

RULE 1. Adoption of Rules

1.01 The Clark County Common Pleas Court, Domestic Relations Division, Juvenile Section, hereafter the court hereby adopts the following rules for the governance of the practice and procedures in the Clark County Court of Common Pleas, Domestic Relations Division, Juvenile Section until otherwise provided pursuant to Article IV, Section 5(B) of the Ohio Constitution, Rule 5 of the Rules of Superintendence for the Courts of Ohio promulgated by the Supreme Court of Ohio and Ohio Revised Code Section 2123.15. Matters not specifically covered by these rules shall be governed by the appropriate state and local rules.

RULE 2. Scope and Construction of Rules

2.01 These rules are intended to provide for the management of proceedings and other functions of the court and to supplement and complement the Ohio Rules of Juvenile Procedure, the Ohio Rules of Civil Procedure, the Rules of Superintendence for the Courts of Ohio and controlling statutes.

2.02 These rules shall be applied, construed and enforced so as to avoid inconsistency with other rules of court and statutes governing proceedings of this court. In their application, they shall be construed and enforced so as to provide fairness and secure just, expeditious and inexpensive determination of all proceedings.

2.03 The judge or magistrate presiding over a hearing may permit exception from a rule upon specific request and for good cause shown.

RULE 3. Sanctions

3.01 Failure to abide by the rules governing this court may result in the imposition of sanctions. Sanctions that may be imposed include, but are not limited to, the following:

1. A case may commence without counsel, be continued, or be dismissed, as the court deems appropriate.
2. The court may order security personnel to remove persons in violation from the courtroom, hallway or building.
3. The court may impose fines and/or incarceration pursuant to a finding of contempt.
4. The court may remove a person from the list of those eligible for appointment as counsel or guardian ad litem.

RULE 4. Conduct in Court

4.01 Proper decorum in the court is necessary to the administration of the court's business.

4.02 Any person entering court facilities is subject to scanning by a metal detector and to a search of any bag, case or parcel by security personnel.

4.03 All persons entering the court shall dress in appropriate clothing. No one will be permitted in a courtroom dressed in any of the following: shorts, halter tops, midriffs, hats, bandanas, clothing with obscene or derogatory language, or any other clothing deemed inappropriate by the court.

4.04 No radio or television transmission, making or taking of pictures, or voice recording device (other than a device used by the court reporter for making a record of the proceeding before the court) shall be permitted without court approval.

4.05 All cellular phones, pagers and other communication devices must be turned off when in the court.

4.06 Children must be accompanied by an adult in all areas of the Clark County Juvenile Center.

4.07 Food and beverages are prohibited in the courtroom

4.08 Smoking is prohibited throughout the entire Clark County Juvenile Center.

RULE 5. Terms of Court

5.01 The term of court is one calendar year. All actions pending at the expiration of any term are automatically continued without further order. The judge may adjourn court or continue any case whenever, in his or her opinion, such adjournment or continuance is warranted.

RULE 6. Court Hours

6.01 The court facility and clerk's office at the Clark County Juvenile Center, 101 E. Columbia Street, where delinquency, traffic, adult contributing, abuse, neglect and dependency proceedings are held shall be open for the general transaction of business Monday through Friday from 8:00 a.m. to 4:30 p.m., excepting legal holidays or court order.

6.02 The court facility and clerk's office at the A.B. Graham Building, 31 N. Limestone Street, where paternity, support, visitation and custody proceedings are held shall be open for the general transaction of business Monday through Friday from 8:00 a.m. to 4:30 p.m., excepting legal holidays or court order.

6.03 The sessions of the court shall be conducted Monday through Friday from 8:00 a.m. to 12:00 p.m. and from 1:15 p.m. to 4:30 p.m., excepting legal holidays. The court shall be in session at such other times and hours as the judge shall prescribe to meet special situations or conditions.

6.04 Official sessions of court may also be conducted in various community facilities, as the court may deem appropriate.

RULE 7. Official Law Journal

7.01 The Springfield News-Sun shall be the official journal wherein shall be published all notices, advertisements and matters referred to in the Ohio Revised Code, absent a court order to the contrary.

RULE 8. Magistrates

8.01 Pursuant to Rule 40 of the Ohio Rules of Juvenile Procedure, Rule 53 of the Ohio Rules of Civil Procedure and Rule 19 of the Ohio Rules of Criminal Procedure, magistrates will preside over all matters assigned by the judge, including but not limited to hearings, pre-trials, and trials and issue any and all magistrate's decisions and magistrate's orders.

