

**CLARK COUNTY COMMON PLEAS COURT  
DOMESTIC RELATIONS DIVISION  
JUVENILE SECTION**

**KATRINE M. LANCASTER, JUDGE**



**Local Rules of  
Practice**

**Adopted: February 1, 2019  
Effective: December 31, 2022**

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## **RULE 1. Adoption of Rules**

**1.01** The Clark County Common Pleas Court, Domestic Relations Division, Juvenile Section, hereafter the court hereby adopts the following rules for the governance of the practice and procedures in the Clark County Court of Common Pleas, Domestic Relations Division, Juvenile Section until otherwise provided

pursuant to Article IV, Section 5(B) of the Ohio Constitution, Rule 5 of the Rules of Superintendence for the Courts of Ohio promulgated by the Supreme Court of Ohio and Ohio Revised Code Section 2123.15. Matters not specifically covered by these rules shall be governed by the appropriate state and local rules.

## **RULE 2. Scope and Construction of Rules**

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

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

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

## **RULE 3. Sanctions**

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

(A) A case may commence without counsel, be continued, or be dismissed, as the court deems appropriate.

(B) The court may order security personnel to remove persons in violation from the courtroom, hallway or building.

(C) The court may impose fines and/or incarceration pursuant to a finding of contempt.

(D) The court may remove a person from the list of those eligible for appointment as counsel or guardian ad litem.

## **RULE 4. Conduct in Court**

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

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

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

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

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

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

**4.07** Food and beverages are prohibited in the courtroom

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

## **RULE 5. Terms of Court**

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

## **RULE 6. Court Hours**

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

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

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

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

## **RULE 7. Official Law Journal**

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

## **RULE 8. Magistrates**

**8.01** Pursuant to Rule 40 of the Ohio Rules of Juvenile Procedure, Rule 53 of the Ohio Rules of Civil Procedure and Rule 19 of the Ohio Rules of Criminal Procedure, magistrates will preside over all matters

assigned by the judge, including but not limited to hearings, pre-trials, and trials and issue any and all magistrate's decisions and magistrate's orders.

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

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

## **RULE 9. Journal Entries**

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

## **RULE 10. Attorney Registration**

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

## **RULE 11. Recommendations of Bondsmen or Attorneys**

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

## **RULE 12. Court Appointments of Counsel and Guardian ad Litem**

### **12.01 Adult Contributing and Juvenile Delinquency, Unruly and Traffic Offenders and Contributing Actions**

The Clark County Public Defender shall be appointed to represent all youth charged with an act of delinquency and unruly and all adults charge with contributing to the delinquency or the unruliness of a minor who qualify financially for Public Defender's services. If a conflict exists within the office of the Clark County Public Defender, the Court shall appoint counsel to represent the indigent youth or adult. The appointed counsel shall be compensated through the Court's indigent defense fund.

The youth or adult who requests appointed counsel shall pay a \$25.00 application fee prior to receiving the application from the Public Defender's Office. The Court, in its discretion, may choose to waive that fee or request payment at the time of disposition. This shall be paid to the Clark County Juvenile Court Clerk's Office. The Public Defender will determine if the youth or adult qualifies for appointed counsel.

### **12.02 Contempt Actions**

The Clark County Public Defender shall be appointed to represent a party charged with a contempt action who qualifies financially for Public Defender's services. If a conflict exists within the office of the

Clark County Public Defender, the Court shall appoint counsel to represent the indigent party. The appointed counsel shall be compensated through the Court's indigent defense fund.

A party who requests appointed counsel shall pay a \$25.00 application fee prior to receiving the application from the Public Defender's Office. The Court, in its discretion, may choose to waive that fee or request payment at the time of disposition. This shall be paid to the Clark County Juvenile Court Clerk's Office. The Public Defender will determine if the party qualifies for appointed counsel.

### **12.03 Abuse, Neglect and Dependency Actions**

An indigent parent, legal custodian/legal guardian from whom the child was removed, and in certain circumstances, the child involved in an abuse, neglect or dependency case shall be entitled to appointed counsel.

Any child or minor parent who appears in the juvenile court may be entitled to a guardian litem. In an abuse or neglect case, the child shall have a guardian ad litem appointed. In cases where there are multiple children, the same guardian ad litem may serve all the children.

A party who requests court appointed counsel shall pay a non-refundable \$25.00 application fee prior to receiving the application from the Clark County Juvenile Clerk's office. The Court, in its discretion, may choose to waive that fee or tax the fee as costs at the completion of the case. This fee shall be paid at the Clark County Juvenile Court's Clerk's Office. The judge's administrative assistant shall determine if the party qualifies for the court appointed counsel.

### **12.04 Parenting Time**

A guardian ad litem shall be appointed in all child custody cases where a request is made by any party for a guardian ad litem. The guardian ad litem may be appointed in a visitation matter upon request and at the discretion of the Court. The determination on the payment of the fees for the guardian ad litem remain in the discretion of the judge or magistrate assigned to decide the matter.

### **12.05 Civil Protection Orders**

A youth who is a respondent in a Petition for Juvenile Civil Protection Order filed in juvenile court is entitled to court appointed counsel.

A respondent who requests court appointed counsel shall pay a non-refundable \$25.00 application fee prior to receiving the application from the Clark County Juvenile Clerk's office. The Court, in its discretion, may choose to waive that fee or tax the fee as costs at the completion of the case. This fee shall be paid at the Clark County Juvenile Court's Clerk's Office. The judge's administrative assistant shall determine if the party qualifies for the court appointed counsel.

### **12.06 Procedure for Appointments**

The judge's administrative assistant shall be responsible for maintaining the list of qualified attorneys to serve as court appointed counsel. The CASA Director shall maintain the list of qualified CASA volunteers who can serve as guardian ad litem.

Those attorneys who wish to serve as a guardian ad litem or as court appointed counsel shall submit a resume or information sheet to the judge's administrative assistant stating the applicant's training, experience and expertise demonstrating the person's ability to successfully perform the responsibilities of the guardian ad litem or court appointed counsel. Additionally, a criminal and civil background check

relevant to the applicant's fitness to serve as a guardian ad litem should be provided with the resume or information sheet.

Those individuals who volunteer with CASA and who wish to serve as a guardian ad litem shall submit a resume or information sheet to the CASA Director stating the applicant's training, experience and expertise demonstrating the person's ability to successfully perform the responsibilities of the guardian ad litem or court appointed counsel. Additionally, a criminal and civil background check relevant to the applicant's fitness to serve as a guardian ad litem should be provided with the resume or information sheet.

The Court may choose to deny the application for court appointed counsel or may choose to remove the applicant's name from the court appointed list. The applicant will be notified in writing of the denial application or removal of the applicant's name from the Court Appointed List with the specific reason for the denial or removal. The applicant may resubmit an application for reconsideration by the Judge no sooner than six months from the denial or removal.

Court appointed counsel and guardian ad litem will be selected by the Judge's Administrative Assistant in a rotating fashion. In order to provide the best representation for the youth and families that the court serves, the court may select court appointed counsel and guardian ad litem based upon the specific circumstances of the case. Excluded from the rotating appointments are companion cases, cases that are dismissed and refiled, multiple cases involving the same client, appointments made from the bench and cases where consideration is given to area of specialty or expertise.

The judge's administrative assistant will review the court appointed counsel and guardian ad litem lists annually to determine if the individuals on the list are in compliance with training and education requirements set forth in Rule 48 of the Rules of Superintendence.

Guardian ad litem shall certify annually that they are unaware of any circumstances that would disqualify them from service. If either a guardian ad litem or attorney on the appointed counsel list wishes to be removed they shall submit that notification in writing to the Judge's Administrative Assistant.

CASA will be appointed whenever one is available and the appointment is appropriate. In the event that a CASA is unavailable, the judge's administrative assistant shall appoint an attorney in the rotating fashion as described above.

#### **12.07 Complaints**

Any written complaints or other written comments regarding appointed counsel's or a guardian ad litem's performance shall be submitted to the judge's administrative assistant. A copy of the complaint or comment shall be forwarded to the appointed counsel or guardian ad litem. A copy of the complaint or comment shall also be submitted to the judge or magistrate assigned to the case for consideration and disposition. The appointed counsel or guardian ad litem shall be notified of the disposition of the complaint or comment. The judge's administrative assistant shall maintain a written record of all complaints and/or comments and the disposition of those complaints in the file of appointed counsel or guardian ad litem.

#### **12.08 Fees and Expenses**



Appointed counsel and guardian ad litem shall submit a properly completed Fee Application and their final billing to the Judge's Administrative Assistant no later than thirty (30) days following the final disposition of the case. If the Fee Application and final billing is not received within the 30 days from disposition, the reimbursement for the bill will be reduced by 45%.

Any bills received after ninety (90) of date of disposition may not be reimbursed.

Reimbursement for representation in juvenile court proceedings will be based on the current county maximum rate for out-of-court services and in-court services.

The maximum fee per case permitted in juvenile court cases is \$1000.00 unless extraordinary fees are granted.

#### **12.09 Extraordinary Fees**

Cases that warrant fees in excess of the maximum fee (\$1000.00) are considered extraordinary. Appointed counsel or a guardian ad litem who request extraordinary fees shall file a motion and memorandum detailing the necessity for those fees. The court shall review each request and shall exercise its discretion in approving or denying the request.

### **RULE 13. Case Files**

#### **(A) Inspection of Case Files**

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

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

#### **(B) Copies of Case Files**

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

## **RULE 14. Probation Files**

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

## **RULE 15. Record of Hearing**

### **(A) Official Record**

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

### **(B) Transcription of the Record**

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

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

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

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

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

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

### **(C) Reproduction of Audio and Audiovisual Record**

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

**(D) Exhibits and Evidence**

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

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

**RULE 16. Retention of Records****(A) Index, Docket and Journal**

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

**(B) Administrative Records**

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

**(C) Case Files**

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

**(D) Exhibits and Evidence**

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

**RULE 17. Security for Costs**

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

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

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

## **RULE 18. Payments Made in Excess of Amount Due**

**18.01** It occasionally happens that a party paying court costs, fines or other monies payable through the court will pay more than the amount due and this overpayment may not be discovered until such time that it is not practical to give change to the overpaying party.

