GEAUGA COUNTY, OHIO
COMMON PLEAS COURT
JUVENILE DIVISION
LOCAL RULES

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INTRODUCTION

The conduct and operations in the Geauga County Juvenile Court are governed by (1) Applicable Law including (i) the Rules of Superintendence for the Courts of Ohio, (ii) the Ohio Rules of Civil Procedure, and (iii) the Ohio Rules of Juvenile Procedure, and (2) these local rules adopted by the Geauga County Juvenile Court, to the extent that these local rules do not conflict with applicable law. These local rules supplement applicable law and do not replace any statutory requirements, case law, or other procedural rules relating to juvenile cases.

THESE RULES APPLY EQUALLY TO EVERY PERSON INVOLVED IN A PROCEEDING IN THE GEAUGA COUNTY JUVENILE COURT, REGARDLESS OF WHETHER THE PERSON IS OR IS NOT REPRESENTED BY AN ATTORNEY. THERE ARE NO SPECIAL EXCEPTIONS OR MORE LENIENT STANDARDS FOR PERSONS WHO REPRESENT THEMSELVES WITHOUT THE ASSISTANCE OF LEGAL COUNSEL OR FOR THOSE PERSONS WHO ARE REPRESENTED BY LEGAL COUNSEL.

THE COURT RECOMMENDS THAT PERSONS WHO REPRESENT THEMSELVES SEEK ASSISTANCE FROM THE COURT'S HELP CENTER. HOWEVER, THE HELP CENTER IS NOT A SUBSTITUTE FOR LEGAL COUNSEL. THE HELP CENTER CAN ONLY PROVIDE INFORMATION AND ACCESS TO FORMS BUT CANNOT PROVIDE LEGAL ADVICE OR LEGAL REPRESENTATION.

Geauga Juvenile Local Rule 1. Special Terms. For the purpose of these Geauga County Juvenile Court Local Rules the following words, phrases, and abbreviations are defined terms with the specific meaning stated below:

"Applicable Law" means all statutes, case law, rules, regulations, codes, and every other form of legal authority, including a court order, which directly or indirectly relates to the issue or matter.

"Attorney" or the plural means attorney of record of a Party unless the context in which it is used clearly indicates a different meaning.

"Calendar Day" or the plural means every day, including weekends and holidays.

"CASA GAL" means a GAL who is managed and provided by CASA for Kids of Geauga County.

"Case Document" has the meaning set forth in Sup. R. 44(B).

"Child" has the meaning set forth in R.C. §2151.011(B)(6).

"Civ. R." means the Ohio Rules of Civil Procedure.

"Clerk" means the Juvenile Court Deputy Clerks.

"Complaint" has the meaning set forth in Juv. R. 10.

"Court" means the Juvenile Division of the Geauga County Court of Common Pleas.

"Court may" means that the Court may (or may not) act in its sole and absolute discretion.

"Court Day" or the plural means any day that the Court is open to the public, which is (i) Monday through Friday, except legal holidays, emergency closings, and those days or portions of days that the Court determines to close; and (ii) a Saturday as the Court determines from time to time. Legal holidays are those set by the Supreme Court of Ohio (see http://www.supremecourt.ohio.gov/Clerk/holiday_rule.asp). Emergency closings are those days, or portions of days, in which the Court has delayed opening, closed early, or closed completely due to adverse weather conditions or other special circumstances.

"Court Record" has the meaning set forth in Sup. R. 44(B).

"Crim. R." means the Ohio Rules of Criminal Procedure.

"Delinquent Child" has the meaning set forth in R.C. §2152.02(E).

"Domestic Abuse" means a pattern of abusive and controlling behavior that may include physical violence, coercion, threats, intimidation, isolation, or emotional, sexual, or economic abuse.

"Domestic Violence" has the meaning set forth in R.C. §3113.31(A)(1).

"Exceptional Circumstances" is a higher standard than Reasonable Cause and means events that were completely unanticipated and not reasonably foreseeable such that it was highly improbable in the exercise of diligence and attention that the situation could have been avoided.

Examples of Exceptional Circumstances include death, physical or mental disability, prolonged serious illness or injury, act of God, and similar unavoidable events.

