

**HURON COUNTY COMMON PLEAS COURT
JUVENILE DIVISION
NORWALK, OHIO**

**RULES OF COURT
2026**

JUDGE TIMOTHY L. CARDWELL

INDEX – Rules of Court

Rule 1	Hours of the Court	Page 5
Rule 2	Court Administrator	Page 5
Rule 3	Conduct in Court	Page 5
Rule 4	Court Records	Page 5
Rule 5	Recording of Proceedings	Pages 5
Rule 6	Court Appointed Counsel	Page 6
Rule 7	Counsel of Record	Page 6
Rule 8	Communication with Judge and Magistrate	Page 7
Rule 9	Pleadings	Page 7
Rule 10	Depositions	Page 8
Rule 11	Certificate of Service	Page 8
Rule 12	Filing the Praecipe for Subpoena	Page 9
Rule 13	Motions	Page 9
Rule 14	Pro Se Motions	Page 9
Rule 15	Pretrial Conferences	Page 10
Rule 16	Assignment of Civil Cases for Trial	Page 10
Rule 17	Conduct of Counsel at Trial	Page 10
Rule 18	Criminal Cases	Page 11
Rule 19	Application for Nolle Prosequi	Page 11
Rule 20	Arraignments	Page 11
Rule 21	Conduct of Attorneys	Pages 11
Rule 22	Bail Forfeiture	Page 13
Rule 23	Daily Copies of Transcripts	Page 13
Rule 24	Disclosure of Presentence Report	Page 13
Rule 25	Sentencing Memoranda	Page 13
Rule 26	Search Warrants	Page 14
Rule 27	Sealing of Record	Page 14
Rule 28	Default Judgment	Page 14
Rule 29	Jury Service	Page 15
Rule 30	Court Security	Page 15
Rule 31	Mediation	Page 15
Rule 32	Motion for Modification of Support	Page 17
Rule 33	Motion for Contempt	Page 17
Rule 34	Motion for Change of Custody	Page 18
Rule 35	Interest on Support Arrearages	Page 19
Rule 36	Parenting Time/Visitation	Page 19
Rule 37	Public Records Policy/Examination of Files	Page 19
Rule 38	Court Costs, Juvenile Division	Page 22
Rule 39	Judgment Entries and Orders	Page 23
Rule 40	Appearances	Page 23
Rule 41	Continuances	Page 24
Rule 42	Jury Trials	Page 24
Rule 43	Authority of Probation Officers	Page 24

Rule 44	Filing of Complaints	Page 25
Rule 45	Detention Procedures for Juveniles	Page 25
Rule 46	Detention Hearings	Page 26
Rule 47	Discovery	Page 26
Rule 48	Exhibits	Page 27
Rule 49	Magistrates	Page 27
Rule 50	Objections, Appeals – Magistrate’s Decisions/Orders	Page 27
Rule 51	Photographing and Broadcasting of Court Proceedings	Page 27
Rule 52	Media Attendance	Page 28
Rule 53	Guardians ad Litem	Page 28
Rule 54	Case Management Plan	Page 29
Rule 55	Processing Overpayments made by parties	Page 31
Rule 56	Tobacco Use in the Huron County Courthouse	Page 31
Rule 57	Carrying of Weapons	Page 31
Rule 58	Filing Documents by Electronic Means	Page 32
Rule 59	Computerization Fund	Page 34
Rule 60	Judicial Bypass of Parental Notification	Page 34
Rule 61	Fingerprinting Juveniles	Page 34
Rule 62	School Officials Providing School Records	Page 35
Rule 63	Security for costs	Page 36
Rule 64	Special Project	Page 37
Rule 65	Records Retention	Page 37
Rule 66	Service by Posting and Mail	Page 37
Rule 67	Juvenile Probation Supervision Fund	Page 39
Rule 68	Competency Proceedings	Page 39
Rule 69	Electronically Produced Traffic Tickets	Page 40
Rule 70	Legal Aid Filing Fee Surcharge	Page 40
Rule 71	Physical Restraint of Children	Page 41
Rule 72	Specialized Dockets	Page 41
Rule 73	Remote Appearances	Page 41
Rule 74	Technology Plan	Page 43
Rule 75	Reporting to Law Enforcement & Compliance Plan	Page 44
Appendix A	Records Retention Schedule – RC-2	Page 45
Appendix B	Visitation Schedule	Page 56
Appendix C	Visitation Schedule – Long Distance	Page 61

Changes adopted on 01/28/2026

Rule 6 – Court Appointed Counsel

Rule 9 – Pleadings

Rule 10 – Depositions

Rule 13 – Motions

Rule 14 – Pro Se Motions

Rule 32 – Motion for Modification of Support

Rule 33 – Motion for Contempt

Rule 34 – Motion /Complaint for Custody or Change of Custody and/or Visitation

Rule 44 – Filing of Complaints

Rule 45 – Detention Procedures for Juveniles

Rule 46 – Detention Hearings

Rule 56 – Compensation for Preparing Transcripts and Copies

(This rule is being removed and all subsequent rules renumbered)

Rule 60 - Judicial Bypass of Parental Notification

Rule 63 – Appointment of Judge to Issue Search Warrant & to Hold Preliminary hearings in probation revocation matters (This rule is being removed and all subsequent rules renumbered)

Rule 64 - Security for Costs

Rule 68 – Psychological Evaluations in Custody Cases

(This rule is being removed and all subsequent rules renumbered)

Rule 66 - Service by Posting and Mail

Rule 69 - Electronically Produced Traffic Tickets

Rule 75 – Specialized Dockets (This rule is being removed and all subsequent rules renumbered)

Rule 75.1 – Specialized Dockets (This rule is becoming 72)

Change adopted on 03/20/2026

Rule 74 (New) – Reporting to Law Enforcement & Compliance Plan

It is hereby ordered, adjudged and decreed that, effective January 28, 2026, in accordance with Rule 5 of the Rules of Superintendence for the Juvenile Division of the Court of Common Pleas, the following shall constitute the local rules of the Juvenile Division of the Huron County Common Pleas Court of Huron County, Ohio.

Rule 1
Hours of the Court

The Juvenile Court and its offices shall be open for the transaction of business from 8:00 a.m. to 4:30 p.m. Monday through Friday of each week. The Court shall be closed on Saturday, Sunday and legal holidays.

Rule 2
Court Administrator

The Judge shall appoint an Administrator who will function as the chief non-judicial officer of the Court. In addition to providing general supervision of the Court's assignments, probation, jury, budgetary and personnel systems, the Court Administrator will implement the administrative policy decisions of the Court and perform such other duties as may be assigned by the Court. With the exception of the Magistrate, all other Court personnel shall be under the general supervision of the Court Administrator.

Rule 3
Conduct in Court

Any conduct that interferes or tends to interfere with the proper administration of the Court is prohibited. Spectators shall be allowed in the courtroom for confidential juvenile and probate cases only with the consent of the Court. No pagers or mobile phones shall be allowed in the Courtroom unless audible signal is turned off. All mobile phones that are equipped with camera phones/recorders must be turned off. In addition, any recording devices are prohibited in the courtroom.

Rule 4
Court Records

The Judge, as ex-officio Clerk of the Juvenile Court, is responsible for all pleadings and papers filed. No records shall be taken from the Court without the Court's permission. Copies of all pleadings and journal entries of record shall be available for counsel representing any party to a case.

Rule 5
Recording of Proceedings

All testimony or other oral proceedings shall be recorded by electronic means. Any party may provide a Court reporter at his/her own expense to make a written record from the electronic recording of any proceeding before the Court.

Rule 6
Court Appointed Counsel

(A) The Court shall maintain a list of appointees qualified to serve in the capacity designated by the Court. Any attorney licensed to practice in the State of Ohio may submit a request for inclusion on the appointment list. The Court will ensure an equitable distribution of appointments, while considering the skill and expertise of the appointee in the designated area of the appointment, and the management of the appointee's caseload. The Court will conduct a review of its appointments at least annually to ensure the equitable distribution of appointments.

In making appointments, the Court will take into account all of the following:

- (1) The anticipated complexity of the case in which appointment will be made;
- (2) Any educational, mental health, language or other challenges facing the party for whom the appointment is made;
- (3) The relevant experience of those persons available to accept the appointment, including proficiency in a foreign language, familiarity with mental health issues, and scientific or other evidence issues;
- (4) The avoidance of conflicts of interest or other situations that may potentially delay timely completion of the case;
- (5) Intangible factors, including the Court's view of a potential appointee's commitment to providing timely, cost-effective, quality representation to each prospective client.

See: Rule 8(D) of the Ohio Rules of Superintendence.

- (B) Fees and expenses for representation shall be submitted to the Court on the forms established by the Office of the Ohio Public Defender within 30 days of final disposition. Applications for fees which are greater than the maximum allowed by the Huron County Fee Schedule for Appointed Counsel must be accompanied by a Motion for Extraordinary Fees and a proposed Judgment Entry.
- (C) Assigned counsel may not submit a request for reimbursement for costs of transcripts and experts on the same form as the request for attorney fees and other expenses. Requests for reimbursement for the costs of transcripts and experts must be submitted through a separate motion. *See: OAC 120-1-17.*

Rule 7

Counsel of Record

Each attorney representing a party in this Court and who is not Court-appointed shall see that he or she is properly listed as counsel of record for said party in accordance with JuvR 4(D) by filing a written notice with the Court or by appearing personally at a Court hearing and informing the Court of said representation. The Court will not consider such representation to continue for the purpose of any case other than the particular case in which appearance is entered, unless otherwise notified in writing.

Subsequent to entering an appearance, the attorney or his or her firm will be considered counsel of record until such time as Journal Entry of withdrawal is approved by the Court and filed in the case.

Rule 8

Communications with Judge and Magistrate

Ex parte Communications. No attorney or party shall discuss the merits either orally or in writing, of any litigation with the Judge or Magistrate presiding over the matter before final disposition thereof without the presence of or by mailing or delivering a copy of any writing to opposing counsel or the party, if not represented.

Attorney Conferences. If it is determined that an issue in a pending action needs to be discussed with the Judge or Magistrate prior to hearing or disposition of the action, the attorney desiring said conference may, with notice to opposing counsel, request a conference with the Judge or Magistrate.

Rule 9

Pleadings

All filings shall be on eight and one-half by eleven-inch paper, on paper that can be scanned.

1. All filings shall contain the name, address, telephone number, email address and attorney registration number of the individual counsel and, in the absence of counsel, the name, address, telephone number and email address of the person filing. Any filing not containing the above requirements may be refused.
2. Filings containing partially or wholly illegible signatures of counsel, parties or officers administering oaths may be refused, or, if filed, may be stricken, unless the typewritten or printed name of the person whose signature is purported to appear is clearly indicated on the filing.
3. All pleadings, motions, or other filings are to be typed or printed in ink and correctly captioned. Pleadings filed in the Juvenile Division of this Court will include the filing of the original, a copy for each additional case number listed on the pleading, and an extra copy for the Court of the pleading being filed.

A personal identifier sheet must be included when filing a new civil case (custody, support and visitation) and with all motions when you are re-opening a closed civil or DNA case.

The Court will not accept for filing any pleading that is incomplete in form or does not contain the

correct number of copies. With the exception of motions or complaints alleging violation of probation, neither the Probation Department nor the Court shall prepare complaints for filing.

Counsel shall file with the Clerk of this Court written notice of any change of address.

Rule 10 **Depositions**

Any deposition filed with the Clerk of this Court shall not be withdrawn except by leave of the Court.

The use of recorded depositions and testimony is permissible, provided that the following guidelines are met:

1. When testimony is recorded pursuant to Civil Rule 40, C.P. Sup R. 11 and 13, it will be the responsibility of counsel to instruct the person before whom the testimony is taken in accordance with Civil Rule 28(A), to note by the use of a digital counter or other clock device connected with the recording device the point where objections consecutively are made. The notary will then number the objections consecutively and attach this record to the certification when filed with the Clerk.
2. Objections must be made at the conclusion of the questions and answers only. Counsel shall state the basis for the objection, and may read citations into the record at this time; however, additional citations may be provided to the Court at a later time. Any objections made prior to the completion of an answer may, in the Court's discretion, be disregarded and overruled.
3. When cases are assigned for trial pursuant to Civil Rule 40 and C.P. Sup. R. 13(B), a date will be assigned for the filing of plaintiff's testimony and defendant's testimony for editing. A copy of the transcript of the testimony or such portion thereof as is necessary to rule on any objections shall accompany a recorded deposition. The transcript shall be certified by the transcriber to be a true and accurate transcription.
4. In all cases where testimony is recorded, the costs shall be assessed pursuant to C.P. Sup. R. 13(D).
5. If recorded depositions are to be used in the trial of a case, the device on which the deposition was recorded must be filed with the Clerk of Courts, for editing by the Court, no later than seven (7) days prior to trial. Any recording device submitted after this date will not be presented to the jury, unless for good cause shown, the Court grants leave to file said depositions out of rule. All recorded depositions must comply with the requirements of C.P. Sup. R. 13 (A). Except for good cause shown, there will be no trial continuances for inability of a medical expert to be present to testify.
6. Recorded Trials: The Court may, in any appropriate case, order the recording of all testimony and evidence in accordance with C.P. Sup. R. 13 (B).
7. Pursuant to Civil Rule 54 (D) and in compliance with C.P. Sup. R. 13(D), deposition costs, including costs of video depositions, shall be taxed as costs and shall be recoverable by the prevailing party. This shall apply only to depositions used in lieu of testimony at trial.

Rule 11

Certificate of Service

Proof of service of all pleadings, motion, briefs, memorandum or other writing filed with Court shall be by certificate of service attached to such pleading, motion, brief, memorandum or other writing and shall include the names and addresses of the attorneys and/or parties served, not simply “all parties or counsel of record”.

Rule 12 **Filing the Praecept for Subpoena**

The Court strongly recommends that all praecipis for subpoenas be filed ten (10) days prior to the date the witness is to appear in Court. The Court reserves the right not to grant continuances due to the lack of service, unless the praecipis was timely filed.

Rule 13 **Motions**

All motions, unless made during a hearing or trial, shall be made in writing in accordance with JuvR 19 and JuvR 22 unless otherwise permitted by the Court. All motions shall state with particularity the grounds and shall clearly state the relief or order sought.

Motions filed in the Juvenile Division of this Court will include filing the original and a copy of the motion being filed.

Opposing counsel shall answer said motion within ten days after service thereof unless the Court establishes a different due date.

See Rule 63 for Security for Costs information and requirements.

