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COMMON PLEAS COURT
JUVENILE DIVISION
JUN 28 1991
D.W. FAYREAU, JUDGE
MORGAN COUNTY, OHIO

LOCAL RULES OF THE COMMON PLEAS COURT

JUVENILE DIVISION,
MORGAN COUNTY, OHIO

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CLERK OF COURT
SUPREME COURT OF OHIO
JUL 09 1991
MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

Rule 1

These rules shall be known as the "Local Rules of the Juvenile Division of the Common Pleas Court of Morgan County, Ohio," and shall be used in governing procedures within the Juvenile Division in Morgan County, in addition to the Ohio Rules of Juvenile Procedure and the statutes as set forth in the Ohio Revised Code. These rules shall supplement and be inferior to the Ohio Rules of Juvenile Procedure and the statutory law of the State of Ohio.

Rule 2

These rules and any additional rules adopted hereafter supplant and supersede any existing rules of Court with which they are in conflict.

Rule 3

Caseflow Management Program:

- A. Emergency Situations: Any child taken into emergency custody or placed in emergency shelter care without parental consent by authority of law will be accorded a hearing within 72 hours, in accordance with the applicable statutes and rules of procedure.
- B. Shelter Care: Any child placed in shelter care shall be accorded a hearing within 5 days after the child is placed in shelter care, in accordance with the applicable statutes and rules of procedure.
- C. Abused, Neglected, and Abandoned Children: For any child that is alleged to be abused, neglected, or abandoned, the Court shall use the following procedure to dispose of the case:
 - 1. Adjudicatory Hearing: An adjudicatory hearing shall be held on the 14th day after a Complaint

in an abuse, neglect, or abandonment case has been filed with the Court. Upon request of any party, and for good cause shown, an adjudicatory hearing may be continued for an additional 14 days, but in no event shall said hearing be continued to a time in excess of 30 days after the filing of the original Complaint with the Court.

2. Dispositional Hearing: A dispositional hearing shall be held on the 14th day after an adjudication is made, but, for good cause shown and in the interest of justice, dispositional hearings may be continued for an additional 14 days. All dispositional hearings will be heard within 60 days of the date of the filing of a Complaint herein.

D. Juvenile Traffic Offenders: Juvenile traffic cases shall be disposed of by initial appearance, adjudication, and dispositional hearings as follows:

1. Initial Appearance Hearing: An initial appearance hearing shall be held within 14 days of the date that a Complaint is filed, citing a juvenile into Court for juvenile traffic offenses.
2. Adjudicatory Hearing: An adjudicatory hearing shall be held within 14 days after the initial appearance hearing.
3. Dispositional Hearing: A dispositional hearing shall be held within 14 days after the adjudicatory hearing.
4. Timing: If requested by the juvenile, his parents, or counsel, or upon the Court's own Motion, the Court may combine any of the hearings set forth in Sub-paragraphs 1, 2, or 3 above into one or more hearings, provided that in no event, shall any juvenile traffic case be continued beyond 42 days from the date of the Complaint's original filing with the Court, except under unusual circumstances when the interest of justice so requires.

LOCAL RULES OF THE COMMON PLEAS COURT

JUVENILE DIVISION,

MORGAN COUNTY, OHIO

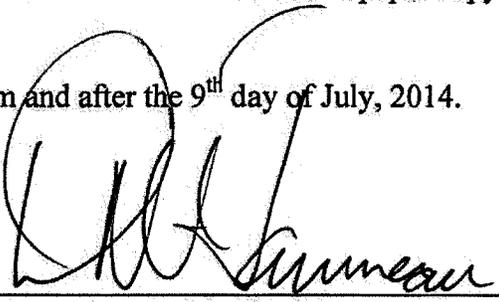


Addition to Rule 3, Item D. Juvenile Traffic Offenders:

5. Use of electronically produced tickets (e-tickets): The use and filing of a ticket that is produced by computer or other electronic means is hereby authorized in the Morgan County Juvenile Court. The electronically produced ticket shall conform in all substantive respects to the Ohio Uniform Traffic Ticket. If an electronically produce ticket is issued at the scene of an alleged offense, the issuing officer shall provide the defendant with a paper copy of the ticket.

