COURT OF COMMON PLEAS
JUVENILE DIVISION
LOCAL RULES
FOR

DEFIANCE COUNTY, OHIO **221 Clinton Street** **Defiance, Ohio 43512** **Phone: (419) 782-4181** **Fax: (419) 783-4811** **www.defiance-county.com**	**HENRY COUNTY, OHIO** **660 N. Perry Street, Suite 401** **Napoleon, Ohio 43545** **Phone: (419) 599-5951** **Fax: (419) 599-0179** **www.henrycountyfamilycourt.com**
WILLIAMS COUNTY, OHIO **1 Courthouse Square, Second Floor** **Bryan, Ohio 43506** **Phone: (419) 636-1548** **Fax: (419) 636-5405** **www.co.williams.oh.us**	

2012
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LOCAL RULES

OF

PROCEDURE

IN THE JUVENILE DIVISIONS
OF

THE COURTS OF COMMON PLEAS OF DEFIANCE, HENRY

AND WILLIAMS COUNTIES, OHIO

As adopted through

June 1, 2012
and revised April, 2017

Defiance County: Phone (419)782-4181; Fax (419)783-4811

Henry County: Phone (419)599-5951; Fax (419)599-0179

Williams County: Phone (419)636-1548; Fax (419)636-5405

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JUVENILE DIVISIONS

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CHAPTER 1 -- GENERAL PROVISIONS

JR 1.1 Purpose and Applicability

(A) The following Local Rules are adopted by the Juvenile Divisions of the Courts of Common Pleas of Defiance, Henry and Williams Counties (hereinafter referred to as “the Court”) to provide the fair and expeditious administration of juvenile justice. The provisions herein are to be construed and applied to eliminate delay, unnecessary expense and all other impediments to a just determination of juvenile cases.

(B) These Rules may be amended upon the approval of the judges of the Court.

(C) Failure to comply with these Rules may result in appropriate sanctions, including but not limited to, an award of attorney fees, costs and dismissal of the action or granting of judgment.

(D) The term "Judge" as set forth in these rules means a judge exercising authority as a judge for the Court pursuant to order, rule, or statute. The term “Magistrate” as set forth in these rules means a duly appointed magistrate.

(E) The term "Rules" as set forth in these rules means the local rules of the Court as set forth herein.

(F) The terms "this Court", "the Court" and "Court" shall be interpreted to mean the Court and its actions as directed by the judges or through the magistrates of the Court. All rules, unless specifically set forth to the contrary, shall apply equally in proceedings before the judges and magistrates of the Court.

(G) The Rules of Superintendence for the Courts of Ohio as promulgated from time to time and amended by the Ohio Supreme Court are hereby adopted as rules of this Court except as they may be modified or implemented herein.

JR 1.2 Court Hours

The Court is in session from 8:30 AM until 4:30 PM Monday through Friday unless it is a holiday or unless otherwise ordered in a given county by the judge of that county’s Juvenile Court.

CHAPTER 2 -- RECORDS

JR 2.1 Family File – Confidential Records and Documents

(A) Documents filed in any case containing sensitive personal information shall be date-stamped and kept in a separate Family File.

(B) The family file shall contain the following items:
  (1) Tax returns;
  (2) Reports of psychological or custody evaluations;
  (3) Medical reports;
  (4) Reports of supervised parenting time or supervised parenting time exchanges;
  (5) Reports of a home study evaluator or guardian *ad litem*;
  (6) Reports of medical or drug testing;
  (7) Application for child support services;
  (8) Letters to the Court from parties, child(ren) and/or other individuals;
  (9) Victim impact statements;
  (10) School reports;
  (11) Other items as directed by the Court.

(C) Upon motion of any party or upon the Court's own motion, other documents containing sensitive personal information may be ordered to be kept in the Family File. If there are documents which are to be filed in the "public file" containing social security numbers or any other individual identifying information, the same shall be redacted on those documents in the Official File.

(D) The Official File shall contain, in place of the document contained in the Family File, a Notice of Filing prepared by the Deputy Clerk reflecting the filing of the document and the date thereof (e.g., "Notice is hereby given that on [*date of filing*] a [*name of document*] was filed by [*person or party filing document*], which shall be maintained in the Family File").

(E) In the event the Court conducts an *in camera* interview of any child, upon request of any party or in its own discretion, the Court shall hold the transcript thereof, if any, in the Family File. A transcript of said recording shall only be made available to counsel or to the parties after the filing of Objections to a Magistrate's Decision to the Court or an appeal to the Court of Appeals. Otherwise, the recording shall not be made available to a party, counsel or any other individual or entity without court approval.

(F) Contents of the Family File may be inspected and reviewed by the parties, an attorney or the county CSEA's counsel or representative only upon request made to the Court. Court Order 1 may be used to request and order inspection and review of the Family File. Contents of the Family File shall be otherwise available for inspection and review only by Court personnel, mediators assigned to cases, guardians *ad litem*, and parenting coordinators in the performance of their required duties or as the Court may direct.

(G) Authorized viewers may take notes while reviewing confidential reports and documents, but are strictly prohibited from photocopying these documents, distributing or showing them to unauthorized individuals, or removing them from the Courthouse. Upon completing a review of confidential reports/documents, these documents are to be immediately returned to the judge, magistrate or designated Deputy Clerk.

(H) At times, and at the sole discretion of the judge or magistrate, copies of certain documents may be provided to attorneys of record or guardians *ad litem*. If that is done, no additional copies may be made and the attorney receiving the same shall not allow distribution of all or part of said documents to anyone without written permission of the judge or magistrate. In the interest of preventing the dissemination of confidential information regarding other persons in reports from a guardian *ad litem*, a CASA, a psychologist or a home study evaluator, or other similar documents, attorneys may allow their clients to read any recommendations set out in the reports and may discuss the entire report with their clients. However, attorneys shall not allow clients to read the entire document and shall not give the client or anyone else a copy of the document without prior court permission. When those documents are provided to attorneys, a notice shall be attached to the front thereof stating the following:

NOTICE

You are receiving this document per direction of the Court in order to assist in trial preparation. Please be advised that you may allow your client to read the recommendations set out in the document and you may discuss the remainder of the contents with your client. At the conclusion of your representation of your client this document, in its entirety, shall be returned to the Court.

Per Court Rule, you shall not allow your client to read the entire document and you shall not give your client or anyone else a copy of the document without prior permission of the Court.

JR 2.2 Official File and Probation File

In addition to those cases in which a Family File, as described above in JR 2.1, is kept, two types of records may be maintained in delinquency, unruly and juvenile traffic offender cases. One type of those records shall be designated as the official file. The other type of those records shall be designated as the probation file which shall be kept for use by the Court, the probation staff, support services and counsel of record.

JR 2.3 Obtaining Copies of Records, Reviewing Records

(A) Copies of documentary records which are not set forth in rule JR 2.1 shall be furnished by the clerk to persons entitled by law to have such copies, upon

payment of the fee as directed by the Court and upon presentation of a completed records request form. Records, transcripts, and copies of electronically recorded transcripts pertaining to cases not listed in rule JR 2.1 provided to parties pursuant to subsections (A) through (C) of this rule, by statute, or pursuant to the rules governing the Courts of Ohio shall be subject to an ongoing order of the Court that no public use may be made of such records or transcripts.

(B) Pursuant to Rule 11 of the Ohio Rules of Superintendence, upon request of any party to any proceedings before the Court, the Court may permit review of any unsealed electronically recorded transcript by such party. Upon any party's request to obtain a copy or copies of unsealed electronically recorded transcripts, the Court shall provide such copy or copies to the requesting party, subject to the restrictions set forth in subsection (A) of this rule.

(C) Blank Record Request Forms (Form 3) and blank Application and Order to Prepare Transcript (Court Order 6) forms shall be available upon request.

(1) Except as otherwise provided in section (D) of this rule, transcripts of proceedings shall be provided only for the purpose of an appeal, an objection or other use as authorized by the Court.

(2) Except as otherwise provided in section (D) of this rule, all transcripts prepared by the Court shall contain this disclaimer in bold, clear, and conspicuous type on the front page thereof:

THE COURT HAS PROVIDED THIS TRANSCRIPT FOR THE SOLE PURPOSE OF AN APPEAL OR OBJECTION OR OTHER PURPOSE. PURSUANT TO OHIO JUVENILE RULE 37, ANY PUBLIC USE OF ANY PART OF THIS DOCUMENT BY ANY PERSON OR PARTY, WITHOUT THE CONSENT OF SAID COURT, IS PROHIBITED. COPYING OF ANY PART OF THIS TRANSCRIPT BY ANY PERSON OR PARTY MAY SUBJECT SAID PERSON OR PARTY TO SANCTION BY THIS COURT FOR CONTEMPT OF COURT.
DISTRIBUTION OR DISSEMINATION OF ANY PART OF THIS TRANSCRIPT, BY ANY PERSON OR PARTY, TO ANY OTHER PERSON OR PARTY FOR ANY PURPOSE OTHER THAN SAID APPEAL OR OBJECTION MAY, REGARDLESS OF THE MEANS OF DISTRIBUTION OR DISSEMINATION, SUBJECT SAID PERSON OR PARTY TO SANCTION BY THIS COURT FOR CONTEMPT OF COURT.

(D) Requests for consent of the Court to use or disseminate records, transcripts, or electronically recorded transcripts prepared or released pursuant to subsections (A), (B), or (C) of this rule other than for appeal or objection, public records requests except those made regarding records listed under rule JR 3.2, requests for copies of records or copies of electronically recorded transcripts except those made available as set forth in rules JR 3.2 and JR 3 (A) through (C) shall be provided in accordance with this subsection:

(1) Such records and transcripts shall be released only after the parties to the case or cases involved in the request are provided with a reasonable opportunity to be heard on the question of whether or not said records should be open or closed.

(2) Upon receipt of the request, the Court shall ascertain the names of and the last known addresses of all of the parties and their counsel of record to the case or cases involved in the request and shall send notice to said parties and their counsel of record by ordinary mail regarding the request.

(3) Said notice shall advise the parties and their counsel of the nature of the request and the identity of the person or entity by whom the request was made.

(4) In the text of said notice, the Court shall advise the parties that the Court will release the records requested to the requesting person or entity unless a party or their counsel files, within fourteen (14) calendar days of the date of the mailing of the notice, a motion for a closure hearing regarding the request.

(5) Upon receipt of a motion for a closure hearing relating to a public records request, the Court shall schedule a preliminary hearing within thirty (30) days of the filing of the motion and shall notify the person or entity making the request, the moving party or parties, and the other parties to the case of the date and time of the preliminary hearing.

(E) The cost of preparation of a printed transcript of any court proceeding shall be paid by the requesting party before the transcript is prepared.

CHAPTER 3 -- COSTS

JR 3.1 Court Cost Deposits

Except in cases wherein the party seeking to file has presented the Court with an affidavit of indigency for filing purposes, any document, pleading, motion, request, objection, petition or complaint filed without payment of the court cost deposit to the clerk, as listed in Appendices B-1 (Defiance County), B-2 (Henry County) and B-3 (Williams County), may be summarily stricken by the Court.

JR 3.2 Affidavit of Indigency

Any party or person requesting a finding of indigency shall complete an affidavit of indigency as set forth in Form 1.

JR 3.3 Payment of Fines, Costs and Fees

Except as permitted by the Court for good cause shown, all ordered fines, costs, supervision fees, child support, and restitution shall be paid prior to the expungement of any delinquency, unruly, juvenile traffic offender, adult criminal case and/or prior to the transfer, certification, or referral of any matter to another jurisdiction.

JR 3.4 Refunds

Any overpayment of amounts owed to the Court in the amount of $1.00 or less will not be refunded. Amounts over $1.00 will be refunded to the payor unless otherwise ordered by the Court.

JR 3.5 Outstanding Court Costs

In the event an individual has outstanding unpaid court costs and wishes to reopen a case or file a new case, all outstanding court costs shall be paid prior to the Court accepting the reopening pleading or the new case for filing.

CHAPTER 4 -- COMPLAINTS, FILINGS, MOTIONS

JR 4.1 Instructions for Service of Initial Pleadings

All initial pleadings shall include instructions to the clerk indicating the manner of service.

If service of process is not made upon a party within six months after the filing of the Complaint or a Motion reopening a case, the Court on its own initiative may dismiss the action as to that party, without prejudice.

For self-represented litigants: If you receive notice from the clerk of courts that service of the pleadings and other paperwork that you filed has not been served on a party, you must give the clerk new instructions to serve the party. Service can be made in the following manner:

- personal service
- residence service
- certified or express mail
- commercial carrier service
- service by publication
- service by posting

If service is initially attempted by certified mail, express mail, or commercial carrier service and was refused or unclaimed, service may be made by ordinary mail with a certificate of mailing filed at least ten (10) days prior to the hearing date.

If instructions for service are not given to the clerk, the party will not be served and your case will not be able to go forward. If the address for the party is unknown, the rules of service by publication or posting must be followed.

JR 4.2 Instructions for Service of Motions to Show Cause

All motions to show cause shall be served upon the alleged contemnor with a summons for contempt, pursuant to instructions to the clerk to be filed with the motion.

JR 4.3 Motions for *Ex Parte* Orders

(A) All complaints and other pleadings wherein *ex parte* hearings or orders and/or emergency hearings or orders are requested, shall be accompanied by an affidavit, otherwise supported by documentation attested to under oath, or supported by sworn testimony which specifically sets forth the facts upon which the alleged emergency is based. Complaints or motions that reactivate dormant cases wherein *ex parte* hearings or orders and/or emergency hearings or orders are requested shall also include a request for some type of final order or relief.

(B) When an emergency or *ex parte* order is issued, the Court will schedule a hearing within ten (10) days if requested or if deemed appropriate by the Court. In the event no request for a hearing is received, the Court shall schedule a hearing within three (3) weeks from the date of service.

(C) The following language shall be included in all *ex parte* orders:

THE COURT HAS ISSUED AN *EX PARTE* TEMPORARY ORDER BASED SOLELY UPON THE EVIDENCE PROVIDED BY AN OPPOSING PARTY. YOU MAY REQUEST A HEARING ON THIS MATTER. YOU HAVE THE RIGHT TO RETAIN COUNSEL AND SHOULD HAVE RETAINED COUNSEL PRESENT WITH YOU AT ANY HEARING. THIS IS A TEMPORARY ORDER AND THE COURT WILL REVIEW ALL THE EVIDENCE OF THE PARTIES AT ANY REQUESTED HEARING.

JR 4.4 Requirements for Filing

(A) All documents to be filed shall be typewritten or legibly written on 8½" X 11" paper or on forms provided by the Court. The clerk may refuse to file any document submitted which does not comply with this rule.

(B) All complaints, pleadings, motions, and other filings must be properly captioned with the name of the case in the upper left hand corner of the first page and the case number in the upper right hand corner of the first page.

(C) All complaints and case plans in all cases, including child support cases, must contain the names, addresses, and dates of birth of all parties to the action (if known or reasonably ascertainable).

(D) All complaints, filings, pleadings, and motions filed regarding any issue of parentage or child support must contain the names, dates of birth, addresses, of the parents as well as the names of any children subject to such court action (if known or reasonably ascertainable).

(E) A copy of the birth certificate, court order or the administrative finding which establishes that a parent-child relationship exists between a complainant and the child subject to the jurisdiction of this Court shall be attached to any complaint regarding parentage, custody, visitation, or support as filed by any complainant who claims to have a parental relationship with such child.

(F) All notices of intent to relocate shall be filed together with a fee, as may be established, to cover the cost of service of said notice, using Form 4. Said notice shall include the address to which the party is relocating, if known, and, at a minimum, the city and state to which he or she is relocating. Such notice must be sent within the following time frames: (1) If relocation within the school district of residence – in advance of the move; (2) If relocating outside the school district of residence -- at least thirty (30) days in advance of the move; (3) If relocating outside the county of residence -- at least sixty (60) days in advance of the move. Shorter

time periods for the filing of the notice of intent to relocate may be granted by the Court for good cause shown.

JR 4.5 Filing by Mail

When filing documents by mail, the following conditions must be met:

(A) The proper filing fee must accompany the document to be filed.

(B) Sufficient copies and a stamped and addressed envelope for return of file-stamped copies must accompany the document to be filed.

(C) The document to be filed must comply with all pertinent statutes and rules.

JR 4.6 Filing by Facsimile Transmission

In conformity with Juv. Rule 8, pleadings, motions, applications and other filings may be filed with the Court by facsimile transmission subject to the following conditions:

(A) *Application of Rules and Orders.* This Rule has been instituted solely for the convenience of those filing documents with the Court. The sender assumes all responsibilities, obligations and liabilities for using this method of filing. This Local Rule pertains only to facsimile filings and does not override, alter, amend, revoke or otherwise change any Local Rule or Ohio Juvenile Rule respecting the requirements of any filings such as obtaining the consent of parties or counsel or obtaining signatures or the authorization to sign for opposing counsel.

(B) *Filings Not Accepted.* Any filings commencing a proceeding for which the Court must collect an initial case deposit against costs or a specific filing fee and/or for which the Court is required to effectuate service of summons may **NOT** be filed by facsimile transmission.

(C) *Facsimile Cover Page.* All filings by facsimile shall be accompanied by a cover page that states all of the following information: (1) date of transmission; (2) the transmitting fax number; (3) case number and caption of the case in which the document is to be filed; (4) description of the document to be filed; (5) the assigned judge; (6) and an indication of the number of pages included in the transmission, including the cover page.

If a document is sent by fax to the Clerk of Court without the cover page information listed above, it may be deposited in the case jacket but need not be entered into the Case Docket and may be considered to be a nullity and thereby stricken from the record.

(D) *Facsimile Machine.* The telephone number of the facsimile machine available for receiving fax filings for the Court is the number published on the cover sheet of these Rules and is available to receive facsimile transmissions 24 hours a day, 7

days a week. Transmissions sent to any other location are not covered by nor permitted under this Local Rule.

(E) *Document Restrictions.* A "fax transmission," as referred to in this Local Rule, may contain more than one document but may not apply to more than one case number per transmission. Regardless of the number of documents being sent, facsimile transmissions may not be in excess of twenty (20) pages each excluding the facsimile cover page. If the document to be transmitted exceeds the page limit established by this local rule, the original must be filed.

(F) *Filing Acceptance or Rejection.* The Court is authorized to reject any facsimile transmission filing if the sender fails to provide the facsimile cover page required under Section (C) of this Rule or if the transmission contains a filing not acceptable under Section (B) of this Rule.

(G) *Time of Filing.* The date and time or receipt of any document is the date and time imprinted on the document by the facsimile machine receiving the transmission. The effective date and time of filing for all documents received outside of the normal business hours of the office of the Clerk of Court shall be the next date that the Court is in session. Documents so received shall be file-stamped in order of their receipt as documented by the date and time imprinted by the receiving facsimile machine.

(H) *Original Filing.* Documents filed by facsimile are accepted as the effective original document in the court file. The source document need not be filed. However, the sending party must maintain possession of the source document and make them available for inspection by the Court upon request until all opportunities for post judgment relief have been exhausted.

(I) *Signatures*. Documents shall be filed with a signature or a notation "/s/" followed by the name of the person signing the source document. The person transmitting the document represents that the signed source document is in his or her possession.

(J) The Clerk of Court <u>need not</u> acknowledge receipt of a facsimile transmission.

(K) When a party or counsel files a pleading by facsimile, the party or counsel shall immediately serve a copy of the pleading by facsimile on opposing counsel or self-represented party at a known fax number. If there is not a known fax number, then by ordinary mail.