Rule 14 **Pro Se Motions**

The Court will accept a Pro Se Motion and schedule the Pro Se Motion for a hearing if all of the following apply:

- A. The motion is completed on the Court’s Pro Se Motion form including the case name and number;
- B. The motion is typed or prepared in a legible manner;
- C. The original motion and one copy are provided to the Court;
- D. The motion states clearly the relief sought and with particularity the grounds for the relief;
- E. The motion is signed by the person seeking relief.
- F. A praecipis for service is filed.

If the motion does not include all of the above, the Court will request a properly completed Pro Se Motion before scheduling a hearing.

See Rule 63 for Security for Costs information and requirements.
See Rule 32 for Modification of Support
See Rule 34 for Modification of Custody or Modification of Visitation

Rule 15 **Pretrial Conferences**

The Court will schedule a pretrial for all civil cases unless specifically waived by the Court. Such pre-trial conferences shall be held with the intention of accomplishing the objectives set forth in Rule 16 of the Ohio Rules of Civil Procedure. Pretrials shall be held at such times, as the Court shall direct. The Deputy Clerk of this Court shall give notice of a pre-trial hearing by delivering or mailing a copy of such notice to all known interested counsel, and to all parties. Such pre-trial conference shall be attended by counsel for the parties, who shall have their clients present, and by all unrepresented parties. Counsel attending the pre-trial conference shall have complete authority to stipulate matters of evidence, to make admissions and to discuss settlement. Parties or attorneys may be excused from pretrials only with permission from the Court prior to the pretrial conference.

Rule 16 **Assignment of Civil Cases for Trial**

All assignments of cases for trial shall be made by the Deputy Clerk of this Court with the approval of the Court at least two weeks prior to the date set for trial, unless otherwise ordered by the Court. Provided, however, that no case shall be assigned for trial less than one week in advance without the consent of all counsel. Notice of the assignment of a case set for trial shall be mailed or delivered forthwith to all interested counsel.

All cases having priority under any statute, and any injunction, mandamus, uncontested divorce, annulment, legal separation, Habeas corpus and such other cases as the Court may direct may be heard at any time as may be ordered by the Court, after proper notice, without having been assigned by the Deputy Clerk of this Court for trial.

Rule 17 **Conduct of Counsel at Trial**

Except by permission of the Court, only one counsel for each party will be permitted to speak on any interlocutory motion, or upon any question arising during the trial of a cause or a proceeding, and only one counsel for each party will be permitted to examine the same witness in any trial or proceeding before the Court.

In any argument to the Court or jury upon the trial of a cause, only two counsel for each party will be heard unless for special reasons the Court permits otherwise. The Court may limit the time for argument, as it may deem reasonable.

Only counsel and parties shall be seated at counsel table except as may be otherwise authorized by the

Court.

Rule 18
Adult Criminal Cases

The purpose of these rules of criminal practice is to provide the fairest and most expeditious administration of criminal justice possible within the requirements of the Ohio Rules of Criminal Procedure, the provisions of the Ohio Revised Code, the Ohio Constitution and the United States Constitution. These rules shall be construed and applied to eliminate delay, unnecessary expense, and all other impediments to a just determination of criminal cases. Further, the disclosure and discovery requirements placed upon both the prosecution and the defense are to fully implement Rule 16 of the Ohio Rules of Criminal Procedure and the requirements of *Brady v. Maryland*, 373 U.S. 83 (1963). The rules of practice of this Court for civil cases apply to all criminal proceedings, except where clearly inapplicable.

Rule 46 of the Ohio Rules of Criminal Procedure will govern in all cases.

When the amount of bail has been fixed in a criminal case before it reached this Court and either the State or the defendant desire to modify the amount or conditions thereof, such party shall make application to the Court. Notice thereof shall be given to the adverse party and after submission to the Court, the action approved by the Court shall be by entry made a part of the papers of the case.

Rule 19
Application for Nolle Prosequi in Adult Criminal Cases

Where under the provision of Revised Code Section 3941.33 the prosecuting attorney desires to enter a Nolle Prosequi in any criminal case, he shall file written application thereof.

Rule 20
Arraignments in Adult Criminal Cases

Arraignments will be scheduled as ordered by the Court.

If the defendant is not represented by counsel, the defendant will be advised of his right to counsel and upon request for appointment of counsel a determination will be made as to the defendant's financial eligibility for appointment of counsel. Any waiver of counsel must be in writing.

If at the arraignment a guilty plea or a no-contest plea is entered by defendant the Court may immediately make disposition or a disposition date shall be set before the Judge.

If at arraignment a not guilty plea is entered by the defendant the Court will set a date and time for the trial.

Rule 21
Conduct of Attorneys in Adult Criminal Cases

It is the duty of the lawyer not to release or authorize the release of information or opinion for dissemination by any means of public communication in connection with pending or imminent criminal litigation with which he is associated if there is a reasonable likelihood that such dissemination will interfere with a fair trial or otherwise prejudice the due administration of justice.

From the time of the arrest, issuance of an arrest warrant or the filing of an affidavit, information or indictment in any criminal matter until the commencement of trial or disposition without trial, a lawyer associated with the prosecution or defense shall not release or authorize the release of any extra judicial statement for dissemination by any means of public communication relating to the matter and concerning:

1. The prior criminal record (including arrest, indictments, or other charges of crime) or the character or reputation of the accused, except that the lawyer may make an actual statement of the accused's name, age, residence, occupation, and family status and if the accused has not been apprehended, a lawyer associated with the prosecution may release any information necessary to aid in his apprehension or to warn the public of any dangers he may present.
2. The existence or contents of any confession, admission or statement given by the accused or the refusal or failure of the accused to make any statement.
3. The performance of any examinations or test on the accused or the refusal or failure to submit to an examination or test.
4. The identity, testimony, or credibility of prospective witnesses except that the lawyer may announce the identity of the victim if the announcement is not otherwise prohibited by law.
5. The possibility of a plea of guilty to the offense charged or a lesser offense.
6. Any opinion as to the accused's guilt or innocence, as to the merits of the case, or the evidence in the case.

The foregoing shall not be construed to preclude the lawyer during this period in the proper discharge of his official or professional obligations from announcing:

1. The name, age, residence, occupation, and family status of the accused.
2. If the accused has not been apprehended, any information necessary to aid in his apprehension or to warn the public of any dangers he may present.
3. A request for assistance in obtaining evidence.
4. The identity of the victim of the crime.
5. The fact, time, and place of arrest, resistance, pursuit, and use of weapons.
6. The identity of the investigating and arresting officers, and the length of the investigation.
7. At the time of the seizure, a description of the physical evidence seized, other than a confession, admission or statement.
8. The nature, substance or text of the charge.
9. Quotations from or references to public records of the Court in the case.
10. The scheduling or result of any step in the judicial proceedings.
11. That the accused denies the charges made against him.

During the trial of any criminal matter including the period of selection of the jury, no lawyer associated

with the prosecution or defense shall give or authorize any extra judicial statement or interview relating to the trial or the parties or issues in the trial for dissemination by any means of public communication except that the lawyer may quote from or refer without comment to public records of the Court in the case.

After the completion of a trial or disposition without trial of any criminal matter and prior to the imposition of sentence, a lawyer associated with the prosecution or defense shall refrain from making or authorizing any extra judicial statement for dissemination by any means of public communication if there is a reasonable likelihood that such dissemination will affect the imposition of sentence.

Rule 22
Bail Forfeiture in Adult Criminal Cases

Bail forfeiture proceedings shall be in accordance with Ohio Revised Code §2937.36.

Rule 23
Daily Copies of Transcripts in Adult Criminal Cases

Daily copies of transcripts to counsel in criminal cases will not be ordered, provided for, or permitted except in such cases where, in the sound discretion of the Trial Judge, the interest of justice would require the same.

Rule 24
Disclosure of Presentence Report in Adult Criminal Cases

At the time a Judge orders a presentence investigation, a date for sentencing shall be established.

The Probation Officer who prepares the report shall have it completed no later than two Court days prior to sentencing. When the report is complete, it shall be sent to the Judge and made available at the Court for review by the defendant's attorney (or by the defendant if he is not represented by an attorney) and the Prosecutor. The copy of the report made available to attorneys or the defendant for review, may be reviewed in the Court's offices on the two days before sentencing and in the courtroom on the day of sentencing. No report shall be taken from the Court without the written approval of the Judge assigned to the case.

In order to protect information that is not available pursuant to R.C. §2951.03(B)(3), the copy of the report made available for review by the attorneys or the defendant shall contain a summary of the report and the sections of the report deemed by the Court to be protected by R.C. 2951.03 (B)(3) shall be redacted.

Any hearing and/or Court findings necessitated as a result of inaccurate information contained in the presentence report or summary shall be held on the date of sentencing or at any other date designated by the Judge.

The Probation Officer assigned to the Court or the case on the day of sentencing shall be responsible for obtaining all copies of the report immediately after the imposition of the sentence.

Rule 25
Sentencing Memoranda in Adult Criminal Cases

On or before noon of the day before the day of the sentencing hearing, the Defendant’s attorney or the Defendant, if not represented by counsel, and the prosecutor may file with the Court a sentencing memorandum in which should be noted any inaccuracies in the presentence report or summary and any additional information which it is desired that the Court review before imposing sentence. The memorandum shall be filed with the Court in duplicate and a copy shall be served upon the opposing party in a manner calculated to give actual notice of its contents on or before noon of the day before the day of the sentencing hearing. A certification of such service shall be filed with the Court. The prosecutor shall be permitted to address the Court at the sentencing hearing, provided he has timely filed a sentencing memorandum.

Rule 26
Search Warrants

1. The Clerk of this Court shall maintain a separate index and docket for each warrant.
2. Where the Judge files with the Clerk, pursuant to Rule 41 (E) of the Ohio Rules of Criminal Procedure, the search warrant, copy of the return, inventory or any other papers in connection therewith, the Clerk shall secure said documents in a separate jacket, consecutively numbered and indexed by name.
3. If property is seized it shall be held by the officers or arresting authority WHO SEIZED THE PROPERTY for safekeeping unless the Court directs otherwise.

Rule 27
Sealing of Record

Applications for Sealing of record shall include the date of birth and social security number of the applicant.

Rule 28
Default Judgment

Default Judgments shall be granted in accordance with Civil Rule 55. Motions shall be accompanied by a proposed Judgment Entry.

When a principal party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules, the party entitled to a judgment by default shall apply in writing or orally to the Court therefore; but no judgment by default shall be entered against a minor or an incompetent person unless represented in action by a guardian or other representative who has appeared therein. If the party against whom judgment by default is sought has appeared in the action, he shall be served with written notice of the application for judgment at least seven (7) days prior to the hearing on such application, the date and time to be fixed by the Deputy Clerk of this Court with the concurrence of the Judge assigned. If, in order to enable the Court to enter judgment or to carry it into effect, it is necessary to take an account or to determine the amount of damages or to establish the truth of any averment by evidence or to make an investigation of any other matter, the Court may conduct such hearings or order such references as it deems necessary and proper and shall when

applicable accord a right of trial by jury to the parties.

Rule 29
Jury Service

The Court adopts the Jury Management Plan filed July 13, 1998.

Rule 30
Court Security

The Huron County Common Pleas Court is charged with dispensing justice, resolving disputes, and protecting the constitutional rights of those who appear before the Court.

Accordingly, appropriate levels of security should exist in the Court to protect the integrity of the Court procedures, protect the rights of individuals before it, sustain the decorum and dignity of the Court, and assure that Court facilities are secure for all those who visit and work there.

Therefore, pursuant to Rule 9 of the Rules of Superintendence for Common Pleas Courts the Court establishes as follows:

This Court, in conjunction with the Common Pleas Court General Division and the Norwalk Municipal Court, has appointed a Local Advisory Committee consisting of representatives of each of the following groups: Judges, law enforcement officials responsible for Court security, County Commissioners, City of Norwalk Safety Service Director, county office holders with offices located in the Courthouse, Huron County Bar Association and members of the public.

The Court shall implement a local Security Plan and Procedure Plan which plan shall address the Ohio Court Security Standards adopted by the Supreme Court of Ohio on October 17, 1994.

The Local Court Security Advisory Committee shall adopt a Security Operations Manual, which manual shall establish written directives for the purpose of ensuring security within the Court while maintaining accessibility to the community.

Rule 31
Mediation

29.01 General provisions

Appropriate cases may, upon completion of necessary pleadings or motions, be referred by the Judge or a magistrate to a mediator for a mediation conference. Cases in which custody or visitation is disputed will be referred to mediation at the pretrial conference. Cases involving other disputed issues may also be referred to

mediation. Prior to a case being referred to mediation, the judge or magistrate shall fully advise all parties of their right to legal representation. The following actions, however, shall be exempted from mediation:

1. Cases in which one party has been convicted of, or pled guilty to, a violation of R.C. 2915.25 (domestic violence) within the past two years or when a civil temporary protection order involving the parties is in effect;
2. Cases in which there are current allegations of domestic violence between the parties;
3. Cases in which the geographic distance between the parties makes it not feasible for them to participate in mediation sessions;
4. Cases in which one of the parties is mentally ill;
5. In emergency circumstances requiring an immediate hearing by a jurist; or,
6. Cases in which the parties have arrived at a resolution and executed an Agreed Judgment Entry.

The mediation conference shall be set at the earliest practical date, giving consideration to responsive pleadings, appearances by counsel for all the parties, and other facts and circumstances.

A referral to mediation shall be by judgment entry or magistrate's decision which shall set the time and place of the conference. All parties shall attend mediation when referred. Attendance by counsel is optional. Other individuals designated by a party may attend and participate in mediation, provided that such attendance or participation does not jeopardize the mediation process.

At the mediation conference, the mediator shall attempt to resolve the entire case. The mediator may schedule, recess or continue the conference and exercise such other powers as are necessary and proper for the mediation of cases.

Statements made during a mediation conference are subject to and governed by the "Uniform Mediation Act" (R.C. 2710.01 to 2710.10), R.C. 3109.052 and Rule 408 of the Ohio Rules of Evidence.

29.02 Special provisions involving domestic violence

All parties and counsel shall advise the judge or magistrate of any domestic violence allegations known to them to exist or to have existed in the past, or which become known to them following entry of the order but before conclusion of all mediation proceedings, which allegations involve any two or more persons whose attendance is required by the referral order.

The Judge or magistrate shall ensure that any such victim or suspected victim of domestic violence has been referred to the Huron County Victims' Assistance Program, or other comparable program.

Mediation shall not be used

1. As an alternative to the prosecution or adjudication of domestic violence;
2. In determining whether to grant, modify or terminate a protection order;
3. In determining the terms and conditions of a protection order; and,
4. In determining the penalty for violation of a protection order.

