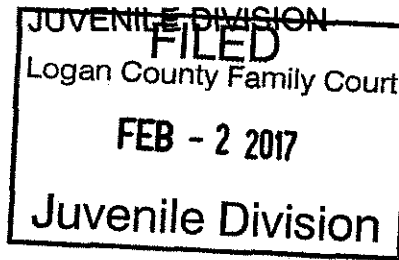


IN THE COMMON PLEAS COURT OF LOGAN COUNTY, OHIO



LOCAL RULES

CASE NO. 12,700

The attached rules are in compliance with existing statutes, case law and rules.

It is therefore, **ORDERED, ADJUDGED and DECREED** that the attached local rules be approved and hereby **ORDERED** to be effective January 31, 2017.

The clerk shall forthwith cause a certified copy of this entry and accompanying rules to be filed with the Supreme Court of the State of Ohio.

All this until **FURTHER ORDER** of this Court.

Dan W. Bratka, Administrative Judge

Kim Kellogg-Martin, Judge

LOCAL RULES OF THE COURT OF COMMON PLEAS, LOGAN COUNTY, OHIO JUVENILE DIVISION

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

HOURS

The Juvenile Court shall be open for transaction of business from 8:30 a.m. to 4:30 p.m. Monday through Friday. The Court shall be closed on Saturdays, Sundays and legal holidays, as ordered by the Commissioners of Logan County.

CONDUCT IN THE COURT

Proper behavior in the court is necessary to the administration of the court's function. Any conduct that interferes or tends to interfere with the proper administration of the court's business is prohibited.

No radio or television transmission, voice recording device, other than a device used by a court making record in a proceeding, or the making or taking of pictures shall be permitted without the express consent of the court in advance and pursuant to Sup.R.12.

Absent court permission, cell phones are not to be used when court is in session. All persons appearing in court shall have respect for themselves and the court and dress appropriately.

CASES RESTRICTED FROM PUBLIC ACCESS

Rule 45 of the Rules of Superintendence for the Courts of Ohio states there is presumption of public access to court records. However, this Rule allows Court to restrict public access.

Records of Children Services cases: This Court will treat these cases as being presumptively closed thereby restricting access to court records.

Records of Delinquency, Unruly & Traffic: This Court will treat these cases as being presumptively open to public access.

MOTION FOR CONTINUANCE OF HEARINGS

A Motion for Continuance due to conflicting court hearing date(s) must be filed at least five (5) days before the scheduled hearing date. If a continuance is requested due to a conflict with another court, a file stamped copy of the hearing notice from the other court must be attached to the motion for continuance. All other motions for continuances must reflect the position of the other attorneys of record. A proposed entry shall be filed with a motion for continuance, leaving the time and date blank for the court to set a new hearing date.

FACSIMILE FILINGS

This local rule is adopted under Civ. R. 5(E). Pleadings and other papers may be filed with the Juvenile Clerks' Office by facsimile transmission to (937) 292-4121, facsimile machine operates seven (7) days a week and (24) hours a day, subject to the following condition:

- a. These rules apply to juvenile proceedings in the Logan County Family Court.

The following documents will **not** be accepted by facsimile:

1. Pleadings that require service of summons to follow
2. Pleadings that will require issuance of documents
3. Any filings that would require a certification by the court
4. Any facsimile in excess of 10 pages/or sent out by Court Staff
5. Any filing that would require the issuance of a new case number or originate a proceeding
6. Any filing regarding Judicial Bypass cases

A document filed by facsimile shall be stricken from the record by judgment entry if the original is not filed within (3) three business days.

If a document is sent by facsimile to the Logan County Juvenile Court for filing it must be sent with a cover sheet that includes: Name of Court, title of case, case number, title of documents being filed, date of transmission, transmitting fax number, indication of number of pages in facsimile, name and address of sending party.

TIME OF FILING- Subject to the provisions of these rules, all documents sent by facsimile and received by the clerk shall be considered file-stamped with the clerk's office as of the date the transmission of the facsimile. The clerk may, but need not acknowledge receipt of facsimile. The risks of transmitting by facsimile shall be borne entirely by the sending party.

CALENDER ACCESS

Attorneys are required to have access to their calendars during hearings.

COPIES

Should filings be submitted with insufficient amount of copies, a \$.25 charge per page of each document will be added to the costs in the case. Certification of any document shall be charged \$1.00.