JR 4.7 <u>Required Memoranda or Affidavits</u>

All motions shall specify the order or modification requested, the circumstances which justify the order or modification and shall be supported by a memorandum or affidavit that is incorporated into or annexed to the motion. Motions and supporting memoranda or affidavits shall be filed along with a copy for service on parties.

JR 4.8 Entry of Appearance

Unless an attorney has previously been identified in a pleading filed in the matter, an entry of appearance shall be filed with the Court and served upon all other parties.

CHAPTER 5 -- DETENTION AND SHELTER CARE HEARINGS

JR 5.1 All juveniles received into shelter care or detention shall be brought before the judge or magistrate for a shelter care or detention hearing as provided in Rule 7(F) of the Ohio Rules of Juvenile Procedure. If a parent is unable to attend an initial shelter care hearing or detention hearing or has not received notice of the hearing, a rehearing may be held pursuant to Rule 7(G) of the Ohio Rules of Juvenile Procedure. An objection to the magistrate's shelter care or detention order shall be filed in writing requesting a review by the judge, who may or may not, at his or her discretion, hold a rehearing.

CHAPTER 6 -- SERVICE BY PUBLICATION

JR 6.1 Service by Publication

(A) Both service by publication in a newspaper of general circulation within the respective county and by posting is authorized. If service by publication, either in a newspaper or by posting, is needed, the plaintiff shall so inform the assignment clerk at the time of the filing of the pleading or as soon thereafter as possible of the need for service by publication and as to which method will be utilized. Service by publication shall be made in accordance with Ohio Juv. R. 16(A).

(B) Service by publication may be accomplished through posting and perfection of service as set forth in Ohio Juv.R. 16. The party seeking service by publication through posting shall file with the Court:

(1) A motion requesting service by publication through posting;

(2) An affidavit which avers that the residence of the person to be served is unknown and cannot be ascertained with due diligence, the efforts which evidence due diligence in finding a current address or why such efforts are impossible and a last known address, if available;

(3) An entry authorizing service by publication through posting;

(4) The summary statement required by Ohio Juv. R. 16 to be posted.

(C) The following locations are hereby designated as locations for posting of notices for service by publication through posting, pursuant to Ohio Juv. R. 16:

(1) For Defiance County cases:
- (a) Defiance County Courthouse, 221 Clinton Street, Defiance, OH;
- (b) Defiance County Department of Job and Family Services, 6879A Evansport Road, Defiance OH;
- (c) Defiance County Child Support Enforcement Agency, 1300 East Second Street, Suite 204, Defiance, OH.

(2) For Henry County cases:
- (a) Henry County Courthouse, 660 N. Perry Street, Napoleon, OH;
- (b) Henry County Department of Job and Family Services, 104 E. Washington Street, Napoleon, OH; and
- (c) Henry County Child Support Enforcement Agency, 1809 Oakwood Avenue, Napoleon, OH.

(3) For Williams County cases:
- (a) Williams County Courthouse, One Courthouse Square, Bryan, OH.
- (b) Williams County Department of Job and Family Services, 11 W. Butler Street, Bryan, OH;
- (c) License Bureau of Bryan, 13065 County Road D-50C, Bryan, OH

CHAPTER 7 -- SCHEDULING AND CASE MANAGEMENT

JR 7.1 Scheduling Cases with Assignment Clerk

All cases and hearings (other than those scheduled from the bench, emergency hearings, and *habeas corpus* hearings as set forth in rules JR 9.2 and JR 9.3) shall be scheduled by the assignment clerk. When requesting a hearing on motions, complaints, petitions or otherwise, the attorney or party shall advise the assignment clerk of the time needed for hearing. Absent such advisement, the assignment clerk shall assign ½ hour of hearing time for the request. If, at the time scheduled for the hearing, it is apparent that insufficient time has been requested, the Court may *sua sponte* continue the matter, placing orders into effect pending that hearing as the Court finds appropriate.

JR 7.2 Establishment of Procedures for Scheduling of Cases

The assignment clerk shall have the authority to establish procedures for the efficient scheduling of cases. Those procedures may include, but shall not be limited to, procedures to assure that cases are ready for pre-trial and trial and procedures to assist in the timely disposition of cases.

JR 7.3 Scheduling Emergency Hearings

Any party requesting an emergency hearing shall first attempt to schedule the same through the assignment clerk. If the assignment clerk cannot schedule the case within an appropriate amount of time, counsel for the requesting party shall then present the request to the judge or magistrate assigned to the case. If the request for an emergency hearing is made by a party proceeding *pro se*, the request shall be presented by a Court staff person to the judge or magistrate assigned to the case or, if no judge or magistrate is assigned, to any judge or magistrate who may be available.

CHAPTER 8 -- CONTINUANCES

JR 8.1 Motion for Continuance

(A) Except for good cause shown, all motions for continuance shall:

(1) Comply with the Ohio Rules of Superintendence;
(2) Conflicting notices of hearing shall be attached to any motions for continuance requested due to a conflict with a hearing in another Court;
(3) Requests for continuance shall be submitted to the judge or magistrate hearing the case, unless he or she is unavailable;
(4) A party requesting a continuance shall first obtain consent of opposing counsel or the other party or the matter will be set for hearing;
(5) The Court may approve any motion for a continuance for good cause shown after objections have been raised or (in the case of a continuance motion based upon extraordinary and unforeseen circumstances) without waiting for objections to be raised.

(B) It shall be the responsibility of counsel to notify his or her client(s) or witness(es) in the event that a case is continued.

CHAPTER 9 -- DISCOVERY

JR 9.1 Establishment of Termination Date for Discovery

The judge or magistrate to whom a case is assigned may establish a cut-off date for discovery. Once said date is established, absent further order of the Court to the contrary, no subsequent discovery shall be permitted.

JR 9.2 Motions to Compel Discovery

(A) No objections, motions, applications, or requests related to discovery shall be filed unless counsel have, in good faith, exhausted among themselves all extrajudicial means for the resolution of differences. If such objection, motion, application, or request is filed, a certificate of counsel setting forth a brief statement of the extrajudicial means employed to resolve the dispute shall be attached thereto.

(B) Motions, requests, applications, and orders regarding discovery shall be deemed to place an ongoing duty to provide such discovery and supplemental discovery regardless of which procedural phase a case may be at the time of the motion, request, application or order.

(C) Notwithstanding the limitations of Ohio Juv. Rule 24, in the event that a witness list is requested or ordered to be provided in discovery, the names and most recent addresses of all witnesses shall be deemed to have been requested and/or ordered.

JR 9.3 Limitations on Interrogatories and Requests for Admissions

The total of all interrogatories including subparts served upon any party shall not exceed twenty-eight (28) requests absent leave of Court. Each request requiring a response shall be considered one request for purposes of this rule. The total of all requests for admissions shall not exceed fifteen (15) absent leave of Court.

JR 9.4 Testimony of Child

No child alleged or adjudicated to be dependent, neglected, or abused shall be compelled to testify or appear at any hearing or deposition in that case without the consent of the Court.

CHAPTER 10 -- BONDS

JR 10.1 Appearance bonds for adults shall be fixed by the judge or magistrate in each individual case upon arraignment, or at such other times as may be appropriate. The Clerk shall endorse on all warrants for the arrest of adults the amount of bond as may be provided by the judge or magistrate for each offense. The issuance of a warrant without endorsement as to the amount of bond shall indicate that the bond must be fixed by the judge or magistrate in Court.

The sufficiency of sureties shall be determined by the judge or magistrate in each case. When real property is offered as security by a surety, the Court shall require twice the value of the bond in real property as such value shall appear upon the county tax list maintained by the office of the County Auditor.

CHAPTER 11 -- COUNSEL WITHDRAWAL

JR 11.1

(A) All motions to withdraw as counsel shall:

(1) Include the time, date, place, hearing officer, and type of hearing scheduled to be heard subsequent to the filing of the motion;

(2) Be filed (unless specified exigent circumstances are set forth in the motion) not later than thirty (30) days prior to the next hearing;

(3) Include a certificate of service verifying service of the motion upon the withdrawing attorney's client as well as all unrepresented parties and counsel of record.

(B) In addition to the requirements as set forth in subsection (A) of this rule, any motions to withdraw filed by court-appointed counsel as well as any court order granting such motions shall include an advisement to the client wherein the client is advised of the necessity of contacting the Court for the purpose of completing an updated affidavit of indigency if the client qualifies.

CHAPTER 12 -- COURTROOM DECORUM

JR 12.1 Attire and Grooming

All counsel and parties shall be properly attired and groomed when appearing before the Court.

JR 12.2 Children's Attendance at Court

Children shall not be brought to the Court unless scheduled to appear by the Court. In the event that children must be brought to court, adequate supervision must be provided for them. The Court will not be responsible for the care of children during their parents' hearing or mediation.

JR 12.3 Recording or Photography in the Courthouse or During Proceedings

No tape recorders, video cameras, or any other recording or photographic device, including cell phones, shall be permitted in any hearing room absent express consent of the Court. The taking of photographs in the Courtroom, corridors immediately adjacent thereto or lobby and the transmitting or sound recording of such proceedings for broadcasting by radio or television shall not be permitted unless authorized by the Court.

JR 12.4 Food or Drink

No food or drink of any kind (including chewing gum) shall be consumed in any hearing room absent express consent of the Court.

JR 12.5 Attendance by Non-Parties at Court Proceedings

Close family members, who are not joined as parties and who have a significant relationship with the child(ren) or with the parents, may be permitted to attend proceedings, at the Court's discretion, unless a specific objection is raised by a party regarding such attendance and said objection is sustained by the Court.

JR 12.6 Exclusion of Witnesses from Proceedings

All potential witnesses, with the exception of parties and complainants, except when such individual witnesses are testifying, may be excluded from attendance at all proceedings upon motion of any party or of the Court.

JR 12.7 Child Restraint

(A) Juveniles appearing in the courtroom shall not be physically restrained unless the judicial officer makes a determination on the record that there is no less restrictive alternative to the use of physical restraints because of either of the following:

(1) The juvenile represents a current and significant threat to the safety of the juvenile's self or other persons in the courtroom; or,
(2) There is a significant risk the juvenile will flee the courtroom.

(B) A party, as defined by Juv.R.2(Y), court staff, the attorney for the state, attorney for the alleged delinquent party, or attorney for a party may object to the use of restraints either in writing or orally. The Court will review the issue of the use of physical restraints at the outset of any action taken by the Court on the record.

(C) If physical restraint is found necessary by the judicial officer, the movement of the juvenile's hands must be restrained by the least restrictive means necessary to meet the risk requiring the restraint.

(D) This Court supports the standard procedures in place by law enforcement or any juvenile detention facility for transport of juveniles, which may require the use of restraints for officer safety and that of the juvenile(s) during transport.

(E) A proposed Order is included in the Rules as Court Order 7.

CHAPTER 13 -- MAGISTRATE'S DECISIONS AND ORDERS AND OBJECTIONS TO THEM

JR 13.1 Magistrate's decisions and orders and any objections thereto shall comply with Juv. Rule 40.

CHAPTER 14 -- ORDERS AND JUDGMENT ENTRIES

JR 14.1 Submission of Judgment Entries and Orders to the Court

(A) Copies of a judgment entry, or an order prepared by counsel, shall be in sufficient quantity so the Clerk of Courts may distribute one to each trial counsel and unrepresented party. One additional copy shall be provided to the Deputy Clerk in all cases involving the payment of child support or medical support or insurance orders so that the same may be provided to the Child Support Enforcement Agency.

(B) All judgment entries and orders of dismissal by compromise prepared by counsel or entries or orders required to be prepared by counsel pursuant to direction by the Court shall be approved by all counsel of record, and submitted to the Court within twenty-eight (28) days after notice to the Court of settlement or as otherwise agreed by the Court.

(C) Counsel's failure to submit the appropriate judgment entry or order may result in the Court filing a dismissal entry or taking other appropriate action.

(D) If counsel to whom an entry or order has been sent does not object to the terms and conditions of the entry or order, he/she shall sign the same and return it to the preparing counsel. If counsel does not agree with the terms and conditions of the submitted entry or order, he/she shall submit proposed modifications to preparing counsel.

(E) If no response is made to preparing counsel within fourteen (14) days, preparing counsel shall submit the entry or order along with a submitting letter to the Court with the following certification:

> **I HEREBY CERTIFY THAT THE FOREGOING ENTRY OR ORDER WAS (MAILED, DELIVERED, E-MAILED, OR FAXED) TO _____,COUNSEL FOR _____, ON THE _____ DAY OF _____, 20_____ AND THE SAME HAS NOT BEEN RETURNED OR REVISED AND NO OBJECTIONS HAVE BEEN RAISED.**

(F) If counsel are unable to agree on an entry or order within the time periods specified above, then copies of both the original submitted order and any other drafts or responses to said order shall be submitted to the Court. The Court may adopt the order as originally submitted, may adopt the same with modifications and order one of the parties to prepare a modified order, may make its own entry or may set a date for a hearing on the proposed entry(s).

JR 14.2 Required Terms and Attachments in Proceedings for Child Support and Allocation of Parental Rights and Responsibilities

(A) Child support computation schedules shall be attached to all orders in which child support is established and to all orders in which child support is being waived. If child support is being waived, specific reasons therefore, in compliance with the Ohio Revised Code 3119.22 shall be set forth in the judgment entry or order.

(B) All judgment entries or orders referring to a parenting time schedule shall set forth the schedule within the entry or shall have a copy of the schedule attached thereto.

(C) All judgment entries or orders establishing child support shall refer to payment of medical expenses for children and shall set forth the parents' respective responsibility to provide health insurance coverage for children and the formula by which the parents will pay for those expenses not covered by insurance or will have that information attached thereto (see the Court's Schedule C).

(D) All judgment entries or orders establishing child support shall indicate who will be claiming the children in question as dependants for tax purposes.

CHAPTER 15 -- SANCTIONS

JR 15.1

Sanctions for failure to comply with any of these rules may include, but are not limited to, the following:

(A) Summary striking of the pleading, motion, or filing;

(B) Continuance of the matter sought to be heard;

(C) An order that attorney's fees from the non-complying party or attorney be paid to the aggrieved party;

(D) An appropriate order regarding payment of Court costs by the non-complying party or counsel;

(E) Fining the non-complying party or counsel; or

(F) Other sanction(s) consistent with these rules.

CHAPTER 16 -- PARENTING PROGRAMS

JR 16.1

(A) Attendance at Assisting Our Kids ("A-OK") Program, Partnerships in Parenting, What About Me or other programs as required by the Court

If ordered by the Court, parties to any action in which the allocation of parental rights and responsibilities for their child(ren) is being considered shall attend the Assisting Our Kids ("A-OK"), or Partnership in Parenting Program and the children shall attend the "What About Me" Program within seventy-five (75) days after filing a complaint or motion initiating the action, unless the same is waived by the Court or, if a party lives out of the area, a Court-approved substitute program is completed. The Court may, in its discretion, require a party to pay the cost of any program which the party or his or her children are required to attend.

(B) Attendance at How to Raise the Best Children Possible Program

Parties to any action in which the allocation of parental rights and responsibilities for their child(ren) is being considered may, by Court order, be required to attend the How to Raise the Best Children Possible Program, if the same is available in the county in which the action is pending. The Court may make an order to attend the program when one or more of the following factors are present:

(1) The parents have serious on-going disagreements about the implementation of an order for the allocation of parental rights and responsibilities and/or parenting time;

(2) There is a history of extreme or ongoing parental conflict which has been undeterred by previous litigation or other interventions and from which the children are suffering;

(3) The parents have very young child(ren) whose parenting time schedule will require frequent adjustment to maintain age-appropriate contact with both parents and the parents have been previously unable to reach agreements on their parenting time schedule without Court intervention;

(4) The parties have child(ren) with medical or psychological conditions or disabilities which require frequent decisions regarding treatment or frequent adjustments in parenting time schedules and the parents have been previously unable to reach agreements without Court intervention;

(5) One or both parents suffer from mental or psychological condition(s) or disabilities which have resulted in an inability to reach agreements or make adjustments in the parenting time schedule, even when minor in nature, without assistance;

(6) A parenting coordinator has been or will be appointed in the case.

CHAPTER 17 -- COURT APPOINTED ATTORNEYS AND GUARDIANS *AD LITEM*

JR 17.1 Court Appointed Attorneys

The Court shall maintain a list of attorneys for appointment as counsel or as Guardians *ad Litem* in cases before the Court. Eligibility for inclusion on that list shall be at the discretion of the Court. All attorneys requesting court appointments shall maintain malpractice insurance in an amount acceptable to the Court and shall provide evidence thereof to the Court by providing it with a copy of the attorney's malpractice declaration sheet.

Any requests for Court appointed counsel fees in excess of the amount authorized by the state shall include a request for extraordinary fees and a proposed judgment entry. The proposed judgment entry is included in these rules as Court Order 2.

JR 17.2 Guardians *ad Litem*

(A) When requested by a party or upon the Court's own motion, a Guardian *ad Litem* shall be appointed to protect the interests of a child. The Juvenile Court shall maintain a list of attorneys who have been deemed eligible for appointment as Guardians *ad Litem* for children in cases before the Court.

(B) In order to serve as a Guardian *ad Litem*, an applicant shall have, at a minimum, the training required by Ohio Rule of Superintendence 48, and shall provide proof thereof to the Court.

(C) A Guardian *ad Litem* may be an attorney or a qualified volunteer, if one is available and the appointment is appropriate. Guardian *ad Litem* fees for attorneys who have been appointed shall be specified on the Guardian *ad Litem's* appointment order, or as approved by the Court. In those cases in which one or more of the parties are or will be ordered to pay the Guardian *ad Litem* bill, copies of the bill shall be presented to all affected parties within sixty (60) days after final disposition.

(D) Within sixty (60) days from the conclusion of the case, the Court appointed attorney or attorney Guardian *ad Litem* shall submit a motion for payment of fees on the forms prescribed by the state (a copy of which may be obtained from a deputy clerk). Any requests for fees in excess of the amount authorized by the state shall include a request for extraordinary fees and a proposed judgment entry. A proposed judgment entry is included in these rules as Court Order 2.

(E) An entry shall be prepared by the Court appointing the Guardian *ad Litem*. The entry shall include the role of the Guardian *ad Litem*, the nature of payments to be made by the parties, and the amount of the deposit to be paid. A proposed entry appointing a Guardian *ad Litem* is attached hereto as Court Order 3.

(F) The Guardian *ad Litem* shall be considered a party to the proceeding and, as such, shall have full access to Court records and shall have the right to subpoena Court records and any agency personnel or records, including physicians, physical and mental health professionals, educational facilities, other professionals, or any individual who may provide information the Guardian *ad Litem* believes to be relevant to the best interest of the minor child(ren). The Guardian *ad Litem* shall have the right to subpoena any individual or entity for any reasons allowed under the Ohio Rules of Civil Procedure. In the event the Guardian *ad Litem* is an attorney at law, the Guardian *ad Litem* shall be entitled to participate in the hearing in the same manner as counsel for the parties.

If the Guardian *ad Litem* is not an attorney, the Guardian *ad Litem* may prepare written questions the Guardian *ad Litem* wishes to address to the parties or other witnesses. The written questions shall be submitted to the Court. The Court shall determine what questions shall be proffered to the parties or witnesses. The Court may examine the parties and witnesses as to those questions.

(G) The Guardian *ad Litem* shall strictly comply with Rule 48 of the Rules of Superintendence for the Courts of Ohio. In performance of his/her duties, the GAL must interview each party to this proceeding separately. Therefore, each party shall make a separate appointment to see the GAL at the GAL's office or at such other location as the GAL may direct. Other parties may not be present when that interview is being conducted.