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

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

## **RULE 19. Pleadings and Motions**

**19.01** All pleadings, motions and other papers filed with the clerk shall be typewritten or legibly printed on one side only of letter size paper without backing or cover. Every filing shall be identified by title and shall bear the case caption and case number if assigned.

**19.02** The face page of all filings shall provide a blank space of at least 2 and ½ inches at the top, right-hand corner sufficient to allow the clerk to add time-stamp imprints and other endorsements thereon.

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

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

**19.05** A child custody affidavit must be filed in all child custody proceedings except complaints for neglect, dependent and/or abused children. A child custody affidavit completed by the grandparent shall be filed in all grandparent power of attorney and caretaker authorization affidavit filings.

## **RULE 20. Electronic Filings**

**20.01** The provisions of this local rule are adopted under Juvenile Rule 8. Pleadings and other papers may be filed with the Clerk of this Court by email to: [clerk@clarkohiojuvcourt.us](mailto:clerk@clarkohiojuvcourt.us) or facsimile transmission to: 937-521-3200 (Juvenile Court office) or 937-521-3202 (A.B. Graham office).

**20.02** Electronic filing rules do not apply to appellate proceedings. In these proceedings no electronic transmission of documents will be accepted.

**20.03** A document filed electronically shall be accepted as the original filing. The person making an electronic filing need not file any source document with the Clerk of this Court but must, however,

maintain in his or her records and have available for production on request by the court the source document filed electronically, with original signatures as otherwise required under the applicable rules, until the case is closed and all opportunities for appeal are exhausted.

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

**20.05** Each exhibit to an electronically produced document that cannot be accurately transmitted via the same 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) days following the filing of the electronic document. Failure to file the missing exhibits as required by this paragraph may result in the court striking the document and/or exhibit.

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

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

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

**20.09** No document filed electronically that requires a filing fee shall be accepted by the clerk for filing until court costs and/or fees have been paid. Credit and debit card payments can be made online at [www.clarkohiojuvcourt.com](http://www.clarkohiojuvcourt.com) or by calling 937-284-7829. A small fee is charged by a third-party vendor for this service. Documents tendered to the clerk without payment of court costs and/or fees will not be filed.

**20.10** Additional fees may be assessed for electronic filings as ordered by the court.

## **RULE 21. Service**

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

**21.02** In all cases when service of process is to be accomplished by publication, it shall be the responsibility of the party to file a motion and affidavit for publication. No notice of publication will be initiated until

the party has first deposited a sum to secure the payment of the costs, excepted as otherwise provided by law. Such advance deposit shall be in accordance with the Schedule of Filing Fees and Court Costs, which schedule shall be posted in a conspicuous place in the clerk's office.

**21.03** Pursuant to Rule 16 of the Juvenile Rules of Procedure, service by publication may be accomplished through posting. A party seeking service publication through posting shall file with the court a motion requesting service by publication through posting, an affidavit which avers that the residence of the person to be served is unknown and cannot be ascertained with due diligence and the efforts which evidence due diligence in finding a current address or why such efforts are impossible and a last known address, if available and an entry authorizing service by publication through posting.

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

## **RULE 22. Mediation**

**22.01** The Ohio Uniform Mediation Act as exacted in Ohio Revised Code Chapter 2710 and Ohio Superintendence Rules 16.21 through 16.43 are incorporated by reference.

**22.02** All matters under the jurisdiction of the Court may be referred to mediation. However, mediation shall not be used as an alternative to the prosecution or adjudication of domestic violence; in determining whether to grant, modify or terminate a protection order; in determining the terms and conditions of a protection order; and in determining the penalty for violation of a protection order.

**22.03** The contents of the mediation are confidential. The files maintained by a mediator but not filed with a clerk or submitted to the court are not available for public access. The mediator shall not disclose the contents of the mediation except as agreed to by all parties or in accordance with applicable statutes and rules governing mediator disclosures.

### **22.04 Referral to Mediation**

- A. At the Court's discretion or upon a motion of any party requesting a mediation be scheduled, the Court shall screen the parties' capacity to mediate prior to referring the matter to mediation.
- B. In an entry or order referring a matter to mediation, the Court shall include the initial date of mediation, a notification that legal counsel and supportive services are permitted to assist a party during mediation and an order for the mediator to complete a domestic violence screening prior to mediation if domestic abuse or domestic violence is alleged, suspected or present.
- C. Referral Procedures in specific matters or circumstances
  - (1) Abuse, Neglect and Dependency

(a) Abuse, neglect and dependency cases shall only be set for mediation if parties are represented by counsel or waived their right to counsel in open court. Parties who are represented by counsel may attend mediation without counsel only where the right to have counsel present at the mediation has been specifically waived in open court or in writing and filed with the Court.

(1) Cases may be referred to mediation upon adjudication. Issues for a post-adjudication, pre-disposition mediation shall include, but are not limited to, placement of child(ren), case plan objectives and parenting time/visitation.

(2) Cases may be referred to mediation by the Court, if appropriate, upon the filing of any post dispositional motion.

(3) Cases may be referred to mediation upon the motion of any party for a mediation. The motion shall contain the issue(s) to be mediated.

(b) Juvenile Civil Protection Orders cases may be referred to mediation by the Court or upon the request of a party. These cases shall only be set for mediation if parties are represented by counsel or waived their right to counsel in open court. Parties who are represented by counsel may attend mediation without counsel only where the right to have counsel present at the mediation has been specifically waived in open court or in writing and filed with the Court. Waivers may be rescinded at any time.

(c) Mediation when domestic abuse or domestic violence is alleged, suspected or present.

(1) Mediation when domestic abuse or domestic violence is alleged, suspected or present shall not occur unless all of the following conditions are satisfied:

(a) Screening is conducted before and during mediation for domestic abuse and domestic violence and for the capacity of the parties to mediate;

(b) The person who is or may be the victim of domestic abuse or domestic violence is fully informed about the mediation process, right to decline participation in the mediation process and of the option to have a support person, in addition to an attorney, present at the mediation session(s); and

(c) The parties have the capacity to mediate without fear of coercion or control.

(2) When scheduling a mediation under this subdivision, the court's order shall contain language advising parties of their right to legal counsel and other support services.

(3) If a threat of domestic abuse, domestic violence or coercion between the parties occurs during a mediation session, the mediator shall notify court security and immediately terminate the mediation session.

(d) Allocation of Parental Rights and Responsibilities

(1) Order and Referrals

(a) The court may order parents to mediate is the issue of specific parenting time for the children. If either parent has been convicted of or pleaded guilty to a violation of ORC [§2919.25](#) involving a victim who at the time of the commission of the offense was a member of the family or household that is the subject of the proceeding, has been convicted of or pleaded guilty to any other offense involving a victim who at the time of the commission of the offense was a member of the family or household that is the subject of the proceeding and caused physical harm to the victim in the commission of the offense, or has been determined to be the perpetrator of the abusive act that is the basis of an adjudication that a child is an abused child, the court may order mediation only if the court determines that it is in the best interests of the parties to order mediation and makes specific written findings of fact to support its determination.

(b) The court may refer to mediation all other issues regarding the allocation of parental rights and responsibilities.

(2) When determining if it is appropriate to refer an allocation of parental rights and responsibilities matter to mediation, the court shall consider whether either parent previously has been convicted of or pleaded guilty to a section of ORC [§2919.25](#) involving a victim who at the time of the commission of the offense was a member of the family or household that is the subject of the proceeding, whether either parent previously has been convicted of or pleaded guilty to an offense involving a victim who at the time of the commission of the offense was a member of the family or household that is the subject of the proceeding and caused physical harm to the victim in the commission of the offense, and whether either parent has been determined to be the perpetrator of the abusive act that is the basis of an adjudication that a child is an abused child.

**22.05 Costs of mediation**

In allocation of parental rights and responsibilities cases, each party shall pay a fee of \$100.00 for mediation, payable at the time of the mediation session to the juvenile clerk of courts by case, check or money order. Parties may be required to pay additional fees depending on the complexity of the mediation. In all other juvenile court matters, all parties or participants must complete all paperwork necessary for the billing of mediation services.

**22.06 Responsibilities of the Court and Mediator**

The court shall take reasonable precautions to create a safe mediation environment for the parties and all other persons involved in the mediation process.



The court shall provide a mediator who meets all qualifications set forth in Ohio Sup. R. 16.22 and 16.23.

Any complaints or comments regarding a mediator's performance shall be submitted in writing to the Judge's Administrative Assistant. A copy of the complaint or comment shall be forwarded to the Mediation Director and the mediator subject to the complaint or comment. The court shall promptly make a disposition of the complaint or comment and shall notify the person making the complaint, the mediator and the Mediation Director of the disposition. The court shall maintain a written record of the nature and disposition of the complaint or comment in the mediator's file.

Upon the completion of mediation, the mediator shall provide a copy of the signed mediation report to all participants in the mediation, regardless of their status as a party. The mediator shall file the mediation report in the case file. A filed mediation report is not binding until incorporated into a court order, entry or decision.

At no time shall the mediator provide legal advice.

The Mediation Director shall monitor and evaluate the qualifications of all Court mediators and ensure all training requirements are completed on an annual basis. Additionally, the Mediation Director shall provide to the court a report detailing the mediation program's statistics on at least an annual basis.