This Rule shall take effect and be in force from and after the 9th day of July, 2014.

SO ORDERED.



D.W. FAVREAU, JUDGE

- E. Unruly and Delinquent Children: Unruly and delinquent cases shall be disposed of by initial appearance, adjudication, and dispositional hearings as follows:
1. Initial Appearance: An initial appearance hearing shall be held within 14 days of the date that a Complaint is filed.
 2. Adjudicatory Hearing: An adjudicatory hearing shall be held within 14 days after the initial appearance hearing.
 3. Dispositional Hearing: A dispositional hearing shall be held within 14 days after the adjudicatory hearing. The Court may, on its own Motion, extend the time for dispositional hearings to obtain sufficient reports concerning the juvenile's background, family history, and prior court records as is necessary to properly dispose of any matters before the Court. In no event shall a dispositional hearing be held at any time in excess of 60 days from the filing of an original Complaint with the Court, unless the Court finds that, in the interest of justice and in the best interest of the child, an extension of the time for dispositional hearing is proper.
- F. Parentage Cases: Parentage cases shall be disposed of in the following manner:
1. Initial Pre-Trial: Within 28 days after all parties to a parentage case have been served with process or have appeared, the Court shall schedule an initial pre-trial hearing. At said pre-trial hearing, the Court shall, if requested by any party or upon the Court's own Motion, order such scientific testing of blood or other body substances as is necessary in the opinion of the Court to properly adjudicate this matter. All discovery between the parties shall be conducted within 4 months of the date of the initial pre-trial.
 2. Final Pre-Trial: Within 5 months of the initial pre-trial, the Court shall schedule a final

pre-trial hearing. At the final pre-trial hearing, all parties will furnish the Court with trial briefs concerning the issues to be tried and the law applicable thereto.

3. Settlement Conference: Two weeks after the final pre-trial hearing is scheduled, the Court shall schedule a settlement conference with the parties at said conference. All matters concerning the settlement of the case will be dealt with and, if it is not possible to amicably settle the case between the parties, all requests for jury instructions, all exhibits, and all scientific evidence to be introduced at trial will be disclosed to the Court and marked for introduction into evidence.
 4. Trial: Two weeks after the settlement conference, the case shall be set for trial. No continuance of the trial date will be granted, except for emergency situations or when the interest of justice, in the opinion of the Court, so requires.
 5. Post-Trial Proceedings: In the event that a determination of parentage is made at trial, the Court will conduct a hearing within 1 month of the date of the trial to determine the issues of child custody, child support, and child visitation rights. During the 1 month period between the trial and the post-trial hearing, the parties shall present to the Morgan County Child Support Enforcement Agency all financial matters relative to the calculation of child support.
- G. Child Support Enforcement and Modification: Within 6 weeks of the filing of a Motion for support enforcement or modification and the service of the adverse party thereon, the Court shall conduct a hearing to determine the issues. Prior to said hearing, the parties shall provide such financial and other data as is necessary to the Morgan County Child Support Enforcement Agency for the calculation of financial responsibilities of the parties pursuant to law. If the interest of justice so requires, the Court may continue the matter set for hearing

for a period of 14 days to allow the parties to provide any additional information required by the Morgan County Child Support Enforcement Agency, or to allow calculations of support, pursuant to law. In no event shall support enforcement and modification matters be disposed of more than 2 months from the date of the appearance and service of process of all adverse parties.