8.02 The magistrate's decision shall be effective when adopted by the court.

8.03 A party may file written objections to a magistrate's decision with fourteen (14) calendar days of the filing of the decision. The objection must be specific and state with particularity the grounds for objection.

RULE 9. Journal Entries

9.01 All judgment/journal entries shall become effective when time stamped and filed with the clerk.

RULE 10. Attorney Registration

10.01 Pursuant to Rule 6 of the Rules of Superintendence for Courts of Common Pleas, all documents filed with the court shall include the attorney's registration number issued by the Supreme Court of Ohio.

RULE 11. Recommendations of Bondsmen or Attorneys

11.01 No officer or employee of the court shall recommend bondsmen or attorneys to persons charged in the court, litigants, their friends or representatives, except that they may assist in procuring counsel for indigent persons.

RULE 12. Guardians Ad Litem

12.01 The court shall appoint a Guardian ad Litem in all cases where it is found to be necessary and appropriate to protect the interest of a child or when required to do so by statute or rule.

12.02 Parties may request the appointment of a Guardian ad Litem if they believe it is necessary to protect the interest of a child. Parties may be required to post a deposit with the clerk of this court in a sum determined by the judge for compensation of the services rendered by the Guardian ad Litem.

12.03 The Guardian ad Litem shall have full access to court records and is entitled to notice of all hearings and shall be forwarded copies of any and all filings made by other parties to the action.

RULE 13. Case Files

(A) Inspection of Case Files

13.01 A child's case file, as defined in Sup. R. 26, shall be open for inspection by the parents, guardians, or if deceased, next of kin, or by an attorney or guardian ad litem for any child or party to the proceedings. Otherwise, such records shall not be available to any person except by order or permission of the judge, by legal process from a court of competent jurisdiction, or by the written consent of the child who has reached majority and is no longer under the jurisdiction of the court. A record may also be released where otherwise required or authorized by law. A person requesting inspection of a child's case file shall provide to the clerk adequate proof of identification and/or relationship to the case before being permitted access. Inspections and examination of a case file and its contents may be conducted during regular business hours of the court. No original document, case file or any part of its contents may be removed from the court by any party.

13.02 Upon permanent termination of parental rights, the parent and the parent's representatives named above are prohibited from inspecting that portion of the child's case file generated after the termination.

(B) Copies of Case Files

13.03 Any person entitled to inspect a child's case file may request of copy of any document in the file. The clerk shall provide copies as requested, excepting official transcripts. Copies shall be provided during regular business hours within a reasonable time as determined by the clerk based upon the extent of the request. A fee for photocopying may be charged, as the court deems appropriate.

RULE 14. Probation Files

14.01 Reports and records of the Probation Department shall be considered confidential and shall not be made public. Rule 32(C) of the Ohio Rules of Juvenile Procedure shall govern the inspection of probation reports and records by attorneys and other interested parties. Any probation report, social history, or report prepared after a physical or mental examination at the direction of the court shall not be copied without approval of the court. The court may limit or deny inspection for good cause shown.

RULE 15. Record of Hearing

(A) Official Record

15.01 A complete record of all testimony or other oral proceedings shall be taken in shorthand, stenotype or by any other adequate mechanical or electronic recording device. This record shall be the official record of the case unless a transcript is filed pursuant to division (B) of this rule.

(B) Transcription of the Record

15.02 The transcription of a stenographic record or record taken by other mechanical or electronic device shall be the responsibility of the official court reporter or the person assigned by the judge to transcribe the record.

15.03 All requests for transcripts must be made in writing and require completion of the court's Request for Transcript of Proceedings form. The appropriate form shall be filed with the clerk and a copy of the request delivered to the court reporter.

15.04 The cost of a transcript shall be at the per page amount as the court shall from time to time determine to be appropriate and journalize in an entry of the court. Upon review of a request for transcript by the court reporter, an estimate for the cost of the transcript will be provided to the ordering party. An advance deposit of 100% of the estimated costs shall be posted with the clerk with the balance being due prior to delivery of a copy or filing of an original with the court. No transcript will be begun or provided until satisfactory arrangements for the payment have been concluded.