(H) The Guardian *ad Litem* shall attend all pretrials, hearings and/or mediations scheduled in the case, unless excused by the Court. The Guardian *ad Litem* shall be subject to cross-examination if called by either party to testify. A report shall be prepared by the Guardian *ad Litem* and filed with the Court in advance of the hearing pursuant to the times required by Ohio Rule of Superintendence 48, unless otherwise ordered by the Court.

(I) The Guardian *ad Litem* shall be served with copies of all pleadings and shall be provided notice of all hearings. All judgment entries shall be submitted to the Guardian *ad Litem* for approval.

(J) Upon completion of the case or at other appropriate time, the Guardian *ad Litem* shall submit application for fees and/or costs to the Clerk of the Court and to the parties. The balance of the unpaid fees and/or costs over and above the deposit shall be taxed as court costs or the Court may issue an Order through the Child Support Enforcement Agency finding that the Guardian *ad Litem* fees are in the nature of child support and require the parties to pay child support, through a withholding order, until such time as the fees owed to the Guardian *ad Litem* are paid in full.

(K) If a Guardian *ad Litem* is also acting as attorney for a child, the Guardian *ad Litem* shall advocate for the best interests of the child and for the child's interests and shall advise the Court when an irreconcilable conflict arises between the role of Guardian *ad Litem* and attorney for the child.

CHAPTER 18 -- PARENTAGE CASES

JR 18.1

(A) A copy of the birth certificate, court order or the administrative finding which establishes that a parent-child relationship exists between a complainant and the child subject to the jurisdiction of this Court shall be attached to any complaint regarding parentage, custody, visitation, or support as filed by any complainant who claims to have a parental relationship with such child.

(B) Upon the completion of the administrative process to determine the existence or nonexistence of a parent and child relationship by the Child Support Enforcement Agency, including the entry of an administrative child support order, either parent may appeal the determination to the Court. All pleadings must be served on the Child Support Enforcement Agency. The clerk's office shall send a summons with a copy of the complaint to all other parties.

(C) When at least twenty-eight (28) days have elapsed since proof of service of the complaint has been filed, upon the request of the plaintiff or his or her attorney, notices of a default hearing shall be mailed to the parties and the plaintiff’s attorney.

CHAPTER 19 -- CHILD SUPPORT AND MEDICAL SUPPORT ORDERS

JR 19.1 Child Support Worksheets Required

All child support and cash medical orders shall be filed with the clerk together with a completed Child Support Worksheet.

JR 19.2 Information for Child Support Computation

Any party to a child support matter shall have available proper information for computation of child support pursuant to the Child Support Worksheet by the first pretrial conference, mediation session or hearing.

JR 19.3 Language for Child Support Orders

When an order for child support is prepared by an attorney, it shall be the responsibility of the attorney to assure that the text of the support order complies with all pertinent provisions of the Ohio Revised Code. Generally, without limitation, all child support orders shall contain the following:

(A) A statement of the monthly child support and cash medical obligation made payable in increments which coincide with the obligor's pay periods.

(B) If the order substantially deviates from said schedule, particularized facts which support the deviation shall be set forth in the order together with agreed findings that the schedule amount would be unjust, inappropriate, and not in the best interest of the child(ren).

(C) All orders and judgment entries requiring payment of child support shall include the language required by ORC Chapter 3121.

(D) An appropriate order regarding payment of court costs.

CHAPTER 20 -- MEDIATION AND EARLY NEUTRAL EVALUATION

JR 20.1 Mediation

(A) Parties who are ordered to participate in mediation shall participate in mediation, and if the parties wish, their attorneys may participate in mediation.

If a party fails to appear for a scheduled mediation, he or she may be sanctioned for contempt and, among other penalties, the Court reserves the right to impose financial sanctions upon that party, including payment for the mediator's time.

(B) Children shall not be brought to mediation sessions unless upon order of the Court or request of the mediator.

(C) All remaining court orders shall remain in effect. No order is stayed or suspended during the mediation process.

(D) Continuances of scheduled mediations shall be granted only for good cause shown and by the Mediation Coordinator or the judge or magistrate who referred the case. Except as authorized by the Court, the existence of pending motions shall not be good cause for a continuance and no continuance will be granted unless the mediation can be scheduled prior to the final pretrial.

(E) Pursuant and subject to the provisions of the "Uniform Mediation Act" (UMA) O.R.C. 2710.01 to 2710.10, the Rules of Evidence, and any other pertinent judicial rule, all communications related to the mediation or made during the mediation process shall be governed by the privileges as set forth in the UMA. Upon written agreement, all communications may be confidential. At the conclusion of mediation, the mediator shall issue a report, informing the Court who attended the mediation session(s) and whether the case settled. If the case has not settled, then the report shall set out whether the case is scheduled for further mediation or is returned to the Court for further proceedings. No other information shall be communicated by the mediator to the Court.

(F) The efforts of the mediator shall not be construed as giving legal advice.

(G) If the parties choose, and pursuant to the UMA, they may have their attorney and/or such other support person or persons attend the mediation session. However, the mediator shall have the right not to conduct the mediation session if a party insists upon bringing a person to the session that the mediator believes is inappropriate or would harm the process. The mediator shall also have the right to require the attendance of the attorneys at the session if the mediator determines it is appropriate and necessary for the process.

JR 20.2 Early Neutral Evaluation (ENE)

A. Definitions

Early Neutral Evaluation (ENE) is a court-ordered dispute resolution process in which the Early Neutral Evaluators provide an evaluation of the probable outcome of any domestic dispute. ENE is not mediation.

ENE in family cases is conducted utilizing a team of two (2) professionals who will, after appropriate presentation by the participants, evaluate the issues presented to them and make a report to the parties. A team shall consist of members who, combined, possess the qualifications set forth below.

1. At least one ENE team member must possess a license to practice law in the State of Ohio with at least 5 years of experience working in the area of family law and have participated in at least 10 Contested Court hearings as counsel for a party or as guardian ad litem;

2. A team member may possess a Master's Degree in the fields of psychology, social work, sociology, or guidance counseling with at least 5 years of experience in working with children and parents. (In the event a team member meets this qualification, that member must be teamed with an individual who qualifies in subparagraph A above);

3. At least one (1) ENE team member must have completed at least 12 hours of basic mediation training; at least 40 hours of specialized family or divorce mediation training that is provided by a training program approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution; and at least 14 hours of specialized training in domestic abuse and mediation through a training approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution; and

4. In the event that the Court refers a matter to ENE for a specialized or specific issue arising out of a family law matter, at least one (1) member of the ENE team must be able to certify that they have tried at least 10 contested cases on that specialized or specific issue. (For example, if a Court determines the issue of allocation of parental rights shall be addressed, the Court may request that at least one member have participated in 10 contested allocation of parental rights trials).

"ENE Communication" means a statement, whether oral, in a record, verbal or nonverbal, that occurs during an ENE session or is made for purposes of considering, conducting, participating in, initiating, continuing, or reconvening an ENE session.

B. Case Selection and Referral

ENE is an option for parties with family disputes. The fee for ENE shall be set by the Court. An initial fee shall be paid at the time of referral to the ENE program. The parties can request ENE through a motion to the Court. Also, the Court, on its own motion, may order disputes to ENE in whole or in part, by completing an Entry Ordering ENE or Magistrate's Order for ENE.

C. Participation

The ENE session will require the participation of each party and their respective attorneys, if applicable. No other person will be permitted to participate without prior approval of the Court.

D. Scheduling Procedure

Upon approval of an Agreed Entry or issuance of an Entry Ordering ENE or Magistrate's Order for ENE, the parties and counsel shall be notified by the Court or Northwest Ohio Mediation Services as to the ENE team that will be assigned to the case. The ENE team will contact the attorneys or the parties, if self-represented, to schedule the ENE sessions.

E. Pre-Session Procedure

One week prior to the ENE session, each attorney or self-represented party is required to submit a Brief. One copy of the Brief is to be submitted to each ENE Evaluator and one copy of the Brief is to be submitted to the other attorney or self-represented party. The Brief must arrive at the office of the opposing counsel (if applicable) or at the residence of the other party (if self-represented), no later than the seventh day before the ENE session. The Brief may be submitted by ordinary mail, hand-delivery, facsimile or e-mail.

The Evaluators will review the Briefs to gain a preliminary understanding of the concerns, interests and issues of the parties. The Briefs will not be filed at the Clerk's office nor placed in the Court's family file.

If an attorney or self-represented party fails to timely submit the Brief, sanctions may be imposed by the Court. Additionally, if an attorney or self-represented parent fails entirely to submit the Brief, sanctions may be imposed by the Court and the session will go forward as originally scheduled.

F. Session Procedure

At the ENE session, the Evaluators will oversee the discussion to allow each party and attorney the opportunity to be heard in an atmosphere of cooperation and respect. The Evaluators will seek additional information from the parties, if necessary. Once the information is gathered, the Evaluators will meet privately to discuss the strengths and weaknesses of each parties' position and to discuss probable outcomes for the parties. The Evaluators will then present this feedback and options to all parties present at the session.

The parties will be given an opportunity to consult privately with their attorneys to review and discuss the Evaluators' feedback. The parties will reconvene and discuss results. If the parties come to a full or partial agreement, the Evaluators will require the agreement be reduced to written form and submitted to the assigned judge/magistrate at a future date.

G. Confidentiality

ENE communications are confidential. Exceptions to confidentiality include the following:

1. Parties may share all ENE communications with their attorneys;
2. Allegations of abuse or neglect of a child;
3. Certain threats of harm to other people or oneself;
4. Statements made during the ENE process to plan or to hide an ongoing crime;
5. Statements made during the ENE process that reveal a felony.

H. Privilege

An ENE communication is privileged and not subject to discovery or admissible as evidence in a judicial proceeding. An Early Neutral Evaluator may not be deposed or subpoenaed to testify about any ENE communication unless an exception applies. Exceptions to privilege include the following:

1. The ENE communication is otherwise discoverable;
2. The ENE communication is an imminent threat or statement of a plan to inflict bodily injury or commit a crime of violence;
3. The ENE communication is intentionally used to plan, to attempt to commit, or to commit a crime or to conceal an ongoing crime or ongoing criminal activity;
4. The ENE communication is required to be disclosed pursuant to Ohio Revised Code §2921.22.

I. Continuances

It is the policy of this Court to determine matters in a timely manner. A motion seeking a continuance of a scheduled ENE will be required, with proper notice provided and pursuant to Local Rule 4.01. A continuance of a scheduled ENE session shall be granted only for good cause shown.

J. Sanctions

Any party or attorney who violates these rules may be subject to appropriate sanctions, including but not limited to, additional fees, forfeiture of paid ENE fees, contempt of court, attorney's fees or costs.

CHAPTER 21 -- PARENTING COORDINATOR

JR 21.1

(A) In cases in which the parents have agreed to have access to a decision-making authority without incurring the various burdens and costs associated with litigation and the Court determines that one or more of the following factors is present, the Court may appoint a Parenting Coordinator:

(1) The parents have serious on-going disagreements about the implementation of an order for the allocation of parental rights and responsibilities and/or parenting time and will need ongoing assistance;

(2) There is a history of extreme or ongoing parental conflict which has been undeterred by previous litigation and other interventions and from which the child(ren) are suffering;

(3) The parents have very young child(ren) whose parenting time schedule will require frequent adjustment to maintain age-appropriate contact with both parents and the parents have been previously unable to reach agreements on their parenting time schedule without court intervention;

(4) The parents have child(ren) with medical or psychological conditions or disabilities which require frequent decisions regarding treatment or frequent adjustments in parenting time schedules and the parents have been previously unable to reach agreements without court intervention;

(5) One or both parents suffer from mental or psychological conditions or disabilities which have resulted in an inability to reach agreements or make adjustments in the parenting time schedule, even when minor in nature, without assistance.

(B) A Parenting Coordinator may be an attorney, a trained mental health professional, or a qualified volunteer, if one is available and the appointment is appropriate. A Parenting Coordinator shall fully comply with the requirements of any pertinent rule set out in the Ohio Rules of Superintendence for the Governance of the Bar.

(C) A Parenting Coordinator shall not be appointed until all of the parties have delineated the powers and duties of the Parenting Coordinator and the term of service for the Parenting Coordinator in an order appointing the Parenting Coordinator or in an agreement signed by both parties and incorporated into a consent order. The parties shall be responsible for the cost of the Parenting Coordinator, the terms and conditions for which shall be set out in the order or in their agreement attached thereto.

(D) Once said order has been agreed upon and approved by the Court, the Parenting Coordinator shall exercise the powers and duties set out in or incorporated into said order. Nevertheless, the Parenting Coordinator shall not be

entitled to determine changes in the designation of legal custodian or in primary placement of the children.

(E) In compliance with said order or the agreement incorporated into the order, the Parenting Coordinator shall first attempt to utilize mediation techniques to resolve any dispute that may have arisen. If the dispute is resolved at that time, the same shall be reduced to writing, signed by each party and the attorneys, if any, and, if approved by the Court, filed as a consent judgment entry.

(F) If the dispute is not resolved, the Parenting Coordinator shall issue a written decision that shall be filed with the Court, with a copy sent by the Parenting Coordinator to each party and the attorneys. Each party shall have fourteen (14) days in which to object to the decision, by filing an objection with the Court. If one party files an objection within the fourteen (14) day period, the other party shall have ten (10) days thereafter in which to file his or her objection, if any. At that time, the dispute shall be assigned for hearing.

(G) Pending hearing on any objections, all parties shall comply with the Parenting Coordinator's decision, unless the Court relieves the parties of that responsibility.

(H) Any court costs incurred for filings made by the Parenting Coordinator shall be paid by the parties according to the terms and conditions of the consent order appointing the parenting coordinator or the parties' agreement incorporated therein.

(I) The Parenting Coordinator shall not serve as a therapist for the child(ren) or any party. He or she shall not serve as the Guardian ad Litem for the child(ren) or as his, her or their attorney. In addition, he or she shall not serve as an attorney for any party to the proceeding. Parenting coordination is not mediation and is not subject to the Uniform Mediation Act or to Rule 16 of the Rules of Superintendence for the Courts of Ohio.

CHAPTER 22 -- EVALUATIONS, INVESTIGATIONS AND TESTING IN ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITY CASES

JR 22.1 Investigations for the Allocation of Parental Rights and Responsibilities

(A) Pursuant to Rule 32(D) of the Ohio Rules of Juvenile Procedure "the Court may cause an investigation to be made as to the character, health, family relations, past conduct, present living conditions, earning ability, and financial worth of the parties to the action." In appropriate cases in which there are questions regarding the allocation of parental rights and responsibilities for the care of child(ren), the Court may order that such an investigation be made by an appropriately trained individual and that a report thereof be completed and filed with the Court. The investigation may include an evaluation of the parties' and the child(ren)'s psychological status. The order issued shall indicate how the costs for the investigation shall be divided. [See "Court Order 4" for an Investigation (Home Study) and "Court Order 5" for an Evaluation as to the Allocation of Parental Rights and Responsibilities and Parenting Time].

(B) Upon the issuance of a report, the same shall be sent by the investigator or evaluator to the Court. The original of said report shall be filed within the Family File not less than seven (7) days before trial and, at the discretion of the Court, copies may be provided by the Court to counsel of record or to unrepresented parties. Under any circumstance, counsel and unrepresented parties shall be notified upon the filing of the report and shall be entitled to review the same at the Court, upon conditions the Court deems appropriate.

(C) The report shall be signed by the investigator and the investigator shall be subject to cross-examination by either party concerning the contents of the report.

JR 22.2 Drug Testing

(A) In any case, any party to an action may request testing for the purpose of determining the existence of illegal substances or the use of illegal substances by any party to the action. A request by a party for drug testing shall be made in the form of a motion with supporting affidavit. The costs of the test may be taxed as costs, or as the Court may determine.

(B) Upon request, provided the Court finds reasonable grounds to believe drug usage is occurring, the Court shall order the party or parties to be tested under such terms and conditions the Court deems appropriate.

(C) In addition, the Court may, on its own motion, order such testing and assign the costs therefore, if the Court believes there are reasonable grounds to believe drug usage is occurring.

(D) The report of the results of any such drug testing shall not be utilized in any criminal actions or for prosecutorial purposes and shall, as required by these Rules, be placed in the family file.

CHAPTER 23 -- RULES APPLICABLE IN ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITY CASES

JR 23.1 Uniform Child Custody Jurisdiction and Enforcement Act Affidavit

In all cases in which allocation of parental rights for minor child(ren) may be involved a Uniform Child Custody Jurisdiction and Enforcement Act affidavit shall be filed at the time of the complaint or any other pleading requesting the allocation of or a change in the allocation of parental rights and responsibilities for minor child(ren). No case involving the allocation of parental rights and responsibilities for minor child(ren) may be filed without said affidavit (included in these rules as Form 2).

JR 23.2 Court Schedules

(A) Included within these Rules are Schedule A ("Parenting Time Guidelines for Travel Distances Under 150 Miles One Way"), Schedule B ("Long Distance Parenting Time Guidelines Over 150 Miles One Way"), Schedule C ("Maintenance of Insurance and Payment of Extraordinary Expenses for Minor Children"), Schedule D ("Health Insurance Affidavit") and Schedule E ("Application for Child Support Services").

(B) The parties are encouraged to create their own parenting time schedules for their child(ren) and Appendix A ("Age Appropriate Parenting Access Plans") is included within these rules for consideration by parents wishing to do so. Nevertheless, Schedules A and B may be used in cases in which they are appropriate and, unless findings to the contrary are made by the Court, shall be deemed the minimum parenting schedule in cases in which a schedule is not specified.

(C) In any case in which there are minor child(ren), orders shall issue regarding the parties' responsibility to provide health insurance for the child(ren) and for payment of those health related expenses for the children) not paid by insurance coverage. Schedule C sets out the standard court order for insurance and payment of expenses and will be adopted by the Court unless a different order is submitted by the parties and approved by the Court. Schedule D sets out requirements for provision of health insurance and shall be completed and attached to the judgment entry filed in every case in which there are minor child(ren) or in the alternative, appropriate language as set out within Schedule D may be incorporated in the judgment entry

(D) At such time as a child support order is issued by the Court, Schedule E shall be completed with the original forwarded by a Deputy Clerk of the Court to the Child Support Enforcement Agency and a copy filed in the Family File.

CHAPTER 24 -- MISCELLANEOUS PROVISIONS

JR 24.1 Special Services

(A) Any person who requires special accommodations because of a handicap or disability may notify the Administrator of the Court of his or her special requirements 24 hours before a scheduled Court appearance. The Court will comply with all reasonable requests for assistance.

(B) When interpretive services are needed, the attorney or party requesting an interpreter shall submit to the Administrator of the Court a written request for interpreter setting forth the name of the case, its scheduled time, the reason for the need of an interpreter, the type of interpreter needed, and the time that the interpreter will be needed. Such requests shall be submitted at least ten (10) days before the scheduled hearing. It is the responsibility of the requesting party to notify the Administrator, in writing, if there is any change in the date or time of the hearing. Failure to do so will result in the requesting party being held responsible for payment of the interpreter's fee for time spent in attempting to attend the rescheduled hearing.

(C) Upon request for good cause shown and with the approval of the Court, appearance by electronic means may be allowed (e.g., by video or audio transmission). In the event such an appearance is approved, the individual who is appearing via electronic means must make arrangements at his/her expense and at his/her location for said appearance, including making arrangements for the appropriate electronic equipment to facilitate the transmission and for himself/herself to be sworn in by a notary public or other individual authorized to administer oaths. All arrangements must be approved by the Court in advance of the scheduled appearance.

JR 24.2 Expungement

All expungement and sealing requests shall be made in accordance with Section 2151.358 of the Ohio Revised Code.