### **RULE 23. Ex Parte Communication**

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

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

### **RULE 24. Failure to Appear**

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

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

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

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

### **RULE 25. Orders of Apprehension and Warrants**

**25.01** No order of apprehension for a youth shall be issued from this court or by the clerk of this court absent an order from the judge or magistrate directing the issuance of the order of apprehension. Probation officers, law enforcement officers and others with information in this regard may make verbal

or written recommendations to the court in a particular case, but no order of apprehension shall be issued unless the judge or magistrate has signed an order to do so.

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

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

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

## **RULE 26. Bonds and Recognizance**

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

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

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

## **RULE 27. Renumbered**

## **RULE 28. Competency Proceedings**

**28.01** The purpose of this rule is to expedite proceedings under sections 2152..51 to 2152.59 of the Ohio Revised Code, to ensure that proper notice of competency hearings is provided to the appropriate persons, and to ensure that any proceedings on an underlying complaint are stayed pending the determinations under these sections.

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

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

**28.04** Upon the filing of a motion for a determination regarding a child's competency or upon the court's own motion the court shall stay all delinquency proceedings pending a determination of competency. If, upon a determination of competency, the court determines that the child is not competent, but could likely attain competency, the court order staying the delinquency proceedings shall remain in effect until such time as the child attains competency or the proceeding is dismissed.

## **RULE 29. Use of Child Restraints in Court**

**29.01** Physical restraint of the appearing youth shall not be utilized during court proceedings unless the judge or magistrate has made a determination that there is no less restrictive alternative to the use of physical restraint and that the physical restraint of the youth is necessary because of either of the following:

- (1) The youth 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.

**29.02** To assist in making this determination on the above factors, the court will prepare a risk assessment tool prior to the court appearance or, if necessary, at the court proceedings, that conforms to the guidelines of the Ohio Department of Youth Services and other sources of information regarding the behavior and development of youth;

**29.03** If physical restraint is found to be necessary by the judge or magistrate, the restraint will be the least restrictive necessary to meet the risk requiring the restraint and in a manner which does not unnecessarily restrict the movement of the child's hands;

**29.04** Any party, as defined in Juv.R.2.(Y) has the right to be heard on the issue of whether the use of physical restraint is necessary for that particular youth at that particular court proceeding.

## **RULE 30. Parenting Time**

**30.01** The Court has adopted a standard order of parenting time for the non-residential parent, unless the parties agree or the Court orders otherwise. (Appendix 4)

## **RULE 31. Juvenile Traffic Bureau**

**31.01** Pursuant to Ohio Traffic Rule 13.1, the Court has established a Juvenile Traffic Violations Bureau as a function of the Juvenile Court Clerk's Office which shall be operated in accordance with the procedures outlined in Ohio Traffic Rules 13 and 13.01 as well as those stated in this rule.

**31.02** All juveniles with traffic violations that meet the criteria for waiver and written plea of admission will receive a notice which explains the option to waive appearance; describes how to properly execute the waiver of appearance and enter a plea of admission; states the fines and costs required to waive appearance; and states the date and time to appear for a hearing if the juvenile opts not to waive.

**31.03** The following offenses may **not** be disposed of by the Juvenile Traffic Violations Bureau:

- (1) Any offense that involves an accident
- (2) A second or subsequent moving violation
- (3) Distracted driving
- (4) Indictable offenses
- (5) Operating a motor vehicle while under the influence of alcohol or of any drug of abuse
- (6) Leaving the scene of an accident

- (7) Driving while under suspension or revocation of a driver's license
- (8) Driving without being licensed to drive
- (9) Failure to stop and remain stopped upon meeting or overtaking a school bus stopped on the highway for the purpose of receiving or discharging a school child
- (10) Willfully eluding or fleeing a police officer
- (11) Drag Racing
- (12) Any traffic offense otherwise eligible to be disposed of by the Juvenile Traffic Violations Bureau that the Court in its discretion determines should not be disposed of by the Juvenile Traffic Violations Bureau

**31.04** The receipt of full payment of fines and costs prior to the scheduled appearance date will be treated as an admission to the offense regardless of whether an executed waiver and plea are returned to the court.

## **RULE 32. Status Conferences**

### **DELINQUENCY**

**32.01** In all delinquency/unruly matters where a youth has denied the pending charge(s) and has requested appointed counsel; is charged with a felony related offense and is required to have counsel; or has retained private counsel to assist him/her, the matter will be scheduled for a telephone status conference.

**32.02** The telephone status conference for detained youth will occur within ten (10) days of the arraignment. The telephone status conference for non-detained youth will occur within fourteen (14) days of the arraignment. Counsel for the youth will meet with the youth and his/her custodian prior to the telephone status conference. The Prosecutor and the counsel for the youth shall discuss the charges prior to the telephone conference.

**32.03** The telephone status conference will be initiated by the Court on the time and date set forth by entry and served upon the parties. The Prosecutor and counsel for the youth shall be prepared to advise the Court as to whether a plea will be made; more time is needed before a decision can be made on a plea or a trial and why that time is needed; the status of discovery; or if the matter will be set for trial. To the extent possible, the Court will provide the prosecutor and counsel for the youth with the date and time of the plea date, next conference call, or trial date during the telephone conference.

**32.04** In instances where it is appropriate and the youth has waived the 24 hour waiting requirement for disposition, the Court will proceed to disposition at the time of the plea hearing on the pending charges.

### **TRAFFIC**

**32.05** In instances where a youth who is charged with a traffic violation has entered a denial and has requested or obtained counsel, the matter will be scheduled for a telephone status conference.

**32.06** A telephone status conference will be scheduled within thirty (30) days of the arraignment. Counsel for the youth will meet with the youth and his/her custodian prior to the telephone status conference. The Prosecutor and the counsel for the youth shall discuss the charges prior to the telephone conference.

**32.07** The telephone status conference will be initiated by the Court on the time and date set forth by entry and served upon the parties. The Prosecutor and counsel for the youth shall be prepared to advise the Court as to whether a plea will be made; more time is needed before a decision can be made on a plea or a trial and why that time is needed; the status of discovery; or if the matter will be set for trial. To the extent possible, the Court will provide the prosecutor and counsel for the youth with the date and time of the plea date, next conference call, or trial date during the telephone conference.

## **RULE 33. Specialized Dockets**

### **33.01 Establishment of Specialized Dockets**

For the purposes of promoting healthy and stable community, family and youth, the Court establishes Specialized Dockets in conformance with the Ohio Rules of Superintendence, Rule 36.20. Each program will coordinate agency collaboration, provide regular judicial oversight, and assess progress. Each Specialized Docket is effective upon certification of the Supreme Court of Ohio, on or after December 30, 2020.

### **33.02 Specialized Docket Standards**

Pursuant to Ohio Rules of Superintendence, Rule 36.20 and Appendix I, the Court adopts the Specialized Docket Standards attached hereto and incorporated herein as Appendix 5 of the Local Rules.

### **33.03 Youth Treatment Court**

#### **(A) Establishment**

The mission of Clark County Youth Treatment Court is to assist participants in taking responsibility for their behavioral health issues using effective, evidence based interventions, treatments, and counseling in an integrated, accountability based and community supported programming.

The Youth Treatment Court has two tracks: STEP and PEACE. The STEP track is geared towards youth whose regular drug use is interfering with their ability to make good decisions and lead a healthy and productive life, and will have a capacity of twelve (12) active cases at any given time. The Peace track is geared towards youth who have a diagnosis that is consistent with a severe and persistent mental health illness and has a high therapeutic need, and will have the capacity of ten (10) active cases at any given time.

#### **(B) Participants**

The target population includes male and female youth between the ages of 12 and 18 years of age with severe and persistent behavioral health issues; substance use disorder and/or severe and persistent mental health illness, who have been adjudicated delinquent with either misdemeanor or felony charges in the juvenile justice system. Entrance into the program is voluntary, but upon entering the program, the program requirements become part of the court orders.

### (C) Goals and Objectives

1. Youth who successfully complete Youth Treatment Court will not receive a new delinquency and/or criminal adjudication or conviction, within 6 months post-completion of Youth Treatment Court. The number of new offenses will be reduced by twenty-five percent (25%).
2. Reduce the number of youth participating in Youth Treatment Court in detention/DYS by twenty five percent (25%).
3. Increase number of successful completions of Youth Treatment Court to seventy- five percent (75%).

### (D) Criteria for Placement

#### (1) Legal eligibility criteria:

- a. Youth who are residents of Clark County, Ohio;
- b. Youth who have been adjudicated with a misdemeanor or felony charge by a juvenile court;
- c. Youth who have behavioral health concerns, both substance use disorder and/or severe and persistent mental health illness
- d. The youth must be stable enough to understand the requirements of the program;
- e. The youth must not pose a substantial risk of harm to self, family, staff or community;
- f. The youth must be amenable to treatment and acknowledge a willingness to take medication if prescribed.

#### (2) Clinical eligibility criteria:

- a. Youth has been assessed by a treatment provider and has a substance use disorder diagnosis and a high therapeutic need or
- b. Youth has been assessed by treatment provider and has appropriate diagnosis that is consistent with a severe and persistent mental health illness. Std. 3 (A). These diagnoses may include, but are not limited to the following:
  - (a) Neurodevelopmental Disorder;
  - (b) Schizophrenia Spectrum and Other Psychotic Disorders;
  - (c) Bi-Polar and Related Disorders;
  - (d) Depressive Disorders;
  - (e) Obsessive-Compulsive and Related Disorders;
  - (f) Trauma and Stressor Related Disorders; and
  - (g) Dissociative Disorders
- c. The youth must be amenable to treatment and acknowledge a willingness to take medication if prescribed.

#### (3) Additional Conditions:

- a. The youth must have support and services available in the community to assist with treatment;
- b. The youth and his/her family must participate in the development of a written treatment plan to include all supports and services needed by the youth to successfully

manage and recover from their addiction issues and be a productive member of the community.

- c. The participant shall complete a release of information form to provide communication about confidential information, participant/progress in treatment, and compliance with provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," U.S.C.300-gg42, as amended, and R.C.2151.421 and 211.99. Std. 4 (B).