15.05 Requests for transcripts for the benefit of indigent parties other than those represented by the office of the Public Defender shall be submitted to the court and supported by an order of the court directing that a transcript be prepared at public expense.

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

15.07 All original transcripts shall be filed by the court reporter or person responsible for transcription with the clerk and shall thereby become part of the official record of the case. A copy will be provided to the ordering party, upon request, at a cost as determined by the court.

(C) Reproduction of Audio and Audiovisual Record

15.08 No copy of an audio or audiovisual record shall be made unless by order or permission of the judge. Any party requesting reproduction of an audio or audiovisual record shall file a motion with the clerk.

(D) Exhibits and Evidence

15.09 All exhibits must be marked and identified if referenced on the record. Once marked, all exhibits will be maintained in the sole possession of the court until the conclusion of the case, including time for appeal, unless the court orders return of the exhibit.

15.10 When evidence requires the use of other equipment or devices to be seen or heard, the proponent of the evidence bears the responsibility for producing such equipment or device at the hearing. The following court equipment may be utilized, subject to availability through prior arrangement with the bailiff: DVD and CD player and other such devices, video monitor, viewing screen for movies, slides or overhead projections, audio cassette player, dry erase board and flipchart.

RULE 16. Retention of Records

(A) Index, Docket and Journal

16.01 The index, docket and journal of the court are permanent records of the court and are not subject to destruction or disposal. The court may preserve these records on traditional paper media and/or electronic media, as the court deems appropriate.

(B) Administrative Records

16.02 The administrative records of the court shall be retained by the court pursuant to the retention schedule set forth in Rule 26.01 of the Rules of Superintendence for Courts (Appendix 1), or longer, as the court may deem appropriate. Traditional paper administrative records exceeding the required retention period(s) may be transferred to other media and/or destroyed by order of the court.

(C) Case Files

16.03 Case files will be retained pursuant to the retention schedule set forth in Rule 26.03(H) of the Rules of Superintendence for Court (Appendix 2), or longer as the court may deem appropriate. Documents contained in case files exceeding the required retention period(s) may be transferred to other media and/or destroyed by order of the court.

(D) Exhibits and Evidence

16.04 Upon the conclusion of a case, including time for appeal, the court may dispose of exhibits and evidence pursuant to law and at such time as it deems feasible following notice to the proponent, victim or owner as required by Rule 26(F)(1) of the Rules of Superintendence for Courts.

RULE 17. Security for Costs

17.01 Except as otherwise provided by the court, no pleading, action or proceeding shall be accepted by the clerk for filing unless the party initiating the action shall first deposit the costs of filing. A listing of such deposits shall be contained in the Schedule of Filing Fees and Costs (Appendix 3) established from time to time by this court and shall be posted in a conspicuous place in the clerk's office.

17.02 A poverty affidavit filed in lieu of an advance deposit must state the reason for the inability to prepay costs and is subject to court review at any stage of the proceedings.

17.03 In cases of delinquent, unruly, adult criminal and traffic offenses, court costs and fines shall be assessed as part of final disposition and are payable in full within 30 days of the filing of a dispositional order.

RULE 18. Payments Made in Excess of Amount Due

18.01 It occasionally happens that a party paying court costs, fines or other monies payable through the court will pay more than the amount due and this overpayment may

not be discovered until such time that it is not practical to give change to the overpaying party.

18.02 When an overpayment that is less than \$1.00 in value is discovered, the court shall make no refund and that money shall be paid by the clerk of this court into the General Fund as local costs.

18.03 In those situations in which the amount of the overpayment is \$1.00 or greater, all reasonable attempts will be made by the clerk of this court to refund the amount of the overpayment to the paying party.

RULE 19. Motions

19.01 In accordance with Criminal Rule 47, Civil Rule 7, and Rules 19 and 22 of the Ohio Rules of Juvenile Procedure, all motions other than ones made during trial shall be in writing unless permitted by the court to be made orally.

19.02 Motions shall be supported by a memorandum containing citations of authority and may also be supported by affidavit. Motions may be ruled upon by the court without oral hearing, unless otherwise ordered by the court. Additionally, the court may rule upon motions after the presentation of evidence or upon brief statements of the reasons in support and opposition thereof.

19.03 A child custody affidavit must be filed in all child custody proceedings except complaints for neglect, dependent and/or abused children.