JR 24.3 Public Access to Abuse, Neglect and Dependency Cases Restricted

Based upon a review of the factors set out in Ohio Rule of Superintendence 45(E), the Court has found by clear and convincing evidence that all abuse, neglect, and dependency cases should be restricted from access by the public unless the Court orders a specific case to be a public record.

Therefore, all abuse, neglect and dependency cases shall be restricted from public access unless specifically ordered by the Court upon motion, with good cause shown. Because the access to such cases is restricted, it is not necessary to use initials as personal identifiers in said cases and the children who are the subject of the cases may be referred to by name.

JR 24.4 Transcripts

Applications for transcripts of any proceeding may be made by using Court Order 6 or a similar pleading. All costs for the transcript shall be paid by the applicant directly to the court reporter. The court reporter may require a deposit which shall be paid by the applicant prior to the preparation of the transcript. Failure to timely pay the deposit or any additional fees or costs charged by the court reporter may result in sanctions being issued by the Court against the applicant.

JR 24.5 Competency Proceedings

(A) General Purpose. The purpose of this rule is to expedite proceedings under sections 2152.51 to 2152.59 of the 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.

(B) Expedited Hearings. 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 by this rule.

(C) Notice. 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 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.

(D) Stay of Proceedings. 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.

CHAPTER 25 -- SELF-REPRESENTED LITIGANTS

JR 25.1 Procedure for Filing

All pleadings filed by self-represented litigants shall first be reviewed by the Judge or Magistrate before being time-stamped by the Clerk.

JR 25.2 Pro Se Clinic

To assist in the prompt and efficient administration of justice, the Court may require self-represented litigants to attend a free pro se clinic before filing any documents with the Clerk of Courts. Please contact the Assignment Commissioner at the following telephone number to make arrangements to attend the Clinic:

Defiance County…….419-782-4181
Henry County……..419-599-5951
Williams County……..419-636-1548

JR 25.3 Government Issued Identification

Parties must appear at all hearings with government issued identification, or other identification acceptable to the Court.

SCHEDULE A
PARENTING TIME GUIDELINES
FOR TRAVEL DISTANCES UNDER 150 MILES ONE WAY

Liberal parenting time for both parents with their child(ren) is encouraged. The court recognizes that, if at all possible, parents should create their own schedule for parenting their child(ren). Sample parenting schedules are available for your review and consideration to assist you in the creation of your own parenting schedule. These samples may be obtained from the court or the mediation service.

This particular schedule may or may not be appropriate for you and your child(ren). As parents, you are encouraged to review this schedule and the other sample schedules to determine what is in the best interests of your child(ren).

If this schedule is used, specific items in the judgment entry take precedence over this schedule. The court will make changes or modifications to this schedule as it determines in the best interests of your child(ren) and will modify this schedule for infants and as may be necessary for other special circumstances.

If a child(ren) indicates strong opposition to being with the other parent, it is the responsibility of each parent to appropriately deal with the situation, by calmly talking to the child(ren) as to the child(ren)'s reasons, and to work with the other parent to do what is in the child(ren)'s best interests, and particularly to avoid confrontation or unpleasant scenes. If the matter is not settled, either parent should seek the immediate assistance of a counselor/mental health professional or file a motion. As uncomfortable as this issue may be for a parent, this issue should not go unresolved. It is the absolute affirmative duty of the residential parent to make certain that his or her child goes for the parenting time period.

PARENTING TIME BETWEEN THE CHILD(REN) AND THE PARENT WITH WHOM THE CHILD(REN) IS NOT THEN RESIDING SHALL TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE, BUT WILL NOT BE LESS THAN:

1. Weekends: Alternate weekends from Friday at 7 pm until Sunday at 7 pm.

2. Weekdays: One weekday evening per week. If the parties cannot agree as to the day and times, then it shall be Tuesday between 5 pm and 7:30pm.

3. Holidays: Unless otherwise agreed, the parents shall alternate holidays on a yearly basis in accordance with the following schedule:

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	Even-Numbered Years	Odd-Numbered Years	
Martin Luther King Day	Mother	Father	Sun. 7 p.m. - Mon. 7 p.m.
President's Day	Father	Mother	Sun. 7 p.m. - Mon. 7 p.m.
Easter	Father	Mother	Sat. 7 p.m. - Sun. 7 p.m.
Memorial Day	Mother	Father	Sun. 7 p.m. - Mon. 7 p.m.
July 4th	Father	Mother	7/4 10 a.m. - 7/5 9 a.m.
Labor Day	Mother	Father	Sun. 7 p.m. - Mon. 7 p.m.
Thanksgiving	Father	Mother	Wed. 7 p.m. - Fri. 7 p.m.
Christmas Eve	Mother	Father	12/23 7 p.m. - 12/24 9 p.m.
Christmas Day	Father	Mother	12/24 9 p.m. - 12/25 9 p.m.
New Years Eve Day	Mother	Father	12/31 5 p.m. - 1/1 7 p.m.

A holiday that falls on a weekend should be spent with the parent that is scheduled to have the child(ren) for that holiday. The rest of the weekend is to be spent with the parent who would normally have that weekend pursuant to Paragraph one above.

4. School Breaks

A. Spring Break: Father will have spring break in the even numbered years and Mother will have spring break in the odd numbered years.

B. Christmas School Break: Mother will have Christmas school break until December 24th at 9 p.m. in the even numbered years. Father will have from December 24th at 9 p.m. until the end of the break in even numbered years. In the odd years, the time periods will reverse. Alternate weekends and mid-week parenting time occurring during Christmas school beak are forfeited by the other parent and are not required to be made-up.

Break begins at 7 p.m. on the last day of school before the break and ends at 7 p.m. the night before school resumes.

A holiday that falls during the spring break or Christmas break shall be spent with the parent that is scheduled to have the child(ren) for that holiday as provided above. The rest of the break shall be spent with the parent who has that portion of the break for that year as provided above.

5. Other Days:

A. Mother's Day and Father's Day shall be spent with the appropriate parent. The hours are as agreed, or 9 a.m. to 7 p.m. The rest of the weekend is spent with the parent who would normally have that weekend.

B. Birthdays: Unless otherwise agreed, the child shall celebrate his/her birthday in the home of the residential parent unless the birthday is on a day the other parent is scheduled parenting time.

C. Other days of special meaning, such as religious holidays, should be decided together, written into the Court Order, and alternated as above.

6. Summer Vacation and Extended Parenting Time: Unless otherwise agreed, the non-residential parent shall have extended summer parenting time with the child(ren) pursuant to one of the following: (check appropriate box)

   □ The non residential parent shall have extended parenting time commencing at 7 p.m. on the third Sunday of July and continuing until the last Friday before school commences at 7:00 p.m. Alternate weekend and mid-week parenting times for each parent shall continue throughout the summer unless otherwise agreed or unless a parent and the child(ren) are then vacationing (see below).

   □ The non-residential parent shall have extended parenting time on alternate weeks during the summer break. The non-residential parent's parenting time shall commence on the first Sunday after the school year has ended at 7:00 p.m. The parents shall continue to exchange the minor child(ren) at 7:00 p.m. throughout the summer until the last Sunday before school commences. Unless otherwise agreed or unless a parent and the child(ren) are then vacationing (see below), the mid-week parenting time for each parent shall continue throughout the summer.

Summer school, necessary for a child to pass the next grade, must be attended.

7. Vacations: Each parent may arrange a vacation of not more than two (2) weeks with the child(ren) per year. The two (2) weeks may be consecutive or nonconsecutive. If the vacation is during the summer school vacation period, the non-residential parent shall schedule his/her two (2) weeks vacation during his/her extended summer parenting time. The residential parent shall arrange his/her vacation outside of the extended parenting time period of the non-residential parent. Alternate weekends and mid-week parenting time scheduled for the non-vacationing parent during the vacationing parent's vacation are forfeited and are not required to be made up.

8. Transportation: The non-residential parent is responsible for all transportation required to pick up the minor child(ren) for that parent's parenting time. The residential parent is required to provide all transportation to return the child(ren) after the end of the parenting time period.

9. Waiting: The residential parent need not wait longer than thirty (30) minutes past the required pick up time. If a visiting parent is late for pick up, said parent, at the discretion of the residential parent, forfeits parenting time for the period. The residential parent is expected to act in good faith and consider reasonable explanations for the delay. Both parents are expected to make reasonable effort to be prompt in the pickup and return of the child(ren) during parenting time. Being habitually late, and/or not exercising parenting time with the child(ren), is not in the child(ren)'s best interest. Should a parent be habitually late in either picking up the child(ren) for parenting time, and/or picking up the child(ren) at the end of parenting time, or habitually misses entire parenting time periods, appropriate relief may be granted by the Court as provided by law.

10. Cancellations and Illnesses: If a child is ill, the parent with whom the child is than residing should give 24-hour notice of the illness, if possible, to the other parent

so that appropriate plans can be made. Loss of parenting times because of sickness of a child and/or family emergencies, weather emergencies or similar problems, may be made up upon the request of the visiting party made, in writing, to the other parent within thirty (30) days after the cancelled parenting time. Said makeup time shall be as agreed to by the parties. Each party should cooperate in good faith to assure the makeup time is achieved. All other cancellations result in forfeiture.

11. Extracurricular Activities/Sports: It is in the best interest of the child(ren), that they be encouraged to participate in extracurricular activities and sports. Each parent shall make reasonable efforts to assure that this continues. The residential parent shall not schedule extracurricular activities for the child(ren) during parenting times of the other parent without first consulting that parent. The final determination as to whether the child(ren) should attend the extracurricular activity during the parenting time shall be left up to the parent scheduled to have parenting time at the time of the activity. Each parent who encourages and enrolls the child(ren) in any extracurricular activity shall provide the other parent with notice of all the activities including schedules, if available, and the names and telephone numbers of the adult persons responsible for the activity, if available. If there is no written schedule, said parent shall orally or electronically provide the other parent with the information concerning the activity.

12. Intent to Relocate: Pursuant to Ohio Revised Code Section 3109.051(G)(1), if the residential parent intends to move, he/she shall immediately file a Notice of Intent to Relocate with the Court. The Court shall send a copy of the notice to the non-residential parent, unless exempted by Ohio Revised Code Section 3109.05(G)(2-4) The Court may or on the motion of the non-residential parent shall schedule a hearing to determine whether it is in the best interest of the minor child to modify the parenting orders. The non-residential parent shall, at a minimum, be entitled to parenting time in accordance with the Court's parenting time schedules for the applicable distance. Blank forms for Notice to Relocate shall be available upon request made to the Court. (Form 4)

13. Access to Records: Pursuant to Ohio Revised Code Section 3109(H) or unless otherwise ordered, the non-residential parent shall have the same access as the residential parent does to all records relating to the minor child(ren), including but not limited to medical and school records.

14. Parental Duties and Rights:

    A. Health Issues: Each parent shall notify each other of any health problems of the child(ren).

    B. Telephone Access: Both parents are encouraged to provide the other parent reasonable and flexible telephone access to the child(ren). The parent with whom the child(ren) are then residing or staying must provide, at minimum, telephone communication between the child(ren) and with other parent at least one time per week. If the parents do not otherwise agree as to that time, then it shall be 7 p.m. each Thursday night for preschool through third grades and 9 p.m. each Thursday for all others. Unless otherwise agreed or ordered,

the calling party shall alternate (one week the call is initiated through Mother's telephone and the next week the call is initiated through Father's telephone).

C. Current Address and Telephone Number: Each parent must keep the other parent and the Court informed of their current address and telephone number and any changes in said information.

D. School Activities: The non-residential parent shall have the right to participate in parent-teacher conferences, school trips, school programs, and other school events in which parents are invited to participate. The parent receiving the grade card shall give a copy to the other parent within three (3) days of receipt.

15. Non-Compliance with Court Order: Any of the responsibilities or rights outlined in this schedule may be enforced by the court upon the filing of the appropriate motion by either party. A parent may not withhold the rights of parenting time because the other parent does not obey a court order, for instance, to pay support, or medical bills, etc. Penalties for willful denial of parenting time include jail sentence and/or modification of parental rights. A parent may seek enforcement of periodic child support order by calling the Child Support Enforcement Agency.

SCHEDULE B
LONG DISTANCE PARENTING TIME GUIDELINES
(OVER 150 MILES ONE WAY)

Liberal parenting time for both parents with their child(ren) is encouraged. The court recognizes that, if at all possible, parents should create their own schedule for parenting their child(ren). Sample parenting schedules are available for your review and consideration to assist you in the creation of your own parenting schedule. These samples may be obtained from the court or the mediation service.

This particular schedule may or may not be appropriate for you and your child(ren). As parents, you are encouraged to review this schedule and the other sample schedules to determine what is in the best interests of your child(ren).

If this schedule is used, specific items in the judgment entry take precedence over this schedule. The court will make changes or modifications to this schedule as it determines in the best interests of your child(ren) and will modify this schedule for infants and as may be necessary for other special circumstances.

If a child(ren) indicates strong opposition to being with the other parent, it is the responsibility of each parent to appropriately deal with the situation, by calmly talking to the child(ren) as to the child(ren)'s reasons, and to work with the other parent to do what is in the child(ren)'s best interests, and particularly to avoid confrontation or unpleasant scenes. If the matter is not settled, either parent should seek the immediate assistance of a counselor/mental health professional or file a motion. As uncomfortable as this issue may be for a parent, this issue should not go unresolved. It is the absolute affirmative duty of the residential parent to make certain that his or her child goes for the parenting time period.

PARENTING TIME FOR THE NON-RESIDENTIAL PARENT IS TO TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE:

THIS SHALL NOT BE LESS THAN:

1. Christmas: School vacation in the odd numbered years.

2. Spring Break: Spring break vacation in odd-numbered years.

3. Alternative Holiday Plan: Those who wish more frequent contact, and who develop a plan to pay for transportation, may have half of spring break vacation, half the summer, alternate year Thanksgiving, and half of Christmas school vacation each year. The holidays themselves may be alternated, as the parties agree, or spring break and Thanksgiving in the odd-numbered years and Christmas school vacation in the even-numbered years for the non-residential parent. Unless otherwise agreed, the Thanksgiving Holiday shall be from 7 p.m. Wednesday to 7 p.m. Sunday.

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4. Summer Parenting Time: Summer parenting time for the non-residential parent, unless otherwise agreed, shall start the first Saturday after school is out, at 12 p.m. and end the first Saturday in August, at 12 p.m. Summer school, necessary for the child(ren) to pass the next grade, must be attended. If this occurs, makeup time may be added in August. The residential parent shall notify the non-residential parent by March 15 of when the summer vacation begins and ends. The non-residential parent must notify the residential parent as to his/her intentions by April 15.

   Each parent must provide the other parent with destination, times of arrival and departure, and method of travel for the summer parenting time, if said parent takes a vacation and/or a trip with the child(ren) outside of that parent's community.

5. Additional Parenting Time:

   a.) Weekend: A once-a-month, weekend visit to the non-residential home will be permitted. The residential parent must be notified at least one week in advance. The non-residential parent must bear the transportation costs.

   b.) Father's Day or Mother's Day can always be spent with the appropriate parent subject to the visiting parent bearing travel expenses.

   c.) There may be times, not on the parenting time schedule, when the residential parent and child(ren) are traveling and are in the area where the non-residential parent lives; or times when the non-residential parent is traveling and is the area where the child(ren) live. If either is the case, then the traveling parent shall notify the other parent of the dates and times when said traveling parent will be in the area of the other parent. If the parent, who does not have possession of the child(ren), wishes to have parenting time, both parents should attempt to negotiate a reasonable time for said parenting time. If the parents cannot agree, the parenting time shall be the length of time requested by the parent who does not have possession of the child(ren), or a 48-hour period, whichever is less. Unless the parties agree otherwise, however, these parenting opportunities shall be limited to one (1) per month.

6. Transportation: Unless otherwise agreed or as set out in a specific Court Order; and subject to the exceptions as identified below, the costs of all transportation required for the non-residential parent's parenting time shall be divided by the parties based upon their percentage of income as identified on line 16 of their most recent Child Support Worksheet. This percentage of income division shall not be applied and the nonresidential parent shall be responsible for all costs of transportation relating to his/her parenting time under the following circumstances:

   1. The nonresidential parent has an outstanding child support arrearage exceeding the amount of two (2) months of current child support (unless this arrearage arose as a result of circumstances beyond the control of the non-residential parent i.e. layoffs, plant closings, medical leave or the like, and further that parent has notified the CSEA as the circumstance and is in full compliance of any seek

work orders requested by the CSEA) , as of the date the child begins the travel; or

2. The nonresidential parent received a deviation from the standard child support guidelines based at least in part upon the cost of transportation associated with that parent's parenting time and set out in the Court Order.

(Transportation costs shall include fees associated with the purchase of airline, bus, train or other mass transportation tickets for the child only (including the costs of any luggage fees); or the cost of gasoline expense in the event that the parents elect to transport the child by automobile. No food or overnight stay costs shall be included if a parent or other responsible adult is traveling with the child.)

7. Waiting: Either parent shall immediately notify the other parent of any delay, as soon as he/she becomes aware of the delay. The residential parent is expected to act in good faith and shall consider all reasonable explanations for any delay in the pick-up of the minor child(ren) by the non-residential parent. If the non-residential parent has failed to notify the residential parent that he/she is going to be late, the residential parent need not wait longer than thirty (30) minutes past the required pickup time. Under those circumstances, the non-residential parent may, at the discretion of the residential parent, forfeit his/her parenting time. All parties are expected to make reasonable efforts to be prompt in the pickup and return of the child(ren) during parenting time. Being habitually late, and/or not exercising parenting time with the child(ren), may not be in the child(ren)'s best interest. Should a party be habitually late in either picking up the child(ren) for parenting time, and/or picking up the child(ren) at the end of parenting time, or habitually miss entire parenting time periods, appropriate relief may be granted by the Court as provided by law.

8. Cancellations and Illnesses: If a child is ill, the parent with whom the child is then residing should give 24-hour notice of the illness, if possible, to the other parent so that appropriate plans can be made. Loss of parenting times because of sickness of a child and/or family emergencies, weather emergencies or similar problems, may be made up upon the request of the visiting party, in writing, to the other parent within thirty (30) days after the cancelled parenting time. Said makeup time shall be as agreed to by the parties. Each party should cooperate in good faith to assure the makeup time is achieved. All other cancellations result in forfeiture.

9. Intent to Relocate: Pursuant to Ohio Revised Code Section 3109.051(G)(1), if the residential parent intends to move, he/she shall immediately file a Notice of Intent to Relocate with the Court. The Court shall send a copy of the notice to the non-residential parent, unless exempted by Ohio Revised Code Section 3109.05(G)(2-4) The Court may or on the motion of the non-residential parent shall schedule a hearing to determine whether it is in the best interest of the minor child to modify the parenting orders. The non-residential parent shall, at a minimum, be entitled to parenting time in accordance with the Court's parenting time schedules for the applicable. Blank forms for Notice to Relocate shall be available upon request made to the Court. (Form 4)

10. Access to Records: Pursuant to Ohio Revised Code Section 3109(H) or unless otherwise ordered, the non-residential parent shall have the same access as the residential parent does to all records relating to the minor child(ren), including but not limited to medical and school records.

11. Parental Duties and Rights:

a.) Health Issues: Each parent shall notify each other of any health problems of the child(ren).

b.) Telephone Access: Both parents are encouraged to provide the other parent reasonable and flexible telephone access to the child(ren). The parent with whom the child(ren) are then residing or staying must provide, at minimum, telephone communication between the child(ren) and the other parent at least one time per week. If the parents do not otherwise agree as to that time, then it shall be 7 p.m. each Thursday night for preschool through third grades and 9 p.m. each Thursday for all others. Unless otherwise agreed or ordered, the calling party shall alternate (one week the call is initiated through Mother's telephone and the next week the call is initiated through Father's telephone).

c.) Current Address and Telephone Number: Each parent must keep the other parent and the Court informed of their current address and telephone number and any changes in said information.

d.) School Activities: The non-residential parent shall have the right to participate in parent-teacher conferences, school trips, school programs, and other school events in which parents are invited to participate. The parent receiving the grade card shall give a copy to the other parent within three (3) days of receipt.

