

The Supreme Court of Ohio

MEMORANDUM

TO: Chief Justice Maureen O'Connor

CC: Michael L. Buenger, Administrative Director
Milt Nuzum, Director, Judicial Services Division
Stephanie Hess, Director, Court Services Division

FROM: Judge Deborah A. Alspach, Marion County Family Court
Jennifer Justice, Deputy Director, Ohio Department of Job and
Family Services, Office of Families and Children
Co-Chairs of the Advisory Committee on Children and Families

DATE: January 23, 2015

SUBJECT: 2014 Annual Report on the Advisory Committee on Children and Families

In compliance with the Operating Guidelines for the Advisory Committee on Children, Families, and the Courts we are pleased to present our annual summary detailing the Committee's activities and accomplishments during 2014.

The Advisory Committee was created in 2002 with the purpose to provide ongoing advice to the Court and its staff regarding the promotion of statewide rules and uniform standards concerning the establishment and operation of programs for children and families in Ohio courts, the development and delivery of services to Ohio courts on matters involving children and families, including training programs for judges and court personnel, and the consideration of any other issues the advisory committee deems necessary to assist the Court and its staff regarding children and families in Ohio courts. The Advisory Committee on Children and Families has continued to be an active body. Detailed below, the activities have continued to address a broad spectrum of issues including child protection, kinship care, adult guardianships, and domestic relations and juvenile rules.

The Subcommittee on Responding to Child Abuse, Neglect, and Dependency (CAND), chaired by Rhonda Reagh, Ph.D. (Greene County), continued its work on the Ohio Differential Response Project. There are currently 88 counties implementing differential response completed by July 2014 the statewide implementation. During 2014, 10 new counties were added to the project. The subcommittee continued its study of kinship care in Ohio. Additionally, the subcommittee is discussing several issues raised in the 2013 report of the Attorney General's Advisory Group on Foster Care. These topics include foster youth participation in court hearings, ensuring that substitute caregivers are provided with notice and an opportunity to be heard at court hearings, and juvenile court implementation of Sup.R. 48 regarding guardians ad litem in juvenile cases. Two toolkits have been developed – one on foster youth participation in court hearings and caregiver notice – and are in the

stages of completion. Recommendations for the Sup.R. 48 guardians ad litem in juvenile cases are expected during 2015.

The Subcommittee on Family Law Reform Implementation, co-chaired by Judge Matt Staley (Allen County) and Chief Magistrate Serpil Ergun (Cuyahoga County) was formed to implement recommendations from the Advisory Committee's 2005 Report and Recommendations on Family Law Reform. The Workgroup on Confidential Files drafted an amendment to Sup.R. 44 that provides specific guidance for domestic relations and juvenile courts in their usage of confidential "family files". This amendment is undergoing public comment from December 20 until February 20, 2015. These files often contain mental health and medical documents and parenting recommendations germane to court proceedings, but deemed as inappropriate for a public record file. This rule strives to minimize parental conflict and protect the family and child. The domestic relations (DR) guard ad litem (GAL) Workgroup reviewed Sup.R. 48 regarding guardians ad litem in domestic relations cases and has drafted amendments to the rule. The next step is to meet with the CAND once their recommendations to Sup.R. 48 have been prepared. A Legislative Reform Workgroup was formed to focus on language that reflects the continuing roles and responsibilities of both parents when they are not living together, and to make Ohio's statutes involving parenting issues more child-centered.

The Subcommittee on Adult Guardianship, chaired by Judge Dixilene Park (Stark County), was formed to make recommendations for standards of practice, data collection, and monitoring protocols in adult guardianship matters. A small workgroup of subcommittee members have been working with staff to format the recommended standards of practice for adult guardianship as a Rule of Superintendence. Sup.R. 66 is being presented to the justices on February 3, 2015, for consideration. Similar to the standards for guardians ad litem which became effective in March 2009, the proposed probate court guardian standards address areas such as duties, ethics, caseload, training, record keeping, and minimum required contacts with a ward. The subcommittee has suggested content for guardian education and the Ohio Judicial College will convene a workgroup to develop and pilot an education program on May 14 and 15, 2015. The subcommittee is discussing ways to better interface with various federal agencies on guardianship issues.

Thank you for your support and the continued opportunity to improve the delivery of court services to Ohio's children and families. We welcome your feedback and suggestions on the Advisory Committee's work.