RULE 20. Facsimile Filings

20.01 The provisions of this local rule are adopted under Juvenile Rule 8. Pleadings and other papers may be filed with the Clerk of this Court by facsimile transmission to: (937) 521-3200 or such other number as directed by the court.

20.02 Facsimile filing rules do not apply to appellate proceedings. In these proceedings no facsimile transmission of documents will be accepted.

20.03 A document filed by fax shall be accepted as the original filing. The person making a fax filing need not file any source document with the Clerk of this Court but must, however, maintain in his or her records and have available for production on request by the court the source document filed by fax, with original signatures as otherwise required under the applicable rules, until the case is closed and all opportunities for appeal are exhausted.

20.04 The person filing a document by fax shall also provide therewith a cover page containing the following information: the name of the court; the case caption; the case number; the title of the document being filed; the date of transmission; the number of pages included in the transmission; and the name, address and telephone number of the person filing the fax document.

20.05 Each exhibit to a facsimile produced document that cannot be accurately transmitted via facsimile transmission for any reason must be replaced by an insert page describing the exhibit and why it is missing. Unless the Court otherwise orders, the missing exhibit shall be filed with the court, as a separate document, not later than five (5) days following the filing of the facsimile document. Failure to file the missing exhibits as required by this paragraph may result in the court striking the document and/or exhibit.

20.06 Any exhibit filed in this manner shall be attached to a cover sheet containing the caption of the case which sets forth the name of the court, title of the case, the case number and the title of the exhibit being filed, and shall be signed and served in conformance with the rules governing the signing and service of pleadings in this court.

20.07 Subject to the provisions of these rules, all documents sent by fax and accepted by the clerk shall be considered filed with the clerk as of the date and time the clerk filestamps the document received, as opposed to the date and time of the fax transmission. The office of the clerk will be deemed open to receive facsimile transmission of documents on the same days and at the same time the court is regularly open for business. Faxes received after regular business hours shall be deemed filed the next business day.

20.08 The risks of transmitting a document by fax to the clerk of this court shall be borne entirely by the sender. Anyone using facsimile filing is urged to verify receipt of such filing by the clerk through whatever technological means are available.

20.09 No document filed by facsimile that requires a filing fee shall be accepted by the clerk for filing until court costs and/or fees have been paid. Documents tendered to the clerk without payment of court costs and/or fees will not be filed.

20.10 Additional fees may be assessed for facsimile and other electronic filings as ordered by the court.

RULE 21. Service

21.01 Unless otherwise requested, all service shall be by certified mail. It remains the responsibility of the party seeking the action to secure service of process in accordance with the Ohio Rules of Civil Procedure and/or Juvenile Procedure.

21.02 In all cases when service of process is to be accomplished by publication, it shall be the responsibility of the party to file a motion and affidavit for publication. No notice of publication will be initiated until the party has first deposited a sum to secure the payment of the costs, excepted as otherwise provided by law. Such advance deposit shall be in accordance with the Schedule of Filing Fees and Court Costs, which schedule shall be posted in a conspicuous place in the clerk's office.

21.03 Pursuant to Rule 16 of the Juvenile Rules of Procedure, service by publication may be accomplished through posting. A party seeking service publication through posting

shall file with the court a motion requesting service by publication through posting, an affidavit which avers that the residence of the person to be served is unknown and cannot be ascertained with due diligence and the efforts which evidence due diligence in finding a current address or why such efforts are impossible and a last known address, if available and an entry authorizing service by publication through posting.

21.04 The following locations are hereby designated as locations for posting of notices for service by publication through posting: Clark County Juvenile Center, 101 E. Columbia Street, Springfield, Ohio; Common Pleas Court of Clark County, Ohio, 101 N. Limestone Street, Springfield, Ohio and the Child Support Enforcement Agency, 1346 Lagonda Avenue, Springfield, Ohio.

RULE 22. Mediation

22.01 All matters under the jurisdiction of the court may be referred to mediation. The court shall facilitate the selection of a mediator.

22.02 The mediator shall not disclose the contents of the mediation except as agreed to by all parties or in accordance with applicable statutes and rules governing mediator disclosures.

22.03 The mediator shall submit an outcome report at the conclusion of the mediation sessions. If no agreement, the mediator shall state only that no agreement was reached. If the parties enter into an agreement, the agreement becomes part of the record and is an enforceable order of the court.