H. Change of Custody and Visitation Rights: Change of custody and visitation rights cases shall be disposed of in the following manner:

1. Pre-Trial Hearing: Within 14 days of the filing of a Motion for custody, change of custody, or visitation rights and the service of process of said Motion upon the adverse party, the Court shall conduct an initial and final pre-trial hearing with the parties to determine the issues to be brought before the Court.
2. Hearing: After the initial and final pre-trial hearing, the Court shall schedule a hearing on the issues of custody, change of custody, or visitation rights within 6 weeks. No continuances shall be granted unless the Court determines that it is in the interest of justice to continue this matter, but in no event will issues of custody, change of custody, or visitation rights be continued beyond 6 months after the filing of a Motion and the service of the adverse party therewith.

I. Permanent Custody: Permanent custody cases shall be disposed of in the following manner:

1. Initial Pre-Trial Hearing: Within 30 days after the filing of a Complaint for permanent custody and the service of all parties with process thereon, the Court will hold an initial pre-trial hearing to determine the issues relative to the Complaint and to make such orders as are necessary for the resolution of the Complaint.
2. Final Pre-Trial Hearing: Five months after the filing of the Complaint for permanent custody,

the Court will hold a final pre-trial hearing to resolve all outstanding issues and prepare the matter for trial.

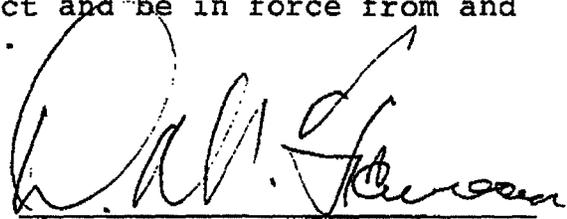
3. Trial: A trial of the issues of the Complaint will be held two weeks after the final pre-trial hearing.
- J. Adult Cases: Adults cases shall be disposed of in the following manner:
1. Initial Appearance: Two weeks after the service of the adult with a Complaint in an adult case, the Court shall hold an initial appearance hearing. At such hearing, the Court shall make such orders as are necessary for the efficient conclusion of the matter.
 2. Final Pre-Trial: Within 1 month of the initial appearance, the Court will hold a final pre-trial hearing to determine and resolve any outstanding issues.
 3. Trial: The trial will be held 1 week after the final pre-trial hearing.
- K. URESAs Cases: All URESA cases will be disposed of within 3 months after the filing of a URESA complaint and the service of the adverse party with process.
- L. Other Cases: All other cases coming before the Juvenile Court will be scheduled for such hearings as are appropriate and shall be disposed of within 6 months of the date of their filing and the service of the adverse party with process.
- M. The Clerk shall maintain such computerized records or tickler files of all cases filed in the Juvenile Court of Morgan County to insure that all cases are disposed of in accordance with the time frames established in this rule.

Rule 4

In all cases involving indigent persons where the Court has appointed counsel, it shall be the responsibility of

the assigned counsel to submit to the Court for approval on approved forms counsel's bill for services, together with such affidavits of indigency as required by the Ohio Public Defender's Commission, within 14 days of the termination of the case. All assigned counsel bills submitted after 14 days, submitted without affidavits approved by the Ohio Public Defender's Commission, or submitted on improper forms may, in the discretion of the Court, be denied for payment, except for good cause shown. All bills submitted by appointed counsel shall be in accordance with the Assigned Counsel Fee Schedule approved by the Morgan County Bar Association and the Morgan County Board of County Commissioners as journalized in the journal of the Morgan County Board of County Commissioners.

These rules shall take effect and be in force from and after the 28th day of June, 1991.



D. W. FAVREAU, JUDGE

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JUVENILE DIVISION

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ADDENDUM TO LOCAL RULES OF COMMON PLEAS COURT
JUVENILE DIVISION,
MORGAN COUNTY, OHIO

D. W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

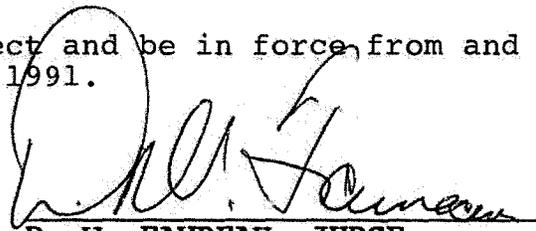
Rule 4.1

Pursuant to the provisions of §2313.08 of the Ohio Revised Code, the jury year in Morgan County, Ohio, shall begin on January 1 of each year and end on December 31 of each year. This designation of jury year, pursuant to §2313.08(A) of the Ohio Revised Code, shall remain in full force and effect until further order of the Court.