(4) The Youth Treatment Court Program Description, Participant Handbook, and Participant Agreement are incorporated by reference herein as if fully rewritten.

(E) Youth Treatment Court Health Case Management

- (1) Referral Process: After a youth has been adjudicated, the assigned probation officer shall use an evidence based pre-assessment tool to determine if it is appropriate to have a licensed treatment provider complete a mental health exam for possible substance use disorder or mental health diagnosis. If the youth is diagnosed with a substance use disorder or appropriate diagnosis that is consistent with a severe and persistent mental health illness and the probation officer determines, based on the criteria for placement, that the youth is eligible and willing to participate in Youth Treatment Court, this recommendation to accept the youth into Youth Treatment Court shall be made to the judge/magistrate at the disposition hearing.
- (2) Screening and Assessment:
  - a. The treatment team coordinator shall use an evidence based pre-assessment tool to determine if it is appropriate to have a licensed provider complete a mental health exam to determine if there is a substance use disorder or severe and persistent mental health illness.
  - b. If the youth has already been assessed by a license treatment provider, the Youth Treatment Court coordinator/ probation officer will contact the treatment provider to determine diagnosis(es) and treatment recommendations for level of care.
  - c. The licensed treatment provider conducting the drug/alcohol assessment will also make recommendations as which track: STEP or PEACE, best suits the participant's needs.
  - d. The written legal and clinical eligibility criteria do not create a right to enter the specialized docket Std. 3 (C).
  - e. The specialized docket judge has discretion to decide admission into the program Std. 3 (B )
- (3) Placement: Once the youth has been accepted into Youth Treatment Court, the court uses the recommendation from the licensed treatment provider as to which track best suits the youth need's, STEP (geared towards youth whose regular drug use is interfering with their ability to make good decisions and lead a healthy and productive life) or PEACE (geared towards youth who have a diagnosis that is

consistent with a severe and persistent mental health illness and has a high therapeutic need. The Youth Treatment Court coordinator / probation officer will:

- (a) Meet with the youth and family to review and complete the participation agreement and release and exchange of confidential Information forms;
- (b) Review the participant handbook;
- (c) Attend treatment team meetings to review youth's progress and answer questions; and
- (d) Identify appropriate treatment that meet the youth's needs.
- (e) Introduce the youth to members of the treatment team, including the clinicians, case managers and any other team members.

(4) The youth's participation in the program is voluntary.

(5) The judge has the discretion to decide admission into the program and termination of the program.

(6) The written legal and clinical eligibility criteria do not create a right to enter the Youth Treatment Court docket.

#### (F) Phases

- (1) Phases are steps in which a participant's performance and progress through the specialized docket are monitored Std. 6 (D). Herein lay the specialized docket phase policies and procedures relating to each standard and recommended practice.
- (2) Progression through the specialized docket is based on the participant's performance in the treatment plan and compliance with the specialized docket phases Std. 6 (D).
- (3) Phase advancement is not solely based on preset timelines Std. 6 (D).
- (4) The judge, on an on-going basis, explains the responses to compliance and noncompliance including the criteria for termination Std. 6 (E).
- (5) At minimum, the participant shall appear before the specialized docket judge weekly in the initial phase Std. 7 (B) (1).
- (6) In subsequent phases, the participant shall appear regularly; with the participant appearing at least once month Std. (7) (B) (2); Std. 7; Recommended Practice (A).
- (7) Time between status review hearings is increased or decreased based upon compliance with treatment protocols and observed progress Std. 10; Recommended Practice (B).

With each specialized docket phase, the participants are required to:

- (1) Remain crime free and drug / alcohol free
- (2) Submit to random alcohol and drug screens
- (3) Attend Status Review Hearings
- (4) Attend all appointments that are set with counseling, probation or court
- (5) Comply with ongoing case management services
- (6) Comply with compliance monitoring as identified by the court

#### (G) Status Review Hearings

Status review hearings scheduled on Thursdays at 3:00 p.m. at the Clark County Juvenile Court.



In addition to the judge, required attendees are: specialized docket coordinator as needed, juvenile probation officer, prosecutor and defense counsel attend as needed.

The specialized docket coordinator prepares and distributes the weekly treatment team schedule and provides copies of the progress reports that contain alcohol and drug screening results, counseling updates and prescribed medication updates.

1. The specialized docket incorporates on-going judicial interactions with each participant.
2. A significant number of specialized docket participants appear at status review hearings so the participant is educated as to the benefits of complying with the specialized docket and consequences for non-compliance.
3. Frequent status review hearings establish and reinforce the specialized docket policies and ensure effective and efficient supervision of the participant.
4. Please note that not all participants are required to appear at each status review hearing, depending on their individual progress in the specialized docket.
5. Youth Treatment Court participants attend status review hearings per their individual phase schedule.
6. Youth Treatment Court has specific responses to compliance and noncompliance that are listed as incentives and sanctions, as well as written criteria for termination from Youth Treatment Court.

(H) Completion of YTC

- (a) Criteria for Successful Completion of YTC: The treatment team shall review and recommend successful completion of the program. The judge/magistrate does have the discretion and final determination to determine successful completion of YTC. A graduation ceremony will be held for each successful participant.
  - (1) The youth maintained progress in treatment or successfully completed treatment;
  - (2) The youth has maintained sobriety for a 90 day period prior to completion and completed all phases of the program;
  - (3) The youth can identify triggers for illicit drug and alcohol use and can manage that trigger in a positive way;
  - (4) A display of change in thinking, actions, attitude and belief;
  - (5) A demonstrated ability to identify and eliminate poor decision making and criminal thinking and no new charges;
  - (6) All terms of probation and court orders have been met including, but not limited to community service hours, restitution, school attendance, etc.;

- (7) Maintained consistent employment if recommended by the treatment team;
  - (8) On-going engagement with a mentor or peer support if appropriate;
  - (9) A developed plan for high school graduation; and
  - (10) Write an essay on how YTC has affected his/her life and how to he/she will use the skills learned in the future.
- (b) Criteria for Unsuccessful Completion: the treatment team will review and recommend unsuccessful completion. The youth will be placed back onto the regular probation docket and set for final disposition. Terms for not successfully completing the program include, but are not limited to;
- (1) Regular non-compliance with treatment or resistance to treatment, i.e. failure to maintain sobriety;
  - (2) New charges;
  - (3) A violation of the rules set forth in YTC; and
  - (4) Several violations of court orders.
- (c) Neutral Completion: the treatment team will review and recommend a neutral completion of the program. Terms for a neutral completion include, but are not limited to:
- (1) Move out of Clark County; and
  - (2) Supportive services are moved out of county.

**33.03(A) S.T.E.P. (Support Treat Educate Promote)**

- (1) Compliance Phase (Phase I): the goal of this phase is to stabilize the youth and assist with the compliance requirements set forth in the Participant Agreement. Some of the tasks of this phase are:
- (a) Youth shall attend status review hearings bi-monthly and therapeutic and educational sessions provided by the court on the opposite weeks. The treatment team will meet weekly;
  - (b) Ensure court obligations are met; i.e. development of a payment schedule for restitution, school attendance, fines and costs;
  - (c) Complete other assessments as determined by the treatment team;
  - (d) Youth shall attend treatment sessions and other activities as have been prescribed by the treatment team;

- (e) Youth shall attend meetings with coordinator and treatment team as recommended;
  - (f) Youth shall be drug (unless prescribed) and alcohol free and submit to random drug and alcohol screens;
  - (g) Youth shall be available for random visits by the coordinator or other team members;
  - (h) Youth shall comply with the rules of YTC and shall have no new offenses;
  - (i) Issues relating to the coordination of services and of education, treatment locations, transportation, and ability to access services shall be addressed;
  - (j) Complete the final individualized treatment plan for the youth; and
  - (k) The length of this phase will vary dependent on the youth's needs.
- (2) Goal Setting Phase (Phase 2): The youth shall submit a written request to the team to be moved to Phase 2 which shall outline what he/she has accomplished in Phase 1 and why he/she is ready for the next phase. The team will recommend to the judge/magistrate whether the youth shall be moved to the next phase. In Phase 2, the team will work with the youth to set goals for education, vocation/employment, and pro-social activities. Additionally, plans will be developed for maintaining sobriety with youth and family as well as developing health interpersonal relationships with peers and family.
- (a) Youth shall attend status review hearings bi-monthly and therapeutic and educational sessions provided by the court on the opposite weeks. The treatment team will meet bi-monthly;
  - (b) Continue to complete tasks set forth in Phase I;
  - (c) Plan for education, employment and vocation;
  - (d) Plan for part-time employment or extra-curricular if appropriate;
  - (e) Assist youth in identifying and referring/enrolling him/her in appropriate pro-social activities;
  - (f) Review the treatment plan with the youth and family to determine any modifications to the plan. Also, use the review process to educate the youth about addiction and how to manage his/her addiction;
  - (g) The length of this phase will vary dependent on the youth's needs.
- (3) Skills Phase (Phase 3): The youth shall submit a written request to the team to be moved to Phase 3 which shall outline what he/she has accomplished in Phase 2 and why he/she is ready for the next phase. The team will recommend to the judge/magistrate whether the youth shall be moved to the next phase. In Phase 3, the team will focus on working with the youth to utilize the skills learned in treatment to develop a positive plan for managing the youth's life.

- (a) Youth shall attend status review hearings once per month. The treatment team will meet monthly;
- (b) Continue to complete tasks set forth in Phase 1 and 2;
- (c) Review and educate the youth and family again on his/her identified stressors and how to appropriately manage those stressors;
- (d) Review and educate the youth on his/her treatment plan and how the plan may need to be modified as he/she matures;
- (e) Educate and engage the youth on how to manage services for his/her addiction issues;
- (f) Complete the short term and long term goals for education and employment; and
- (g) The length of this phase will vary dependent on the youth's needs.