RULE 23. Ex Parte Communication

23.01 No attorney shall discuss the merits, either orally or in writing, of any litigation with a judge or magistrate presiding over the matter without the presence of opposing counsel or the party if not represented.

23.02 All unsolicited written communications received by the court shall be forwarded to all parties to an action with a notice of ex parte communication signed by the judge or magistrate receiving the communication.

RULE 24. Failure to Appear

24.01 If a moving party or counsel fails to appear at a scheduled hearing time, the judge or magistrate may dismiss the action, without prejudice.

24.02 If a responding party fails to appear at a scheduled hearing time, the judge or magistrate may proceed to hear and determine all issues.

24.02 Failure of counsel or a party to appear at a scheduled hearing time may result in sanctions being imposed pursuant to Clark County Juvenile Rule 3.

24.03 Failure of a party to appear at a scheduled hearing time may result in a warrant for apprehension being issued.

RULE 25. Orders of Apprehension and Warrants

25.01 No order of apprehension for a youth shall be issued from this court or by the clerk of this court absent an order from the judge or magistrate directing the issuance of the order of apprehension. Probation officers, law enforcement officers and others with information in this regard may make verbal or written recommendations to the court in a particular case, but no order of apprehension shall be issued unless the judge or magistrate has signed an order to do so.

25.02 Orders of apprehension for a youth may be recalled only upon an order signed by the judge or magistrate to do so.

25.03 No order for a capias or warrant for an adult shall be issued from this court or by the clerk of this court absent an order from the judge or magistrate directing the issuance of the same.

26.03 Orders for a capias or warrants for an adult may be recalled only upon an order signed by the judge or magistrate to do so.

RULE 26. Bonds and Recognizance

26.01 Bonds for adults shall be fixed by the judge or magistrate in each case upon arraignment or at such other time as may be determined.

26.02 Bonds or recognizance to appear as may be provided by the judge or magistrate shall be in the form as provided by law, order of this court or other court to which the person may be held to answer. Responsibility of parents for appearances of juveniles shall be considered on the same basis as bonds.

26.03 The sufficiency of sureties shall be determined by the judge or magistrate in each case.

RULE 27. Attorney's Fees and Expenses

27.01 A party seeking an award for payment of attorney's fees for retained counsel shall do so by written motion or other pleading pursuant to these rules, the Rules of Civil Procedure and the Rules of Juvenile Procedure. A motion for attorney's fees may be combined with requests for other relief.

27.02 In cases of court appointed counsel or Guardian ad Litem appointment paid at county expense, the attorney accepting the appointment shall submit the forms necessary for payment of fees and expenses and will be paid in accordance with the fee schedule as determined by the judge and the Board of County Commissioners.

27.03 Any request by court appointed counsel for fees in excess of the amount set by the fee schedule shall be accompanied by a motion and memorandum detailing the necessity for payment of extraordinary fees. The court shall review each request and shall exercise its discretion in approving or denying the request.

27.04 All fee requests shall be submitted within thirty days of the last court activity. Failure to submit a timely request could result in the disallowance of all or a part of the fee requested.

27.05 In cases of a Guardian ad Litem appointment not paid at county expense, the Guardian ad Litem shall be paid in accordance with the provisions of the order of appointment. A deposit may be required by the party/parties before the Guardian ad Litem is appointed. The Guardian ad Litem shall submit a motion detailing the services rendered with an order to release the deposit for the Guardian ad Litem's fee and payment.

27.06 Guardians ad Litem from CASA shall be appointed at the court's discretion.

RULE 28. COMPETENCY PROCEEDINGS

28.01 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.

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

28.03 Upon the conclusion of each hearing, the court shall provide written notice to the prosecuting attorney, the child's attorney, the child's guardian ad litem, and the child's parents, guardian or custodian of the date, time and place of the next scheduled hearing. Mailed notice shall not be required for any party of other individual designated in this rule to whom notice of the next hearing was provided in writing upon conclusion of the immediately preceding hearing.

28.04 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.

CASE MANAGEMENT PLAN

Pursuant to Sup. R. 5, the following case management plan establishes time frames for the timely disposition of cases. The time frames include time for service. Deviation from the established time frames is permissible to assure a just result.