29.03 Mediator qualifications and training

A mediator to whom the Court makes referrals for mediation of allocation of

parental rights and responsibilities and the care of, or visitation with, minor children shall satisfy all of the following:

1. Possess a bachelor’s degree, or equivalent education experience as is satisfactory to the Court, and at least two years of professional experience with families. “Professional experience with families” includes mediation, counseling, casework, legal representation in family law matters, or such other equivalent experience satisfactory to the Court;
2. Complete at least twelve hours of basic mediation training or equivalent experience as a mediator that is satisfactory to the Court; and,
3. After completing the training required by Loc. R. 29.03(B), complete at least forty hours of specialized family or divorce mediation training that is provided by a training program approved by the Dispute Resolution Section in accordance with the standards established by the Supreme Court Advisory Committee on Dispute Resolution.

This mediator is also encouraged to comply with the Model Standards of Practice for Family and Divorce Mediation and the Special Policy Considerations for State Regulation of Family Mediators and Court Affiliated Programs, except when inconsistent with the terms of Loc. R. 29.

Rule 32

Motion for Modification of Support

A Motion for Modification of Support which is post decree shall be commenced by the filing of the following:

1. A motion setting forth the relief sought.
2. Financial Statement.
3. Precipe for Service.
4. Personal Identifier Sheer
5. Deposit for costs has been submitted to the Court or a waiver of the deposit has been granted.
See Rule 63 – Security for Costs information and requirements.

Copies of the motion, and accompanying forms shall be provided to the Clerk of this Court for service on the opposing party.

Within 14 days of service of the motion for modification the non-moving party shall file responsive pleadings that shall include the information required in subparagraphs 2.-5. above.

A motion for modification of child support and/or spousal support will not be considered by the Court without the supporting memorandum and accompanying forms. Such a motion is not to be used in lieu of an administrative review by CSEA.

Rule 33

Motion for Contempt

A motion for contempt shall be commenced by the moving party filing the following:

1. Motion
2. Memorandum in Support
3. Supporting Affidavits, if applicable
4. Deposit for costs has been submitted to the Court or a waiver of the deposit has been granted.

See Rule 63 – Security for Costs information and requirements.

Rule 34
Motion/Complaint for Custody or
Change of Custody and/or Visitation

The Court will accept a Motion/Complaint for Custody and schedule the Motion/Complaint for Custody (including Pro Se pleadings) for a hearing if all of the following apply:

1. The Motion is typed or legibly printed;
2. The original Motion and one copy are provided to the Court;
3. Deposit for costs has been submitted to the Court or a waiver of the deposit has been granted.

See Rule 63 – Security for Costs information and requirements

A motion/complaint for custody or visitation or a motion for change of custody or visitation (including Pro Se pleadings) shall be commenced by the filing of the following:

1. The motion or complaint states clearly the relief sought and with particularity the grounds for the relief.
2. UCCJA Affidavit per R.C. 3109.27.
3. Affidavits in support of the motion showing the change in circumstances (if applicable) and the best interest of the child.
4. Memorandum in support setting forth:
5. Date and amount of current support order and number of children subject to current order;
6. Statement of income on which current order is based;
7. Number of children subject to proposed support order;
8. Statement as to current arrearages and current makeup orders, if any.
9. Current custodian or residential parent and his or her address.
10. Name, birth date and address of child.
11. Documentation of Parentage unless that documentation was previously provided to this Court specifically in this case.
12. Financial Statement
13. Precipe for Service
14. Deposit for costs has been submitted to the Court or a waiver of the deposit has been granted.

See Rule 63 – Security for Costs Information and requirements

Rule 35
Interest on Support Arrearage

1. When a party requests interest on support arrearages, all interest shall be calculated as simple interest from the date of Judgment.
2. The party requesting interest shall attach to the motion a statement of CSEA records reflecting arrearages to date of motion.
3. The moving party shall also provide instructions to the Clerk for service as follows:
 - a. Certified Mail service; and
 - b. A praecipe for additional service in the event service fails.

Rule 36
Parenting Time/Visitation

The Court has adopted schedules for Parenting Time and Companionship, (Appendix B), and Long Distance Parenting Time and Companionship, (Appendix C). The Court will use these schedules unless the best interest of the children and/or the evidence dictates otherwise. Parties should submit to the Court in their application for temporary orders or in their answer a proposed Parenting Time schedule with justification for the deviation from the standard Parenting Time. Parties should address any need to deviate from the standard Parenting Time schedules at the pretrial conference and final hearing.

Rule 37
**Public Record Policy/Examination of Files,
Records and Other Documents**

Introduction

It is the policy of the Huron County Common Pleas Court, Probate & Juvenile Divisions, that openness leads to a better informed citizenry, which leads to better government and better public policy. It is the policy of this Court to strictly adhere to Ohio's Public Records Act *and* to those portions of the Ohio Revised Code and Ohio Rules of Juvenile Procedure that require certain records to remain confidential. Any denial of public records in response to a valid request must be accompanied by an explanation. If the request is in writing, the explanation must also be in writing.

Section 1. Public Records

This Court, in accordance with the Ohio Revised Code, defines records as including the following: any document – paper, electronic (including, but not limited to e-mail), or other format – that is created or received by, or comes under the jurisdiction of a public office that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office. All records of this Court are public unless confidential or otherwise exempt from disclosure under the Ohio Revised Code and the Ohio Rules of Juvenile Procedure.

Section 1.1

It is the policy of this Court that, as required by Ohio law, records will be organized and maintained so that they are readily available for inspection and copying. Record retention schedules are to be updated regularly and posted prominently.

Section 1.2

Certain records kept by this Court are excluded from public inspection by applicable provisions of the Ohio Revised Code and the Ohio Rules of Juvenile Procedure, and shall not be released to the general public. These records include, but are not limited to, the following:

1. Adoption records or documents [R.C. 149.43(A)(1)(d)];
2. Probation documents, including but not limited to probation officers' case notes, community service, any informal or diversion program and Reach Our Youth documents for children on probation [R.C. 149.43(A)(1)(b); 2151.14(B)];
3. Judge's or Magistrate's trial notes [R.C. 149.43(A)(1)(g)];
4. Putative father registry information [R.C. 149.43(A)(1)(e)];
5. Records of Minors seeking approval for an abortion [R.C. 149.43(A)(1)(c)];
6. DNA records [R.C. 149.43(A)(1)(j)];
7. Records maintained by the Ohio Department of Youth Services pertaining to children in its custody released to the Department of Rehabilitation and Correction [R.C. 149.43(A)(1)(l)];
8. Estate tax returns in the possession of the Probate Court, Department of Taxation, County Auditor, County Treasurer and Ohio Attorney General [R.C. 5731.90];
9. Medical records which include documents pertaining to medical history, diagnosis, prognosis or medical condition of a patient including psychiatric history, diagnosis and prognosis [R.C. 149.43(A)(1)(a); 2151.14(B); Juv. R. 32(C)];
10. Confidential law enforcement investigatory records [R.C. 149.43(A)(1)(h)];
11. Sealed or expunged records [R.C. 2151.355 to 2151.358, *et seq.*];
12. Recording of proceedings [Juv. R. 37(B)];
13. Fingerprints and photographs, and records of an arrest or custody that was the basis of the taking of fingerprints or photographs [R.C. 2151.313(D)]; and
14. Records the release of which is prohibited by state or federal law [R.C. 149.43(A)(1)(v)].

Section 2. Record Requests

Each request for public records should be evaluated for a response using the following guidelines:

Section 2.1

Although no specific language is required to make a request, the requester must at least identify the records requested with sufficient clarity to allow the Court to identify, retrieve, and review the records. If it is not clear what records are being sought, the records custodian must contact the requester for clarification, and should assist the requestor in revising the request by informing the requestor of the manner in which the office keeps its records.

Section 2.2

The requestor does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record. It is this Court’s general policy that this information is not to be requested.

Section 2.3

Public records are to be available for inspection during regular business hours, with the exception of holidays. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. “Prompt” and “reasonable” take into account the volume of records requested; the proximity of the location where the records are stored; the accessibility of the records; and, the necessity for any legal review of the records requested.

Section 2.4

Each request should be evaluated for an estimated length of time required to gather the records. Routine requests for records should be satisfied immediately if feasible to do so. All requests for public records must either be satisfied or be acknowledged in writing by the Court within five business days following the Court’s receipt of the request. If a request is deemed significantly beyond “routine,” such as seeking a voluminous number of copies or requiring extensive research, the acknowledgement must include the following: a) an estimated number of business days it will take to satisfy the request; b) an estimated cost if copies are requested; and, c) any items within the request that may be exempt from disclosure.

Section 2.5

Any denial of public records requested must include an explanation. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the remainder released, if permitted by Ohio law. If there are redactions, each redaction must be accompanied by a supporting explanation.

Section 3. Costs for Public Records

Those seeking public records will be charged only the actual cost of making copies. Requesters may ask that documents be mailed to them. They will be charged the actual cost of the postage and mailing supplies.

Section 4. E-mail

Documents in electronic mail format are records as defined in the Ohio Revised Code when their content relates to the business of the Court and is not confidential or otherwise exempt by applicable Ohio law or the Ohio Rules of Juvenile Procedure. E-mail is to be treated in the same fashion as records in other formats and should follow the same retention schedules.

Section 4.1

Records in private e-mail accounts used to conduct public business are subject to disclosure, and all employees or representatives of the Court are instructed to retain their e-mails that relate to public business and to copy them to their business e-mail accounts and/or to the Court’s records custodian.

This policy is adopted by the Huron County Common Pleas Court, Probate & Juvenile Divisions, on the 1st day of October, 2007 in response to recent statutory amendments regarding public records, which became effective on 29 September 2007.

Rule 38
Court Costs and Fees Assessed

Delinquency/Unruly/Juvenile Traffic Cases
Civil and Criminal Cases

Effective October 1, 2022, the following fees and court costs will be assessed:

For each cause	\$25.00
<i>Computerization Fund</i>	\$13.00
Special Projects Fund	\$25.00
Legal Aid Filing Fee Surcharge	\$15.00 in all new custody, visitation, and parentage cases (original complaint only, not post decree motions; except when the filing fee is waived)
Taking documents	\$2.00 each
Issuing writs/notices	\$2.00 each
Calling Jury	\$25.00
Entering on journal	\$2.00 each page
Execution or Transcript of Judgment	\$3.00
Making complete record/including indexing	\$1.00 per page
Making copies	Fewer than 10 pages = no charge More than 10 pages = \$.10 per page
Certifying copies	\$1.00 each page + \$1.00 certificate
Taking Affidavits	\$1.00 each
Application for Expungement in Adult Criminal Case	\$50.00
Witness fees	\$6.00 ½ day (+ \$.10 per mile) \$12.00 full day (+ \$.10 per mile)
Sheriff fees	Pursuant to fees set by department
Foreign Sheriff fees	Pursuant to fees set by department
Certified mail fees	Determine by United States Postal Service
Publication fee	Determined by newspaper
Contempt citation	\$15.00 + \$13.00 computerization Fund + \$25.00 Special Projects Fund = \$53.00

Violation of Probation	\$15.00 + \$13.00 computerization Fund + \$25.00 Special Projects Fund = \$53.00 + \$2.00 per page
Post Dispositional Motions	\$15.00 + \$13.00 computerization Fund + \$25.00 Special Projects Fund = \$53.00 + service, etc.
Victims of Crime fee	\$9.00 misdemeanor (not civil or unruly) \$30.00 felony (not civil, unruly or adult crim)
General Revenue fee	\$15.00 each case (not civil or unruly)
Commission on 1st \$10,000 for receiving and disbursing money	2%
Commission on receiving and disbursing money exceeding \$10,000	1%
Filing Appeal	\$25.00 + \$150.00 to Clerk of Court of Appeals
Application to Seal (Juvenile & Traffic Cases)	no charge
Records Check	no charge

Seatbelt violations – waiver

For each cause	\$5.00 plus \$2.00 for pleadings filed
Computerization Fund	\$13.00
Special Projects Fund	\$25.00
Fines	\$20.00 passenger \$30.00 driver

Informal Diversion Program

Special Projects Fund	\$25.00
-----------------------	---------

Juvenile Probation Supervision Fee

Juvenile Probation Supervision Fund (Delinquent Cases only)	\$50.00
---	---------

Rule 39 **Judgment Entries and Orders**

In all juvenile traffic offender, delinquency, unruly, dependency, neglect, abuse, adult criminal, paternity, custody, visitation and support cases, the Court will prepare all orders unless otherwise ordered.

Judgment Entries prepared by designated counsel shall be submitted to the Court for filing within 20 days of the date of the pretrial conference or hearing unless that time period is extended at the discretion of the

Court. Failure to submit entries within the required time may result in the issuance of a notice of intent to dismiss.

Rule 40
Appearances

Any juvenile summoned to appear as an alleged juvenile traffic offender, unruly child or delinquent child shall appear and be accompanied by a custodial parent, custodian or guardian unless otherwise notified by the Court. In all abuse, neglect and dependency cases the child or children will be present only upon leave of the Court.

Proceedings in the Juvenile Court may be closed to the public upon written motion and after an evidentiary hearing. This evidentiary hearing will be open to the public.

Any person summoned to appear before the Court who fails to do so may be punished as in other cases for contempt of Court.

Rule 41
Continuances

Request for continuances will be made in accordance with Ohio Rules of Juvenile Procedure 19 and 23.

All applications for continuances shall be made as far in advance of hearing dates as practicable except as herein provided. All requests shall be in writing. Requests shall be granted only after notice to all other counsel and/or parties involved. No case will be continued on the day of the hearing except for good cause shown.

Rule 42
Jury Trials

Any adult charged with an offense under Sections 2151.01 to 2151.54, inclusive, of the Ohio Revised Code may demand a trial by jury. All jury demands shall be pursuant to Rule 23 of the Ohio Rules of Criminal Procedure.

Rule 43
Authority of Probation Officers

Juvenile Probation Officers of the Huron County Common Pleas Court, Juvenile Division, shall be and hereby are vested with power and authority, prior to a detention hearing, to release a child from detention or shelter care, and to place him in house arrest with his parent, guardian or custodian, or other person able to provide supervisory care and able to return the child to Court when required.

Juvenile Probation Officers of the Huron County Common Pleas Court, Juvenile Division, shall be and hereby are vested with power and authority, prior to a detention hearing, to shift a child from detention to

shelter care, and from shelter care to detention.

Juvenile Probation Officers of the Huron County Common Pleas Court, Juvenile Division, shall, upon each exercise of the above granted power and authority, make a written notation of the time and exercise thereof, and shall thereafter append the same with any file, case, or other documents relating to the child, or shall deliver the same to the Judge, as may be appropriate.

Juvenile Probation Officers of the Huron County Common Pleas Court, Juvenile Division, shall not be required to deliver any written notation or notification thereof, prior to a detention hearing, to any other person or authority, to secure a child's release from detention or shelter care, or to shift a child from detention to shelter care, or from shelter care to detention.