**33.03(B) Clark County Domestic Relations Court-Juvenile Court Positive Expectations Aid Children Everywhere (PEACE)**

- (1) Phase I-Stabilization: the goal of this phase is to stabilize the youth and assist with the compliance requirements set forth in the Participation Agreement. Some of the tasks of this phase are:
  - (a) Youth shall attend status review hearings with the regularity determined by the treatment team. The treatment team will meet weekly;
  - (b) Ensure court obligations are met; i.e. development of a payment schedule for restitution, school attendance, fines and costs;
  - (c) Complete other assessments as determined by the treatment team;
  - (d) Youth shall attend treatment sessions and other activities as have been prescribed by the treatment team;
  - (e) Youth shall attend meetings with coordinator and treatment team as recommended;
  - (f) Youth shall be drug (unless prescribed) and alcohol free and submit to random drug and alcohol screens;
  - (g) Youth shall be available for random visits by the coordinator or other team members;
  - (h) Youth shall comply with the rules of PEACE and shall have no new offenses;
  - (i) Issues relating to the coordination of services and of education, treatment locations, transportation, and ability to access services shall be addressed;

- (j) Complete the final individualized treatment plan for the youth;
  - (k) The length of this phase will vary dependent on the youth's needs.
- (2) Phase 2-Maintenance: Youth shall submit a written request to the Treatment Team to move to Phase 2 which identifies which goals and how he/she has accomplished those goals of Phase 1. The goal is to develop plans for maintaining behavioral health needs with youth and family as well as interpersonal relationships with peers and family.
- (a) Youth shall attend status review hearings with the regularity determined by the treatment team. The treatment team will meet bi-monthly;
  - (b) Continue to complete tasks set forth in Phase I;
  - (c) Will identify stressors and coping mechanisms/strategies;
  - (d) Plan for education, employment and vocation;
  - (e) Plan for part-time employment or extra-curricular if appropriate;
  - (f) Assist youth in identifying and referring/enrolling him/her in appropriate pro-social activities;
  - (g) Review the treatment plan with the youth and family to determine any modifications to the plan. Also, use the review process to educate the youth about his/her behavioral health needs and how to manage those needs;
  - (h) The treatment team will take quick action to get the youth back on track if there is any regression; and
  - (i) The length of this phase will vary dependent on the youth's needs.
- (3) Phase 3-Empowerment: Youth shall submit a written request to the Treatment Team to move to Phase 3 which identifies which goals and how he/she has accomplished those goals of Phase 2. The goal of this phase is to empower the youth to use his/her knowledge and usage of tools gained through counseling and programming to identify stressors and manage them appropriately.
- (a) Youth shall attend status review hearings with the regularity determined by the treatment team. The treatment team will continue to meet monthly.
  - (b) Continue to complete tasks set forth in Phase 1 and 2;
  - (c) Review and educate the youth and family again on his/her identified stressors and how to appropriately manage those stressors;
  - (d) Review and educate the youth on his/her treatment plan and how the plan may need to be modified as he/she matures;

- (e) Educate the youth on how to advocate for his/her behavioral health needs in a positive way;
- (f) Educate the youth on how to manage services for his/her behavioral health needs;
- (g) Complete the short term and long term goals for education and employment; and
- (h) The length of this phase will vary dependent on the youth's needs.

### **33.04 Family Treatment Court (FTC)**

#### **(A) Establishment**

The mission of the FTC is to assist participants in taking responsibility for their drug and alcohol use with effective programs, evidence based interventions, treatments, and counseling in an integrated, accountability based and community supported programming. This treatment court has been developed to aid participants in maintaining sobriety and good mental health in order to reunify and strengthen their relationships with their children. The program seeks to expedite the possibility of reunification.

#### **(B) Participants**

Participants in FTC are adult caregivers whose children have been adjudicated abused, neglected or dependent or convicted of contributing to the delinquency of a minor by the juvenile court and whose regular drug use is interfering with their ability to make good decisions and care for their children. Additionally, participants may include those parents who are requesting parenting time with their children and their regular drug use is interfering with their ability to obtain parenting time. Entrance into the program is voluntary, but upon entering the program, the program requirements become part of the court orders.

#### **(C) Goals and Objectives**

- (1) Expedite reunification;
- (2) Reduce time frame to permanency;
- (3) Increase the number of reunifications;
- (4) Reduce the number of subsequent allegations of child abuse, neglect or dependency; and
- (5) Increase parenting time.

#### **(D) Criteria for Placement: Admission to the program is within the discretion of the judge/magistrate in accordance with the following criteria.**

(1) Legal Eligibility:

- (a) Residents and non-residents of Clark County, Ohio;
- (b) Families whose child(ren) have been adjudicated as an abused, neglected or dependent child by the juvenile court;
- (c) Parents who have an identified substance use disorder that is preventing him/her from having parenting time with his/her child(ren);
- (d) The participant must be stable enough to understand the requirements of the program; and
- (e) The participant must not pose a substantial risk of harm to self, family, staff or community. The court may review the participant's criminal history and current charges to determine if appropriate.

(2) Clinical Eligibility:

- (a) Participant has been assessed by a treatment provider and has a substance use disorder diagnosis; and
- (b) The participant must be amenable to treatment and acknowledge a willingness to take medication if prescribed.

(3) Additional Conditions

- (a) The participant must have support and services available in the community to assist with treatment; and
- (b) The participant must participate in the development of a written treatment plan to include all supports and services needed by the participant to successfully manage and recover from their addiction issues and be a productive member of the community.

(4) The FTC Program Description, Participant Handbook and Participation Agreement are incorporate by reference herein as if fully rewritten.

(E) Family Treatment Court Case Management

- (1) Referral Process: Once a child has been adjudicated as abused, neglected or dependent and the custodian and/or parent have been identified as a possible candidate for the FTC, a referral may be made to the Treatment Team Coordinator. The Treatment Team Coordinator shall use an evidence based pre-assessment tool to determine if it is appropriate to have a licensed treatment provider complete a mental health exam to determine if there is a substance use disorder. If the parent/custodian is diagnosed with a substance use disorder and the Treatment Team Coordinator determines based on the criteria for placement that the parent/custodian is eligible and willing to participate in FTC, this recommendation to accept the parent/custodian into the FTC shall be made to the judge/magistrate. The judge/magistrate shall review the recommendation and

prepare orders consistent with his/her decision as to whether FTC is an appropriate program or whether the case shall remain on the standard docket.

- (2) Placement: Once the parent/custodian has been accepted into the FTC, the Treatment Team Coordinator will:
  - (a) Meet with participant to review and complete the participation agreement and Release and Exchange of Confidential Information forms;
  - (b) Review the participant handbook;
  - (c) Attend treatment team meetings to review participant's progress and answer questions; and
  - (d) Identify appropriate treatment that meet the participant's needs;
  - (e) Introduce the participant to members of the treatment team, including the clinicians, case managers and any other team members.
- (3) Compliance Phase (Phase I): the goal of this phase is to stabilize the participant and assist with the compliance requirements set forth in the Participation Agreement. Some of the tasks of this phase are:
  - (a) Participants shall attend status review hearings weekly unless other provisions have been made;
  - (b) Ensure DJFS case plan requirements and obligations are met;
  - (c) Complete other assessments as determined by the treatment team;
  - (d) Participants shall attend treatment sessions and other activities as have been prescribed by the treatment team;
  - (e) Participants shall attend meetings with coordinator and treatment team as recommended;
  - (f) Participants shall be drug (unless prescribed) and alcohol free and submit to random drug and alcohol screens;
  - (g) Participants shall be available for random visits by the coordinator or other team members;
  - (h) Participants shall comply with the rules of FTC;
  - (i) Issues relating to the coordination of services and of education, treatment locations, transportation, and ability to access services shall be addressed;
  - (j) Complete the final individualized treatment plan for the participant;
  - (k) The length of this phase will vary dependent on the participant's needs.
- (4) Goal Setting Phase (Phase 2): The participant shall submit a written request to the team to be moved to Phase 2 which shall outline what he/she has accomplished in Phase 1



and why he/she is ready for the next phase. The team will recommend whether the participant shall be moved to the next phase. In Phase 2, the team will work with the participant to set goals for education/vocation/employment, and pro-social activities. Additionally, plans will be developed for maintaining sobriety with participants and family as well as developing healthy interpersonal relationships with peers and family.

- (a) Participants shall attend status review hearings every two weeks;
  - (b) Continue to complete tasks set forth in Phase I;
  - (c) Plan for education, employment and vocation;
  - (d) Assist participants in identifying and referring/enrolling him/her in appropriate pro-social activities;
  - (f) Review the treatment plan with the participant to determine any modifications to the plan. Also, use the review process to educate the participant about addiction and how to manage his/her addiction;
  - (g) The treatment team will take quick action to get the participant back on track if there is any regression; and
  - (h) The length of this phase will vary dependent on the participant's needs.
- (5) Relapse Prevention Phase (Phase 3): The participant shall submit a written request to the team to be moved to Phase 3 which shall outline what he/she has accomplished in Phase 2 and why he/she is ready for the next phase. The team will recommend whether the participant shall be moved to the next phase. In Phase 3, the team will focus on working with the participant to utilize the skills learned in treatment to develop a positive plan for managing the participant's life, family and children.
- (a) Participant shall attend status review hearings every three (3) weeks;
  - (b) Continue to complete tasks set forth in Phase 1 and 2;
  - (c) Review and educate the participant family again on his/her identified stressors and how to appropriately manage those stressors;
  - (d) Review and educate the participant on his/her treatment plan;
  - (e) Educate and engage the participant on how to manage services for his/her addiction issues;
  - (f) Complete the short term and long term goals for education and employment; and
  - (g) The length of this phase will vary dependent on the participant's needs.
- (6) Completion of FTC
- (a) Criteria for Successful Completion of FTC: The treatment team shall review and recommend successful completion of the program. The judge/magistrate does

have the discretion and final determination to determine successful completion of FTC. A graduation ceremony will be held for each successful participant.