DELINQUENCY AND UNRULY CASES

Complaint filed – Youth held in detention

1. A detention hearing and/or arraignment will be held not later than 72 hours or the next court day, whichever is earlier, after a youth is placed in detention. Either a determination to set the matter for possible relinquishment of jurisdiction or a plea to the charges will be taken at this hearing.
2. If the youth admits the charges or is adjudicated after a trial, the court will proceed to a dispositional hearing immediately if appropriate, or a dispositional hearing will be held within 14 days of the adjudication.
3. If the charge was filed at the same time the child entered into detention and the youth denies the allegations, a trial will be held no later than 10 days after placement in detention. If the youth is detained after the charge is filed, the trial will be held no later than 10 days after placement in detention. If a charge is filed and the youth is already detained on other charges, the trial will be held within 10 days of the filing of the charge.
4. Continuances of any of the above may be granted upon showing of good cause, but the continuances should be no longer than the period necessary to resolve the good cause or for a period not greater than 14 days.
5. Final disposition for any youth in detention will be completed within 90 days of the youth's entering into custody.

Complaint filed – Youth not in detention

1. An arraignment will be held within 21 days of a complaint being filed, and if possible, within 14 days.
2. If the youth admits to the charge, the court will proceed to immediate disposition if appropriate, or a dispositional hearing will be held within 21 days.
3. If the youth denies the allegations, a trial will be held within 30 days of the arraignment, and if possible, within 15 days.

4. Final disposition will be completed within 6 months of the filing of the charge.
5. Continuances of any of the above stages may be granted upon showing of good cause, but continuance should be for no longer than the period necessary to resolve the good cause.

TRAFFIC CASES

1. An arraignment shall be held within 15 days of the filing of the charge.
2. If the youth admits to the charge, the court will proceed to immediate disposition if appropriate, or a dispositional hearing will be held within 30 days.
3. If the youth denies the allegations, a trial will be held within 30 days of the arraignment, and if possible, within 15 days.
4. Final disposition will be completed within 90 days of the filing of the charge.
5. Continuances of any of the above stages may be granted upon showing of good cause, but continuances should be for no longer than the period necessary to resolve the good cause.

PARENTAGE AND CHILD SUPPORT CASES

1. Service of process will be sent within 72 hours of the filing of the complaint.
2. A hearing will be scheduled within 45 days of the filing of the complaint to allow for completion of service on the parties.
3. At the pre-trial hearing, if the court finds that a party was properly served and failed to file an answer and failed to appear at the hearing, the court may grant on oral motion to proceed with a default judgment.
4. If a party admits the allegations, the court will proceed immediately to the determination of a support order.
5. If a party denies the allegation, the court will set the date for genetic testing within 21 days.
6. If genetic tests show exclusion, the court may entertain a motion to dismiss.
7. If genetic tests show inclusion:
 - a. If the party changes plea to admit, the court will proceed immediately to the determination of a support order.

- b. If the party continues to deny, a trial will be held.
8. If service of the complaint is not completed within 6 months of the filing, the complaint may be dismissed for lack of service.
9. Continuances may be granted upon showing of good cause, but the continuances should be for no longer than is necessary to resolve the good cause.

CUSTODY AND PARENTING TIME CASES

1. Service of process shall be sent within 72 hours of the filing of the complaint along with notice of a preliminary hearing. The hearing shall be held within 60 days of the filings.
2. Pre-trial matters, including completion of discovery, should be resolved at preliminary hearings.
3. A trial shall be scheduled within 90 days of the last preliminary hearing.
4. Continuances may be granted upon showing of good cause, but the continuance should not be longer than necessary to resolve the good cause.
5. All custody/visitation complaints will be resolved within 9 months of the filing of the complaint, unless otherwise extended by the court for good cause shown.

ABUSE, NEGLECT AND DEPENDENCY CASES

1. Absent a voluntary agreement for care, when a child is removed from the home, a hearing will be held the next court date or within 72 hours, whichever is earlier.
2. When a private agency files a request for permanent commitment based on a permanent surrender, a hearing will be held within 30 days from the filing.
3. In all other cases, a hearing will be held within 14 days of the complaint being filed.
4. An adjudicatory hearing will be held within 30 days of the complaint being filed.
5. Disposition will occur no later than 90 days from the date a complaint was filed, unless the parties waive such period.

6. Continuances may be granted upon showing of good cause, but the continuances should be no longer than is necessary to resolve the good cause.