Rule 44

Filing of Complaints

Juvenile complaints are normally to be filed through the Huron County Prosecutor's Office with the one exception that law enforcement officers shall continue to file directly with the Clerk of Juvenile Court complaints of Juvenile Traffic offenses under Chapter 45 of the O.R.C.

Law enforcement agencies are requested to make a written report of any incident involving a child in a possible situation of abuse, neglect, and dependency, and unruliness, delinquency and criminal misconduct (JUV-99 will be used to transmit this report). Each police department and the Sheriff's Department shall coordinate the filing of "child incident reports" through its juvenile officer or other officer with the designated duty of coordinating juvenile matters. The JUV-99 form shall be completed in its entirety and indicate whether the juvenile was arrested or not arrested. The Prosecutor shall review the JUV-99 form and determine if any further action is taken.

Rule 45

Detention Procedures for Juveniles

There are four standards under Juvenile Rule 7 for placing a child in detention or shelter care. They are that:

1. Detention or shelter care is required to protect the child from immediate or threatened physical or emotional harm.
2. To protect the person or property of others.
3. The child may abscond or be removed from the jurisdiction of the Court.
4. The child has no parents, guardian or custodian or other person able to provide supervision and care for the child and return the child to the Court when required.
5. An order for placement of the child in detention or shelter care has been made by the Court pursuant to Chapter 2151.31 of the Ohio Revised Code.

If an officer has determined that any of the above is true, then, and only then, he shall contact a probation officer of Juvenile Court for the authority to place the child in a juvenile detention facility. The requesting agency can contact the juvenile probation officers at, 663-6829, during regular court hours. At other times the officer shall contact the probation officer on call by using the paging system operated by the Sheriff's Department. If the officer does not receive a response from a juvenile probation officer within a reasonable amount of time (approximately fifteen minutes), the officer should re-contact the Sheriff's Department and ask that a probation officer be called at home to respond to the situation at hand.

Please keep in mind that paging a probation officer is not immediately necessary if there is no intention of detaining the child. However, if there is doubt about whether or not to detain, paging the probation staff would be appropriate. Once a child has been placed in detention, the law enforcement agency who detained the child shall also:

1. Notify the parents, guardian or custodian which facility the child will be held in, and the visitation hours of that facility. The agency which this county has a contractual agreement for the detention of juveniles include:

Erie County:

Address: 1338 Tiffin Ave., Sandusky, OH 44870

Phone: (419) 627-7611

Visitation is limited to parent, guardian, custodian, and attorney only. No others will be granted visitation without approval of the probation officer.

2. Notify the parent, guardian, or custodian of the date and time of the detention hearing in Juvenile Court.
3. Transport the child to the detention facility and from the facility to the Court for the detention hearing.
4. Provide the probation officer and the Prosecutor's Office with a written report (JUV-99 with attachments) complete of the incident resulting in the detention. This must be submitted as soon as possible prior to the detention hearing. The JUV 99 report shall be completed in its entirety and should indicate that the juvenile was arrested.

Rule 46

Detention Hearings

Detention hearings in the Huron County Juvenile Court are routinely held every Monday thru Friday, except holidays, at 11:30 a.m. First detention hearings are held via Zoom. Juvenile Rule 7 mandates that a detention hearing shall be held promptly, no later than 72 hours after the child is placed in detention or shelter care, or the next court day, whichever is earlier. The officer detaining the juvenile or a member of his department shall assist the prosecutor in completing a written and signed complaint prior the hearing. This child is the responsibility of the detaining officer, or his department, including from the place of apprehension and to the detention hearing. The various police departments and the Huron County Sheriff's Department shall cooperate in every way possible with each other and the Juvenile Court in order to fulfill and implement the intent of R.C 2151.40.

All Juvenile Contacts shall be recorded by utilizing the form entitled "Law Enforcement Form For Reporting All Juvenile Contacts", JUV-99. Contacts include all significant encounters with juveniles, not just arrests. Traffic offenses, which do not involve drugs or alcohol, are the sole exception to this new reporting method. All traffic tickets shall still be filed with the Clerk of Courts; however, those traffic offenses having drug or alcohol present must have a JUV-99 form attached to the citation. The JUV-99 form shall be completed in its entirety and should indicate whether the juvenile was arrested or not arrested.

Rule 47
Discovery

Discovery shall be provided as set forth in Juvenile Rule 24, except as provided herein. Any party may apply in writing to the Court for a protective order to excuse or limit discovery for the reasons set forth in Juvenile Rule 24 or for other good cause.

The Prosecutor’s Office or arresting agency shall provide a copy of the police report to the Juvenile Probation Department with each delinquency and unruly complaint, which that office prepares for filing with this Court.

Rule 48
Exhibits

Exhibits shall be marked and copies provided to opposing counsel prior to hearing.

Rule 49
Magistrates

Pursuant to Rule 40 of the Ohio Rules of Juvenile Procedure, Rule 53 of the Ohio Rules of Civil Procedure, Rule 19 of the Ohio Rules of Criminal Procedure and the Ohio Revised Code, Magistrates are empowered and authorized to hear and decide all cases assigned.

All decisions of the Magistrate shall be in writing. Magistrate’s Orders shall take effect immediately unless stayed by Court order. Decisions of the Magistrate shall have full force and effect upon being adopted by the Court unless stayed by Court order. Decisions of the Magistrate shall have full force and effect upon being adopted by the Court unless timely written objections are filed.

Rule 50
Objections, Appeals, Magistrate Decisions/Orders

Any party to the action may file written objections to a Magistrate’s Decision. The filing deadline is 14 days. A party shall have 10 days to appeal from a Magistrate’s Order pursuant to Juv R 40(C)(3). A supporting memorandum shall accompany an objection or appeal. A memorandum in response may be filed by any party within seven (7) days of the filing of the objection or appeal and accompanying memorandum.

Upon timely filing of an objection or appeal, the Judge may affirm, reject or modify the Magistrate’s Order or Decision upon review, or may hear additional evidence at his discretion. Objections or appeals may be set for oral hearing at the request of any party and the discretion of the Court.

Rule 51
Photographing and Broadcasting of Court Proceedings

The taking of photographs in the Courtroom, corridors and other areas adjacent to the Courtroom and

the transmitting or sound recording of such proceedings for broadcasting by radio or television shall not be permitted unless authorized by the Court. Requests for permission to broadcast, televise, record or photograph in the Courtroom shall be made in writing to the Judge as far in advance as reasonably practicable but in any event not less than 24 hours prior to the Courtroom session to be broadcast, recorded or photographed.

Rule 52 **Media Attendance in the Courtroom**

Pursuant to Juvenile Rule 27, the Court may conduct its hearing so that any member of the general public may be excluded and only those persons who have a direct interest in the case admitted to the courtroom. All cases involving children shall be heard separate from adults. The Court may excuse children from dependency, neglect or abuse cases.

All Juvenile Court proceedings and records are confidential and within the control of the Judge. Recordings or transcripts may only be used in the course of an appeal or as authorized by Court order.

The Court shall permit media to attend a hearing if the child who is the subject of the allegation is 14 years of age or older and the media representative will not report the name of the accused child or otherwise identify the child or child's family. The media representative will arrive in the hearing room before the hearing commences and will not depart before a recess or the end of the hearing. The only recording permitted by a media representative is written notes.

Rule 53 **Guardians ad Litem**

The Court shall appoint a Guardian ad Litem when it finds it is necessary and appropriate to protect the interests of a child or whenever the Court is required to do so by statute.

The role of the Guardian ad Litem is to assist the Court and to represent the interests of the child, with the primary focus being the best interest of the child.

Guardian ad Litem shall have full access to Court records.

The Guardian ad Litem may subpoena and examine independent witnesses.

A Guardian ad Litem shall perform appropriate duties upon appointment. As the feasibility of some of the duties will depend on the age of the child and the specific circumstances of each case, it is within the discretion of the Guardian ad Litem to tailor each of the following duties to the individual case:

1. Interview each parent or party separately (or state in the report why such interviews would be unnecessary or impractical).
2. Interview the children separately (or state in the report why such interviews would be

unnecessary).

3. Observe each child’s interaction with each parent.
4. Investigate all significant persons and interview them independently, either in person or by telephone.
5. Review pleadings and consult with each attorney as to position and issues.
6. Contact any mental health providers involved in the case.
7. Contact the school of the child.
8. Contact health care providers, child service agencies, etc.
9. Perform home visits (can be combined with interviews and observations).
10. Evaluate the necessity of psychological evaluations or counseling.
11. Communicate with the Children’s Services caseworker.
12. Attend hearings and depositions concerning the child.
13. Request appointment of an attorney to represent the Guardian ad Litem when necessary.

For good cause shown, the Guardian ad Litem may request that the Court order the parties and/or child to submit to physical, psychological or psychiatric evaluation.

A Guardian ad Litem is entitled to notice of all hearings and to receive copies of any and all filings made by the other parties to the action.

The Guardian ad Litem may attend all Court hearings; but will only be required to attend hearings for which the guardian ad litem has been served a properly issued subpoena.

Unless otherwise directed by the Court, the Guardian ad Litem shall prepare a written report and submit it to the Court and all parties. The Guardian ad Litem shall include a certificate of service in the submitted report.

A Guardian ad Litem has a duty to notify the Court and counsel if the child’s wishes are in opposition to the Guardian’s recommendations.

Discharge of the Guardian ad Litem shall be pursuant to Ohio Revised Code Section 2151.281(G).

A party seeking the appointment of a guardian ad litem pursuant to R.C. 2151.23 shall file with the Court a motion for appointment of a guardian ad litem. If the Court grants the motion, or if the Court appoints a guardian ad litem in such cases on its own motion, the parties shall each, unless otherwise ordered by the Court, deposit with the clerk of this Court within 14 days of the Court’s order \$750.00 to be applied to the cost of the guardian ad litem plus an additional 2% (\$15.00) for poundage. If the full deposit of \$1,530.00 has not been paid to the clerk of this Court within the 14 day period, the parties shall be notified that either may effectuate the appointment by paying the balance of the deposit owed by the other party, and the balance shall be charged as a credit to be reimbursed in the final judgment upon the matter. If the \$1,530.00 deposit has not been paid to the clerk of this Court within 30 days of the filing of the judgment entry appointing the guardian ad litem, the defaulting party will be ordered to appear before the Court to determine the reason for which payment of deposit has not been remitted and to issue any further appropriate orders regarding the deposit.

The guardian ad litem shall commence his/her duties in the case upon the payment of the deposit. From the deposit, the guardian ad litem shall be entitled to the fees at the rate of \$75.00 per hour. It is the responsibility of the guardian ad litem to advise the Court, parties and attorneys of record that an additional deposit will be necessary. Upon application of the guardian ad litem and allowance by the Court, the parties

shall each, unless otherwise ordered by the Court, deposit with the clerk of this Court such additional sum as the Court shall have ordered within 30 days of receiving notice of the Court’s order. Fees and expenses incurred by the guardian ad litem shall be taxed as costs and the deposits with the clerk of this Court therefore shall be refunded or credited to the respective parties upon payment of court costs.

Rule 54
Case Management Plan

Pursuant to C.P. Sup. R. 9, this Court hereby establishes the following plan for the filing, processing and hearing of matters in the Huron County Common Pleas Court, Juvenile Division. The time frame established for each phase is to be followed as closely as possible with the primary goal to move each case as expeditiously as possible. Scheduling of events starts with the date of filing the complaint and continues sequentially. It is understood that there will be exceptions to the time schedule but any case that cannot have a disposition within the parameters specified is to have a motion and entry specifying why and how much additional time is needed.

Schedule of Events for delinquency, unruly, traffic, dependency, neglect, and abuse cases:

Within 7 days	Complaint received
	Complaint circulated to INTAKE
Within 14 days	Case assigned number
	Case referred to Judge or Magistrate
	First hearing date set
	Summons issued
	Complaint & Summons placed in file folder
	Face sheet generated on hearing day
Within 30 days	Attorney appointed for indigent party if requested
	First hearing held
Within 60 days	Disposition held, if complaint admitted at 1st hearing
	Sentencing held, if guilty plea at 1st hearing
	Adjudication held, if complaint denied at 1st hearing
	Trial held, if not guilty plea at 1st hearing
Within 90 days	Disposition held, if complaint found proven at adjudication.
	Sentencing held, if guilty verdict at trial

Schedule of Events for custody, change of custody, and visitation cases:

Within 14 days	Complaint received
	Case assigned number
	Case referred to Judge or Magistrate
	First hearing date set
	Summons issued
	Case entered into computer
	Complaint & summons placed in file folder
	Face sheet generated on day of hearing
Within 60 days	First pretrial hearing held
Within 120 days	Trial held, if no resolution at pretrial

Within 270 days Disposition held, if complaint found proven at trial

Schedule of Events for support enforcement or modification and paternity cases:

Within 14 days	Complaint received Case assigned number Case referred to Judge or Magistrate First hearing date set Summons issued Case entered into computer Complaint & summons placed in file folder Face sheet generated on day of hearing
Within 60 days	First pretrial hearing held
Within 120 days	Trial held, if no resolution at pretrial
Within 365 days	Disposition held, if complaint found proven at trial

Rule 55

Processing Overpayments Made by Parties

The Court finds that in the performance of its duties, it occasionally happens that a party paying fines, Court costs, or other monies payable through the Court, will pay more than the amount that is due, and further finds that this overpayment may not be discovered until such time that it is not practical to give change to the overpaying party.

When an overpayment that is equal to, or less than, \$5.00 in value is discovered, that no refund be made, and that the money be paid by the Clerk of this Court into the General Fund of Huron County as Court costs.

In those situations in which the amount of the overpayment is greater than \$5.00, all reasonable attempts be made by the Clerk of this Court to refund the amount of the overpayment to the paying party.

Rule 56

Tobacco Use in the Huron County Courthouse

Whereas, the Court finds that tobacco smoke is a major contributor to indoor air pollution and that smoking in enclosed areas is detrimental to the public's health, welfare, comfort, and environment;

And whereas, the Court further finds that exposure to second-hand smoke is acutely harmful to nonsmokers with cardiovascular or respiratory disease and that the United States Surgeon General has determined that smoking and the use of other tobacco products is a leading cause of disease, including lung cancer in healthy nonsmokers.

And whereas, the Court further finds that smoking in certain enclosed areas is a public nuisance and a cause of material annoyance, discomfort and physical irritation to the public;

It is hereby ordered, adjudged and decreed that effective the 21st day of February 1995, all areas within the courthouse including hallways, stairwells, and restrooms shall be designated nonsmoking areas and the use

of all tobacco in this courthouse shall be prohibited. It is further ordered that the custodial personnel for the courthouse post appropriate signs notifying the public of these prohibitions and that ashtrays be located outside the entrances so that any smoking material may be extinguished prior to entering the courthouse.