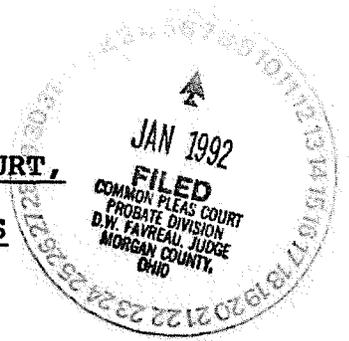
Rule 4.2

Pursuant to the provisions of §2313.24 of the Ohio Revised Code, the Court of Common Pleas of Morgan County, Ohio, shall have one term of court each calendar year, beginning on January 1 and ending on December 31. The number of jurors to be drawn each calendar year shall be specified by written order of the Court prior to the date specified by the Jury Commissioner for the drawing of jurors. Jurors in Morgan County, Ohio, a county of less than 100,000 population, shall be notified of their selection pursuant to law and shall be summoned for jury duty by the Court as they are required. This rule shall remain in full force and effect until changed by a subsequent order of the Court.

These rules shall take effect and be in force from and after the 22nd day of November, 1991.


D. W. FAVREAU, JUDGE

ADDENDUM TO LOCAL RULES OF COMMON PLEAS COURT,
GENERAL, JUVENILE, AND PROBATE DIVISIONS
MORGAN COUNTY, OHIO



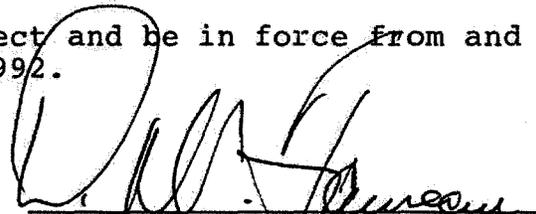
Rule 3.1

Pursuant to the provisions of Rules 38 and 39 of the Ohio Rules of Civil Procedure, the right to a trial by jury shall be preserved to the parties inviolate.

All persons demanding jury trials in civil cases shall, no later than one week prior to the scheduled date of the trial, deposit with the Clerk of Courts the sum of Three Hundred Dollars (\$300.00) for a deposit to cover expenses of impaneling the jury. In any civil case where a jury has been demanded and the deposit has not been paid one week prior to trial, the party not depositing funds pursuant to this rule shall be deemed to have waived his right to trial by jury and said trial shall proceed as scheduled as a trial to the bench.

This rule shall not be applied to any indigent party provided that, at least one week prior to the scheduled date of trial, said indigent party files with the Court an Affidavit of Indigency setting forth all receivables, payables, and equity in any personalty or realty, and the Court finds said party to be indigent based thereon or after any hearing that the Court may require.

These rules shall take effect and be in force from and after the 7th day of January, 1992.


D. W. FAVREAU, JUDGE

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ADDENDUM TO LOCAL RULES OF COMMON PLEAS COURT

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COMMON PLEAS COURT
JUVENILE DIVISION

MORGAN COUNTY, OHIO

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Rule 3.1

D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

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COMMON PLEAS COURT
JUVENILE DIVISION
D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

Pursuant to the provisions of Rules 38 and 39 of the Ohio Rules of Civil Procedure, the right to a trial by jury shall be preserved to the parties inviolate in civil cases.