- (1) The participant maintained progress in treatment or successfully completed treatment;
- (2) The participant has maintained sobriety for a 90 day period prior to completion and completed all phases of the program;
- (3) The participant can identify triggers for illicit drug and alcohol use and can manage that trigger in a positive way;
- (4) A display of change in thinking, actions, attitude and belief;
- (5) A demonstrated ability to identify and eliminate poor decision making and criminal thinking and no new charges;
- (6) Maintained consistent employment if recommended by the treatment team;
- (7) On-going engagement with a sponsor; and
- (9) Write an essay on how FTC has affected his/her life and how to he/she will use the skills learned in the future.

(b) Criteria for Unsuccessful Completion: the treatment team will review and recommend unsuccessful completion. Terms for not successfully completing the program include, but are not limited to;

- (1) Regular non-compliance with treatment or resistance to treatment, i.e. failure to maintain sobriety;
- (2) Criminal charges;
- (3) A violation of the rules set forth in FTC;
- (4) Several violations of court orders.

## **APPENDIX 1 Retention Schedule for the Administrative Records of the Courts**

The following retention schedule shall apply for the administrative records of the courts:

- (A) Administrative journal. Administrative journals that consist of court entries, or a record of court entries, regarding policies and issues not related to cases shall be retained permanently.
- (B) Annual reports. Two copies of each annual report shall be retained permanently.
- (C) Bank records. Bank transaction records, whether paper or electronic, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
- (D) Cash books. Cash books, including expense and receipt ledgers, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
- (E) Communication records. Communication records, including routine telephone messages on any medium where official action will be recorded elsewhere, may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the records.
- (F) Correspondence and general office records. Correspondence and general office records, including all sent and received correspondence, in any medium, may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the records.
- (G) Drafts and informal notes. Drafts and informal notes consisting of transitory information used to prepare the official record in any other form may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the drafts and informal notes.
- (H) Employment applications for posted positions. Employment applications for posted or advertised positions shall be retained for two years.
- (I) Employee benefit and leave records. Employee benefit and leave records, including court office copies of life and medical insurance records, shall be retained by the appropriate fiscal officer for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
- (J) Employee history and discipline records. Records concerning the hiring, promotion, evaluation, attendance, medical issues, discipline, termination, and retirement of court employees shall be retained for ten years after termination of employment.
- (K) Fiscal records. Fiscal records, including copies of transactional budgeting and purchasing documents maintained by another office or agency, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later. (L) Grant records. Records of grants made or received by a court shall be retained for three years after expiration of the grant. (M) Payroll records. Payroll records of personnel time and copies of payroll records maintained by another office or agency shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later. (N) Publications received. Publications received by a court may be destroyed in the normal course of business as soon as they are considered to be of no value by the person holding the publications. (O) Receipt records. Receipt and balancing records shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later. (P) Requests for proposals, bids, and resulting contracts. Requests for proposals, bids received in response to a request for proposal, and contracts resulting from a request for proposal shall be retained for three years after the expiration of the contract that is awarded pursuant to the request for proposal.

## **APPENDIX 2 Retention Schedule For Case Files – Juvenile Division**

(1) Delinquency and adult records. Delinquency and adult records shall be retained for two years after the final order of the juvenile division or one year after the issuance of an audit report by the Auditor of State, whichever is later. Documents admissible as evidence of a prior conviction in a criminal proceeding shall be retained for fifty years after the final order of the juvenile division. (2) Juvenile by-pass records.

(2) Juvenile by-pass 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. Each file shall be retained for two years after the final order of the juvenile division or, if an appeal is sought, for two years after the filing of the appeal.

(3) Permanent custody, custody, parentage, visitation, support enforcement, abuse, neglect, dependency, and URESA records. Permanent custody, custody, parentage, visitation, support enforcement, abuse, neglect, dependency, and URESA records shall be retained for two years after the child who is the subject of the case obtains the age of majority. If post decree motions have been filed, records shall be retained for one year after the adjudication of the post-decree motion or the date specified for case files in division (H)(3) of this rule, whichever is later.

(4) Search warrant records. Search warrant records shall be indexed and the warrants and returns retained in their original form for five years after the date of service or last service attempt.

(5) Traffic, unruly, and marriage consent records. Unruly and marriage consent records shall be retained for two years after the final order of the juvenile division or one year after the issuance of an audit report by the Auditor of State, whichever is later. Minor misdemeanor traffic records shall be retained for five years after the final order of the juvenile division. Misdemeanor traffic records shall be retained for twenty-five years after the final order of the juvenile division. All other traffic records shall be retained for fifty years after the final order of the juvenile division.

### **APPENDIX 3 Schedule of Filing Fees and Court Costs**

#### **FILING FEES:**

Complaints/New Actions (Civil).....	\$250.00
Post-decree motions/Motions on cases not currently activated....	\$150.00
Notice of Appeal.....	\$100.00
Jury Demand.....	\$100.00

(Please note: These are the fees to file.

If the action is subsequently dismissed, no part of these monies will be refunded without authorization of the Judge.)

#### **COURT COSTS:**

Felony Cases.....	\$150.00
Misdemeanor Cases.....	\$119.00
Unruly Cases.....	\$ 90.00
Traffic Cases – Moving Violation.....	\$129.00
Traffic Cases – Non-moving Violation.....	\$ 80.00
Additional charges within a case (each).....	\$ 40.00
Certified Mail Fee.....	\$ 6.48
Witness Fee.....	\$ 6.00
Copies (per page).....	\$ .25
Certification and Seal.....	\$ 1.00

#### **DEPOSITS:**

Deposit for Service by Publication.....	\$175.00
Deposit for Transcript.....	to be determined by Court Reporter

Effective: January 2, 2020

## APPENDIX 4 Standard Order of Parenting Time

The following is the standard order of parenting time for the non-residential parent, unless the parties agree or the Court orders otherwise. The child(ren) and the residential parent have a duty to await the visiting parent for thirty (30) minutes past the visitation time. A parent more than thirty (30) minutes late shall forfeit that visitation period. The parent receiving the child(ren) shall be responsible for transportation from the other parent unless otherwise ordered by the Court.

(1) Except as set forth below, the non-residential parent shall have parenting time every Wednesday from 5:30 p.m. until 8:30 p.m. and on alternate weekends from Friday at 6:00 p.m. to Sunday at 6:00 p.m., beginning on the first Friday following the filing date of the last court order regarding custody. The non-residential parent shall not receive Wednesday mid-week parenting time for the months of June and July each year.

(2) The non-residential parent shall have parenting time from 9:00 a.m. to 9:00 p.m. on the following holidays in the left column in even years, and shall have parenting time from 9:00a.m. to 9:00 p.m. in the right column in odd years:

January 1

Memorial Day

July 4

Labor Day

Thanksgiving Day

Martin Luther King Day

Presidents Day

The first holiday visitation by the non-residential parent shall take place on the first holiday following the filing date of the last entry regarding custody.

If any holiday upon which a non-residential parent has the right to have parenting time according to the above schedule follows the weekend visitation of the non-residential parent, then the said non-residential parent shall be entitled to hold the child(ren) over until 9:00 p.m. of such holiday so that parenting time is continuous with the weekend visitation.

(3) The child(ren) shall spend Mother's Day Father's Day with the appropriate parent from 9:00 a.m. until 6:00 p.m.

(4) The non-residential parent shall have parenting time on the child's birthday from 5:30 p.m. to 8:30 p.m.

(5) The child(ren) shall spend spring break with the non-residential parent from 6:00 p.m. the day school district in which the child resides recesses to 6:00 p.m. the day before school resumes during odd numbered years.

The non-residential parent shall have parenting time each summer from June 15 at 6:00 p.m. until June 30 at 6:00 p.m. and from July 15 at 6:00 p.m. until July 30 at 6:00 p.m. unless the parties agree otherwise in writing.

(6) Each year at Christmas time, the residential parent shall have the child(ren) on Christmas Day and the non-residential parent shall have the child(ren) from 1:00 p.m. to 9:00 p.m. on December 24.

The parties shall endeavor to split the week between Christmas and New Year's. In the event that the parties cannot mutually agree on such visitation, the non-residential parent shall have parenting time from 6:00 p.m. December 26 to 6:00 p.m. on January 1 in odd numbered years.

## **APPENDIX 5 Specialized Docket Standards**

The following standards and recommended practices were adopted pursuant to Ohio Rules of Superintendence, Rule 36.20 and Appendix I.

### **Standard 1**

Planning Process: A specialized docket shall utilize a comprehensive and collaborative planning process that results in all of the following:

- (A) An agreement among relevant parties setting forth the terms of the specialized docket operations. Relevant parties may include, but are not limited to, the specialized docket judge; the court; the prosecutor; defense counsel; licensed treatment providers; children services for family dependency treatment dockets; and, for criminal and juvenile specialized dockets, probation department, the parole authority and law enforcement agencies.
- (B) An advisory committee and a treatment team. The specialized docket judge shall attend and chair advisory committee and treatment team meetings.
- (C) A program description that contains written policies and procedures defining the goals and objectives for the specialized docket, identifying the target population, detailing program entry and case flow, and providing written roles and responsibilities of each treatment team member.
- (D) A written participation agreement and participant handbook detailing the rights and responsibilities of participants in the specialized docket.