Rule 57
Carrying of Weapons

No person shall knowingly carry or have on his person or ready at hand, any firearm, dangerous weapon or dangerous ordnance upon entering or while in the offices of the Juvenile and Probate Court, or upon entering or while in any Courtroom where this Court is conducting official business.

This Court order does not apply to law enforcement officers of this State or the United States, who are authorized to carry weapons or dangerous ordnance and who are acting within the scope of their law enforcement duties.

The deputy clerk of this Court is directed to post a copy of this order at all entrances to this Court's facilities and all shall take notice from this order that any violations hereof shall be considered an act of direct contempt of Court and shall be subject to summary punishment and/or criminal prosecution.

Rule 58
Filing Documents by Electronic Means

The provisions of this local rules are adopted under [Civil Rule 5(E)], [Civil Rule 73(J)], [Criminal Rule 12(B)], [Juvenile Rule 8], and [Appellate Rule 13(A)].

Pleadings and other papers may be filed with the Huron County Juvenile Court by facsimile transmission to (419) 663-0944 or by email to juvclerks@huroncounty-oh.gov subject to the following conditions:

1. APPLICABILITY

- 1.1 These rules apply to civil, criminal, juvenile, and appellate proceedings in the Huron County Juvenile Court.

2. ORIGINAL FILING

- 2.1 A Document filed by electronic means shall be accepted as the effective original filing. The person making a filing by electronic means need not file any source document with the Clerk of the Huron County Juvenile Court but must, however, maintain in his or her records and have available for production on request by the Court the source document filed by electronic means, with original signatures as otherwise required under the applicable rules, together with the source copy of the facsimile cover sheet used for the subject filing.
- 2.2 The source document filed by electronic means shall be maintained by the person making the filing until the case is closed and all opportunities for post judgment relief are exhausted.

3. SIGNATURE

- 3.1 A party who wishes to file a signed source document by electronic means shall either:

- a. Send by electronic means a copy of the signed source document; or
- b. Send by electronic means a copy of the document without the signature but with the notation “/s/” followed by the name of the signing person where the signature appears in the signed source document.

3.2 A party who files a signed document by electronic means represents that the physically signed source document is in his/her possession or control.

4. EXHIBITS

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

4.2 Any exhibit filed in this manner shall be attached to a cover sheet containing the caption of the case, which sets forth the name of the Court, title of the case, the case number, name of the judge and the title of the exhibit being filed (e.g., Plaintiff Smith’s Notice of Filing Exhibit “G” to Plaintiff’s Smith’s Response to Defendants’ Motion to Dismiss), and shall be signed and served in conformance with the rules governing the signing and service of pleadings in this Court.

5. TIME OF FILING

5.1 Subject to the provisions of these rules, all documents sent by electronic means and accepted by the Clerk shall be considered filed with the Clerk of the Huron County Juvenile Court as of the date and time the Clerk time-stamps the documents received, as opposed to the date and time of the transmission by electronic means. The office of the Clerk of the Huron County Juvenile Court will be deemed to receive transmission of documents by electronic means on the basis of 24 hours per day on days when the Huron County Juvenile Court is open for business. The office of the Clerk of the Huron County Juvenile Court will be deemed to receive transmission of documents by electronic means on the next business day when the transmission occurs on days when the Huron County Juvenile Court is not open for business.

5.2 The Clerk of the Huron County Juvenile Court may, but need not, acknowledge receipt of a transmission submitted by electronic means.

5.3 The risks of transmitting a document by electronic means to the Clerk of the Huron County Juvenile Court shall be borne entirely by the sending party. Anyone using electronic means is urged to verify receipt of such filing by the Clerk of the Huron County Juvenile Court through whatever technological means are available.

6. FEES AND COSTS

6.1 No document filed by electronic means that requires a filing fee shall be accepted by the Clerk for filing until court cost and fees have been paid. Court cost and fees may be paid by check, money order, credit card or cash directly at the Huron County Juvenile Court or by mail.

6.2 No additional fee shall be assessed for filings submitted by electronic means.

7. LENGTH OF DOCUMENT

7.1 Facsimile filings shall not exceed 10 pages in length. There is not a page limit on email filings. The filer shall not transmit service copies by electronic means.

8. EFFECTIVE DATE

8.1 These local rules shall be effective November 1, 2023, and shall govern all proceedings in actions brought after they take effect and also further proceedings in pending actions, except to the extent that, in the opinion of the Court, their application in a particular action pending on the effective date would not be feasible or would work an injustice, in which event, the formal procedure applies.

Rule 59
Computerization Fund

Pursuant to Ohio Revised Code Section 2151.541, it is hereby determined that, for the efficient operation of this Court, additional funds are required to computerize the office of the Clerk of this Court.

Effective January 1, 1998, a total of \$13.00 shall be charged on the filing of each cause of action or appeal, on the filing, docketing and endorsing of each certificate of judgment, or on the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment under divisions (A), (P), (Q), (T) and (U) of section 2303.20 of the Ohio Revised Code.

The County Auditor is hereby authorized and directed to pay all such money collected into the fund known as "The Probate and Juvenile Court Computerization Fund", account number 133-10200-133. The amount of \$13.00 for each filing as previously defined herein shall be paid over to the county treasury. The money deposited in the fund shall be used for procuring and maintaining computer systems for the clerk's office. Money shall be disbursed from the fund solely upon the order of the Juvenile Judge.

Rule 60
Judicial Bypass of Parental Notification

Juvenile Court Procedures-Complaint for Abortion without Parental Notification. (Ohio Revised Code Section 2151.85).

Complaint--sealing identifying information. All actions pursuant to section 2151.85 of the Revised Code shall be commenced by filing a complaint on Form 23-A issued by the clerk of the Supreme Court of Ohio. A certified copy of the second page, with the case number noted on it, shall be given to the complainant after she signs it. The original second page shall be removed from the file jacket and filed under seal in a safe or other secure place where access is limited to essential court personnel. All index records shall be under, "In the Matter of Jane Doe."

Minors seeking to file an action under section 2151.85 of the Revised Code shall be given prompt assistance by the clerk in a private, confidential setting. Assistance shall include performing the notary services necessary to file the complaint and affidavits described in Sup. R. 23 and 24.

The complaint shall be filed promptly upon the request of the minor. The complaint and other forms described

in these rules shall be provided without cost to the minor. No filing fees or court costs shall be imposed on the minor in connection with these proceedings or any notice of appeal filed in connection with these proceedings.

Rule 61
Fingerprinting Juveniles and
Reporting Requirements to BCI & I

House Bill 2, effective January 1, 1999, requires that juveniles arrested for a felony or offense of violence or when there is probable cause to believe that the child committed a felony or offense of violence be fingerprinted and photographed and the disposition of the case reported to BCI & I. The procedure is as follows:

- A. Arresting Agency arrests a juvenile for a felony or offense of violence or there is probable cause to believe that the child committed a felony or offense of violence, obtain the following sets of fingerprints and photographs:
 1. A full set of fingerprints from the child on the FBI Tenprint card.
 2. A full set of fingerprints from the juvenile on the BCI Form 2-96 (Juvenile Criminal Tenprint Card). Process in the same manner as the BCI & I Adult Criminal Tenprint Card.
 3. Complete the left side of the attached form (BCI Form 2-71) and finger impressions of the right four fingers on the right side of the form, the ITN number in the upper right corner of the form (from the BCI Tenprint Card), and print the word “juvenile” at the top of the form.
 4. A photograph of the child for the BCI Form 2-96.
 5. The Arresting Agency may take a set of fingerprints to be maintained by the Arresting Agency.
 6. The Arresting Agency may maintain a photograph at the Arresting Agency (see ORC Section 109.57)

- B. If an Arresting Agency arrests a juvenile for an offense that is not a felony or offense of violence and the Agency wants to fingerprint that juvenile, the Agency is directed to contact the Huron County Prosecutor’s Office for information on how to proceed.

- C. Arresting Agency will forward the forms as follows:
 1. FBI Tenprint Card to BCI within one (1) week;
 2. BCI Form 2-96 to BCI with an attached photograph within one (1) week;
 3. BCI Form 2-71 to the Huron County Juvenile Court.

- D. Juvenile Court receives a complaint:
 1. Attach the BCI Form 2-71 to the inside of the legal file (remaining on top of face sheets) upon filing of the complaint.
 - a. Clerk to forward BCI Form 2-71 to BCI with dispositional information and agency information completed on the right side of the form.
 - b. Maintain and file (docket) a completed copy of the BCI Form 2-71 in the legal file.
 2. When transferring a complaint to the county the child resides in, the Clerk is directed to maintain a copy of the Form 2-71 for the records of this Court and forward the

- original Form 2-71 with the transfer of the case.
3. When a complaint is heard “informally” by the Court, the Clerk will complete the dispositional portion of Form 2-71 and forward it to BCI indicating that the complaint was heard informally and “dismissed”.
 4. When a complaint has been transferred to the General Division, the Clerk will forward the Form 2-71 to the General Division for processing.

Rule 62
School Officials Providing School Records To The
Juvenile Court Of Huron County

Whereas, the Federal Government has passed statutes protecting the rights of parents and students in the privacy of school records (Title 20, #1232 U.S.C.A. PL93-380):

Whereas, the Juvenile Court of Huron County has a compelling need for school records information on students who are wards of this Court and on children against whom complaints have been filed in this Court;

Whereas, Title 20, #1232g (b)(2)(B) U.S.C.A. provides such information may be furnished in compliance with judicial orders upon condition that parents and the students are notified of all such orders;

It is therefore ordered that the officials of all public and private schools having Huron County children in their institutions shall provide this Court, upon request of its Probation Officers, all school records information on those students who are wards of this Court or against whom a complaint is pending in this Court. It is further ordered that each institution, having students who are residents of Huron County, give a general public notice to the parents of their students of the order of this Court.

The Court will issue further orders from time to time as it becomes necessary to modify and facilitate this procedure.

Rule 63
Security for Costs

No civil action or proceeding shall be accepted by the Clerk for filing unless the party or parties offering the same for filing shall have first deposited a sum to secure the payment of the costs that may accrue in such action or proceeding, except as otherwise provided by law. Such advance deposit shall be in accordance with the schedule approved by the Court and prepared and published from time to time.

Upon the filing of a counterclaim or a responsive motion in any civil action there shall be a deposit with the Clerk as upon the filing of the original complaint or original motion. Public agencies exempt from submission of such deposit are the Huron County Prosecutor, Huron County Public Defender, the Huron County Child Support Enforcement Agency and Guardians Ad Litem.

A poverty affidavit filed in lieu of a cash deposit must state the reasons for the inability to prepay costs and is subject to Court review at any stage of the proceedings. Upon a finding of indigency of a party the Court may waive the requirement of a deposit of fees for the purposes of the pending proceeding, but the ultimate

responsibility for the costs of the action will be allocated between the parties at the conclusion of the case.

It is therefore ordered, adjudged and decreed that effective October 1, 2022, the filing fees shall be as set forth below:

Filing Fees

Fees	Action
\$225.00	Complaints (i.e. Custody/Visitation/Support/Parentage)
\$150.00	Reopening of closed cases (Motions)
\$1,500.00 plus 2% poundage	Guardian ad litem (Deposit divided equally between parties)
\$175.00	Notice of Appeal – each filing (\$150.00 to Clerk of Court of Appeals / \$25.00 to Juvenile Division)

Rule 64 **Special Projects Fund**

R.C. 2303.201 authorizes all divisions of the Court of Common Pleas to charge a fee, in addition to all other court costs, to be used to acquire and pay for special projects of the Court, including, but not limited to, the acquisition of additional facilities or the rehabilitation of existing facilities, the acquisition of equipment, the hiring and training of staff, community service programs, mediation or dispute resolution services, the employment of magistrates, the training and education of judges, acting judges, and magistrates, and other related services.

Pursuant to R.C. 2303.201(E)(1), in addition to the fees and costs otherwise authorized by the Revised Code, the Clerk of this Court shall continue to charge and collect on the filing of each criminal cause or civil action or proceeding the sum of twenty-five dollars (\$25.00).

Pursuant to R.C. 2303.201(E)(1), the Clerk of this Court shall charge and collect on the filing of each action in which an alleged delinquent or unruly child has been referred to this Court's informal diversion program, the sum of twenty-five dollars (\$25.00).

Pursuant to R.C. 2303.201(E)(1), all fees collected pursuant to this Order shall be paid to the Huron County Treasurer, which funds shall thereupon be placed in the Court's Special Projects Fund (#124) to be disbursed upon Order of this Court.

Rule 65 **Records Retention Schedule**

The Huron County Juvenile Court has adopted the Local Record Retention Schedule, attached hereto, as Appendix A, which will be followed in accordance with Rule 26 of the Rules of Superintendence for the Courts of Ohio.

Rule 66

Service by Posting and Mail

Pursuant to Rule 16 (A) of the Ohio Rules of Juvenile Procedure, in actions before the Common Pleas Court of Huron County, Ohio, Juvenile Division, when the residence of a party is unknown and cannot be ascertained with reasonable diligence, service shall be made by any of the following methods or any combination of these methods, to wit:

1. By publication as set forth in Rule 16(A) of the Ohio Rules of Juvenile Procedure.
2. By posting and mail pursuant to this Local Rule and Rule 16(A) of the Ohio Rules of Juvenile Procedure.

Praecipe and Affidavit Seeking Service by Posting and Mail

Before service by posting and mail can be made, a praecipe shall be filed with the clerk requesting service by posting and mail pursuant to this rule and Rule 16 (A) of the Ohio Rules of Juvenile Procedure. With the praecipe there shall be an affidavit of a party or a party's counsel, captioned in the name of the action pending before the Court, stating the following:

- a. That the affiant is a party, or counsel for a party to an action filed in the Huron County Common Pleas Court, Juvenile Division, together with their address and telephone number.
- b. The caption of the case, the case number, and the nature of the action before the Court.
- c. The name and date of birth of the party whose residence is unknown and is sought to be served by posting and mail.
- d. A chronology of the reasonable and diligent efforts used by affiant to locate the party sought to be served by posting and mail.
- e. The last known address of the party sought to be served by posting and mail.
- f. A certificate of service to all parties and their respective counsel as required by the Ohio Rules of Juvenile Procedure.

Upon filing of the praecipe and affidavit seeking service by posting as set forth in this rule, the clerk shall cause summons and accompanying pleadings to be mailed by ordinary mail, address correction requested, to the last known address of the party to be served as required by Rule 16 (A) of the Ohio Rules of Juvenile Procedure. The clerk shall proceed as required by Rule 16 (A) of the Ohio Rules of Juvenile Procedure if notified of a corrected or forwarding address of the party sought to be served pursuant to this rule.