12. Clothing: Unless otherwise agreed, the residential parent is responsible for providing sufficient and appropriate clothing for every parenting time period, based on the lifestyle of the residential parent and child(ren). If the planned activities required special or unusual clothing needs, the non-residential parent must notify the residential parent at least two (2) weeks in advance of the parenting time. If the child(ren) do(es) not have the type of clothing requested, the residential parent is under no obligation to comply with the request. All clothing sent by the residential parent shall be returned at the time the minor child(ren) is returned to the residential parent. Additionally, unless otherwise agreed, any clothing purchased by the non-residential parent, and which the child(ren) are wearing upon their return to the residential parent after parenting time, shall be returned by the residential parent to the non-residential parent at the next parenting time period.

13. Non-Compliance with Court Order: Any of the responsibilities or rights outlined in this schedule may be enforced by the court upon the filing of the appropriate motion by either party. A parent may not withhold the rights of parenting time because the other parent does not obey a court order, for instance, to pay support, or medical bills, etc. Penalties for willful denial of parenting time include jail sentence and/or modification of parental rights. A parent may seek

enforcement of periodic child support order by calling the Child Support Enforcement Agency.

SCHEDULE C
MAINTENANCE OF INSURANCE AND PAYMENT OF EXTRAORDINARY EXPENSES FOR MINOR CHILDREN

1. The person checked:

□ FATHER	is ordered to maintain in full force and
□ MOTHER	effect a policy for medical, surgical, and hospital
□ _____	insurance for the minor child(ren).

2. Unless otherwise agreed or ordered, the residential parent or legal custodian shall pay the first $100 of necessary uncovered expenses per calendar year, per child.

   After the residential parent or legal custodian has paid said expenses of $100 per year per minor child, both shall share in the payment of further expenses for the year in accordance with the percentage of income shown on the child support worksheet currently in effect. The residential parent or legal custodian shall provide the other parent(s) the original or copies of all medical bills, and explanation of Benefit Forms (EOB) within ninety (90) days of the date on the bill or EOB absent extraordinary circumstances. The other parent(s) shall, within thirty (30) days of receipt of said bill, then either reimburse the residential parent or legal custodian or pay directly to the medical provider, that parent's percentage share of the bill per the child support worksheet.

   The person obligated to provide insurance shall promptly provide the other parent the insurance card and all other documentation and/or information necessary to secure coverage available for the benefit of the minor child. Both shall cooperate in the preparation of insurance forms to obtain reimbursement or payment of said expenses.

   Should the health insurance coverage be canceled for any reason, the parent ordered to maintain insurance shall immediately notify the other parent and take immediate steps to obtain replacement coverage. Unless the cancellation was intentional, the uncovered expenses shall be paid as provided above. If the cancellation was intentionally caused by the parent ordered to maintain insurance coverage, the parent shall be responsible for all medical expenses that would have been covered had the insurance been in effect.

3. The term "medical expense" or "medical records" as used above and in parenting schedules A and B, shall include but not be limited to medical, dental, orthodontic, optical, surgical, hospital, major medical, psychological, psychiatric, outpatient, doctor, therapy, counseling, prosthetic, and/or all other expenses/records including preventative medical expenses/records related to the treatment of the human body and mind. "Major medical expense" includes all uncovered medical expenses that are or may exceed $500.

4. The Court expressly reserves jurisdiction to reapportion payment of medical expenses between the parties, which are not covered by insurance, upon the motion of either party. Generally, the Court will not consider such a motion unless the expenses are "major medical expenses" as defined above.

5. When it is determined that it is necessary for a minor child to incur major medical expenses not of an emergency nature, the responsible parent shall immediately notify the other parent before authorizing treatment. The other parent has a right to know the necessity for, proposed cost of treatment, and proposed payment schedule, and may also secure an independent evaluation to determine the necessity for treatment of the child at his/her expense.

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Schedule D

COURT OF COMMON PLEAS OF _____ COUNTY, OHIO
JUVENILE DIVISION

_____ Plaintiff,	**Case No.** _____
vs.	**Judge** _____
_____ Defendant.	**Magistrate** _____

Instructions: Check local court rules to determine when this form must be filed. This affidavit is used to disclose health insurance coverage that is available for children. It is also used to determine child support. It must be filed if there are minor children of the relationship. If more space is needed, add additional pages.

HEALTH INSURANCE AFFIDAVIT

Affidavit of _____
Print Your Name)

	Mother	**Father**
Are your child(ren) enrolled in a low-income government-assisted health care program (Healthy Start/Medicaid)?	☐ Yes ☐ No	☐ Yes ☐ No
Are you enrolled in an individual (non-group or COBRA) health insurance plan?	☐ Yes ☐ No	☐ Yes ☐ No
Are you enrolled in a health insurance plan through a group (employer or other organization)?	☐ Yes ☐ No	☐ Yes ☐ No
If you are not enrolled, do you have health insurance available through a group (employer or other organization)?	☐ Yes ☐ No	☐ Yes ☐ No
Does the available insurance cover primary care services within 30 miles of the child(ren)'s home?	☐ Yes ☐ No	☐ Yes ☐ No

	Mother	Father
Under the available insurance, what would be the annual premium for a plan covering you and the child (ren) of this relationship (not including a	$ _____	$ _____
Under the available insurance, what would be the annual premium for a plan covering you alone (not including children or	$ _____	$ _____
If you are enrolled in a health insurance plan through a group (employer or other organization) or individual insurance plan, which of the following people		
Yourself?	☐ Yes ☐ No	☐ Yes ☐ No
Your spouse?	☐ Yes ☐ No	☐ Yes ☐ No
Minor child (ren) of this relationship?	☐ Yes ☐ No Number _____	☐ Yes ☐ No Number _____
Other individuals?	☐ Yes ☐ No Number _____	☐ Yes ☐ No Number _____
Name of group (employer or organization) that provides health insurance	_____	_____
Address	_____	_____
	_____	_____
Phone number	_____	_____

OATH

(Do not sign until notary is present.)

I, (print name) _____ , swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

_____
Your Signature

Sworn before me and signed in my presence this ____ day of _____ , _____.

_____
Notary Public
My Commission Expires:

SCHEDULE E
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, and 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.

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 application 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 Returns 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 refund on some cases.

5. Withholding of Wages and unearned Income for the Payment of Court Ordered Support.

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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)	
	□Single □Divorced □Widowed	□Married □Separated □Deserted

Type(s) of Services 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 Application	Date
Applicant's Name (Last, First, Middle)	Telephone Number
Address (Street/Route, P.O. Box)	(Work)
City, State, 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 □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 Services 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

Case Name	Date Requested	Date Mailed or Provided

Case Number	Date Returned or File Date

Court Order 1

IN THE COURT OF COMMON PLEAS OF _____, OHIO
JUVENILE DIVISION

_____
Plaintiff,

vs.

_____
Defendant.

Case No.: _____

MOTION AND ORDER TO REVIEW FAMILY FILE

MOTION TO REVIEW FAMILY FILE

The undersigned does hereby request an order that will allow inspection and review of the following documents located in the Family File in this case:

- ☐ Tax returns
- ☐ Reports of psychological or custody evaluations
- ☐ Medical reports
- ☐ Reports of supervised parenting time or exchanges
- ☐ Home Study
- ☐ Guardian *ad Litem* Report
- ☐ Medical/Drug testing
- ☐ Application for child support services
- ☐ Correspondence
- ☐ Victim impact statements
- ☐ School reports
- ☐ Other _____

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The undersigned does hereby acknowledge that he/she is either a party in the proceeding, attorney, or a county CSEA representative and a proper person to review the Family File in accord with JR 2.1.

_____
Signature

_____
Print Signature

_____
Title (Circle) Party/Attorney/CSEA

ORDER TO ALLOW REVIEW OF FAMILY FILE

The Motion of _____ to review the Family File in this case came on for consideration by the Court. The Court finds that the movant is a proper party to review the Family File as set forth in JR 2.1.

It is therefore **ORDERED** that the Clerk of the Court shall permit _____ _____, upon proper identification, to review the Family File in this proceeding, subject to the following:

_____

_____

_____
Judge / Magistrate

Court Order 2

IN THE COURT OF COMMON PLEAS OF _____COUNTY, OHIO
JUVENILE DIVISION

_____ Plaintiff,	**Case No. _____**
vs.	
_____ Defendant.	**ORDER FOR EXTRAORDINARY COURT APPOINTED COUNSEL OR GUARDIAN *AD LITEM* FEES**

This matter came on for consideration of the Motion for Approval of Appointed Counsel Fees and Expenses filed herein on _____.

FINDINGS

Upon review of the motion and the record herein, the Court makes the following findings:

1. In this matter, attorney _____ was appointed to represent (was appointed as Guardian *ad Litem* for) _____, on _____, 20____. It was necessary for him/her to spend a considerable amount of time updating himself/herself about the case, meeting with his/her client [the child(ren)] and preparing for and attending _____
_____.

2. The time spent by Mr./Ms. _____ on this case through _____, 20____, was reasonable and necessary to appropriately represent his/her client [act as Guardian *ad Litem* for the child(ren)]. Therefore, extraordinary fees are appropriate.

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ORDER

Now, therefore, based upon the findings set out above, it is hereby **ORDERED** as follows:

First: The billing submitted by Mr./Ms. _____ in the amount of $_____ is hereby approved as reasonable and necessary for representation of (acting as Guardian *ad Litem* for) _____ through _____, 20____ and, therefore, even though the amount is extraordinary, the same should be paid.

Second: As to all other matters, this Court's former orders shall remain in full force and effect.

_____
Judge/Magistrate

Certification

The undersigned hereby certifies that on this _____ day of _____20___. copies of this Judgment Entry were served on _____ _____by ordinary United States mail.

_____
Signature

Court Order 3

IN THE COURT OF COMMON PLEAS OF _____COUNTY, OHIO
JUVENILE DIVISION

_____
Plaintiff,

CASE NO. _____

vs.

ORDER APPOINTING GUARDIAN *AD LITEM*

_____
Defendant.

The parties having moved for the appointment of a Guardian *ad Litem*, and it appearing that the appointment of a Guardian *ad Litem* is essential to protect the interests of the minor children; it is hereby **ORDERED** as follows:

1. That _____is hereby appointed Guardian *Ad Litem* for the minor child(ren) _____.

2. Upon presentation of a copy of this order to any agency, hospital, physician, chiropractor, optometrist, dentist, nurse, or other medical, dental, optical practitioner, psychologist, psychiatrist, or other mental health practitioner, organization, school, person or office including but limited to the Clerk of this Court, human services agencies, public children services agencies, private child placing agencies, health departments, juvenile courts, and juvenile probation departments, the Guardian *ad Litem* shall be permitted to inspect and copy any records relating to the child and or to confer with any and all professionals who may provide information relative to said minor children with respect to issues pending before this Court without the consent of the child or parent.

3. That the Guardian *ad Litem* appointed to this cause shall maintain any information received from any such source as confidential, and will not disclose the same except to report to the Court or as the Court directs or law permits.

4. The GAL shall strictly comply with Rule 48 of the Rules of Superintendence for the Courts of Ohio. In performance of his/her duties, the GAL must interview each party to this proceeding separately. Therefore, each party shall make a separate appointment to see the GAL at the GAL's office or at such location as the GAL may direct. Other parties may not be present when that interview is being conducted.

5. That the Guardian *ad Litem* shall be given notice of and shall appear at all hearings or proceedings scheduled in this cause and assure proper representation of the child at said hearings unless excused or otherwise indicated by the Court.

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6. That the Guardian *ad Litem* shall be notified of any hearings, reviews, investigations, depositions, or other proceedings concerning the child and shall be entitled to attend the same.

7. That the Guardian *ad Litem* shall be notified prior to any change being made in the child(ren)'s residential placement and/or case plan by any party, except those actions taken to prevent immediate or threatened physical or emotional harm to the child(ren) as provided in 2151.41.2, in which case the Guardian *ad Litem* must be notified before the end of the next business day after the change is made.

8. That the Guardian *ad Litem* shall charge at the rate of $_____ per hour for his/her services.

9. That the fees for said Guardian *ad Litem* shall be taxed as follows:

   _____

   _____

10. The Court reserves the right to reallocate and/or assess the GAL fees at the final hearing.

Dated: _____

_____
Judge/Magistrate

Approved:

_____

CERTIFICATION

A copy of this Order was hand-delivered or mailed to counsel of the parties or to the parties without counsel and to the Guardian *ad Litem* this _____ day of _____, 20_____. (Receipt of a copy of this order was waived by the parties and/or counsel.)

_____
Signature

Court Order 4

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

_____ **Case No**. _____
Plaintiff,

vs. **ORDER FOR INVESTIGATION (HOME STUDY)**

_____
Defendant.

Upon motion of the _____ and for good cause shown, it is hereby **ORDERED** that _____ shall complete an investigation as to the character, family relations, past conduct, earning ability and financial worth of the parties to this action and that a report shall be made of said investigation providing recommendations relative to the allocation of parental rights and responsibilities and parenting time for the child(ren), _____
_____
_____

Upon completion, said report shall be provided by _____ to this Court not less than seven days before trial and the Court may forward copies thereof to counsel of record. Counsel shall not provide a copy of the report to his or her client or allow the client to read the portions thereof pertaining to anyone but the client specifically; however, counsel may discuss the contents of the report with the client.

In order to facilitate the completion of the investigation and the report thereof, the parties shall immediately schedule appointments with _____ for themselves and the child(ren) and shall keep all appointments scheduled. In addition, the parties shall sign and deliver any requested releases of information presented to them by _____ and shall cooperate with _____ in order to ensure that the investigation and report are completed expeditiously.

Finally, the costs and the fees for the investigation and the report thereof shall be paid as follows: _____
_____
_____

_____
Approved: Judge/Magistrate
_____

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CERTIFICATION

A copy of this Order was hand-delivered or mailed to _____, to counsel of the parties or to the parties without counsel this_____ day of _____, 20_____.

_____
Signature

Court Order 5

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

_____
Plaintiff,

VS.

_____
Defendant.

Case No.: _____

ORDER FOR FORENSIC EVALUATIONS AS TO THE ALLOCATION OF PARENTAL RIGHTS AND PARENTING TIME

Upon motion of the _____ and for good cause shown, it is hereby **ORDERED** that the parties, _____ and the minor child(ren), _____ _____ submit to forensic evaluations to be conducted by _____ _____and that a report be made of said evaluations providing recommendations relative to the allocation of parental rights and responsibilities and parenting time for the children.

Upon completion, said report shall be provided by Dr. _____ to this Court and the Court will forward copies thereof to counsel of record. Counsel shall not provide a copy of the report to his or her client or allow the client to read the portions thereof pertaining to anyone but the client specifically; however, counsel may discuss the contents of the report with the client.

In order to facilitate the completion of the evaluations and the report thereof, the parties shall immediately schedule appointments with Dr. _____ for themselves and the children and shall keep all appointments scheduled. In addition, the parties shall sign and deliver any requested releases of information presented to them by Dr. _____ and shall cooperate with Dr. _____ in order to ensure that the evaluations and report are completed expeditiously.

Finally, the costs and the fees for the evaluations and the report thereof shall be paid as follows: _____ _____ _____ _____

_____
Judge / Magistrate

Approved:
_____

CERTIFICATION

A copy of this Order was hand-delivered or mailed to Dr. _____, to counsel of the parties or to the parties without counsel this_____ day of _____, 20_____.

_____
Signature

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Court Order 6

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

_____
Plaintiff,

CASE NO._____

VS.

_____
Defendant.

APPLICATION TO PREPARE TRANSCRIPT

Applicant, hereby requests that a transcript of the _____ hearing held on the ____ day of _____, _____ at _____am/pm before Judge/Magistrate _____ be prepared.

_____
Applicant

_____
Typed or Printed name

_____
Street Address

_____
City, State, Zip Code

(_____)_____
Phone Number (include area code)

_____
Attorney Registration Number

ORDER TO PREPARE TRANSCRIPT

It is the ORDER of this Court that a transcript of the above hearing be prepared. All costs to be paid by applicant directly to the court reporter. The court reporter will require a deposit. This deposit must be paid directly to the court reporter. Failure to timely pay the fee may result in sanctions being issued by the Court against the applicant that ordered the transcript.

_____
JUDGE/MAGISTRATE

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Court Order 7

IN THE COURT OF COMMON PLEAS OF _____COUNTY, OHIO
JUVENILE DIVISION
COURT HEARING SECURITY DETERMINATION

Juvenile's Name:_____Case Number:_____

Court Date:_____Detention Admission Date:_____Days Detained:_____

Alleged Offense (including ORC and Offense Degree):_____

INTAKE/PROBATION ASSESSMENT:

Risk Factors:

☐ No Significant Risk Factors

☐ Felony Offender ☐ Significant Mental Health Diagnosis

☐ High Risk of Fleeing ☐ Recent History of Substance Abuse

☐ Assaultive/Threatening Behaviors ☐ Other_____

RESTRAINT RECOMMENDATION: ☐ Yes ☐ No

Explanation:_____
_____

TYPE OF RESTRAINT RECOMMENDED:

☐ No Restraints ☐ Full Restraints ☐ Hands Only ☐ Feet Only

COLLATERAL CONSULATION:

☐ Youth ☐ Parent/Guardian ☐ Court/Probation Records

☐ Law Enforcement Records ☐ Other_____

Probation Officer's Signature:_____Date:_____

JUDICIAL OFFICER'S RESTRAINT DETERMINATION:

☐ No restraints are ordered.

☐ Restraints are ordered because there is no less restrictive alternative to the use of physical restraint and the physical restraint of the juvenile is necessary because:

- ☐ The juvenile represents a current and significant threat to the safety of his or herself or other persons in the courtroom.
- ☐ There is a significant risk the juvenile will flee the courtroom.

☐ The least restrictive type of restraint necessary to meet the risk requiring the restraint and, therefore, that which is ordered is as follows:

☐ Full restraints ☐ Hands Only ☐ Feet Only

Judicial Officer's Signature:_____Date:_____

Form 1
Instructions for Completing form OPD-206R,
the Financial Disclosure / Affidavit of Indigency Form,
as Revised January 2012

Section I. Personal Information

Complete this section with the applicant's name, contact information, and case number. If the person who will be represented by court-appointed counsel is a juvenile, also include the juvenile's name in the box marked "Person Represented's Name (if juvenile)."

Section II. Other Persons Living in Household

Complete this section with the names of those with whom the applicant lives, who either have a duty to support the applicant or for whom the applicant has a duty to support, such as a spouse or dependent children. Do not include information about persons who share a household with the applicant but with whom the applicant shares no duty to support, such as roommates.

Section III. Presumptive Eligibility

If the applicant is currently receiving assistance from any of the governmental assistance programs listed in this section, check the line(s) next to the name of the program(s). Since that applicant has already been screened and deemed eligible for assistance by another government agency, you may presume the applicant's eligibility for court-appointed counsel. An applicant who is committed to a public mental health facility or who is incarcerated in a state penitentiary at the time of application may be presumed to be indigent and eligible for court-appointed counsel. All juveniles are presumed indigent and eligible for court-appointed counsel. Information in Sections IV – VI does not need to be collected for a juvenile who is requesting court-appointed counsel. (However, an adult requesting court-appointed counsel in a juvenile proceeding, such as a parent in an A/D/N case, must complete Sections IV – VI.) See Ohio Administrative Code section 120-1-03 (C).