“Filer” means a Person who signs a pleading or other document that is filed with the Court, including the Director of Probation.

“GAL” means a guardian ad litem as contemplated in R.C. §2151.281, and includes both a Non-CASA GAL and a CASA GAL.

“Geauga County Juvenile Court Local Rule” or the plural means these Geauga County Juvenile Court local rules of practice.

“GCCSED” means Geauga County Child Support Enforcement Department.

“GJL Rule” or plural means Geauga County Juvenile Court Local Rule.

“Indigent” has the meaning set forth in OAC 120-1-03.

“Interested Persons” means all Persons, including Attorneys, who are entitled to receive notice by Applicable Law.

“JFS” means Geauga County Job and Family Services.

“Juv. R.” means the Ohio Rules of Juvenile Procedure.

“Juvenile Traffic Offender” has the meaning set forth in R.C. §2151.011(B)(20).

“Law Enforcement Officer” has the meaning set forth in Crim. R. 2(J).

“Motion” means an application to the Court for an order other than a Complaint.\

“Non-CASA GAL” means a GAL who is not managed or provided by CASA for Kids of Geauga County.

“OAC” means the Ohio Administrative Code.

“Ohio Attorney” means an attorney who is licensed and in good standing to practice law in Ohio.

“or” - rather than use “and/or”, the word “or” is used in the inclusive sense, meaning “A or B, or both,” unless the context in which it is used clearly indicates the exclusive sense, meaning “A or B, but not both.”

“Parenting Coordination” means a child-focused dispute resolution process ordered by the Court to assist Parties in implementing a parental rights and responsibilities or companionship time order using assessment, education, case management, conflict management, coaching, or decision-making, as more fully defined in Sup. R. 90 through 90.12. “Parenting Coordination” is neither mediation subject to R.C. Chapter 2710, R.C. §3109.052, or Sup. R. 16, nor arbitration subject to R.C. Chapter 2711 or Sup. R. 15.

“Parenting Coordinator” means an individual appointed by the Court to conduct Parenting Coordination.

"Party" or "Parties" has the meaning set forth in Juv. R. 2(Y).

"Person" means an individual (acting in any capacity) or an entity, including a governmental unit.

"Proof of Service" means preparation and filing with the Clerk form "GC JF 3.0 - Proof of Service."

"QRTP" has the meaning set forth in OAC Rule 5101:2-9-42(B).

"R.C." means the Ohio Revised Code.

"Reasonable Cause" is a lower standard than Exceptional Circumstances and means a genuine, plausible, and justifiable excuse for an act or omission that, although possibly anticipated or foreseeable, could not be avoided with normal diligence and attention to the matter.

"Sup. R." means the Rules of Superintendence for the Courts of Ohio.

"Unruly Child" has the meaning set forth in R.C. §2151.022.

"Victim" has the meaning set forth in the Ohio Constitution, Article I, §10a, sub-paragraph (D).

Geauga Juvenile Local Rule 2. Adoption of Geauga County Juvenile Court Local Rules.

A. Adoption. Under the authority of R.C. §2151.17 and Sup. R. 5(A), the Court adopts these GJL Rules as the local rules of practice for the Court. These GJL Rules supplement Applicable Law pertaining to juvenile proceedings. To the extent that these GJL Rules are found to conflict with Applicable Law, Applicable Law governs.

B. Effective Date. These GJL Rules are effective August 1, 2022 and apply to all proceedings on and after that date, regardless of whether the case is pending, reopened, or newly filed.

C. Deviation from Geauga County Juvenile Court Local Rules. As the result of any natural disaster, public unrest, public health issue, or other catastrophic event that has a material adverse effect upon the Court's conduct of its business, by court order published on the Court's website the Court may deviate from, or conduct the Court's business in a manner that is contrary to, any one or more of these GJL Rules without the need for amending these rules, until such time as the Court determines, by subsequent court order, that it can resume its business in accordance with these GJL Rules. Moreover, the Court may modify or waive the application of any of these GJL Rules for a particular case, with or without a written entry. Modification or waiver in one circumstance does not create a precedent that the Court will grant a modification or waiver in similar or different circumstances. To the extent that a court order conflicts with a GJL Rule, that court order prevails.