TEMPORARY ORDERS

1. Motions for emergency orders will be referred for hearing upon filing.
2. When an ex parte temporary order has been granted, a hearing will be scheduled as soon as practicable. The respondent may request an earlier hearing.

JURY MANAGEMENT PLAN

The opportunity for jury service should not be denied or limited on basis of race, national origin, gender, age, religious belief, income, occupation, disability, or any other factor that discriminates against a cognizable group in this jurisdiction.

JURY SOURCE LIST

1. The jury source list shall be obtained from the Board of Elections list of registered voters.
2. The jury commissioner appointed by the Clark County Common Pleas Court shall select the electors in accordance with the rules of practice of that court. The jury source list shall be representative and inclusive of the adult population of Clark County. The court reserves the right to review the jury source list to assure that it is inclusive and representative, and if necessary, to require appropriate corrective action.
3. Serious youthful offender cases may be presented to a grand jury impaneled by the Clark County Common Pleas Court or to a grand jury impaneled by the Clark County Juvenile Court.

RANDOM SELECTION PROCEDURES

Random selection procedures shall be used throughout the jury selection process. The methodology employed shall provide each and every available person with an equal probability of selection. The selection process is to be administered by the jury commissioner set forth in the Rules of Practice of the Clark County Common Pleas Court.

ELIGIBILITY FOR SERVICE

1. All persons are eligible for jury service except those who:
 - Are less than 18 years of age.
 - Are not citizens of the United States.
 - Are not residents of Clark County.
 - Are not able to communicate in the English language.
 - Have been convicted of a felony and not had their civil rights restored.
2. The Clark County jury commissioner or deputy jury commissioner is responsible for notification of prospective jurors as set forth in the Rules of Practice of the Clark County Common Pleas Court.

TERM OF AND AVAILABILITY OF JURY SERVICE

1. The time that persons are called upon to perform jury service and to be available should be the shortest period consistent with the needs of justice.
2. Jurors for juvenile court cases are to report to the jury commissioner's office in the Clark County Common Pleas Court in accordance with the procedures of the jury commissioner.
3. The juvenile judge's staff or the juvenile court administrator shall communicate with the jury commissioner to determine the availability of jurors as is needed on a case by case basis.

EXEMPTION, EXCUSE AND DEFERRAL

1. There shall be no automatic excuses or exemptions with the exception of statutory exemptions set forth in the Ohio Revised Code.
2. Persons who no longer reside in Clark County and persons convicted of a felony whose rights have not been restored are disqualified from jury service.
3. The term of juror service is to be determined by the Clark County jury commissioner.
4. The term of service shall be at a minimum sufficient to complete the trial in juvenile court in which the juror is impaneled.
5. The juvenile court judge presiding over the trial has the discretion to grant excuses or postponements for good cause shown. Requests for excuses or deferrals should be written or otherwise made of record.

VOIR DIRE

1. Voir Dire examination should be limited to matters relevant to determining whether to remove a juror for just cause and to determine the juror's fairness and impartiality.
2. To reduce the time required for voir dire, basic background information shall be available to counsel in writing for each party on the day in which jury selection is to begin.
3. The trial judge shall conduct a preliminary voir dire examination. Counsel shall then be permitted to question panel members for a reasonable period of time.
4. The judge should ensure that the privacy of prospective jurors is reasonably protected and the questioning is consistent with the purpose of the voir dire process.

5. In all cases, the voir dire process shall be held on the record.

REMOVAL OF THE JURY PANEL FOR CAUSE

If the judge determines during the voir dire process that any individual is unable or unwilling to hear the particular case at issue fairly and impartially, that individual shall be removed from the panel. Such a determination may be made on motion of counsel or by the judge.

PREEMPTORY CHALLENGES

Rules determining procedure for preemptory challenges shall be in accordance with the Ohio Rules of Civil and Criminal Procedure adopted by the Supreme Court of Ohio and applicable statutory authority.

ADMINISTRATION OF THE JURY SYSTEM

1. The responsibility for administration of the jury system is vested in the court and the jury commissioner.
2. All procedures concerning jury selection and service shall be governed by applicable Ohio rules as promulgated by the various courts.
3. Management of the jury system is to be by the trial judge, the judge's staff and the juvenile court administrator.