Section IV. Income and Employer

Complete this section with the gross monthly income and other financial support received by the applicant, including the name and contact information of their employer. If the applicant indicated in Section III that the applicant receives assistance from any of the listed programs, include the amount of monthly assistance received through that program in the second box of this section, which includes "other types of income."

- Compare the dollar amount in the box labeled Total Income in this section to OPD's Indigent Client Eligibility Guidelines. If the applicant's Total Income falls at or below 187.5% of the federal poverty guidelines on this chart, the applicant must be given court-appointed counsel. See OAC 120-1-03 (B). See Section V instructions below for potential ineligibility.

Section V. Liquid Assets

Complete this section with information about the applicant's liquid assets. An applicant's liquid assets can make an applicant ineligible for court-appointed counsel, even if his or her income falls below the guidelines. See OAC 120-1-03 (D)(2)-(3).

Section VI. Monthly Expenses

OAC 120-1-03 states that the "pivotal issue in determining indigency is not whether the applicant ought to be able to employ counsel but whether the applicant is, in fact, able to do so." Therefore, an applicant whose gross monthly income falls above 187.5% of the federal poverty guidelines may still qualify for court-appointed counsel. If an applicant whose income exceeds 187.5% believes he or she is financially unable to employ counsel, complete this section with information about the applicant's basic monthly expenses.

Section VII. Determination of Indigency

If the applicant's Total Income in Section IV is at or below 187.5% of the Federal Poverty Guidelines, counsel must be appointed.
Applicants who's Total Income in Section IV is above 125% of the Federal Poverty Guidelines can be subject to recoupment.
If the applicant's Liquid Assets in Section V exceed figures provided in OAC 120-1-03, appointment of counsel may be denied *if the applicant can employ counsel using those liquid assets*.
If the applicant's Total Income falls above 187.5% of Federal Poverty Guidelines, but is financially unable to employ counsel after paying the monthly expenses in Section VI, counsel must be appointed.

VIII. $25.00 Application Fee Notice

This section provides notice to the applicant that he or she will be assessed a non-refundable $25 application fee when submitting this form, unless that fee is waived or reduced by the court. No applicant may be denied counsel based upon failure or inability to pay this fee. See ORC 120.36 (B).

IX. Affidavit of Indigency

Here, the applicant must swear to the truth of the information contained in this form, and this section must be signed by the applicant and witnessed by a person authorized to give an oath (e.g. notary public, clerk of court, etc.). The person witnessing should complete the "Title" line of this section with the authority by which that person can administer an oath, which will not necessarily be the same as that person's job title.

X. Judge Certification

If the applicant is unable to complete this form (e.g. minor, incarcerated person, etc.), in this section, the judge may determine the applicant is eligible for court-appointed counsel and should provide a brief description of why the applicant is unable to complete the form.

XI. Notice of Recoupment

This section provides notice to the applicant that if his or her gross monthly income falls at or above 125% of the federal poverty guidelines, he or she may be subject to recoupment. See ORC 120.03 (B)(6)–(8), OAC 120-1-05, and ORC 2941.51 (D).

Attorneys' fees and expenses cannot be taxed as part of the costs charged in a case. However, through recoupment, if the indigent client or juvenile's parent(s) has, or reasonably may be expected to have the means to pay some **part** of the costs of services rendered, the indigent client or juvenile's parent(s) can be required to pay the county an amount that person reasonably can be expected to pay. See ORC 2941.51 (D).

XII. Juvenile's Parents' Income

If the respondent/defendant is a juvenile, complete this section with the income information of that juvenile's custodial parent(s). Because financial information was not collected about the parent(s) in Sections IV and V, information collected in this section is used to determine whether the parent(s) of the juvenile will be subject to recoupment.

- Compare the dollar amount in the box labeled Total Income in this section to OPD's Indigent Client Eligibility Guidelines. If the parents' Total Income falls below 125% of the federal poverty guidelines on this chart, they cannot be subject to recoupment. See OAC 120-1-03 (C)(1). If the parents' Total Income falls at or above 125%, they can be subject to recoupment. See OAC 120-1-03 (B).
- Because recoupment is limited to "an amount that the person reasonably can be expected to pay" (ORC 2941.51 (D)), you may choose to also collect information about the parents' monthly expenses in Section VI of this form.

#352429

Form 1

FINANCIAL DISCLOSURE/AFFIDAVIT OF INDIGENCY

($25.00 application fee may be assessed – see notice on reverse side)

I. PERSONAL INFORMATION

Applicant's Name	D.O.B.	Person Represented's Name *(if juvenile)*	D.O.B.
Mailing Address	City	State	Zip Code

Case No.	Phone ( )	Cell Phone ( )

II. OTHER PERSONS LIVING IN HOUSEHOLD

Name	D.O.B.	Relationship	Name	D.O.B.	Relationship
1)			3)		
2)			4)		

III. PRESUMPTIVE ELIGIBILITY

The appointment of counsel is presumed if the person represented meets any of the qualifications below. Please place an 'X'

Ohio Works First / TANF: ____ SSI: ____ SSD: ____ Medicaid: ____ Poverty Related Veterans' Benefits: ____ Food Stamps: ____

Refugee Settlement Benefits: ____ Incarcerated in state penitentiary: ____ Committed to a Public Mental Health Facility: ____

Other (please describe): _____Juvenile: ____ *(if juvenile, please continue at Section VIII)*

IV. INCOME AND EMPLOYER

	Applicant	Spouse (Do not include spouse's income if spouse is alleged victim)	Total Income
Gross Monthly Employment Income			
Unemployment, Worker's Compensation, Child Support, Other Types of Income			
TOTAL INCOME			**$**

Employer's Name:_____ Phone Number: _____

Employer's Address: _____

V. LIQUID ASSETS

Type of Asset	**Estimated Value**
Checking, Savings, Money Market Accounts	**$**
Stocks, Bonds, CDs	**$**
Other Liquid Assets or Cash on Hand	**$**
Total Liquid Assets	**$**

VI. MONTHLY EXPENSES

Type of Expense	**Amount**	**Type of Expense**	**Amount**
Child Support Paid Out		Telephone	
Child Care (if working only)		Transportation / Fuel	
Insurance (medical, dental, auto, etc.)		Taxes Withheld or Owed	
Medical / Dental Expenses or Associated Costs of Caring for Infirm Family Member		Credit Card, Other Loans	
Rent / Mortgage		Utilities (Gas, Electric, Water / Sewer, Trash)	
Food		Other (Specify)	
EXPENSES	**$**	**EXPENSES**	**$**

VII. DETERMINATION OF INDIGENCY

If applicant's Total Income in Section IV is at or below 187.5% of the Federal Poverty Guidelines, counsel must be appointed.
For applicants who's Total Income in Section IV is above 125% of the Federal Poverty Guidelines, see recoupment notice in Section XI.
If applicant's Liquid Assets in Section V exceed figures provided in OAC 120-1-03, appointment of counsel may be denied if applicant can employ counsel using those liquid assets.
If applicant's Total Income falls above 187.5% of Federal Poverty Guidelines, but applicant is financially unable to employ counsel after paying monthly expenses in Section VI, counsel must be appointed.

VIII. $25.00 APPLICATION FEE NOTICE

By submitting this Financial Disclosure / Affidavit of Indigency Form, you will be assessed a non-refundable $25.00 application fee unless waived or reduced by the court. If assessed, the fee is to be paid to the clerk of courts within seven (7) days of submitting this form to the entity that will make a determination regarding your indigency. No applicant may be denied counsel based upon failure or inability to pay this fee.

IX. AFFIDAVIT OF INDIGENCY

I, _____(applicant or alleged delinquent child) being duly sworn, state:

1. I am financially unable to retain private counsel without substantial hardship to me or my family.
2. I understand that I must inform the public defender or appointed attorney if my financial situation should change before the disposition of the case(s) for which representation is being provided.
3. I understand that if it is determined by the county or the court that legal representation should not have been provided, I may be required to reimburse the county for the costs of representation provided. Any action filed by the county to collect legal fees hereunder must be brought within two years from the last date legal representation was provided.
4. I understand that I am subject to criminal charges for providing false financial information in connection
5. with this application for legal representation, pursuant to Ohio Revised Code sections 120.05 and 2921.13.

   I hereby certify that the information I have provided on this financial disclosure form is true to the best of my knowledge.

_____

Affiant's signature Date

Notary Public / Individual duly authorized to administer oath:

Subscribed and duly sworn before me according to law, by the above named applicant this _____ day of _____, _____, at _____, County of _____, State of Ohio.

_____ _____

Signature of person administering oath Title (example: Notary, Deputy Clerk of Courts, etc.)

X. JUDGE CERTIFICATION

I hereby certify that above-noted applicant is unable to fill out and / or sign this financial disclosure / affidavit for the following reason: _____. I have determined that the party represented meets the criteria for receiving court-appointed counsel.

_____ _____

Judge's signature Date

XI. NOTICE OF RECOUPMENT

ORC. §120.03 allows for county recoupment programs. Any such program may not jeopardize the quality of defense provided or act to deny representation to qualified applicants. No payments, compensation, or in-kind services shall be required from an applicant or client whose income falls below 125% of the federal poverty guidelines. See OAC 120-1-05.

Through recoupment, an applicant or client may be required to pay for **part** of the cost of services rendered, if he or she can reasonably be expected to pay. See ORC §2941.51(D)

XII. JUVENILE'S PARENTS' INCOME* – FOR RECOUPMENT PURPOSES ONLY – NOT FOR APPOINTMENT OF COUNSEL

	Custodial Parents' Income (Do not include parents' income if parent or relative is alleged victim)	Total
Employment Income (Gross)		
Unemployment, Workers Compensation, Child Support, Other Types of Income		
	TOTAL INCOME	**$**

*Please complete Section VI on page 1 of this form if you would like the court to consider your monthly expenses when determining the amount of recoupment which you can reasonably be expected to pay.

Form 2

COURT OF COMMON PLEAS OF _____ COUNTY, OHIO
JUVENILE DIVISION

_____ Plaintiff,	Case No. _____
	Judge _____
vs.	Magistrate _____
_____ Defendant.	

Instructions: Check local court rules to determine when this form must be filed.
By law, an affidavit must be filed and served with the first pleading filed by each party in every parenting (custody/visitation) proceeding in this Court, including Dissolutions, Divorces and Domestic Violence Petitions. Each party has a continuing duty while this case is pending to inform the Court of any parenting proceeding concerning the child(ren) in any other court in this or any other state. **If more space is needed, add additional pages.**

PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23(A))

Affidavit of _____
(Print Your Name)

Check and complete ALL THAT APPLY:

1. ☐ I request that the court not disclose my current address or that of the child(ren). My address is confidential pursuant to R.C. 3127.23(D) and should be placed under seal to protect the health, safety, or liberty of myself and/or the child(ren).
2. ☐ Minor child(ren) are subject to this case as follows:

Insert the information requested below for all minor or dependent children of this marriage. You must list the residences for all places where the children have lived for the last **FIVE** years.

a. Child's Name: _____ **Place of Birth:** _____

Date of Birth: _____ **Sex:** ☐ Male ☐ Female

Period of Residence			Check if Confidential	Person(s) With Whom Child Lived (name & address)	Relationship
_____	to	present	☐ Address Confidential?	_____	_____
_____	to	_____	☐ Address Confidential?	_____	_____
_____	to	_____	☐ Address Confidential?	_____	_____
_____	to	_____	☐ Address Confidential?	_____	_____

b. Child's Name: _____ **Place of Birth:** _____

Date of Birth: _____ **Sex:** ☐ Male ☐ Female

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

Period of Residence			Check if Confidential	Person(s) With Whom Child Lived (name & address)	Relationship
_____	to	present	☐ Address Confidential?	_____	_____
_____	to	_____	☐ Address Confidential?	_____	_____
_____	to	_____	☐ Address Confidential?	_____	_____
_____	to	_____	☐ Address Confidential?	_____	_____

c. Child's Name: _____ **Place of Birth:** _____

Date of Birth: _____ **Sex:** ☐ Male ☐ Female

☐ Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

Period of Residence			Check if Confidential	Person(s) With Whom Child Lived (name & address)	Relationship
_____	to	present	☐ Address Confidential?	_____	_____
_____	to	_____	☐ Address Confidential?	_____	_____
_____	to	_____	☐ Address Confidential?	_____	_____
_____	to	_____	☐ Address Confidential?	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CHILDREN, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

3. **Participation in custody case(s): (Check only one box.)**

☐ I **HAVE NOT** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case.

☐ I **HAVE** participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case. For each case in which you participated, give the following information:

a. Name of each child: _____ _____

_____ _____ _____

b. Type of case: _____

c. Court and State: _____

d. Date and court order or judgment (if any): _____

_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

4. **Information about other civil case(s) that could affect this case: (Check only one box.)**

☐ I **HAVE NO INFORMATION** about any other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning any child subject to this case.

☐ I **HAVE THE FOLLOWING INFORMATION** concerning other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning a child subject to this case. Do not repeat cases already listed in Paragraph 3. Explain:

a. Name of each child: _____ _____

_____ _____ _____

b. Type of case: _____

c. Court and State: _____

d. Date and court order or judgment (if any): _____

_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

5. **Information about criminal case(s):**

List all of the criminal convictions, including guilty pleas, for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any domestic violence offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

Name	Case Number	Court/State/County	Convicted of What Crime?

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX ☐.

6. Persons not a party to this case who has physical custody or claims to have custody or visitation rights to children subject to this case: (Check only one box.)

☐ I **DO NOT KNOW OF ANY PERSON(S)** not a party to this case who has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

☐ I **KNOW THAT THE FOLLOWING NAMED PERSON(S)** not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

a. Name/Address of Person _____ _____

☐ Has physical custody ☐ Claims custody rights ☐ Claims visitation rights

Name of each child: _____ _____

_____ _____ _____

b. Name/Address of Person _____ _____

☐ Has physical custody ☐ Claims custody rights ☐ Claims visitation rights

Name of each child: _____

_____ _____ _____

c. Name/Address of Person _____ _____

☐ Has physical custody ☐ Claims custody rights ☐ Claims visitation rights

Name of each child: _____ _____

_____ _____ _____

OATH

(Do Not Sign Until Notary is Present)

I, (print name) _____ , swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

_____
Your Signature

Sworn before me and signed in my presence this ____ day of _____ , _____ .

_____
Notary Public

My Commission Expires:

_____

Form 3

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

_____
Plaintiff,

vs.

_____
Defendant.

Case No. _____

RECORD REQUEST FORM

I, _____, hereby request the following:

Item(s) Requested: _____

_____

_____

Date of Hearing: _____

My address and telephone number are as follows: _____

_____

_____
Signature

_____
Printed Name

June, 2012
reviewed 2017

Form 4

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

_____ Plaintiff,

vs.

_____ Defendant.

Case No. _____

Notice of Intent to Relocate
[RC 3109.051 (G)]

I am _____, the residential parent of one or more of the parties' minor child(ren) or one of the parents in a shared parenting plan and, as required by RC 3109.051 (G), I give notice that I intend to relocate my residence to the following address:
_____.
I intend to move the following minor child(ren) with me:
_____.
The relocation will occur on or about _____, 20____.

My relocation is occurring for the following reason(s): _____
_____
_____

Respectfully submitted,

_____
(Your signature)

Print your name and the address and telephone number at which you may be reached:
_____
_____

Certificate of Service

I hereby certify that a copy of this Notice of Intent to Relocate was hand delivered to the opposing party or was mailed by ordinary United States Mail to the opposing party at the following address:_____on this ___ day of _____, 20__.

_____
(Signature of the person who mailed or personally delivered the copy)

Notice: Pursuant to Local Rule of Court , this Notice must be filed with the Clerk of Courts or Juvenile Clerk (whichever is appropriate) in the county in which your case was processed within three (3) days of the date that the copy was mailed to the opposing party, as indicated above in the Certificate of Service.

A hearing on whether the child(ren) may move may be scheduled by the Court or, upon the request of the opposing party, will be scheduled.

June, 2012
reviewed 2017

Appendix A
Age Appropriate Parenting Access Plans

The vision of the Ohio Task Force on Family Law and Children was to create an environment in which children whose parents live in difference homes:

- Could go back and forth peacefully between Mom's house and Dad's house;
- Have a weekly schedule that was developmentally appropriate; and
- Feel comfortable loving and interacting with both parents.

The best schedule is one that is tailor-made to each family by the family,
Adjusted as the child grows and family circumstances change. Children differ not only by age and developmental variances, but also by temperament, personality, and special needs. As the child grows and family circumstances change, arrangements need to change as well. Flexibility is a key to successful, child-centered schedules.

The Task Force examined model schedules from many counties throughout the country and decided to include those developed by Maricopa County, Arizona because they offered more options and were supported by current social science research. These sample schedules are offered here to encourage creativity. They are not intended to be guidelines to be imposed by a Court. The parenting access plans provided are examples of what may work well for children of a particular age and developmental stage, but should not be viewed as prescriptive. One size does not fit all.

Current research supports the involvement of both parents from the earliest days of a child's life. Perhaps the greatest creativity is required as teens develop and mature. Rigid schedules during those years may cause alienation, and supportive parents may find themselves showing up for sports and extracurricular events rather than relying on the routine that served them well when a child was young.

Children need two parents. They need for the two most important people in their lives to learn how to work together without on-going conflicts and rancor. When parents say "I'll do anything for my kids," the greatest gift and challenge may mean developing a cooperative parenting partnership with your child's other parent. Best Wishes!

SAMPLE PARENTING ACCESS PLANS

To Parents:

Raising children presents challenges for all parents. When parents live in separate homes the challenges are greater because the relationships become more complicated. Sometimes parents disagree about how much time children should spend with each of them. The following information will help parents reach agreements about parenting time (access) with their children.

These plans were developed by a committee of judicial officers, mental health providers and attorneys in Maricopa County, Arizona, who consulted with nationally known experts in child development. The Ohio Task Force on Family Law and Children selected these plans after an extensive review of material prepared in communities around the country and the world. These plans offer information about what children learn, feel and need at different ages. They also provide a variety of plans appropriate for each age group, and language that may be included in court orders.

Children describe the loss of contact with a parent as the worst consequence of divorce or parental separation. Unless special circumstances exist, preserving a healthy and ongoing relationship between children and both their parents after divorce, dissolution or separation is of utmost importance. Positive involvement with both parents furthers the child's emotional and social development, academic achievement, and overall adjustment.

WHY PLANS ARE NECESSARY

Written parenting access plans provide children and parents with some assurances of maintaining meaningful contact and can prevent future conflict. These plans are intended to encourage open dialog and cooperation between parents. The Courts prefer that parents reach agreements about schedules voluntarily. When parents reach an agreement about schedules on their own, they are more likely to remain cooperative as their children grow up. Children do best when parents cooperate. The reverse is also true. Children who experience ongoing conflict between parents are at high risk for suffering serious long-term emotional problems.

Parents must state their agreements about parenting time in their parenting access plan. A successful parenting access plan will state the agreements parents reach about parenting time, and sharing of parenting functions and responsibilities. The schedule should consider each child's developmental needs as identified in this booklet.

How To Use This Booklet

1. Locate Plans for your child(ren's) age.
2. Meet with your child's other parent to discuss parenting time and which plan for access (A, B or C) best suits your family's needs.
3. To assist you, the plans include sample calendars with sample parenting access plan language to include in court orders. These are examples only. You may choose any days or time you wish.
4. Because each child is unique, you may wish to establish different plans for children of different ages while making sure brothers and sisters are able to spend as much time together as possible. Be flexible!