Upon the filing of the praecipe and affidavit seeking service by posting, the Clerk of the Common Pleas Court of Huron County, Ohio, Juvenile Division, shall cause service to be made pursuant to Rule 16 (A) of the Ohio Rules of Juvenile Procedure by instructing the party or counsel for said part seeking service by posting and mail to post in a conspicuous place containing the same information required in a newspaper publication as set forth in Rule 16 (A) of the Ohio Rules of Juvenile Procedure. This notice shall be posted by the party seeking service by posting and mail in a conspicuous place, at all of the following locations:

1. The Juvenile Court of Huron County, Ohio located at 2 East Main Street, Norwalk, Ohio.
2. The Huron County Department of Job and Family Services located at 185 Shady Lane Drive, Norwalk, Ohio.
3. The Huron County Office Building located at 12 East Main Street, Norwalk, Ohio.
4. The Huron County Juvenile Court website: www.hcjpc.com.

The party seeking service by posting and mail shall cause each of these notices to be posted on the same date. Each notice shall be posted in the required locations for seven (7) consecutive days. After the conclusion of the seven (7) day posting period, counsel or the party causing the posting shall promptly remove the posted notices from each posting site.

Each posted notice shall be in the English language and shall be typewritten.

The party or counsel causing service to be made by posting and mail pursuant to this rule shall file an affidavit, captioned in the name of the action, with the Court after posting for the required consecutive days setting forth the following information:

- a. The name of the party or counsel making the affidavit together with their address and telephone number.
- b. An accurate full size copy of the notice that was posted at the locations as required by this rule. Said affidavit shall identify a copy of the notice annexed to the affidavit as Exhibit “A” as a fair and accurate copy of the notice was so posted pursuant to this rule.
- c. Affiant shall set forth facts in the affidavit from affiant’s personal knowledge that posting was in fact made at the locations set forth in this rule for the required number of days, setting forth the dates each notice was posted, the locations that each notice was posted, and that the affiant personally posted or caused to be posted said notices for the duration of the term of said posting.
- d. Said affidavit of posting shall be filed with the Court no later than five (5) days after the last date of posting.
- e. Said notice shall be served on all parties and counsel of record as required by the Ohio Rules of Juvenile Procedure.

After the seven (7) consecutive days of posting, and upon the filing of the affidavit of posting, the clerk shall note on the docket where and when notice was posted. Service shall be complete upon the entry of posting by the Clerk.

Rule 67 **Juvenile Probation Supervision Fund**

R.C. 2152.20(A)(4) authorizes Juvenile Courts to require adjudicated delinquent children to reimburse any or all of the costs incurred for services or sanctions provided or imposed, including, but not limited to all or part of the costs of implementing any community control imposed as a disposition, including a supervision fee.

Pursuant to R.C. 2152.20(A)(4), in addition to the fees and costs otherwise authorized by the Revised Code, the Clerk of this Court shall charge and collect on the disposition of an adjudicated delinquent child the sum of fifty dollars (\$50.00), effective 1 September 2010.

All fees collected pursuant shall be paid to the Huron County Treasurer, which funds shall thereupon be placed in the Court’s Juvenile Probation Supervision Fund (#152) to be disbursed upon Order of this Court.

Rule 68 **Competency Proceedings**

General Purpose

The purpose of these rules 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.

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.

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.

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.

Rule 69**Electronically Produced Traffic Tickets**

Authorization. The use and filing of a ticket that is produced by computer or other electronic means is hereby authorized in the Huron County Common Pleas Court, Juvenile Division. The electronically produced ticket shall conform in all substantive respects to the "Ohio Uniform Traffic Ticket" described in the Ohio Traffic Rules' Appendix of Forms. If an electronically produced ticket is issued at the scene of an alleged offense, the issuing officer shall serve the alleged Juvenile Traffic Offender with the alleged Juvenile Traffic Offender's copy of the ticket as required by Rule 3(e) of the Ohio Traffic Rules.

Form of Affidavit. In every case in which an electronically produced ticket is used and filed, the ticket shall use forms that are substantially similar in form to Form 29.01-A (Court Record) and Form 29.01-B (Abstract).

Applicability. The purpose and scope of this rule is limited to the use and filing of a ticket other than an e-ticket or paperless ticket.

Rule 70**Legal Aid Filing Fee Surcharge**

Pursuant to Senate Bill 177, effective March 23, 2015 the Huron County Juvenile Court will collect \$15.00 for custody, visitation and parentage actions filed in the juvenile division for the charitable public

purpose of providing financial assistance to legal aid societies that operate within the state and to support the office of the state public defender. The Court shall not waive the payment of the additional filing fees in a new civil action or proceeding unless the Court waives the advanced payment of all filing fees in the action or proceeding. All such moneys collected during a month shall be transmitted on or before the twentieth day of the following month by the Clerk of the Court to the treasurer of state in a manner prescribed by the treasurer of state or by the Ohio legal assistance foundation.

Rule 71

Physical Restraint of Children

Physical restraint of children appearing before the Court shall not be utilized in the courtroom without an individualized judicial determination that there is no less restrictive alternative to the use of physical restraint and that physical restraint is necessary because of either of the following:

1. The child represents a current and significant threat to the safety of the child’s self or other persons in the courtroom;
2. There is a significant risk the child will flee the courtroom.

Upon request, the Court shall provide any party, as defined by Juv. R. 2(Y), with an opportunity to be heard on the issue of whether the use of physical restraint is necessary for a particular child at a particular court proceeding.

1. If the Court finds physical restraint to be necessary, the restraint shall be the least restrictive necessary to meet the risk requiring the restraint and shall be implemented in a manner which does not unnecessarily restrict the movement of the child’s hands.
2. Nothing in this rule shall prevent law enforcement officers from taking measures deemed necessary by those officers to secure children during transportation to or from the Court or in the courthouse either before or after hearings, including but not limited to physical restraint.
3. Notwithstanding the express provisions of this Rule, the Court retains the inherent authority and duty to preserve and protect the safety of persons in the courtroom, and to maintain order and decorum in all judicial proceedings.

Rule 72

Specialized Dockets

The Court will operate a specialized docket for certain adjudicated dependent, neglected or abused youth whose parents or legal custodians suffer from substance abuse and/or mental health issues. This program shall be known as the Family Dependency Court Program. The Court incorporates herein by reference the Ohio Supreme Court’s Specialized Docket Standards for the administration of this program, as set forth in Appendix I of the Ohio Rules of Superintendence.

Rule 73

Remote Appearances

The intent of Local Rule 73 is to promote uniformity in the practices and procedures related to remote appearances in cases where such an appearance is permitted by these rules, Court Order, statute, or other rules of Court. “Remote” is defined as the use of live two-way video or audio technology. Notwithstanding any other provisions of this Rule, a judge may order a party’s personal appearance in Court for any conference, hearing, or proceeding.

- A. **Telephone Appearances.** The Court may conduct conferences, hearings, and proceedings via telephone with attorneys and unrepresented parties in accordance with the Hearing Management Plan set forth in Division (F) of this Rule.
1. All evidentiary proceedings involving a telephone appearance must be recorded and reported to the same extent as if the participants had appeared in person.
 2. The Court may specify the time and the person who will initiate the conference and any other matter or requirement necessary to accomplish or facilitate the telephone appearance.
 3. Upon convening a conference, hearing, or proceeding involving a telephone appearance, the Court shall recite the date, time, case number, names and locations of parties and counsel, and the type of conference, hearing, or proceeding.
 4. The Court may require a party to appear in person, including video conferencing, at a conference, hearing, or proceeding in which a telephone appearance is otherwise permitted if the Court determines a personal appearance would materially assist in the determination or effective management or resolution of the particular case.
 5. If at any time during a conference, hearing, or proceeding conducted by telephone, the Court determines a personal appearance, including video conferencing, is necessary, the Court may continue the matter and require a personal appearance.
- B. **Video Conferencing.**
1. The Court may conduct conferences, hearings, and proceedings via a live two-way video conferencing platform with attorneys and unrepresented parties in accordance with the Hearing Management Plan set forth in Division (F) of this Rule.
 2. All evidentiary proceedings involving a video conference appearance must be recorded and reported to the same extent as if the participants had appeared in person.
 3. Upon convening a conference, hearing, or proceeding involving a video conference appearance, the Court shall recite the date, time, case name, case number, names and locations of parties and counsel, and the type of conference, hearing, or proceeding.
 4. The Court may require a party to appear in person at a hearing, conference, or proceeding in which video conference appearance is otherwise permitted if the Court determines a personal appearance would materially assist in the determination or effective management or resolution of the particular case.
 5. If at any time during a conference, hearing, or proceeding conducted by video conference the Court determines a personal appearance, including video conferencing, is necessary, the Court may continue the matter and require a personal appearance.
- C. **Confidential Attorney-Client Communication.** Provisions shall be made to preserve the confidentiality of attorney-client communications and privilege during any conference, hearing, or proceeding involving a telephone or video-conference appearance.
- D. **Witnesses.** At the Court’s discretion, a witness may testify via telephone or video conference if not otherwise prohibited by this Rule, statute, or other rules of court.
- E. **Technical Standards and Equipment.** The equipment and platform used in any hearing or proceeding conducted under this Rule must conform to the following minimum requirements:
1. All participants must have the ability to hear and communicate with each other

- simultaneously.
2. All participants must be able to see, hear, or otherwise observe any documents, physical evidence, or exhibits presented during the proceedings, either by video, facsimile, or other medium.
 3. The equipment or platform must allow for the Court to generate a verbatim record of the conference, hearing, or proceeding.
 4. The equipment or platform must be able to be used by people with disabilities to accommodate their disabilities under the Americans with Disabilities Act.
 5. The use of telephone or video-conferencing platform used to conduct the conference, hearing, or proceeding shall in no way abridge any right of the public.

F. **Hearing Management Plan.** The Court may conduct conferences, hearings, and proceedings in the following manner unless for good cause shown:

Type of Proceeding	In Person	Video	Telephone	Hybrid
Arraignments	X	X		X
Plea Hearings	X	X		X
Pretrial Hearings	X	X	X	X
Review/Status Hearings	X	X	X	X
Evidentiary Hearings	X	X		X
Sentencing Hearings	X	X		X
Post-Conviction Hearings	X	X		X
Motion Hearings	X	X		X
Traffic Proceedings	X	X		X
Civil Proceedings	X	X		X
Adjudication (DL, UN, DNA)	X	X		X
Disposition (DL, UN, DNA)	X	X		X
Administrative Proceedings	X	X	X	X

In person: A hearing is conducted where the Court and all participants appear physically in the same location.

Video: A hearing is conducted using ZOOM where the Court and all participants appear remotely.

Telephonic: A hearing is conducted where the Court and all participants appear using a telephone.

Hybrid: A hearing is conducted using a combination of any of the above-listed appearance types (e.g. the Court appears in the courtroom and the remaining participants appear via ZOOM).

Rule 74 **Technology Plan**

In accordance with Superintendence Rule 5(E), the Court shall adopt and maintain a Court Technology Plan which will include:

1. A comprehensive strategy for implementing and maintaining technology solutions for

- conducting remote hearings, electronic service, the acceptable of electronic signatures, and any other technology-related solution utilized by the court or division; and
2. Procedures for notifying and providing instructions to the public on how to use the technology solutions implemented by the court or division and how the solutions will comply with any accessibility accommodation requirements, including any applicable requirements of the “Americans with Disabilities Act.”

This plan will be available from the office of the Clerk of Court and posted on the Court’s website at www.hcjpc.com.

Rule 74

Reporting to Law Enforcement & Compliance Plan

- A. The Court has a duty to ensure complete, accurate and timely submission of information into the state’s computerized criminal history repository at the Bureau of Criminal Investigation (BCI), the Ohio Law Enforcement Automated Data System (LEADS), and other law enforcement databases.
- B. The Court, in collaboration with law enforcement agencies and any other applicable justice system partners, will develop a Reporting to Law Enforcement & Compliance Plan.
- C. The Reporting to Law Enforcement & Compliance Plan will identify procedures and timelines for:
 1. Obtaining and reporting fingerprints as prescribed by the Revised Code and Supreme Court of Ohio rules, including R.C. 109.57(A)(2), 109.60(A), 2151.311, 2151.313 and 2152.71(A)(2);
 2. Reporting information regarding protection orders as prescribed by the Revised Code and Supreme Court rules, including R.C. 2151.34 and 3113.31 and Sup. R. 10(A);
 3. Reporting information to the Ohio Department of Public Safety’s Bureau of Motor Vehicles as prescribed by R.C. 4510.03, 4513.37 and 5502.10 and Supreme Court rules;
 4. Maintaining complete and accurate records in accordance with 18 U.S.C. 922(g), the Revised Code, including R.C. 2923.13 and Supreme Court rules in the event of an audit by the Federal Bureau of Investigation, the Bureau of Criminal Investigation or state or local auditors; and,
 5. Reporting sealed and expunged records to BCI, LEADS and other law enforcement databases pursuant to the Revised Code, including R.C. Ch. 2151 and R.C. 2930.171 and 3113.31.
- D. The Court will review the Reporting to Law Enforcement & Compliance Plan every three years from its adoption date.

These supplemental rules concerning local practice in this Juvenile Division of this Court have been this date adopted by me thus superseding all previously adopted local rules until this Court adopts other rules.



Timothy L. Cardwell, Judge

Certificate

In accordance with CPSupR 5, I have this date caused these rules to be filed with the Supreme Court by forwarding them electronically.



Timothy L. Cardwell, Judge



Ohio Historical Society
State Archives of Ohio
Local Government Records Program
800 E. 17th Avenue
Columbus, Ohio 43211-2497

OHIO HISTORY CONNECTION

JUL 05 2019

Page 1 of 11

FILED-JOURNALIZED
HURON CO. OHIO

AUG - 5 2019

COMMON PLEAS COURT
JUVENILE DIVISION

STATE AND LOCAL
GOVERNMENT RECORDS

RECORDS RETENTION SCHEDULE (RC-2)

See instructions before completing this form.

Section A: Local Government Unit

Huron County (local government entity)	Court of Common Pleas, Juvenile Division (unit)		
	Timothy L. Cardwell (name)	Judge (title)	6/25/2019 (date)

Section B: Records Commission

Records Commission (address)	(city)	(zip code)	(telephone number) (county)
---------------------------------	--------	------------	--------------------------------

To have this form returned to the Records Commission electronically, include an email address: huroncorecorder@gmail.com

I hereby certify that our records commission met in an open meeting, as required by Section 121.22 ORC, and approved the schedules listed on this form and any continuation sheets. I further certify that our commission will make every effort to prevent these records series from being destroyed, transferred, or otherwise disposed of in violation of these schedules and that no record will be knowingly disposed of which pertains to any pending legal case, claim, action or request. This action is reflected in the minutes kept by this commission.