Geauga Juvenile Local Rule 3. Term of Court. The term of the Court is one calendar year. All actions and other business pending at the expiration of any term of court are automatically continued without further court order. The Court may hold hearings at such places throughout the county as the Judge determines, from time to time.

Geauga Juvenile Local Rule 4. Court Hours. Unless otherwise determined by the Court with respect to a Saturday, the Court is open every Court Day from 8:00 a.m. through 4:30 p.m., except for a Saturday as determined by the Court, in which case the Court will determine the court hours.

Geauga Juvenile Local Rule 5. Costs and Fees.

A. Court Cost Deposit. The Court requires payment of a court cost deposit for anticipated costs to be incurred by the Court in the legal proceeding. A schedule of the required court cost deposit amount for various filings is on the Court's website. All court cost deposits shall be paid by means of cash, money order, certified or bank cashier's check, credit or debit card, ordinary business check or personal check drawn on a bank in Geauga or adjacent counties. If the Filer is Indigent and prepares and files form GC JF 14.0 – Indigency Motion (including the Financial Disclosure form (ODP-206R) together with the pleading, then the Clerk will permit the filing without payment of the court cost deposit; provided however that if the Court disapproves that form, then the Filer must pay the court cost deposit no later than 30 Calendar Days after the court order of disapproval.

B. Other Deposits. As noted below, the Court may require a Party to pay a deposit to secure the payment of costs and fees incurred by a Parenting Coordinator, a Non-CASA GAL, or other Persons associated with a proceeding.

C. Jury Deposit. Unless the Court orders otherwise in a particular case (e.g., if a Party is Indigent), the Party requesting a jury trial, if permitted by Applicable Law, shall pay a jury cost deposit simultaneously with filing the jury demand.

D. Witness Fees. A witness shall request payment of a witness fee at or before the conclusion of the hearing or trial for which the subpoena was issued. If not timely requested, witness fees will be deemed waived. The Party who subpoenaed or requested the appearance of a witness shall pay the appropriate fee to that witness.

E. Dishonored Payment. If any payment is dishonored for insufficient funds or other deficiencies in the payment, the payor shall pay the full amount due in cash, plus reimburse the Court for bank charges it incurs, no later than three Court Days after notice from the Court of nonpayment. If not paid within that time, the Court may strike the filing from the record or take other action as the Court deems appropriate.

Geauga Juvenile Local Rule 6. Court Security Plans.

A. Security Plan. The Court has adopted and implemented a Court Security Policies and Procedures Manual. That plan complies with the requirements of Sup. R. 9 and is confidential.

B. Compliance. All Persons entering the Court's facility (including the Court's facility rear parking lot) for any reason are subject to that security plan, including the security screening procedures upon entering the Court's facility.

Geauga Juvenile Local Rule 7. Conduct in Court. All Persons present in the Court's facility shall conduct themselves in a respectful, dignified manner at all times. Any conduct that interferes or tends to interfere with the proper administration of the Court's business is prohibited.

A. Dress Code. All persons having business with the Court (including witnesses) shall dress appropriately for the importance of the occasion. Attorneys shall dress professionally. The Court may order those not appropriately dressed to leave the Court's facility until they are appropriately dressed.

B. Treatment of Others. Before, during, and after any formal or informal proceeding, all persons shall communicate with each other in the Court's facility, in a respectful and dignified manner. At all times, Attorneys shall abide by Rules 3.1 through 3.6 of the Ohio Rules of Professional Conduct.