Which Plan Should We Choose?

The following options are designed to allow parents or the Court, if necessary, to select the proper plan after considering the family's unique circumstances. Children differ in how long they are comfortable being away from each parent. Some children prefer spending more time at one home, while others move back and forth on a regular basis with ease. Parents may need to tolerate disruption of their own schedules, and more or less time with their child than they might otherwise prefer to provide the child with a sense of security and well-being.

When creating a plan, parents should consider the child's relationship with each parent. If a parent has never been a part of a child's life or has not had contact with the child for an extended period, access should start slowly and gradually increase as the child adjusts and feels comfortable.

A parent, who as an extremely busy work schedule, has not been the child's primary caregiver, or wants regular access without extensive care giving responsibility may consider **Plan A.**
A parent who has been involved in the day-to-day care of the child may desire greater access. This parent may consider **Plan B**.
A parent who has care giving experience and desires maximum access may consider **Plan C**.

As the child adjusts to the initial plan and feels comfortable, parents may consider increasing access by creating another plan. In some cases, it may be beneficial to change from one plan to another as the child gets older. When increasing access time, a parent's past involvement in caring for the child must be considered as well as the parent's willingness and ability to learn necessary care giving skills.

If parents cannot create a parenting access plan and access schedule that is best for their family, the Court will evaluate the case, and create a parenting access plan that it finds is in the best interest of the children.

Important Factors To Consider When Creating A Plan

- The child's age, maturity, temperament and strength of attachment to each parent
- Any special need of the child and parents
- The child's relationship with siblings and friends
- The distance between the two households
- The flexibility of both parents work schedules and the child's schedules to accommodate extended access
- Childcare arrangements

· Transportation needs
· The ability of parents to communicate and cooperate
· The child's and the parents' cultural and religious practices
· A parent's willingness to provide adequate supervision even if the parent has not done so in the past
· A parent's ability and willingness to learn basic care giving skills such as feeding, changing, and bathing a young child, preparing a child for daycare or school, or taking responsibility for helping a child with homework
· A parent's ability to care for the child's needs

Children Benefit When Parents

· Initiate the child's contact with the other parent on a regular basis by phone, letter, audio and videotapes, e-mail and other forms of communication
· Maintain predictable schedules
· Are prompt and have children ready at exchange time
· Avoid any communication that may lead to conflict at exchange time
· Ensure smooth transitions by assuring the children that they support their relationship with the other parent and trust the other's parenting skills
· Allow the children to carry "important" items such as clothing, toys, security blankets with them between the parents' homes
· Follow similar routines for mealtime, bedtime, and homework time
· Handle rules and discipline in similar ways
· Support contact with grandparents and other extended family so the children do not experience a sense of loss
· Are flexible so the child can take advantage of opportunities to participate in special family celebrations or events
· Give as much advance notice as possible to the other parent about special occasions
· Provide an itinerary of travel dates, destination, and places where the child or parent can be reached when on vacation
· Establish a workable, "business-like" method of communication
· Plan their vacations around the child's regularly scheduled activities

Children Are Harmed When Parents

· Make their child choose between mom and dad
· Question their child about the other parent's activities or relationships
· Make promises they do not keep
· Argue with or put down the other parent in the child's presence or range of hearing
· Discuss their personal problems with the child or in the child's range of hearing
· Use the child as a messenger, spy or mediator
· Withhold access because child support has not been paid

SPECIAL CIRCUMSTANCES

These sample plans may not apply to all family situations or all children. They are not appropriate if there are significant issues of:

· Child abuse or neglect
· Serious mental or emotional disorders
· Drug or alcohol abuse or criminal activity
· Domestic violence
· Continuous levels of very intense conflict

When a child's physical or emotional safety is at risk, it is necessary to protect the child. Parents who have concerns about these issues should seek help from an attorney, mental health professional, court services, domestic abuse agency, or local social services agency.

Remember, the welfare of the child is of utmost importance.

Definitions of terms used in this booklet:

Attachment: the process of building strong emotional bonds to specific care givers, critical for the child's development during the first year. A sense of security, the development of trust in others and positive emotional and social adjustment occur as a result of attachment.

Bonding: The development of close, loving and trusting relationships.

Parenting access plan: means a plan for the parenting of a minor child, which provides for the allocation of parenting functions and responsibilities.

Transition: moving between parents' homes.

SAMPLE PARENTING ACCESS PLANS

Birth to Twelve Months

Infants learn at a rapid rate. They are learning to love and trust familiar caregivers. Infants learn to attach to parents and others through consistent, loving responses such as: holding, playing, feeding, soothing, talking gently and lovingly, and meeting their needs promptly. They begin to respond to the different but equally valuable types of parenting mothers and fathers provide.

Infants cannot retain experiences over time, so it is important that they have frequent contact with both parents and a predictable schedule and routine. Infants can retain “emotional memories” of conflict that can have long-term negative effects, so parents should not argue when children, even infants, can overhear.

By six months, infants can recognize their parents and other caregivers, and may become uneasy around strangers. Regular caregivers are able to recognize their signals for food, comfort, and sleep. When away from them, infants may become anxious and may experience eating and sleeping problems.

At this young age, it is important to maintain the infant’s basic sleep, feeding, and waking cycles. Schedules should be adjusted so that disruption does not occur. For example, in creating parenting access plans for this age group, parents should consider the special needs of breastfeeding infants.

All plans presume that the parent with access has appropriate baby supplies (infant seat, car seat, crib, diapers, toys) and that access will take place in a child friendly setting that is visually and intellectually stimulating. The parent with access time should personally care for the child as much as possible.

Return to the other home should be at least one half hour before bedtime. Once established, schedules should remain as consistent as possible.

All plans that include overnights presume that the parent with access not only had care giving experience but that the child is sufficiently attached and accustomed to being in the care of that parent for long periods.

Birth to Twelve Months

Plan A(1): Three periods of three to six hours spaced throughout each week.
Comment: Frequent contact helps the parent and the child bond.

Parent A. Parent B.

	M	T	W	TH	F	S	S
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2:00							
3:00							
4:00		4:30		4:30			
5:00							
6:00							
7:00		7:30		7:30			
8:00							
overnight							

Sample Parenting plan language: Parent A shall have time which the child each week on Tuesday and Thursday from 4:30 p.m. to 7:30 p.m. and Saturday from 9:00 a.m. to 3:00 p.m. The child shall be with Parent B the remainder of the time.

Plan A(2): Two six hour periods spaced throughout the week.
Comment: This plan is helpful when the parents' work schedules or their levels of conflict make more frequent exchanges difficult. Because in this plan there are only two opportunities to parent each week, bonding between the parent and child may proceed more slowly and the child may experience some difficulty going from one parent to the other.

	M	T	W	TH	F	S	S
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2:00							
3:00							
4:00							
5:00							
6:00							
7:00							
8:00							
overnight							

Sample parenting plan language: Parent A shall have time with the child each week on Tuesday from 12:00 p.m. to 6:00 p.m. and Saturday from 9:00 a.m. to 3:00 p.m. The child shall be with Parent B the remainder of the time.

Birth to Twelve Months

Plan B: Two three-hour periods and one eight hour period spaced throughout each week:

Parent A **Parent B**

	M	T	W	TH	F	S	S
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2:00							
3:00							
4:00		4:30		4:30			
5:00							
6:00							
7:00		7:30		7:30			
8:00							
overnight							

Sample parenting plan language: Parent A shall have time with the child each week on Tuesday and Thursday from 4:30 p.m. to 7:30 p.m. and on Saturday from 10:00 a.m. to 6:00p.m. The child shall be with Parent B the remainder of the time.

Vacation: Time blocks that vary significantly from the above are not recommended.

Holidays: When holidays or special occasions like Father's Day, Mother's Day and birthdays do not fall on a parent's access day, parents should consider dividing them consistent with the blocks noted above.

Birth to Twelve Months

Plan C: Two periods of three to six hours and one or more overnights each week.

Parent A. **Parent B.**

	M	T	W	TH	F	S	S
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2:00							
3:00							
4:00		4:30		4:30		4:30	4:30
5:00							
6:00							
7:00		7:30		7:30			
8:00							
overnight							

Sample parenting plan language: Parent A shall have time with the child each week on Tuesday and Thursday from 4:30 p.m. to 7:30 p.m. and on Saturday from 4:30 p.m. to Sunday at 4:30 p.m. The child shall be with Parent B the remainder of the time.

Vacation: Presuming that Plan C overnights have been ongoing, parents may have three consecutive overnights, weekend or midweek, twice each year. Each parent shall give the other parent thirty days written notice of vacation plans and an itinerary of travel dates, destination, and places where the child or parent can be reached.

Holidays: When holidays or special occasions like Father's Day, Mother's Day and birthdays do not fall on a parent's access day, parents should consider dividing them consistent with the blocks noted above.

Twelve to Twenty-four Months

One to two year olds are becoming more aware of the world around them and the people who are frequently in contact with them. A baby at this age can be attached to many caregivers including grandparents, other extended family members, daycare providers, babysitters and family friends who are frequently in contact with the child.

One to two year olds are also becoming independent and are developing the ability to comfort themselves by thumb-sucking or holding onto favorite blankets or toys. Their sleeping and eating schedules are also becoming regular. They continue to respond to the different but equally valuable types of parenting mothers and fathers provide. Two year olds commonly test parental limits and appropriate parental responses can build the child's self-esteem for years to come.

Transitions between homes may become difficult for someone to two year olds and they may become upset at these times. Some resistance to exchanges is normal for some children. This behavior does not necessarily mean the other parent is not a good parent or that the child does not want to be with the other parent. Parents can make exchanges easier for the child by following predictable schedules and by supporting the child's relationship with the other parent.

All plans presume that the parent with access has appropriate baby supplies (infant seat, car seat, crib, diapers, toys) and that access will take place in a child friendly setting that is visually and intellectually stimulating. The parent with access time should personally care for the child as much as possible.

Return to the other home should be at least one half hour before bedtime. Once established, schedules should remain as consistent as possible.

All plans that include overnights presume that the parent with access not only had care giving experience but that the child is sufficiently attached and accustomed to being in the care of that parent for long periods.

Twelve to Twenty-four Months

Plan A(1): Three periods of three to six hours spaced throughout each week.
Comment: Frequent contact helps the parent and the child bond.

Parent A ■ □ □ □ **Parent B**

	M	T	W	TH	F	S	S
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2:00							
3:00							
4:00		4:30		4:30			
5:00							
6:00							
7:00		7:30		7:30			
8:00							
overnight							

Sample Parenting plan language: Parent A shall have time which the child each week on Tuesday and Thursday from 4:30 p.m. to 7:30 p.m. and Saturday from 9:00 a.m. to 3:00 p.m. The child shall be with Parent B the remainder of the time.

Plan A(2): Two six hour periods spaced throughout the week.
Comment: This plan is helpful when the parents work schedules or their levels of conflict make more frequent exchanges difficult. Because in this plan there are only two opportunities to parent each week, bonding between the parent and child may proceed more slowly and the child may experience some difficulty going from one parent to the other.

	M	T	W	TH	F	S	S
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2:00							
3:00							
4:00							
5:00							
6:00							
7:00							
8:00							
overnight							

Sample parenting plan language: Parent A shall have time with the child each week on Tuesday from 12:00 p.m. to 6:00 p.m. and Saturday from 9:00 a.m. to 3:00 p.m. The child shall be with Parent B the remainder of the time.

Twelve to Twenty-four Months

Plan B: Two four-hour periods and one eight hour period spaced throughout each week:

Parent A **Parent B**

	M	T	W	TH	F	S	S
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2:00							
3:00							
4:00		4:30		4:30			
5:00							
6:00							
7:00							
8:00		8:30		8:30			
overnight							

Sample parenting plan language: Parent A shall have time with the child each week on Tuesday and Thursday from 4:30 p.m. to 8:30 p.m. and on Saturday from 10:00 a.m. to 6:00 p.m. The child shall be with Parent B the remainder of the time.

Vacation: Time blocks that vary significantly from the above are not recommended, unless the child has gradually adjusted to overnights with parent A.

Holidays: When holidays or special occasions like Father's Day, Mother's Day and birthdays do not fall on a parent's access day, parents should consider dividing them consistent with the blocks noted above.

Twelve to Twenty-four Months

Plan C: One daytime period of three to six hours and two non-consecutive overnights each

Parent A **Parent B**

	M	T	W	TH	F	S	S
8:00					8:30		
9:00							
10:00							
11:00							
Noon							
1:00							
2:00		2:30					
3:00							
4:00						4:30	4:30
5:00				5:30			
6:00							
7:00							
8:00		8:30		8:30			
overnight							

Sample parenting plan language: Parent A shall have time with the child each week on Tuesday from 2:30 p.m. to 8:30 p.m., Thursday at 5:30 p.m. to Friday at 8:30 a.m. and Saturday from 4:30 p.m. to Sunday at 4:30 p.m. The child shall be with Parent B the remainder of the time.

Vacation: Presuming that Plan C overnights have been ongoing, parents may have one period of three consecutive overnights, midweek or weekend, with children 12 to 18 months old. After the age of 18 month, parents may have two one-week periods separated by at least four weeks. Each parent shall give the other parent thirty days written notice of vacation plans and an itinerary of travel dates, destination, and places where the child or parent can be reached.

Holidays: When holidays or special occasions like Father's Day, Mother's Day and birthdays do not fall on a parent's access day, parents should consider dividing them consistent with the blocks noted above.

SAMPLE PARENTING ACCESS PLANS

Twenty-four to Thirty-six Months

Ages two to three are an important time for children to develop independent skills. Although children this age are learning to be independent, they may still cling to their caregiver and resist separation. They may be negative, and say “NO!” to parents’ requests and demands just to express their independence. They may also be fearful about unfamiliar activities and objects. Predictable, regularly scheduled routines help children manage their fears and help them learn that the world is a safe place. Moving between parents’ homes may become difficult for children at this age and they may become upset. This behavior does not necessarily mean that the other parent is not a good parent or that the child does not want to be with the other parent. Parents must ensure that the transitions between the two parents’ homes are free of parental arguing and tension.

Plan A(1): Two three to four hour periods and one eight hour period spaced throughout each week:

Parent A. **Parent B.**

	M	T	W	TH	F	S	S
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2:00							
3:00							
4:00		4:30		4:30			
5:00							
6:00							
7:00							
8:00		8:30		8:30			
overnight							

Sample parenting plan language: Parent A shall have time with the child each week on Tuesday and Thursday from 4:30 p.m. to 8:30 p.m. and on Saturday from 10:00 a.m. to 6:00 p.m. The child shall be with Parent B the remainder of the time.

Vacation: Time blocks that vary significantly from the above are not recommended.

Holidays: When holidays or special occasions like Father’s Day, Mother’s Day and birthdays do not fall on a parent’s access day, parents should consider dividing them consistent with the blocks noted above.

Twenty-four to Thirty-six Months

Plan A(2): Two periods of three to six hours and one overnight each week:

Parent A. **Parent B.**

	M	T	W	TH	F	S	S
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2:00							
3:00							
4:00		4:30		4:30			
5:00							
6:00							
7:00		7:30		7:30			
8:00							
overnight							

Sample parenting plan language: Parent A shall have time with the child each week on Tuesday and Thursday from 4:30 p.m. to 7:30 p.m. and on Saturday from 4:00 p.m. to Sunday at 10:00 a.m. The child shall be with Parent B the remainder of the time.

Vacation: Presuming Plan A(2) overnights have been ongoing, parents may have two one-week periods separated by at least four weeks. Each parent shall give the other parent thirty days written notice of vacation plans and an itinerary of travel dates, destinations, and places where the child or parent can be reached.

Holidays: When holidays or special occasions like Father's Day, Mother's Day and birthdays do not fall on a parent's access day, parents should consider dividing them consistent with the blocks noted above.

Twenty-four to Thirty-six Months

Plan B: One period of three to six hours and two non-consecutive overnights each week:
Comment: Ideally a child of this age should not be separated on a regular schedule from either parent for longer than four days.

Parent A. □ □ □ □**Parent B.**

	M	T	W	TH	F	S	S
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2:00							
3:00							
4:00			4:30				
5:00							
6:00							
7:00			7:30				
8:00							
overnight							

Sample parenting plan language: Parent A shall have time with the child each week on Wednesday 4:30 p.m .to 7:30 p.m. and Monday 8:00 a.m. to Tuesday 8:00 a.m. and Friday 8:00 a.m. to Saturday 1:00 p.m. The child shall be with Parent B the remainder of the time.

Vacation: Presuming that Plan B overnights have been ongoing, use Plan A(2) vacation plan for this age group.

Holidays: See Plan A(2) Holiday for this age group.

Twenty-four to Thirty-six Months

Plan C: One period of three to six hours and two consecutive overnights each week:

Parent A. **Parent B.**

	M	T	W	TH	F	S	S
8:00							
9:00							
10:00							
11:00							
Noon							
1:00							
2:00							
3:00							
4:00							
5:00	5:30						
6:00							
7:00							
8:00							
overnight							

Sample parenting plan language: Parent A shall have time with the child each week on Saturday 10:00 a.m. to 1:00 p.m. and Monday 5:30 p.m. to Wednesday 8:00 a.m. The child shall be with Parent B the remainder of the time.

Vacation: Presuming that Plan C overnights have been ongoing, use Plan A(2) vacation plan for this age group.

Holidays: See Plan A(2) Holidays for this age group.

SAMPLE PARENTING ACCESS PLANS

Three to Five Years

Three to five year-olds are attached to their regular caregivers and separation may cause them to be uncomfortable and anxious. They may also be fearful about unfamiliar activities and objects and may experience night fears like “monsters” under the bed.

Three to five year-olds may show increased discomfort when moving between parents’ homes. They may become very upset at these times. This behavior does not necessarily mean that the other parent is not a good parent or that the child does not want to be with the other parent. Parents can make exchanges easier for children by following predictable schedules.

Three to five year-olds may benefit from structured time with children their own age, away from parents. This time helps them to develop social skills and to learn that they can be safe and happy away from both parents.

Children are more likely to resist going to the other parent if the parents are tense, hostile or argue with each other at the exchange. If tension is present, the child might become difficult to manage or might display a variety of behaviors consistent with emotional problems. If parents cannot be pleasant, or at least neutral, they should limit communications at these exchanges. Parents **must not** use the child as a messenger to communicate with the other parent. Children may also feel more secure if they can take favorite stuffed toys, family photos or other objects that will remind them of the other parent.

After age three, children become more aware of holiday celebrations. To avoid disputes, parents should schedule for as many holidays as are meaningful to the family, whether religious, cultural, or national in their access plan. Parents should also include family birthdays and annual parent day celebrations.

The options discussed for 24 months to 36 months are also appropriate for this age group.

Plan A(1): Two consecutive overnights every other week and an additional overnight or afternoon/evening period each week.

Plan A(2): Three consecutive overnights week one. Another overnight or afternoon/evening period of three to four hours may be added in week two.

Sample Monthly Schedule

Plan A(1)						
M	T	W	TH	F	S	S
		5:30 p.m.		5:30 p.m.		6:00 p.m.
		5:30 p.m.				
		5:30 p.m.		5:30 p.m.		6:00 p.m.
		5:30 p.m.				
Parent A shall have time with the child week one from Friday at 5:30 p.m. to Sunday at 6:00 p.m. In addition, Parent A shall have time with the child each week from Wednesday at 5:30 p.m. to Thursday 8:00 a.m. The child shall be with Parent B the remainder of the time. Repeat Schedule weeks three and four.						