#### *Recommended Practices:*

- (A) Advisory committee
  - (1) An advisory committee should be comprised of key officials and policymakers to provide input on specialized docket policies and operations and communicate regularly with local officials.
  - (2) An advisory committee should typically take three to six months to plan and prepare for the implementation of a specialized docket. The amount of time allows for a cohesive team to effectively and collaboratively reach consensus on the variety of issues inherent in the implementation of a specialized docket.
  - (3) An advisory committee should develop a written agreement or memorandum of understanding setting forth the terms of a specialized docket and the responsibilities of relevant parties to specialized docket operations.
- (B) Treatment Team Members: A treatment team is responsible for implementing daily operations of a specialized docket. In addition to the specialized docket judge, the treatment team may include, but is not limited to, the following members:
  - (1) Probation Officers;
  - (2) Parole Officers;
  - (3) Licensed Treatment providers;
  - (4) A prosecutor;
  - (5) Defense counsel;
  - (6) A specialized docket program coordinator;

- (7) Case manager;
- (8) Law enforcement personnel;
- (9) Jail, prison, or juvenile detention personnel;
- (10) Children Services personnel;
- (11) Representatives of other community-based stakeholders.
- (C) Membership Team: For consistency and stability in specialized docket operations, treatment team members should serve on the treatment team for a minimum of one year.
- (D) Community Outreach: A treatment team should work with local community members to ensure the best interests of the community are being considered. Treatment team members should engage in community outreach activities to build partnerships that will improve outcomes and support specialized docket sustainability. The advisory committee should develop and regularly review a community outreach and education plan.
- (E) Sustainability Plan: An advisory committee should develop and annually review a written sustainability plan.

## **Standard 2**

Non-Adversarial Approach: A specialized docket shall incorporate a non-adversarial approach while recognizing all of the following:

- (A) A prosecutor's distinct role in pursuing justice and protecting public safety and victim's rights;
- (B) A defense counsel's distinct role in preserving constitutional rights of the specialized docket participant;
- (C) The participant's right to request attendance of defense counsel during the portion of a specialized docket treatment team meeting concerning the participant;
- (D) A participant's right to a detailed, written participation agreement and participant handbook outlining the requirements and process of the specialized docket.

### *Recommended Practices*

For consistency in the non-adversarial approach, prosecutors and defense counsel should be trained in specialized docket process.

## **Standard 3**

Legal and Clinical Eligibility and Termination.

- (A) Criteria: A specialized docket shall have written legal and clinical eligibility, completion, termination, and neutral discharge criteria that have been collaboratively developed, reviewed, and agreed upon by the relevant parties identified in Standard 1(A) of these standards.
- (B) Decision on admission or termination: A specialized docket judge shall have discretion to decide the admission into and termination from a specialized docket in accordance with the written criteria for the specialized docket.
- (C) No right to participate: The written legal and clinical eligibility and termination criteria do not create a right to participation in a specialized docket.



### *Recommended Practices*

(A) Legal eligibility screening: A specialized docket should have legal eligibility screening based on established written criteria.

(B) Eligibility criteria factors: In developing eligibility criteria, an advisory committee should take into consideration all of the following factors:

(1) A process to consider the inclusion of eligible repeat and high-risk participants;

(2) A provision to evaluate mitigating and aggravating circumstances of current or prior court involvement;

(3) Careful examination of the circumstances of prior juvenile adjudications and the age of the participant at the time of the offense;

(4) The age of prior disqualifying offenses;

(5) A forensic assessment to determine if the individual is legally competent to participate in the specialized docket program, should the mental health competence of the individual be in question.

(C) Unsuccessful termination and neutral discharge: As part of the written termination criteria, a specialized docket should have clear policies regarding unsuccessful termination and neutral discharge.

### **Standard 4**

Assessment and Referral: A specialized docket shall promptly assess individuals and refer them to the appropriate services. The assessment and referral shall meet all of the following requirements:

(A) All chemical dependency, mental health, and other programming assessments shall include available collateral information to ensure the accuracy of the assessment;

(B) The participant or the participant's guardian shall complete a release of information form to provide for communication about confidential information, participation/progress in treatment, and compliance with the provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," 42 U.S.C. 300gg-42, as amended, and R.C. 2151.421 and 2152.99;

(C) Participants shall be placed as soon as possible in appropriate treatment services and programs and under reporting supervision to monitor compliance with court requirements;

(D) All screenings and assessments for treatment determinations shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession.

### *Recommended Practices*

A treatment team should consider, but is not obligated to follow, clinical assessments or treatment recommendations.

## **Standard 5**

**Individualized Needs and Evidence-Based Practices:** A specialized docket shall have a plan to provide services that meet the individualized needs of each participant and incorporate evidence-based strategies for the participant population. Such plans shall take into consideration services that are gender-responsive and culturally appropriate and that effectively address co-occurring disorders.

### *Recommended Practices*

(A) Appropriateness and clinical necessity of case plans and services: Case plans and services should be appropriate and clinically necessary to the degree that available resources allow.

(B) Ancillary services: Ancillary services should include all of the following:

- (1) Education;
- (2) Vocational training;
- (3) Employment;
- (4) Transportation;
- (5) Housing;
- (6) Domestic violence programming;
- (7) Physical, mental, and dental health.

## **Standard 6**

**Participant Monitoring:** A specialized docket shall monitor each participant's performance and progress and incorporate all of the following:

- (A) Regular treatment team meetings prior to the status review hearings;
- (B) Status review hearings, as established by Standard 7 of these standards;
- (C) Ongoing communication among the treatment team members, including frequent exchanges of timely and accurate information about the participant's overall performance;
- (D) Progression through the specialized docket based upon the participant's performance in the treatment plan and compliance with requirements of the specialized docket phases. A participant's progress through the specialized docket phases is not to be based solely upon preset timelines.
- (E) Explanation to the participant of responses to compliance and noncompliance, including criteria for termination.

### *Recommended Practices*

(A) Appearance at single court session: Having a significant number of specialized docket participants appear at a single court session gives the opportunity to educate the participant as to the benefits of court compliance and consequences for noncompliance.

(B) Sharing of decision making and conflict resolution: Mechanisms for sharing decision making and resolving conflicts among treatment team members should be established, emphasizing professional integrity, confidentiality, and accountability.

## **Standard 7**

### **Status Review Hearings.**

(A) Ongoing judicial interaction: A specialized docket shall incorporate ongoing judicial interaction with each participant as an essential component of the docket.

(B) Appearance before specialized docket judge

(1) At a minimum, a specialized docket participant shall appear before the specialized docket judge at least twice monthly during the initial phase of the specialized docket.

(2) Thereafter, a specialized docket participant shall regularly appear before the specialized docket judge to review the participant's progress through the specialized docket.

### *Recommended Practices*

(A) Appearances before specialized docket judge during initial phase: A specialized docket participant should appear weekly before the specialized docket judge during the initial phase of the specialized docket and, thereafter, at least monthly. Frequent status review hearings establish and reinforce the specialized docket's policies and ensure effective supervision of the participant.

(B) Judicial knowledge of treatment and programming methods: The specialized docket judge should be knowledgeable about treatment and programming methods and their limitations.

(C) Hearings before the same specialized docket judge: Hearings should be before the same specialized docket judge for the length of each participant's time in the specialized docket.

## **Standard 8**

**Substance Monitoring:** A specialized docket shall monitor a specialized docket participant's substance use by random, frequent, and observed alcohol and other drug testing protocols which include all of the following:

(A) Written policies and procedures for sample collection, sample analysis, and result reporting. The testing policies and procedures shall address elements that contribute to the reliability and validity of the testing process.

(B) Individualized drug and alcohol testing plans. All testing shall be random, frequent, and observed.

(C) Clearly established plans for addressing a participant who tests positive at intake or who relapses. The plans shall include treatment guidelines and sanctions, when appropriate, that are enforced and reinforced by the specialized docket judge.

(D) Immediate notification of the court when the participant tests positive, fails to submit to testing, submits an adulterated sample or the sample of another individual, or dilutes the sample. Failure to submit to testing, submitting an adulterated sample or the sample of another individual, or diluting the sample shall be treated as positive tests and immediately sanctioned.

(E) Testing sufficient to include the participant's primary substance of dependence, as well as a sufficient range of other common substances.

#### *Recommended Practice*

When testing for alcohol, specialized dockets should strongly consider devices worn by the specialized docket participant, portable breath tests, saliva tests, and the use of scientifically validated technology used to detect ethyl alcohol.

#### **Standard 9**

Treatment and other Rehabilitation Services.

(A) Prompt access: A specialized docket shall provide prompt access to a continuum of approved treatment and other rehabilitation services.

(B) Treatment plan and activities record: A specialized docket shall maintain a current treatment plan and record of activities.

(C) Licensing and training: All required treatment and programming shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of their profession.

#### *Recommended Practices*

(A) Treatment team knowledge: Treatment team members should make reasonable efforts to observe all required specialized docket service provider programs to gain confidence in the services provided and to better understand the treatment and programming process.

(B) Separate tracks for specialized docket participants: Whenever possible, service providers should have separate tracks for specialized docket participants.

**Standard 10. Incentives and Sanctions:** Immediate, graduated, and individualized incentives and sanctions shall govern the responses of a specialized docket to a specialized docket participant's compliance or noncompliance.

### *Recommended Practices*

(A) Adjustment in treatment services: Adjustment in treatment services, as well as participation in community-based mutual support meetings, should be based upon the clinically informed interests of the participant.

(B) Revision of time between status review hearings: Time between status review hearings should be increased or decreased based upon compliance with treatment protocols and progress observed.

(C) Incentives for compliance: Incentives for a specialized docket participant's compliance vary in intensity and may include, but are not limited to, the following:

- (1) Encouragement and praise from the specialized docket judge;
- (2) Ceremonies and tokens of progress, including advancement in specialized docket phases;
- (3) Reduced supervision contacts;
- (4) Decreased frequency of court appearances;
- (5) Reduced fines or fees;
- (6) Increased or expanded privileges;
- (7) Encouragement to increase participation in positive activities the participant finds pleasurable, such as writing, art work, or other positive hobbies;
- (8) Gifts of inspirational items, including books, pictures, and framed quotes;
- (9) Assistance with purchasing clothing for job interviews;
- (10) Gift cards for restaurants, movie theaters, recreational activities, or personal care services;
- (11) Gifts of small personal care items, hobby or pet supplies, plants, or small household items;
- (12) Dismissal of criminal charges or a reduction in the term of probation;
- (13) Reduced or suspended jail, prison, or juvenile detention days;
- (14) Graduation from the specialized docket.