C. Proper Decorum. No person may engage in any conduct that is distracting or disruptive to the Court's business. Spectators and non-participants in court proceedings shall sit in the designated area in the rear of the courtroom and conduct themselves in a manner that is not disruptive to the proceedings. Except as otherwise permitted by the Court, only Parties and Attorneys are permitted in the seating in front of the Judge or magistrate. All mobile phones, pagers, tablets, computers, and other electronic devices shall be turned off, and cellphones shall be placed in the designated holders in the rear of the courtroom, while in the courtroom, except as the Judge, magistrate, or staff member otherwise permits. No person may bring any weapons (except for Law Enforcement Officers or authorized court staff), alcoholic beverages, or illegal substances into the Court's facility, and no person may smoke, vape, use electronic cigarettes, drink alcoholic beverages, or partake in the use of illegal substances while in the Court's facility. In a courtroom, no person may (a) phone, text, email, or otherwise engage in activities not directly related to the purpose at hand during any formal or informal proceedings or conference, (b) chew gum, or (c) bring any food or drink into a courtroom, except as the Judge or magistrate otherwise permits. The Court may ask or order any Person who violates this GJL Rule 7(C) to leave the courtroom or the Court's facility.

D. No Recording Devices. No person may record any proceeding, formal or informal, in the Court's facility, including a courtroom, using a mobile phone, pager, tablet, voice recorder, video camera, or other recording device, except as the Judge or magistrate otherwise permits via prior written consent or court order.

Geauga Juvenile Local Rule 8. Pleadings.

A. Form of Pleading. All Complaints, Motions, and other filings shall conform to the relevant provisions of the Ohio Rules of Civil Procedure and the Ohio Rules of Juvenile Procedure. Additionally, a pleading filed in the Court will include the court assigned identification number below the case number. Excluding a Complaint or Motion regarding an Unruly Child, Delinquent Child, or Juvenile Traffic Offender, a Complaint and a Motion filed by a Party in the original proceeding that invokes the continuing jurisdiction of the Court in accordance with Juv. R. 35, which requires service of process by the Clerk, must be accompanied by instructions for service, using form "GC JF 7.0 - Instructions for Service."

B. Identity of Necessary Parties. Excluding a Complaint or Motion regarding an Unruly Child or Delinquent Child, the Filer of a Complaint or a Motion filed in the original proceeding that invokes the continuing jurisdiction of the Court in accordance with Juv. R. 35 shall prepare and file with the Court, together with the pleading, form "GC JF 5.1 – Identity of Necessary Parties;" provided, however, that no Child shall be identified in that form.

C. Use of Child's Initials. Excluding a Complaint or Motion regarding an Unruly Child, Delinquent Child, or Juvenile Traffic Offender, in all juvenile proceedings concerning (i) private custody, (ii) child support, (iii) abuse, neglect, or dependency, or (iv) paternity cases, a Party shall only use a Child's initials when referring to a Child in any Complaint or Motion (including the case caption), and shall not include any other information that identifies a Child (e.g., the Child's name, address, date of birth, social security number, etc.). When filing a Complaint, a subsequent Motion that adds a Child as a Party, or a Motion to reopen a case, in such juvenile proceeding, the Party shall prepare and file with the Court, together with that Complaint or

Motion, form “GC JF 5.0 - Disclosure of Child Confidential Information,” which is located on the Court’s website or may be obtained from the Clerk. The Clerk may not accept a Complaint or Motion by a Party that does not comply with this sub-paragraph (C).

D. Facsimile Filing. As permitted by Juv. R. 8, the Court adopts this GJL Rule 8(D). Excluding a Complaint or a Motion that invokes the continuing jurisdiction of the Court, an Attorney may file any other Motion, request, or other document by facsimile filing using the Court’s facsimile number set forth on the Court’s website. The following rules apply:

1. Definitions.

    i. “facsimile transmission” means a transmission of a source document by a facsimile machine that encodes a document into optical or electrical signals, transmits and reconstructs the signals to print a duplicate of the source document at the receiving end.

    ii. “facsimile machine” means a machine that can send and receive a facsimile transmission.

    iii. “fax” is a document filed by facsimile transmission.

2. Any signature on a fax shall be considered that of the attorney or Party it purports to be for all purposes. If it is established that the documents were transmitted without authority, then the Court shall order the filing stricken.

3. Any fax accepted by the Clerk will be considered filed with the Clerk as of the date and time the Clerk time-stamps the fax received, as opposed to the date and time imprinted by the facsimile machine. While the Court’s facsimile machine is available for transmission 24 hours a day, 7 days a week, a fax will only be time-stamped during court hours as defined in GJL Rule 4.