Plan A(2)						
M	T	W	TH	F	S	S
			5:30 p.m.			6:00 p.m.
		5:30 p.m.				
			5:30 p.m.			6:00 p.m.
		5:30 p.m.				
Parent A shall have time with the child week one from Thursday at 5:30 p.m. to Sunday at 6:00 p.m. In addition, Parent A shall have time with the child each week from Wednesday at 5:30 p.m. to Thursday 8:00 a.m. The child shall be with Parent B the remainder of the time. Repeat Schedule weeks three and four.						

Three to Five Years

Plan B: Four consecutive overnights week one. Another overnight or afternoon/evening period of three to four hours may be added in week two.

Plan C(1): Parents split each week and the weekend.
Comment: This plan provides consistent routine and accommodates a young child's ability to be apart from either parent for only three days. It also allows the child to have a "stay home" day (Saturday or Sunday) with each parent each week, which is helpful to many young children. Parents may dislike not having full weekend access, but the schedule can be modified to allow full weekends during the summer or on holidays. If desired, parents may alternate exchanges so one week one parent has three overnights and the other has four overnights and the next week the number of overnights is reversed.

Sample Monthly Schedule

Plan B						
M	T	W	TH	F	S	S
			5:30 p.m.			6:00 p.m.
			5:30 p.m.			
			5:30 p.m.			6:00 p.m.
			5:30 p.m.			
Parent A shall have time with the child week one from Monday at 8:00 a.m. In addition, Parent A shall have time with the child from Thursday at 5:30 p.m. to Friday 8:00 a.m. week two. The child shall be with Parent B the remainder of the time. Repeat Schedule weeks three and four.						

Plan C(1)						
M	T	W	TH	F	S	S
		12:00 p.m.				8:00 a.m.
		12:00 pm.				8:00 a.m.
		12:00 p.m.				8:00 a.m.
		12:00 p.m.				8:00 a.m.
Parent A shall have time with the child each week from Sunday 8:00 a.m. to Wednesday 12:00 p.m. Parent B shall have time from Wednesday at 12:00 pm to Sunday at 8:00 a.m.						

Three to Five Years

Plan C(2): Each parent has the same two consecutive midweek overnights each week and alternates the weekends.
Comment: This plan provides each parent with alternating full weekends with and without the children. The child is away from each parent during alternate weeks for five days, which may be difficult for some children at this age. This plan is helpful when the parents' level of conflict makes exchanges difficult, because all exchanges can take place at day care.

Sample Monthly Schedule

Plan C(2)						
M	T	W	TH	F	S	S
5:30 p.m.	8:00 a.m.			5:30 p.m.		8:00 a.m.
5:30 p.m.	8:00 a.m.					
5:30 p.m.	8:00 a.m.			5:30 p.m.		8:00 a.m.
5:30 p.m.	8:00 a.m.					
Parent A shall have time with the child every Monday after daycare or 5:30 p.m. If not in daycare to Wednesday 8:00 a.m. Parent B shall have time with the child every Wednesday after daycare or 5:30 p.m. If not in daycare to Friday at 8:00 a.m. The parties shall alternate weekends (Friday to Monday at 8:00 a.m.)						

Vacation: Each parent shall have the opportunity to spend up to 10 days in town or out of town each year or two one week periods taken separated by at least three weeks. Telephone contact is recommended during out of town periods. Each parent shall give the other parent thirty days written notice of vacation plans and an itinerary of travel dates, destination, and places where the child or parent can be reached.

Holidays: See the "What to do about the Holidays" section of this booklet.

SAMPLE PARENTING ACCESS PLANS

Six to Nine Years

Six to nine year-old children may worry that one parent does not love them or that they will lose one parent. They may also experience intense longing for the absent parent. It is common for these children to fantasize that their parents will get back together.

Some six to nine year-olds benefit from spending more time at one home, while other move back and forth on a regular basis with ease. Children differ in how long they are comfortable being away from each parent. If the child has spent considerable quality time with the parent who has access, that child may cope better with a long separation from the other parent.

All scheduling should maximize parents' time off from work. If work schedules change, parents may vary access days with appropriate prior notice.

Plan A(1): Two consecutive overnights every other week. An additional three to six hour period or overnight may be added each week.

Plan A(2): Three consecutive overnights every other week and an additional four to six hour period each week.

Sample Monthly Schedule

Plan A (1)						
M	T	W	TH	F	S	S
		5:30 p.m.		5:30 p.m.		6:00 p.m.
		5:30 p.m.				
		5:30 p.m.		5:30 p.m.		6:00 p.m.
		5:30 p.m.				
Parent A shall have time with the child week one from Friday at 5:30 p.m. to Sunday at 6:00 p.m. In addition, Parent A shall have access each Wednesday from 5:30 p.m. to 8:30 p.m. each week. The child shall be with Parent be the remainder of the time.						

Plan A (2)						
M	T	W	TH	F	S	S
5:30 p.m.					2:00-8:00	
					2:00-8:00	
5:30 p.m.					2:00-8:00	
					2:00-8:00	
Parent A shall have time with the child week one from Monday at 5:30 p.m. to Thursday at 8:00 a.m. In addition, Parent A shall have access every Saturday from 2:00 p.m. to 8:00 p.m. The child shall be with Parent B the remainder of the time. Repeat schedule weeks three and four.						

Six to Nine Years

Plan B: Four consecutive overnights week one with an additional overnight week two.

Plan C(1): Split each week and weekend
Comment: This plan allows each parent to participate more in the child's academic life. It also provides a consistent routine, accommodates a young child's ability to be apart from either parent for only three days and allows the child to have a "stay home" day (Saturday or Sunday) with each parent each week, which is helpful to many young children. Parents may dislike not having full weekend access, but the schedule can be modified to allow full weekends during the summer or on holidays. If desired, parents may alternate exchanges so one week one parent has three overnights and the other had four overnights and the next week the number of overnights is reversed.

Sample Monthly Schedule

Plan A (1)						
M	T	W	TH	F	S	S
		5:30 p.m.				
	5:30 p.m.					
		5:30 p.m.				
	5:30 p.m.					
Parent A shall have time with the child week one from Wednesday at 5:30 p.m. to Sunday at 8:00 a.m. In addition, Parent A shall have access each week two on Tuesday from 5:30 p.m. to Wednesday 8:00 a.m. the Child shall be with Parent B the remainder of time.						

Plan A (1)						
M	T	W	TH	F	S	S
		12:00 p.m.				8:00 a.m.
		12:00 p.m.				8:00 a.m.
		12:00 p.m.				8:00 a.m.
		12:00 p.m.				8:00 a.m.
Parent A. shall have time with the child each week from Sunday 8:00 a.m. to Wednesday 12:00 p.m. Parent B shall have time from Wednesday at 12:00 p.m. to Sunday at 8:00 a.m.						

Six to Nine Years

Plan C(2): Each parent has the same two consecutive midweek overnights each week and alternates the weekends.
Comment: This plan provides each parent with alternating full weekends with and without the children. The child is away from each parent during alternate weeks for five days, which may be difficult for some children. This plan is helpful when the parents' level of conflict makes exchanges difficult, because all exchanges can take place at school or daycare.

Plan C(3): The parents share time with the child during alternating seven day periods. A midweek overnight is optional for the parent who does not have access that week. The exchange time can be Friday after school or work, Sunday afternoon or evening, or Monday after school.
Comment: This plan requires effective parental communication and cooperation to arrange weekly activities for the children. For example, if one parent wants to enroll the children in karate lessons on Tuesday evenings, the other parent must be willing to follow up with this activity when the children are with that parent. All exchanges for this plan can take place at school or day care if desired. While some children thrive with this access plan, others may find this arrangement disruptive.

Sample Monthly Schedule

Plan C (2)						
M	T	W	TH	F	S	S
3:30 p.m.				5:30 p.m.		
3:30 p.m.						
3:30 p.m.				5:30 p.m.		
3:30 p.m.						

Parent A shall have time with the child every Monday after school to Wednesday at 8:00 a.m. Parent B shall have time with the child every Wednesday after school to Friday at 8:00 a.m. The parties shall alternate weekends (Friday after school to Monday morning).

Plan C (3)						
M	T	W	TH	F	S	S

Parent A. shall share time with the child for a seven-day period (alternating weeks). Week one: Parent A shall drop the child off at school Friday at 8:00 a.m. and Parent B shall pick the child up after school. Week two: Parent B shall drop the child off a school Friday at 8:00 a.m. and Parent A shall pick the child up after school. Repeat schedule weeks three and four. (Optional: The parent who does not have time with the child during the week shall be entitled to an overnight, normally to occur Wednesday from 5:30 p.m. to Thursday at 8:00 a.m.).

Vacation: Each parent shall have the opportunity to spend two, two week periods of in town or out of town vacation each year for children age six to eight. Each parent shall have the opportunity to spend up to four consecutive weeks of vacation after the child is eight. Each parent shall give the other parent thirty days written notice of vacation plans and an itinerary of travel dates, destination, and places where the child or parent can be reached. If the child is in town during a four week vacation period, the non-vacationing parent may have one weekend (Friday at 5:30 p.m. to Sunday at 6:00 p.m.) if desired.

Holidays: See the “what to do about the holiday” section of this booklet.

SAMPLE PARENTING ACCESS PLANS

Ten to Thirteen Years

Ten to thirteen year old children often want to be independent from their parents and are becoming more attached to their friends. They may blame one parent for the divorce, may be angry and embarrassed by the breakup of the family, and may side with one parent.

Children at this age often want to have a say in their living arrangements. Parents should allow them to express their views, while making it clear that it is up to the parents to make the final decisions. As children begin junior high school, parents should give consideration to their school and extracurricular activities. Parents should be flexible remembering that access must still occur on a regular basis.

All plans for six to nine year-olds are suitable for this age group.

Vacation: Each parent shall have the opportunity to spend two, two week periods or up to on four week period for in town or out of town vacation. Each parent shall give the other parent thirty days written notice of vacation plans and an itinerary of travel dates, destination, and places where the child or parent can be reached. Telephone contact is recommended. If the child is in town during a four week vacation period, the non-vacationing parent may have one weekend (Friday at 5:30 p.m. to Sunday at 6:00 p.m.) if desired.

Holidays: See the “what to do about the holidays” section of this booklet.

SAMPLE PARENTING ACCESS PLAN

Fourteen to Eighteen Years

During the later teen years, children want to be independent and believe they are capable of making their own decisions. Often, their focus is on their friends, school, activities, or work more so than on their family. Fourteen to eighteen year-olds may resist a rigid or well defined access schedule. Parents should be flexible and accept the children's increasing ability to care for their own needs. Many older teens prefer a primary house to use as a base where their friends can contact them. Sometimes they prefer it just because it is less confusing. As a result, for some children, having one parent's house as a primary house is important. Parents should consult with older teens regarding their ideas for living arrangements, access schedules, and family activities. Parents, however, must remind their teens that final decisions rest with the parents.

All of the plans listed from age six and older are suitable for this age group.

Plan A: Two consecutive overnights every other week, preferably on the weekend and an optional additional afternoon/evening period each week. One household becomes the "home base".

Plan B: The parents share time with the child during alternating seven-day periods. A midweek overnight period is optional for the parent who does not have access that week. The exchange time can be Friday after school or work, Sunday afternoon or evening, or Monday after school.

Comment: The plan requires effective parental communication and cooperation to arrange weekly activities for the children. For example, if one parent wants to enroll the children in karate lessons on Tuesday evenings, the other parent must be willing to follow up with this activity when the children are with that parent. While some children thrive with this access plan, others may find this arrangement disruptive.

Sample Monthly Schedule

Plan A						
M	T	W	TH	F	S	S
		5:30 - 9:00		5:30 p.m.		6:00 p.m.
		5:30 - 9:00				
		5:30 - 9:00		5:30 p.m.		6:00 p.m.
		5:30 - 9:00				

Parent A shall have time with the child every other week from Friday at 5:30 p.m. to Sunday at 6:00 p.m. In addition, Parent A shall have access each Wednesday from 5:30 p.m. to 9:00 p.m. each week. The child shall be with Parent B. the remainder of time.

Plan B						
M	T	W	TH	F	S	S
		5:30 -				
5:30 p.m.		5:30 -				
		5:30 -				
5:30 p.m.		5:30 -				

Parent A .shall have time with the child for a seven-day period (alternating weeks). Week one: Parent A shall drop the child off at school Monday at 8:00 a.m. and parent B shall pick the child up at school at 5:30 p.m. Week two:
Parent B shall drop the child off at school Monday at 8:00 a.m. and Parent A shall pick the child up at school at 5:30 p.m. Repeat schedule weeks three and four. (Optional: The
parent who does not have time with the child during the week shall be entitled to an overnight, normally to occur Wednesday from 5:30 p.m. to Thursday at 8:00 a.m.).

Fourteen to Eighteen Years

Plan C: The parents shall share time with the child during alternating fourteen-day periods. While scheduled to be with on parent, the child may have access to the other parent intermittently, as determined by the child's school and activity schedules, as well as the child's need and desires.

Sample Monthly Schedule

Plan C						
M	T	W	TH	F	S	S
				5:30 p.m.		

Parents shall share time with the child on an alternating 14-day basis. Week one: Parent A shall drop the child off at school Friday at 8:00 a.m. and Parent B shall pick the child up after school. Week three: Parent B shall drop the child at school at 8:00 a.m. and Parent A shall pick the child up after school. (Optional: The parent who does not have time with the child during the fourteen day period shall have access as determined by the child's school and activity schedules, as well as the child's needs and desires.)

Vacation: Each parent shall have the opportunity to spend two, two week periods or up to one four week period for in town or out of town vacation. Each parent shall give the other parent thirty days written notice of vacation plans and an itinerary of travel dates, destination, and places where the child or parent can be reached. Telephone contact is recommended. If the child is in town during a four week vacation period, the non-vacationing parent may have one weekend (Friday at 5:30 p.m. to Sunday at 6:00 p.m.) if desired.

Holidays: See the "What to do about the Holidays" section of this booklet.

WHAT TO DO ABOUT THE HOLIDAYS

Parents May:

1. Divide: Split the day or weekend (not necessarily equally) with both parents.

   Sample parenting access plan language: Parent A shall have access on [specify holiday] from 9 a.m. to 2 p.m. Parent B shall have access from 2 p.m. to 8 p.m.

2. Alternate: One parent has access on certain holidays in even years and the other parent has access in odd years.

   Sample parenting access plan language: Parent A shall have time with the child on [specify the holidays] in all even years from 9 a.m. to 5 p.m. Parent B shall have time with the child from 9 a.m. to 5 p.m. on [specify the holidays] in all odd years.

3. Substitute: One parent always has a specific holiday in exchange for another holiday.

   Sample parenting access plan language: Parent A shall have [specify holiday] each year and parent B shall have [specify holiday] each year.

4. Scheduled: Parents follow their regular schedule and celebrate the holiday with the child if they have access on that day or time. Sample parenting access plan language: Parents shall celebrate [specify holiday] if it falls on the day they regularly have access.

5. Each parent celebrates his or her parent day with the child.

   Holidays and days of special meaning have priority over regular access periods.

   Parents may vary their choice or method for each holiday because one method may work well for one holiday, but not for another.

PARENT/CHILD ACCESS-LONG DISTANCE

Special considerations may arise when a parent moves a long distance away from his or her child, but close relationship between the child and the parent should be maintained. Access shall be provided throughout the year at regular intervals. Parents must consider the age and maturity of the child, school schedules and work schedules of other family members when deciding how often and how long visits should be. **Parents should refer to the developmental information provided in this booklet when creating long distance plans.**

Parents must also consider their financial ability to provide transportation and the cost/availability of childcare when children are visiting from out of town. If the Court has not allocated travel expenses in the child support order, parents should allocate these costs by agreement prior to finalizing any schedule.

Depending upon the actual distance between the two parents' homes, and the availability of transportation, there shall be a minimum of four access periods each year. Access shall occur in the summer, during the winter holiday season, during Thanksgiving or spring break, and on or near the child's birthday. If the child's birthday falls during one of the other scheduled access periods, a fourth access period shall be scheduled at another time. If logistically possible, twice-monthly visits should occur. If parents live within driving distance, they should each drive one direction or meet half way. Ideally, children under age eight should not fly alone.

As children approach age three, they become aware of holidays. Holidays can be a challenge to parents who live far apart. Parents must be flexible and cooperative so that the child can enjoy holidays with both of them. To avoid disputes, parents should schedule for as many religious, cultural or national holidays as are meaningful to the family. Parents should also include family birthdays and annual parent day celebrations.

What to do about holidays-long distance

When parents live a long distance apart, all the options available for short distance plans are not available. Parents must consider the child's school and work schedules when arranging for holiday visits. Parents may:

1. Alternate: One parent has access on certain holidays in even years and the other parent has access in odd years. Holidays begin at 6:00 p.m. on the last day of school and conclude at 6:00 p.m. the day before school starts.
Sample access plan language: Parent A shall have time with the child on [specify holidays] on all even years from 6:00 p.m. Wednesday to 6:00 p.m. Sunday. Parent B shall have time with the child for [specify holidays] on all odd years.
2. Substitute: One parent always has a specific holiday in exchange for another holiday.
Sample access plan language: Parent A shall have [specify holiday] each year and Parent B shall have [specify holiday] each year.
3. Scheduled: Parents follow their regular schedule and celebrate the holiday with the child if they have access on that weekend. The weekend shall be extended to include the holiday.
Sample access plan language: Parents shall celebrate [specify holiday] if it falls on or close to the weekend they regularly have access.

Parents may vary their choice or method for each holiday because one method may work well for one holiday, but not for another.

Appendix B-1

DEFIANCE COUNTY COURT OF COMMON PLEAS
JUVENILE DIVISION
REQUIRED DEPOSITS

DEPOSITS

Complaint/Petition for Paternity, Custody, Support	$150.00
Delinquency or Unruly Cases filed by a parent, guardian or other	100.00
Abuse Dependent Neglect cases	100.00
Service by Publication	100.00
GAL Appointment	1150.00
Motions	50.00
Intent to Relocate	5.00
Filing of an Appeal	150.00
Sealing	No charge
Certified copy	1.00
Photocopy	0.10/page

June, 2012
revised 2017

Appendix B-2

HENRY COUNTY FAMILY COURT
JUVENILE DIVISION
COURT COSTS & DEPOSITS

DEPOSITS (for Privately Filed Cases)

Parentage Allocation of Parental Rights & Responsibilities or Parenting Time Cases	$200.00
Delinquency or Unruly Cases filed by a parent, guardian or other	100.00
Abuse Dependent Neglect case	100.00
Service by Publication	100.00
Court Evaluation	100.00
CASA Appointment	150.00
GAL Appointment	800.00
Motion to re-open a case	150.00
Motion with consent Judgment Entry	50.00
Intent to Relocate	25.00
Motion & Judgment Entry for Mediation (re-opening a case)	50.00
Filing of an Appeal	150.00

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Appendix B-3

WILLIAMS COUNTY COURT OF COMMON PLEAS
JUVENILE DIVISION
REQUIRED DEPOSITS

DEPOSITS

Complaint/Petition for Paternity, Custody, Support	150.00
Delinquency or Unruly Cases filed by a parent, guardian or other	100.00
Abuse Dependent Neglect case	100.00
Service by Publication	100.00
Motion for Visitation	100.00
Contempt Motion	100.00
Change of Custody, Consent	100.00
Change of Custody, Contested	175.00
Intent to Relocate	25.00
Local Sheriff Service	50.00
Foreign Sheriff Service	100.00
Home Investigation	600.00
GAL Appointment	1000.00
Filing of an Appeal, Trial Court	25.00
Filing of an Appeal, Court of Appeals	150.00
Certified copy	1.00
Photocopy	0.10/page

Note: All past due court costs of your client must be paid prior to filing

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