(D) Sanctions for noncompliance: Sanctions for a specialized docket participant's noncompliance vary in intensity and may include, but are not limited to, the following:

- (1) Warnings and admonishment from the specialized docket judge;
- (2) Demotion to an earlier specialized docket phase;
- (3) Increased frequency of drug or alcohol testing and court appearances;

- (4) Refusal of specific requests, such as permission to travel;
- (5) Denial of additional or expanded privileges or rescinding privileges previously granted;
- (6) Increased supervision contacts and monitoring;
- (7) Individualized sanctions, such as writing essays, reading books, or performing other activities to reflect upon unacceptable behavior;
- (8) Imposition of suspended fines and costs;
- 9) Community service or work programs;
- (10) Jail or out-of-home placement, including detention for juveniles;
- (11) Community control or probation violation;
- (12) Termination from the specialized docket.

#### **Standard 11**

Professional Education: A specialized docket shall assure continuing interdisciplinary education of treatment team members to promote effective specialized docket planning, implementation, and operations.

##### *Recommended Practices*

- (A) Continuing education plan: A specialized docket should establish and maintain a viable continuing education plan for specialized docket personnel.
- (B) Assessments and reviews: At a minimum of once every two years, a specialized docket should assess specialized docket team functionality, review all policies and procedures, and assess the overall functionality of the specialized docket.
- (C) Treatment team member transition: A specialized docket should plan for the transition of a treatment team member and provide sufficient training and program documentation for new treatment team members.
- (D) Mentor courts: A specialized docket should identify and build a relationship with a mentor court of its specific model.
- (E) Observation of other specialized dockets: A specialized docket should regularly observe other specialized dockets.
- (F) Ohio Specialized Dockets Practitioner Network: Specialized docket personnel should participate in the Ohio Specialized Dockets Practitioner Network by attending sub-network meetings, trainings, and the annual conference.

**Standard 12**

Effectiveness Evaluation: A specialized docket judge shall evaluate the effectiveness of the specialized docket by doing each of the following:

- (A) Reporting data as required by the Supreme Court, including information to assess compliance with these standards;
- (B) Engaging in on-going data collection in order to evaluate whether the specialized docket is meeting its goals and objectives.

***Recommended Practices***

To evaluate effectiveness, a specialized docket judge should establish a formal data collection plan. The plan should identify who is collecting the data, how the data is collected, and the time frames for conducting program reviews based on the data. Treatment team members should provide data. The specialized docket should develop policies concerning protection of confidential information and identities when collecting data.

## **CASE MANAGEMENT PLAN**

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

### **DELINQUENCY AND UNRULY CASES**

#### **Complaint filed – Youth held in detention**

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

#### **Complaint filed – Youth not in detention**

1. An arraignment will be held within 21 days of a complaint being filed, and if possible, within 14 days.
2. If the youth admits to the charge, the court will proceed to immediate disposition if appropriate, or a dispositional hearing will be held within 21 days.
3. If the youth denies the allegations, a trial will be held within 30 days of the arraignment, and if possible, within 15 days.
4. Final disposition will be completed within 6 months of the filing of the charge.



5. Continuances of any of the above stages may be granted upon showing of good cause, but continuance should be for no longer than the period necessary to resolve the good cause.

## **TRAFFIC CASES**

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

## **PARENTAGE AND CHILD SUPPORT CASES**

1. Service of process will be sent within 72 hours of the filing of the complaint.
2. A hearing will be scheduled within 45 days of the filing of the complaint to allow for completion of service on the parties.
3. At the pre-trial hearing, if the court finds that a party was properly served and failed to file an answer and failed to appear at the hearing, the court may grant on oral motion to proceed with a default judgment.
4. If a party admits the allegations, the court will proceed immediately to the determination of a support order.
5. If a party denies the allegation, the court will set the date for genetic testing within 21 days.
6. If genetic tests show exclusion, the court may entertain a motion to dismiss.
7. If genetic tests show inclusion:
  - a. If the party changes plea to admit, the court will proceed immediately to the determination of a support order.
  - b. If the party continues to deny, a trial will be held.
8. If service of the complaint is not completed within 6 months of the filing, the complaint may be dismissed for lack of service.
9. Continuances may be granted upon showing of good cause, but the continuances should be for no longer than is necessary to resolve the good cause.

### **CUSTODY AND PARENTING TIME CASES**

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

### **ABUSE, NEGLECT AND DEPENDENCY CASES**

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

### **TEMPORARY ORDERS**

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

## **JURY MANAGEMENT PLAN**

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

### **JURY SOURCE LIST**

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

### **RANDOM SELECTION PROCEDURES**

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

### **ELIGIBILITY FOR SERVICE**

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

### **TERM OF AND AVAILABILITY OF JURY SERVICE**

1. The time that persons are called upon to perform jury service and to be available should be the shortest period consistent with the needs of justice.

2. Jurors for juvenile court cases are to report to the jury commissioner's office in the Clark County Common Pleas Court in accordance with the procedures of the jury commissioner.
3. The juvenile judge's staff or the juvenile court administrator shall communicate with the jury commissioner to determine the availability of jurors as is needed on a case by case basis.

#### **EXEMPTION, EXCUSE AND DEFERRAL**

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

#### **VOIR DIRE**

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

#### **REMOVAL OF THE JURY PANEL FOR CAUSE**

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

#### **PREEMPTORY CHALLENGES**

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

#### **ADMINISTRATION OF THE JURY SYSTEM**

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

#### **NOTIFICATION AND SUMMONING PROCEDURES**

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

#### **MONITORING THE JURY SYSTEM**

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

#### **JUROR USE**

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

#### **JURY FACILITIES**

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

#### **JUROR COMPENSATION**

1. Persons called for jury service shall receive compensation as established by the Clark County commissioners pursuant to Ohio Revised Code Section 2313.34

2. Fees for juror compensation shall be paid promptly.
3. Employers shall be prohibited from discharging, laying-off, denying advancement opportunities to, or otherwise penalizing employees who miss work because of jury service.

#### **JUROR ORIENTATION AND INSTRUCTION**

1. The judge's staff shall conduct a juror orientation that is designed to increase prospective jurors' understanding of the judicial system and prepare them to serve competently as jurors.
2. The orientation shall be presented in a uniform and efficient manner and may use a combination of written, oral and audiovisual materials.
3. The court may provide additional orientation or instructions to persons called for service upon first appearance in the court and upon reporting to the courtroom for voir dire.
4. The trial judge should:
  - a. Give preliminary instructions to all prospective jurors.
  - b. Give instructions directly following impanelment of the jury to explain the jury's role, the trial procedures, including note taking and questions by jurors, the nature of evidence and its evaluation, the issues to be addressed and the basic relevant legal principles.
  - c. Prior to the commencement of deliberation, instruct the jury on the law, on the appropriate procedures to be followed during deliberations, and on the appropriate method for reporting the results of its deliberations. These instructions should be made available to the jurors during deliberations.
  - d. Prepare and deliver instructions that are readily understood by individuals unfamiliar with the legal system.
  - e. Use written instructions when feasible.
  - f. Assure that all communications between the judge and members of the jury panel from the time of reporting to the courtroom for voir dire to the panel's dismissal shall be in writing or on record in open court. Counsel for each party shall be informed of such communication and be given the opportunity to be heard.
  - g. Before dismissing a jury at the conclusion of a case, the trial judge should:
    1. Release the jurors from their duty of confidentiality;
    2. Explain their rights regarding inquiries from counsel or the press;

3. Either advise them that they are discharged from service or specify where they must report; and,
4. Express appreciation to the jurors for their service, but not comment on the result of the deliberation, or express approval or disapproval of the result of the deliberation.

#### **JURY SIZE AND UNANIMITY OF VERDICT**

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

#### **JURY DELIBERATION**

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

#### **SEQUESTRATION OF JURORS**

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

## **BAIL SCHEDULE**

Pursuant to Crim.R. 46(G), the bail schedule for misdemeanor charges, including traffic offenses, unless excluded below, shall be set as follows:

1. Personal recognizance is the rule.

If the police officer or prosecutor, based on the circumstances of the case, has reasonable cause to believe that a personal recognizance bond is insufficient, the judge or magistrate shall be contacted for additional authority. If the judge or magistrate determines that personal bail is insufficient, the conditions of release shall be set pursuant to Crim.R. 46.

When a judge or magistrate has previously set bail in a case, or has ordered a new amount in its last capias or warrant entry, that bail shall remain in effect unless otherwise ordered by a judge or magistrate.

For all other charges, the judge or magistrate of the court shall set bail pursuant to Crim.R.46. This includes:

2. Felonies;

3. Misdemeanor charges, regardless of whether charged under the Ohio Revised Code, local ordinance, or other statutory provision:

A. Domestic violence or any other offense of violence if the victim is a family or household member (see: R.C. 2919.251);

B. Violation of any protection order or condition of community control, supervision, or probation involving prohibition from contact with specified persons or places;

C. The following offenses if the accused was subject to a protection order and/or has a prior conviction involving the same complainant/victim, pursuant to R.C. 2903.212:

i. Aggravated menacing (R.C. 2903.21);

ii. Menacing by stalking (R.C. 2903.211);

iii. Menacing (R.C. 2903.22);

iv. Aggravated trespass (R.C. 2911.211);

v. Any sexually oriented offense as defined by R.C. 2950.01.

D. Any other offense when the victim, police officer, or prosecutor is seeking a protection order, no contact order, or other conditions of bond.