	6/26/19
Records Commission Chair Signature	Date

Section C: Ohio Historical Society - State Archives

	Local Government Records Archivist	7/10/19
Signature	Title	Date

Section D: Auditor of State

	7-25-19
Signature	Date

**Please Note: The State Archives retains RC-2 forms permanently.
It is strongly recommended that the Records Commission retain a permanent copy of this form**

Section E: Records Retention Schedule

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Required by OHS- LGRP
J15-1	Administrative Journal Consists of court entries, or a record of court entries, regarding policies and issues not related to cases. (Sup.R. 26.01.A)	Permanent	Paper Electronic		<input checked="" type="checkbox"/>
J15-2	Annual Reports Two copies of each annual report (Sup.R. 26.01.B)	Permanent	Paper Electronic		<input checked="" type="checkbox"/>
J15-3	Bank Records Bank transaction records. (Sup.R. 26.01.C)	3 years or until issuance of an audit report by the Auditor of State whichever is later	Paper Electronic *may destroy paper when electronic is created		<input type="checkbox"/>
J15-4	Cash Books Include expense and receipt ledgers (Sup. R. 26.01.D)	3 years or until issuance of an audit report by the Auditor of State whichever is later	Paper Electronic *may destroy paper when electronic is created		<input type="checkbox"/>
J15-5	Communication Records Include routine telephone messages on any medium where official action will be recorded elsewhere. (Sup.R. 26.01.E)	Normal course of business when they are considered no value	Paper Electronic		<input type="checkbox"/>
J15-6	Correspondence and General Office Records Include all sent and received correspondence, in any medium. (Sup. R. 26.01.F)	Normal course of business when they are considered no value	Paper Electronic		<input type="checkbox"/>
J15-7	Drafts and Informal Notes Consist of transitory information used to prepare the official record in any other form. (Sup.R. 26.01.G)	Normal course of business when they are considered no value	Paper Electronic		<input type="checkbox"/>
J15-8	Employment Applications for Posted Positions (Sup. R. 26.01.H)	Two years	Paper		<input type="checkbox"/>

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.

Revised January 2013

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Required by OHS- LGRP
J15-9	Employee Benefit and Leave Records Employee benefit and leave records, including court office copies of life and medical insurance records. (Sup. R. 26.01.I)	3 years or until issuance of an audit report by the Auditor of State whichever is later	Paper		<input type="checkbox"/>
J15-10	Employee history and discipline records Records containing the hiring, promotion, evaluation, attendance, medical issues, discipline, termination and retirement of court employees. (Sup. R. 26.01.J)	10 years after termination of employment	Paper		<input type="checkbox"/>
J15-11	Fiscal Records Fiscal records, including copies of transactional budgeting and purchasing documents maintained by another office or agency. (Sup. R. 26.01.K)	3 years or until issuance of an audit report by the Auditor of State whichever is later	Paper Electronic		<input type="checkbox"/>
J15-12	Grant Records Records of grants made or received by a court. (Sup. R. 26.01.L)	3 years after expiration of the grant	Paper		<input type="checkbox"/>
J15-13	Payroll Records Payroll records of personnel time and copies of payroll records maintained by another office or agency. (Sup. R. 26.01.M)	3 years or until issuance of an audit report by the Auditor of State whichever is later	Paper		<input type="checkbox"/>
J15-14	Publications received Publications received by a court. (Sup. R. 26.01.N)	Normal course of business when they are considered no value	Paper		<input type="checkbox"/>
J15-15	Receipt Records Receipt and balancing records. (Sup. R. 26.01.O)	3 years or until issuance of an audit report by the Auditor of State whichever is later	Paper Electronic *may destroy paper when electronic is created	Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.	<input type="checkbox"/>
J15-16	Requests for proposals, bids, and resulting contracts Requests for proposals, bids received in	3 years after the expiration of the contract	Paper		<input type="checkbox"/>

Revised January 2013

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Required by OHS- LGRP
	response to a request for proposal, and contracts resulting from a request for proposal. (Sup. R. 26.01.P)	that is awarded pursuant to the request for proposal.			
J15-17	<p>Exhibits, depositions, and transcripts. At the conclusion of litigation, including times for direct appeal, a court or custodian of exhibits, depositions, or transcripts may destroy exhibits, depositions, and transcripts if all of the following conditions are satisfied:</p> <p>(1) The court notifies the party that tendered the exhibits, depositions, or transcripts in writing that the party may retrieve the exhibits, depositions, or transcripts within sixty days from the date of the written notification;</p> <p>(2) The written notification required in division (F)(1) of this rule informs the party that tendered the exhibits, depositions, or transcripts that the exhibits, depositions, or transcripts will be destroyed if not retrieved within sixty days of the notification;</p> <p>(3) The written notification required in division (F)(1) of this rule informs the party that tendered the exhibits, depositions, or transcripts of the location for retrieval of the exhibits, depositions, or transcripts;</p> <p>(4) The party that tendered the exhibits, depositions, or transcripts does not retrieve the exhibits, depositions, or transcripts within sixty days from the date of the written notification required in division (F)(1) of this rule. (Sup. R. 26.F)</p>	At the conclusion of litigation, including times for direct appeal.	Paper Electronic or miscellaneous items		
J15-18	Recordings of Hearings (Sup. R. 26.G)	5 years after the hearing date or 1 year after issuance of an audit report by the Auditor of State, whichever is later	Electronic, Cd, tape		

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Required by OHS- LGRP
J15-19	Blank Forms Obsolete, unneeded, or superseded forms stock (county schedule)	Until obsolete or superseded	Paper Electronic		
J15-20	Disaster Plan Documents plans and procedures to protect and reestablish court operations in the event of a disaster. (county schedule)	Until updated or superseded	Paper Electronic		
J15-21	Rules of Court	Until updated or superseded	Paper Electronic		
J15-22	Records Request Requests to inspect and review public records (county schedule – ORC 149.43)	2 years	Paper Electronic		
J15-23	Records Retention and Disposition Forms Records, also called RC-1, RC-2, RC-3 forms, and other locally developed forms documenting the retention and disposition of the records of an office. (county schedule)	permanent	Paper Electronic		
J15-24	Speeches/ Presentations Written and/or recorded materials distributed when speaking to a group or press conference concerning an office and/or its operations. (county schedule)	Until no longer of administrative value/ appraise for historical value	Paper Electronic		✓ (historical)
J15-25	Surveys & Questionnaires Records collected from employees or public to assess how an event or program is perceived to determine if improvements or changes should be made. (county schedule)	Until no longer of administrative value	Paper Electronic		
J15-26	Visitors' log or sign-in sheets Registers or logs used to track visitors visiting an office. (county schedule)	1 year	Paper		
J15-27	Accident Reports / Files Report of personal or property damage involving a county vehicle or occurring on county property. (county schedule)	6 years	Paper		
J15-28	Annual Inventory Departmental inventory of all the materials, machinery, tools and other court supplies. ORC305.18 (county schedule)	3 years	Paper Electronic		
J15-29	Audit Reports (Federal, State & Internal) Financial examinations and reports issued by the Federal Government, Auditor of State, independent auditing agencies or conducted internally. ORC 117.26 (county schedule)	5 years	Paper		

Revised January 2013

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Required by OHS- LGRP
J15-30	Backup Data Computer generated backup tapes and data created, used and maintained for disaster recovery purposes. (county schedule)	Retain for one system backup cycle then delete, erase or destroy data	Tape CD		
J15-31	Budget, Annual Departmental/Office Fiscal allocation to a department or office for fiscal year. (county schedule)	3 years	Paper Electronic		
J15-32	Budget Preparation Documents (Working Papers) Preparation documents used to create annual budgets (county schedule)	2 years	Paper Electronic		
J15-33	Contracts Legal agreements with individuals, organizations, or entities to procure goods and/or services. ORC 2305.06 (county schedule)	8 years after expiration	Paper		
J15-34	Employment Applications / Resumes – Unsuccessful – Not Hired Application submissions for open job positions not chosen for employment, includes unsolicited resumes. (county schedule)	2 years	Paper		
J15-35	Equipment Maintenance Records Files documenting ownership, warranties, routine maintenance and repair of court owned equipment. (county schedule)	Life of equipment	Paper Electronic		
J15-36	Personnel Policy	Until updated or superseded	Paper Electronic		
J15-37	Litigation Records Records related to legal claims against an office and subsequent legal actions and court proceedings (county schedule)	5 years after case is closed and appeals are exhausted	Paper		
J15-38	Service Requests Written requests and tracking logs seeking services, assistance, etc. May include response and/or action taken. (county schedule)	Until no longer of administrative value	Paper Electronic		
J15-39	Surveillance Tapes / Videos Footage documenting daily actions of employees and visitors within an office and on its grounds for security purposes. (county schedule)	Use for one cycle then reuse provided no action pending	Electronic		
J15-40	Travel Requests / Expense Reports Requests for reimbursement for employee travel (county schedule)	3 years	Paper		

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Required by OHS- LGRP
J15-41	Vehicle Maintenance Records Records noting repairs and routine maintenance of court vehicles. (county schedule)	Until vehicle sold or disposed of	Paper		
J15-42	Vehicle Mileage Records Log of mileage and expenses incurred in court vehicles. (county schedule)	Until vehicle sold or disposed of	Paper		
J15-43	Workers' Compensation Claims Files covering claims made by employee for Workers Compensation benefits; includes claim, investigation, hearings, results, requirements, terms and conditions, etc. ORC 4123 (county schedule)	10 years after last activity	Paper		
J15-44	Index, Docket, Journal Index: a reference record used to locate journal, docket, and case file records. Docket: The docket of a division shall be programmed to allow retrieval of orders and judgments of the division in a chronological as well as a case specific manner. Entries in the docket shall be made as events occur, shall index directly and in reverse the names of all parties to cases in the division, and shall include: (1) Names and addresses of all parties in full; (2) Names, addresses, and Supreme Court attorney registration numbers of all counsel; (3) The issuance of documents for service upon a party and the return of service or lack of return; (4) A brief description of all records and orders filed in the proceeding, the time and date filed, and a cross reference to other records as appropriate; (5) A schedule of court proceedings for the division and its officers to use for case management; (6) All actions taken by the division to enforce orders or judgments; and (7) Any information necessary to document the activity of the clerk of the division regarding the case. Journal: a verbatim record of every order of judgment of a court. (Sup. R. 26.B.3 & 4 and 26.03.C)	Permanent	Paper Electronic		✓
J15-45	Judge, magistrate, and clerk notes, drafts and research. Judge, magistrate, and clerk notes, drafts, and research prepared for the purpose of compiling	At the discretion of the preparer	Paper Electronic		

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Required by OHS- LGRP
	a report, opinion, or other document or memorandum may be kept separate from the case file, retained in the case file. (Sup. R. 26.03.D)				
J15-46	Certified mail receipts in uncontested case and post-decree motions In new cases and cases involving post-decree motions where personal jurisdiction is established by certified mail receipt and the defendant/respondent fails to answer, enter an appearance, or otherwise defend, the certified mail receipt. (Sup. R. 26.03.G1)	30 years after the date of issuance and may be retained in a separate file from the case file.	Paper Electronic *may destroy paper when electronic is created		
J15-47	Divorce or dissolution: Minor children Case files of divorce and dissolution that involve minor children. (Sup. R. 26.03.G2)	25 years after the date of the final order	Paper Electronic *may destroy paper when electronic is created		
J15-48	Juvenile Protection Order Case files of petitions for Juvenile Protection Orders. (Sup. R. 26.G)	2 years after respondent turns 21 *unless earlier expunged pursuant to R.C. 2151.34(E)(6)	Paper Electronic *may destroy paper when electronic is created		
J15-49	Uniform Reciprocal Enforcement of Support Act (URES A) filings Case files involving URESA filings. (Sup. R. 26.03.G.8)	19 years after the final order or for 1 year after transfer of the case to another jurisdiction	Paper Electronic *may destroy paper when electronic is created		
J15-50	Delinquency and adult records (Sup. R. 26.03.H1)	2 years after final order or 1 year after issuance of an audit report by the Auditor of State, whichever is later. Documents admissible as evidence of a prior conviction in a	Paper Electronic *may destroy paper when electronic is created		

Audited means: the years encompassed by the records have been audited by the Auditor of State and the audit report has been released pursuant to Sec. 117.26 O.R.C.