4. Any fax received after court hours shall be deemed filed the following Court Day.

5. Any fax that requires a filing fee may be rejected by the Clerk unless the Filer has complied with the mechanism established by the Court for the payment of filing fees.

6. The Filer submitting a fax shall file the original pleading with the Court in person, by mail, or commercial carrier, within three Calendar Days after the facsimile transmission. The failure of the transmitting party to do so will result in the facsimile being stricken from the record.

7. The Filer submitting a fax bears all risks of facsimile transmission.

8. All faxes shall be accompanied by a cover page that states all of the following information: (i) the date of facsimile transmission; (ii) the name, telephone number, and facsimile number of the person transmitting the fax; (iii) the case number, I.D. number and caption of the case in which the fax is to be filed; (iv) the title of the fax to be filed; and (v) the number of pages being transmitted.

9. A fax may not exceed 10 pages excluding the cover page.

E. Compliance with Juv. R. 19. All pleadings shall comply with Juv. R. 19, including that a Complaint or Motion shall be supported by a memorandum containing citations of authority and may be supported by an affidavit. Failure to comply with this GJL Rule 8(E) may result in rejection of the pleading for filing or dismissal by the Court.

F. Indian Child Welfare Act Compliance. Any public children services agency or private child placing agency filing a pleading to initiate a "child-custody proceeding," as defined in OAC 5101:2-53-01(C)(1)(b), (c), or (d), which could result in a termination of parental rights or placement of an Indian Child in a foster home, shall prepare and file with the Complaint form "GC JF 9.0 - ICWA Affidavit;" provided however, that if the Complaint is an emergency filing, then the Filer shall prepare and file form "GC JF 9.0 - ICWA Affidavit," no later than five Calendar Days after the initial filing. Subsequent to filing that affidavit, that Filer shall promptly inform the Court if that Filer received information that provides reason to know that a child named in the child-custody proceeding is an Indian child as defined by the Indian Child Welfare Act.

Geauga Juvenile Local Rule 9. Jurisdiction and Venue.

A. Jurisdiction. A Complaint regarding child custody, parenting time, companionship time, or child support shall contain factual allegations, which establish that an Ohio Juvenile Court has jurisdiction over the matters alleged in that Complaint, including the statutes that provide jurisdiction (e.g., R.C. §2151.23(A)(1) and R.C. §2151.23(A)(2), R.C. §2151.23(A)(11), R.C. §§2151.23(F)(1) and 2151.23(F)(2)), and including R.C. Chapter 3127 to establish that Ohio is the Home State (see R.C. §3127.01(B)(7) and R.C. §3127.15(A) or emergency jurisdiction under R.C. §3127.18).

B. Jurisdiction Affidavit. Excluding JFS or any other public children services agency (see R.C. §3127.23(E)), the Filer of a Complaint regarding child custody, parenting time, or companionship time shall prepare and file, together with the Complaint, form "GC JF 1.0 - Jurisdiction Affidavit" [see R.C. §3127.23(A)].

C. Venue. A Complaint regarding child custody, parenting time, companionship time, or child support shall contain factual allegations, which establish that Geauga County is the appropriate venue - see R.C. §2151.27(A) or (ii) R.C. §2151.27(D) and Juv. R. 10(A).

Geauga Juvenile Local Rule 10. Parent History Affidavit.

A. Initial Filing. A parent, who is the Filer of a Complaint or a Motion filed in the original proceeding that invokes the continuing jurisdiction of the Court in accordance with Juv. R. 35 regarding child custody or parenting time, shall prepare and file, together with that Complaint or Motion, form "GC JF 2.0 - Parent History Affidavit" [see R.C. §3109.04(M)]. Each parent, who is otherwise made a Party to a legal proceeding regarding child custody, parenting time, or companionship time, shall promptly prepare and file form "GC JF 2.0 - Parent History Affidavit."

B. Duty to Update. Until there is a disposition of the proceeding, if the facts set forth in a Parent History Affidavit filed by a parent materially change, then that parent shall promptly prepare and file form "GC JF 2.0 - Parent History Affidavit," reflecting that material change.