NOTIFICATION AND SUMMONING PROCEDURES

Procedures governing notification and summoning of jurors are set forth in the Rules of Practice of the Clark County Common Pleas Court and are administered by the jury commissioner.

MONITORING THE JURY SYSTEM

The jury commissioner shall collect and analyze information regarding the performance of the jury system as is set forth in the Rules of Practice of the Clark County Common Pleas Court.

JUROR USE

1. Courts should employ the services of prospective jurors so as to achieve optimum use with a minimum inconvenience to jurors.
2. The jury commissioner is responsible for management and assignment of jurors and the effective use of jurors.

JURY FACILITIES

1. The court shall provide an adequate and suitable environment for jurors.
2. The jury deliberation room should include space, furnishings and facilities conducive to reaching a fair verdict. The court shall ensure the safety and security of the deliberation room.
3. To the extent feasible, juror facilities are to be arranged to minimize contact between jurors, parties, counsel and the public.

JUROR COMPENSATION

1. Persons called for jury service shall receive compensation as established by the Clark County commissioners pursuant to Ohio Revised Code Section 2313.34
2. Fees for juror compensation shall be paid promptly.
3. Employers shall be prohibited from discharging, laying-off, denying advancement opportunities to, or otherwise penalizing employees who miss work because of jury service.

JUROR ORIENTATION AND INSTRUCTION

1. The judge's staff shall conduct a juror orientation that is designed to increase prospective jurors' understanding of the judicial system and prepare them to serve competently as jurors.
2. The orientation shall be presented in a uniform and efficient manner and may use a combination of written, oral and audiovisual materials.
3. The court may provide additional orientation or instructions to persons called for service upon first appearance in the court and upon reporting to the courtroom for voir dire.
4. The trial judge should:
 - a. Give preliminary instructions to all prospective jurors.
 - b. Give instructions directly following impanelment of the jury to explain the jury's role, the trial procedures, including note taking and questions by jurors, the nature of evidence and its evaluation, the issues to be addressed and the basic relevant legal principles.

- c. Prior to the commencement of deliberation, instruct the jury on the law, on the appropriate procedures to be followed during deliberations, and on the appropriate method for reporting the results of its deliberations. These instructions should be made available to the jurors during deliberations.
- d. Prepare and deliver instructions that are readily understood by individuals unfamiliar with the legal system.
- e. Use written instructions when feasible.
- f. Assure that all communications between the judge and members of the jury panel from the time of reporting to the courtroom for voir dire to the panel's dismissal shall be in writing or on record in open court. Counsel for each party shall be informed of such communication and be given the opportunity to be heard.
- g. Before dismissing a jury at the conclusion of a case, the trial judge should:
 - 1. Release the jurors from their duty of confidentiality;
 - 2. Explain their rights regarding inquiries from counsel or the press;
 - 3. Either advise them that they are discharged from service or specify where they must report; and,
 - 4. Express appreciation to the jurors for their service, but not comment on the result of the deliberation, or express approval or disapproval of the result of the deliberation.

JURY SIZE AND UNANIMITY OF VERDICT

Jury size and unanimity in civil and criminal cases shall conform to existing Ohio law.

JURY DELIBERATION

- 1. Jury deliberations should take place under conditions and pursuant to procedures that are designed to ensure impartiality and enhance rational decision-making.
- 2. The judge should instruct the jury concerning appropriate procedures during deliberations.
- 3. A jury should not be required to deliberate after a reasonable hour unless the trial judge determines that evening or weekend deliberations would not impose an undue hardship upon the jurors and are required.

4. Training should be provided to court personnel who escort and assist jurors during deliberations.

SEQUESTRATION OF JURORS

1. A jury should not be sequestered unless for good cause, including but not limited to insulating its members from improper information or influences.
2. The trial judge shall have the discretion to sequester a jury on the motion of counsel or on the judge's initiative.
3. The judge's courtroom staff and the juvenile court administrator shall have the responsibility of providing for the safety and comfort of the jurors.
4. The court administrator is responsible for developing procedures to implement and achieve the purposes of sequestration.
5. Training shall be provided to court personnel who escort and assist sequestered jurors.

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APPENDIX 1 Retention Schedule for Administrative Records of the Courts

APPENDIX 2 Retention Schedule for case files – juvenile division

APPENDIX 3 Schedule of Filing Fees and Court Costs

CASE MANAGEMENT PLAN

JURY MANAGEMENT PLAN