Any party demanding a jury trial in a civil case shall, not later than two (2) weeks prior to the scheduled date of the trial, deposit with the Clerk of Courts the sum of Four Hundred Dollars (\$400.00) as a deposit to cover expenses of impaneling the jury. In any civil case where a jury has been demanded by any party and the deposit has not been paid two (2) weeks prior to trial by at least one party pursuant to this rule, the right to a jury trial shall be deemed to have been waived by all parties and said trial shall proceed as scheduled as a trial to the bench.

If any party, including a party who did not demand a jury trial, pays the jury deposit required by this rule, and all parties or their attorneys of record do not waive a jury trial in accordance with the provisions of Civil Rule 39(A) of the Ohio Rules of Civil Procedure, then the matter shall proceed to trial by a jury as scheduled.

These rules shall take effect and be in force from and after the 7th day of November, 1996. All local rules in conflict with this rule are hereby repealed.

SO ORDERED.

[Signature]
D.W. FAVREAU, JUDGE

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SUPREME COURT OF OHIO

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LOCAL RULE 3.2

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SUPREME COURT OF OHIO

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COMMON PLEAS COURT
JUVENILE DIVISION

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D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

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Records of Proceedings
The Probate, Juvenile and Common Pleas Court
Domestic and General Divisions
Morgan County, Ohio

A. RECORDING DEVICES

1. All proceedings before the court wherein record is made, shall be recorded by an audio electronic recording device on cassette tapes provided by the court. Audio electronic recording shall be the primary method of making a record.

2. Any party to a court proceeding may request, in writing, two (2) weeks prior to any hearing or trial, that the proceedings be recorded by an alternate method of recording such as a stenographer, video tape, or other method. Such alternate method of recording shall be at the expense of the party so requesting and shall be provided upon the payment of a deposit, in advance, to the Clerk in an amount sufficient to secure expenses.

3. In any proceedings where an alternate method of recording is used, audio electronic recording shall not be used.



B. APPEAL

1. A written record of proceedings in any case on appeal may be transcribed at the request of any party who shall be responsible for contracting for said transcription by a certified court reporter or other transcriber approved by the court.

2. Except in criminal cases involving indigent Defendants, payment for the cost of transcription shall be borne by the person requesting the transcript.

C. TRANSCRIPTS

Transcripts of proceedings of electronically recorded transcripts shall be filed with the Clerk of the trial court. Cassette tapes of proceedings shall be maintained for the Clerk by the Bailiff in a secure place until said tapes are ordered disposed of by the court.

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MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

D. INSPECTION OF ELECTRONICALLY
RECORDED TRANSCRIPTS OF PROCEEDINGS

1. Any person may view or hear the transcript of any proceeding in court by requesting a copy of it from the Bailiff as hereinafter set forth in Paragraph G.

2. A party to the proceeding may view or hear the proceeding that has been electronically recorded by contacting the Bailiff.

E. REFERENCE TO ELECTRONICALLY
RECORDED TRANSCRIPTS OF PROCEEDINGS

Reference to a particular portion of an electronically recorded transcript of proceeding shall be to the event, the number of the tape on which it was recorded and the elapse time of the tape on which it was recorded and the elapse time on the recorder counter reading.

F. EXPENSE OF ELECTRONICALLY
RECORDED TRANSCRIPTS OF PROCEEDINGS

The expense of copies of electronically recorded transcripts of proceedings or such portions as are deemed necessary by a party, shall be borne by the party requesting as provided by law.

G. REQUEST OF PROCEEDINGS

All electronically recorded proceedings are public record. Such public records may be obtained upon request in the following methods:

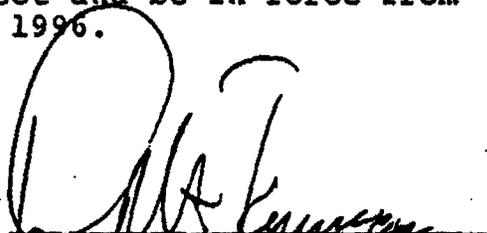
1. Parties to the Action. A party to the action or his attorney may, upon request to the Bailiff, listen to or view any electronically recorded proceeding. At the election of a party or his attorney, the court will provide a cassette tape of the proceeding requested as provided in Subparagraph 3 of this paragraph.