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Required by OHS- LGRP
		criminal proceeding retained for 50 years after the final order. * unless earlier expunged pursuant to R.C. 2151.355-2151.358			
J15-51	Juvenile by-pass records Records shall be maintained in two separate and secure files. The first file shall contain the first page of the form complaint and other relevant documents and the second file shall contain the second page of the form complaint bearing the signature of the complainant.	2 years after the final order or, if an appeal is sought, for 2 years after the filing of the appeal	Paper Electronic *may destroy paper when electronic is created		
J15-52	Permanent custody, custody, parentage, visitation, support enforcement, abuse, neglect, dependency, and URESA records (Sup. R. 26.03.H3)	2 years after child obtains age of majority. If post-decree motions have been filed, 1 year after the adjudication of the post-decree motion	Paper Paper Electronic *may destroy paper when electronic is created		
J15-53	Search warrant records (Sup. R. 26.03.H4)	5 years after the date of service or last service attempt	Paper Electronic *may destroy paper when electronic is created		
J15-54	Traffic records – minor misdemeanor records (Sup. R. 26.03.H5)	5 years after the final order * unless earlier expunged pursuant to R.C. 2151.355-2151.358	Paper Electronic *may destroy paper when electronic is created		
J15-55	Traffic records – misdemeanor records (Sup. R. 26.03.H5)	25 years after the final order * unless earlier	Paper Electronic *may destroy		

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Required by OHS- LGRP
		expunged pursuant to R.C. 2151.355-2151.358	paper when electronic is created		
J15-56	Other Traffic records (Sup. R. 26.03.H5)	50 years after the final order * unless earlier expunged pursuant to R.C. 2151.355-2151.358	Paper Electronic *may destroy paper when electronic is created		
J15-57	Unruly and marriage consent records (Sup. R. 26.03.H5)	2 years after the final order or 1 year after the issuance of an audit report by the Auditor of State * unless earlier expunged pursuant to R.C. 2151.355-2151.358	Paper Electronic *may destroy paper when electronic is created		
J15-58	Jury Use & Management Plan	Until superseded	Paper Electronic		
J15-59	Prospective Juror List	Permanent	Paper Electronic *may destroy paper when electronic is created		
J15-60	Venire	Permanent	Paper Electronic *may destroy paper when electronic is created		
J15-61	Questionnaire and Requests to be excused and any supporting documents	1 year from end of that jury term	Paper		

(1) Schedule Number	(2) Record Title and Description	(3) Retention Period	(4) Media Type	(5) For use by Auditor of State or OHS- LGRP	(6) RC-3 Required by OHS- LGRP
J15-62	Probation Files	Until subject of file obtains the age of 18 and case is terminated	Paper		
J15-63	CASA Files	Until youngest child in case is 21 years old	Paper		
J15-64	Court Services Records Includes files on Study Group, Community Service, Work Detail, and other Juvenile Court program files	3 years after completion of fiscal year.	Paper		
J15-65	Ohio Supreme Court Quarterly Report Statistical reporting information provided to the Ohio Supreme Court	Permanent	Paper Electronic *may destroy paper when electronic is created		X
J15-66	Family Dependency Treatment Court Files (Past participants)	Until youngest child in case is 21 years old	Paper		

HURON COUNTY JUVENILE COURT PARENTING TIME GUIDELINES

I. GENERAL GUIDELINES

- A. Parenting time shall take place at such times and places upon which the parties agree.
- B. Parenting time does not include picking up the children and leaving them with someone else while the visiting parent pursues their own recreation which excludes the children.
- C. The Residential Parent shall send with the children sufficient clothing and outerwear appropriate to the season.
- D. The Non-Residential Parent shall be entitled to have frequent and continuing contact with the child through telephone, texting or email, but is expected to be reasonable. During extended parenting time with the Non-Residential Parent, the Residential Parent shall have the same privileges detailed above. The calling party shall bear the expense, if any.
- E. **IT IS THE RESPONSIBILITY OF THE PARENTS, NOT THE CHILD, TO MAKE ALL PARENTING TIME ARRANGEMENTS.** Neither parent should communicate with a child about the issue of parenting time, or future events or activities which conflict with the other parent’s allotted times. It is not the responsibility of a child to mediate or become involved in parental differences over parenting times, dates or activities. If the parents have temporary difficulty communicating about either parenting time or the needs of their child, parents should not enlist the child to resolve their dispute.
- F. Both parents are entitled by law to equal access to their child’s school records, unless otherwise limited by Court order.
- G. The Residential Parent shall, upon request by the Non-Residential Parent, immediately comply with whatever action is required to provide access to any medical, dental, hospital, surgical, optometric or mental health records of the minor children, including the signing of a full release. Both parents are entitled to equal access to these records, unless limited by Court order.
- H. Each parent shall have a right of first refusal if the other parent will be unavailable for more than 6 hours during their time with the child. It is the responsibility of the receiving parent to pick up the child. The other parent may then retrieve the child to continue the previously scheduled parenting time when he or she becomes available again.

II. WEEKLY SCHEDULE

Non-Residential Parents are to have frequent and continuing contact with their minor children. The

following schedules for Non-Residential Parents are to be followed in the absence of an agreement between parents or an Order of the Court to the contrary.

A. Infants to 9-months

2 hours, three times weekly, the times of which will be set to accommodate both parents' work schedules. If parents cannot agree, the visits shall be Tuesday and Thursday from 6:00 p.m. to 8:00 p.m. and Sunday from 1:00 p.m. to 3:00 p.m.

B. 9-months through emancipation

1 evening per week from 5:30 p.m. to 8:30 p.m. if the parents reside in the same or adjoining counties, and subject to the child's scholastic and extracurricular activities. If parents cannot agree on the day for this mid-week visit to occur, it shall occur on Wednesday.

Alternating weekends from Thursday at 6:00 p.m. to Sunday at 6:00 p.m. It shall be the responsibility of the Non-Residential Parent to transport the child to school or preschool on Friday mornings during these alternating weekends.

III. HOLIDAYS

The following holiday schedule shall be used in the absence of an agreement between parents, and shall take priority over the weekly schedule set forth above.

A. Even Numbered Years

Mothers shall have the child on 1) Spring Break, if applicable and only if different than Easter Weekend; 2) Memorial Day Weekend from Friday at 6:00 p.m. to Monday Night at 6:00 p.m.; 3) Labor Day Weekend from Friday at 6:00 p.m. to Monday Night at 6:00 p.m.; 4) Thanksgiving, from Wednesday night at 6:00 p.m. to Friday night at 6:00 p.m.; 5) Christmas Eve from 12:00 p.m. (noon) until Christmas Day at 12:00 p.m. (noon); and 6) Child's birthday from 9:00 a.m. to 8:00 p.m.

Fathers shall have the child on 1) Easter Weekend from Thursday night at 6:00 p.m. to Sunday night at 6:00 p.m.; 2) Fourth of July from 6:00 p.m. on the 3rd of July until 12:00 p.m. (noon) on the 5th of July; and 3) Christmas vacation and New Year's Day from Christmas Day at 12:00 p.m. (noon) until 6:00 p.m. on New Year's Day.

B. Odd Numbered Years

Mothers shall have the child on 1) Easter Weekend from Thursday night at 6:00 p.m. to Sunday night at 6:00 p.m.; 2) Fourth of July from 6:00 p.m. on the 3rd of July until 12:00 p.m. (noon) on the 5th of July; and 3) Christmas vacation and New Year's Day from Christmas Day at 12:00 p.m. (noon) until 6:00 p.m. on New Year's Day.

Fathers shall have the child on 1) Spring Break, if applicable and only if different than Easter Weekend; 2) Memorial Day Weekend from Friday at 6:00 p.m. to Monday Night at 6:00 p.m.; 3) Labor Day

Weekend from Friday at 6:00 p.m. to Monday Night at 6:00 p.m.; 4) Thanksgiving, from Wednesday night at 6:00 p.m. to Friday night at 6:00 p.m.; 5) Christmas Eve from 12:00 p.m. (noon) until Christmas Day at 12:00 p.m. (noon); and 6) Child's birthday from 9:00 a.m. to 8:00 p.m.

IV. EXTENDED PARENTING TIME

- A. Length. Parents shall each have fourteen (14) days of extended parenting time each year. Extended parenting time shall be exercised in blocks of not less than seven (7) days, and each parent has the right to determine the duration of the block of their own extended parenting time. In no event shall a parent utilize more than one (1) of the other parent's weekends when scheduling extended parenting time.
- B. When Exercised. With regard to any child of school age, extended parenting time shall be exercised between the last day of school and the seventh (7th) day before the start of the child's new school year, unless otherwise agreed by the parties or ordered by the Court. With regard to a child who is not of school age, extended parenting time may be exercised anytime during the year, except during holiday time outlined in Section III above.
- C. Notification to Other Parent. At least sixty (60) days before the start of extended parenting time, each parent shall deliver to the other parent, in writing, the dates he / she wishes to exercise extended parenting time. This notice shall be delivered by one parent directly to the other, and shall not be sent through the child.
- D. Priority of Parents' Schedules. The Non-Residential Parent's choice of extended parenting time has priority over the Residential Parent's choice, unless the Residential Parent's vacation is an annual mandatory shut-down of the place of employment, or unless the Residential Parent is required by an employer to give more than sixty (60) days notice of intent to take a vacation and the Non-Residential Parent has no similar requirement.
- E. Contact Information. If either parent takes the child outside the county in which that parent resides, for a period of 24 hours or more, that parent must provide the other parent with the destination, times of arrival and departure, method of travel, and a telephone number where the child can be reached in case of emergency.

V. DAYS OF SPECIAL MEANING

- A. Mother's Day & Father's Day. Mother's Day shall always be spent with Mother and Father's Day shall always be spent with Father, regardless of which parent is entitled to the weekend. If parents cannot agree on times, the times shall be 9:00 a.m. to 8:00 p.m. The child shall spend the remainder of the Mother's Day or Father's Day weekend with the parent who has regularly scheduled parenting time for that weekend.
- B. Child's Birthday. A child's birthday shall always be spent with Mother in even-numbered years and with Father in odd-numbered years. If parents cannot agree, the time shall be 9:00 a.m. to 8:00 p.m. if the child does not have school on the birthday and 3:30 p.m. to 8:00 p.m. if the child's birthday falls on a school day. Birthday parenting time takes priority over weekend, mid-week, holiday or

extended parenting time.

VI. MISCELLANEOUS PARENTING TIME ISSUES

- A. Priority of Parenting Time Periods. In the event of any conflict between parenting time allocated to each parent under this Rule, the following order of priority shall be followed, with 1 being the highest priority and 5 being the lowest priority.
1. Days of Special Meaning
 2. Holidays
 3. Extended Parenting Time
 4. Weekends
 5. Midweek Parenting Time
- B. Cancellation of Parenting Time by Non-Residential Parent. Except in cases of emergency, the Non-Residential Parent shall give the Residential Parent 24 hours advance notice of any cancellation of parenting time. When cancellation is necessary, parents are encouraged to schedule make-up parenting time.
- C. Ending Parenting Time Early. The Non-Residential Parent shall not return the child before the end of the parenting time period, unless parents agree in advance. The Residential Parent shall not attempt to terminate parenting time prematurely, without agreement, by arriving early to pick up the child.
- D. Transportation. In the event parents are unable to reach an agreement regarding transportation, the parent who is receiving the children shall provide transportation. “Provide transportation” means that the parent or parent’s designee may provide transportation. The parent or designee must be sober, a licensed driver, have current and valid automobile insurance and have proper car seats. Any designee selected by a parent must be known and familiar to the child.
- E. Promptness. Each parent shall be prompt for pick-up of the child. Neither parent shall be more than thirty (30) minutes late to pick up a child. A Non-Residential Parent who is more than thirty (30) minutes late forfeits that particular parenting time period, unless the tardiness is for good cause, and unless the Non-Residential Parent gives notice of the tardiness and a reasonable estimated time of arrival.
- F. Make-up Parenting Time. The Non-Residential Parent shall be entitled to make-up parenting time if, due to an emergency or unforeseen circumstances, the Non-Residential Parent is not available at the scheduled time for parenting time and has given reasonable notice of that fact to the residential parent. All make-up parenting time shall be rescheduled by the Non-Residential Parent and exercised within sixty (60) days of the missed parenting time, or it is forfeited. The Residential Parent shall make the child available for all make-up parenting time.

- G. Schoolwork. A parent must provide time for any child to study and complete homework assignments, papers or other school assigned projects, even if the completion of this work interferes with a parent’s plans with the child. If schoolwork is assigned by the school before the parenting time, the Residential Parent must inform the Non-Residential Parent of the school work to be done so that it may be timely completed.
- H. Contact Information. Unless the Court orders otherwise, each parent shall provide to the other parent current contact information, including telephone number, cell phone number, and an alternate number in case of an emergency. Absent an order of the Court, no parent shall put a block on a phone to prevent the other parent from calling. If either parent takes the child outside the county in which that parent resides, for a period of 24 hours or more, that parent must provide the other parent with the destination, times of arrival and departure, method of travel and a telephone number where the child can be reached in case of an emergency.
- I. Illness. If a child is too ill to leave home for parenting time, the Residential Parent shall give the Non-Residential Parent notice of that fact at the earliest available time. The Non-Residential Parent shall then be entitled to make-up parenting time with the child. The Residential Parent shall keep the Non-Residential Parent informed of any health condition of the child which necessitates medication or other treatment. The Residential Parent shall provide the Non-Residential Parent with any necessary prescription medication or treatment instructions before the start of the parenting time.
- J. Child’s Activities. The child’s participation in extracurricular activities, whether school-related or otherwise, shall not be interrupted because of parenting time. The parent with whom the child is residing at the time of the activity shall transport the child to the activity, unless different arrangements are made by parents.
- K. Implementation of Revised Appendix B. Appendix B, as set forth above, constitutes the standard schedule of parenting time of this Court. The Court reserves the right, in any given case, to deviate from Appendix B if a preponderance of the evidence shows a different schedule would be in the child’s best interest. This revised Appendix B is intended to be prospective in application. The effective date of this revised Appendix B is *1 January 2013*.

APPENDIX C**COMPANIONSHIP SCHEDULE**
HURON COUNTY COMMON PLEAS COURT, Juvenile Division

(For Long Distance Travel - Over 150 Miles One Way)

Companionship is to take place at such times and places as the parties may agree.

This Will Not Normally be Less Than:

- I. For the Non-residential parent:
 - A. Christmas school vacation in the even numbered years or up to five days for preschoolers with no school-aged siblings.
 - B. Easter school vacation in the odd numbered years or up to five days for preschoolers with no school-aged siblings.
 - C. One-half of the school summer vacation. Summer school necessary for the children to pass to the next grade must be attended. Must notify the residential parent as to the arrangements by May 1.
 1. The parties can determine which half they prefer.
 2. If the parties cannot agree, in the even numbered years, the first half of the summer vacation shall be spent at the non-residential home with the second half of the summer vacation at the residential home, and the opposite in the odd numbered years.
 3. Unless the parties agree otherwise, responsibility for transportation costs for summer and Easter or Christmas vacations shall be shared, with the non-residential parent paying the cost of transportation to begin the Parenting Time, and the residential parent paying the cost of transportation for the return of the children at the end of the Parenting Time.
 4. There will be a 50% decrease of support during the entire Parenting Time period if the Parenting Time is more than two weeks unless the parties agree otherwise. There will be no decrease of support if Parenting Time is two weeks or less. This must be written into the Order of Court and notice to the Child Support Enforcement Agency must be given each time by affidavit no later than thirty days after child returns to residential parent's home.

5. Children and residential parent must be allowed to communicate by telephone once a week. Calling party shall bear the expense, and should alternate.
6. A general itinerary should be provided the residential parent if any part of the vacation will be spent away from the non-residential parent's home.

D. Additional Parenting Time

1. The residential parent shall be notified at least two days in advance of any time the non-residential parent will be in the area and is desirous of a Parenting Time period.
2. A once-a-month weekend visit to the non-residential home will be permitted if the time the child is traveling does not exceed three hours one way.
 - a. The residential parent must be notified at least one week in advance.
 - b. The transportation cost shall be the responsibility of the non-residential parent.
 - c. Father's Day or Mother's Day can always be spent with the appropriate parent.

II. For residential Parent:

- A. Christmas vacation in the odd numbered years.
- B. Easter vacation in the even numbered years.
- C. One-half of the summer vacation. This parent shall notify the non-residential parent by March 15 of when the summer vacation begins.
- D. Additional Parenting Time
 1. If given at least a two-day notice, this parent shall give Parenting Time to the non-residential parent when visiting in the area.
 2. If given a one-week notice, this parent shall give Parenting Time to the non-residential parent once a month if the travel time does not exceed three hours one way.

NOTE: Sufficient clothing and personal items must be sent with the children. This schedule can be changed or modified by the Court if need for such is shown.