TRANSCRIPTS

A request for a transcript is made by completing the Court's form. The full price of a transcript is paid for by the person who orders the original. The cost is \$5.00 per page. The Court Reporter will work up an estimate of the total cost. The requestor must deposit fifty percent (50%) of the estimate before the transcript will be prepared. The requestor will be notified when the transcript is available for pick-up along with the balance owed. A transcript will not be released until the balance is paid in full.

A non-original transcript (copy) is charged at one-third (1/3) the cost of the original.

If a transcript is filed with the Clerk of Courts, thereby making it a public record, the cost is 25 cents per page. A copy of the Court's form follows herein.

Logan County Family Court Original Transcript Order

Case Style _____

V

Ordered by _____

Order Date _____

Secretary _____

Case No. _____

Address _____

Hearing Date _____

Phone _____

Judge/Mag _____

Email _____

I am a PARTY NON PARTY to the case.

My relationship to the case is: _____

Purpose for obtaining the transcript:

Is this an Appeal? _____ Notice of Appeal Date: _____

CA No. _____ Transcript Due: _____

I understand this will be charged at the rate of \$5/page. My deposit will be applied to the total. The balance must be paid before the transcript is released. Checks are to me made out to *Logan County Family Court*. I take responsibility for filing with the clerk if necessary. The court reporter will file if this is an appeal.

Signature _____ Date: _____

Judge Approval: _____ Date: _____

Pate Estimate _____ Actual Pages: _____

Cost Estimate: _____ Actual Cost: _____

Deposit: _____ Record ID: _____

Date Delivered: _____ Delivery Method: _____

GUARDIAN AD LITEM

All Guardians ad Litem shall have successfully completed a pre-service training course offered by the Ohio Supreme Court.

The pre-service training course must be the six hour Guardian ad Litem pre-service course provided by the Supreme Court of Ohio.

Three hours of continuing education is to be completed per calendar year. Calendar year training is defined as anytime in the year not necessarily on the anniversary date. The Court requires a copy of all subsequent training certificates.

RESPONSIBILITIES OF A GUARDIAN AD LITEM

A Guardian ad Litem shall represent the best interest of the child for whom the guardian is appointed.

A Guardian ad Litem shall be served with all pleadings, motions, and other documents filed in the case after the appointment of the Guardian ad Litem.

A Guardian ad Litem shall remain in effect until discharged by Order of the Court or by the Court filing a Final Order in the case or by Court Rule, whichever occurs first.

ATTORNEY FEES

The attorney is responsible for filling out the Motion, Entry and Certification for appointed Counsel Fees no later than 30 days after the last day of the month of the last in-court activity. There must be one original and three copies of billing documents. To receive a file stamped copy, four copies of billing documents must be filed.

Reimbursement is based on time claimed at the hourly rate of \$50.00 out of court and \$60.00 in court.

Requests for extraordinary fees must be made by written motion and submitted with all regular billing documents.

DEMAND FOR TRIAL BY JURY

A demand for jury trial must be made in writing and filed with the Court no later than 10 days prior to the trial date, or the date of receipt of the jury assignment, whichever occurs later in time. This Court will follow CrimR23.

JUVENILE CIVIL PROTECTION ORDERS

Cases involving Juvenile Civil Protection Orders shall be administered in accordance with ORC 2151.34 and Juvenile Domestic Violence Civil Protection Order in accordance with ORC 3113.31.

All proceedings under ORC 2151.34 and ORC 3113.31 shall be conducted in accordance with the Ohio Rules of Civil Procedure.

There are no costs or fees for filing or obtaining a protection order.

All petitions requesting ex parte orders must be filed by 12:00 p.m. and the hearing shall be held the same day the petition is filed.

SEALING AND EXPUNGEMENT OF RECORD

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

All other delinquency, unruly, traffic cases are subject to provisions as set forth in Ohio Revised Code 2151.356 regarding the sealing and expungements of records as applicable.

COURT COSTS

Misdemeanor court costs	\$67.00
Felony court costs	\$98.00
Unruly court costs	\$38.00
Traffic moving court costs	\$74.00
Traffic non-moving court costs	\$69.00
Failure to send court costs	\$38.00
Contributing to delinquency/unruliness of a juvenile	\$62.00
Curfew Bond	\$25.00
Juvenile probation fee -90 days	\$75.00
Juvenile probation fee – 6 months	\$120.00
Juvenile probation fee – one year and longer	\$150.00

FILING FEE FOR FOLLOWING CASES

Child Support/Parentage case	\$300.00
Third party custody case	\$300.00
Grandparent visitation case	\$300.00
Post decree pleadings *	\$150.00

* All prior costs must be paid in full before re-opening the case