2. Non-parties. Non-parties to a case wishing to hear or view electronically recorded proceedings in the case may do so by requesting a copy of the proceeding from the Bailiff as set forth in Subparagraph 3 of this paragraph.

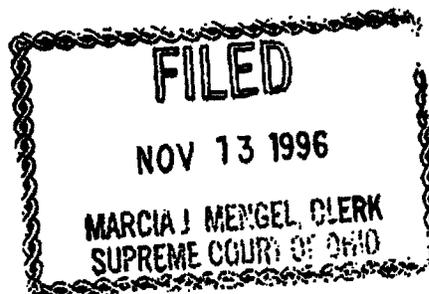
3. Copies of Proceedings. Any party or non-party requesting a copy of the proceeding will notify the Bailiff who shall forthwith reproduce a copy of the proceeding on an audio tape or video tape if said proceeding was recorded on video. The person requesting a copy of said proceeding must provide such tape or tapes as are necessary to duplicate the record to the Bailiff at his own expense. All tapes provided by any person requesting a copy of the proceeding must be the same length (30 min., 60 min., or 90 min.) as the original tape on which the record was made.

This Rule shall take effect and be in force from and after the 7th day of November, 1996.

SO ORDERED.



D.W. FAVREAU, JUDGE



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LOCAL RULES OF THE COMMON PLEAS COURT
COMMON PLEAS COURT
JUVENILE DIVISION
GENERAL AND DOMESTIC RELATIONS JUVENILE & PROBATE DIVISIONS.

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MORGAN COUNTY, OHIO

D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

RULE 12.01
Morgan County

Unless the Court otherwise directs, Counsel for the Party in whose favor an Order, Decree or Judgment is rendered, shall within five (5) business thereafter prepare the proper Journal Entry and submit it to Counsel for the adverse party who shall approve or reject the same within five (5) business days after the receipt thereof.

Upon failure of the adverse party to act upon the Entry in the specified time, its preparer may submit said Entry to the Court for approval with a notation as to when it was presented to the adverse party and that the adverse party has not signed the Journal Entry.

If Counsel are unable to agree upon the Entry their respective Entry shall be submitted to the trial Judge who will then direct what Entry shall be made.

RULE 12.02

If Counsel fails to present an Entry within the ten (10) business days after the Decree, Order or Judgment is rendered as specified in Rule 12.01. The trial Judge may cause the proper Entry to be prepared and filed without submission or notice to either Counsel or take such other action as may be appropriate under the circumstances including but not limited to directing the Clerk to refuse to allow the filing of any new pleadings in any case by either Counsel until the Judgment Entry described in paragraph 12.01 has been filed with the Clerk except in the emergency situation where a statute of limitations will expire or upon the express permission of the Judge.

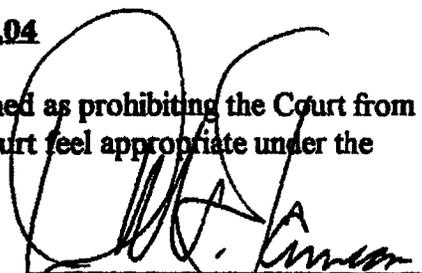
RULE 12.03

Counsel shall promptly submit an Entry of Dismissal to the Trial Judge following the settlement of any case. If Counsel fails to present such an Entry to the Trial Judge within ten (10) days after representing to the Court that a case has been settled the Trial Judge may order the case dismissed for want of prosecution.

RULE 12.04

Nothing contained in this rule shall be deemed as prohibiting the Court from taking any other action not enumerated herein that the Court feel appropriate under the circumstances.

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MARLON E. HILL, CLERK
SUPREME COURT OF OHIO


D. W. FAVREAU, JUDGE