Geauga Juvenile Local Rule 11. Personal Identification. Unless the Court orders otherwise, and except when the applicant is (i) represented by an Ohio Attorney who signs the Complaint or Motion or (ii) a law enforcement officer acting in his or her official capacity, the Court will not accept for filing a Complaint or a Motion that invokes the continuing jurisdiction of the Court unless the applicant presents to the Clerk: (1) a government-issued photographic identification (e.g., a current driver's license or passport), and (2) evidence of current mailing address (e.g., recent utility bill, bank statement account, property tax bill, voter registration card). The Clerk may copy those documents.

Geauga Juvenile Local Rule 12. Service of Summons by Publication.

A. Service by Publication. In any legal proceeding where service of summons is required by Juv. R. 16(A), or other Applicable Law (e.g., a pleading that asserts a new or additional claim - see Civ. R. 5(A)), or deemed necessary by the Court, if the usual place of residence, or existence of an Interested Person to be served, is unknown and cannot be ascertained with reasonable diligence, then service of summons shall be made by either or both of (i) newspaper publication in The News-Herald, Lake County, Ohio, or (ii) publication on the Court's website; provided that Party or Attorney arranging for service of summons upon such Interested Persons shall first file with the Court an affidavit, using form "GC JF 3.1 - Affidavit for Notice by Publication" with a copy of the applicable notice attached. If newspaper publication is selected, then that Party or Attorney arranging for service of summons, shall prepare and file form "GC JF 3.2 - Instructions for Service by Newspaper Publication."

B. Additional Service by Ordinary Mail. If service of summons is made by publication, then the clerk shall delivery a copy of the Complaint and summons by ordinary mail, address correction requested, to the last known address of the Party to be served, evidenced by a certificate of mailing by the U.S.P.S. If the clerk is notified of a corrected or forwarding address of the Party within the seven-day period, the clerk shall mail the documents to the corrected or forwarding address. The clerk shall note the name, address and date of each mailing in the docket. Seven days after posting the clerk shall note on the docket where and when the notice was posted. Service shall be complete upon the entry of posting.

Geauga Juvenile Local Rule 13. Change of Contact Information. Until there is a dispositional order of a proceeding, each parent, legal custodian of a Child, or other Party who is the subject of the proceeding, and their Attorney shall promptly file written notice of a change of address or telephone number with the Clerk.

Geauga Juvenile Local Rule 14. Court Records Management and Retention.

A. Original paper filings (including a facsimile), digital images of paper filings, and micro-film images of paper filings are the official record of Case Documents.

B. The Court does not adopt a local rule as permitted by Sup.R. 26(G).

Geauga Juvenile Local Rule 15. Access to Court Files.

A. General Rule. Public access to Court Records and Case Documents are generally governed by Juv. R. 32, Sup. R. 44 to 47, R.C. §149.43, R.C. §2151.14, and other Applicable Law. In particular, Case Documents of the probation department concerning social history or mental or physical examination are confidential information, and access is governed by Juv. R. 32(C).

B. Review of Court File containing Case Documents. Any Party and the Party's Attorney in a particular case may inspect the Case Documents at the courthouse upon request to a deputy clerk. Any other Person may so inspect any Case Document of a particular case if the Person prepares and submits form "GC JF 11.0 - Request for Case Documents," and thereafter receives written permission by the Judge, Magistrate, or staff attorney. Any Person inspecting a court file and Case Documents (i) shall comply with all instructions by the deputy clerk as to the place for inspection within the Clerk's offices, (ii) shall not remove the court file or any Case Document from the court file, and (iii) shall not photograph or copy a Case Document in any manner.

C. Copy of Case Documents. Any Person may request a copy of any Case Document from the Clerk by preparing and submitting form "GC JF 11.0 Request for Case Documents" and thereafter receiving written consent of the Judge, Magistrate or staff attorney. The Clerk may charge a copy fee as permitted by Applicable Law.

Geauga Juvenile Local Rule 16. Recording of Proceedings; Transcription.

A. The Court will make a record of all proceedings using an audio-video, or audio recording system, which is the Court's official record, except as otherwise provided below in this GJL 16 Rule. A Party who desires to have a contemporaneous stenographic record of the proceedings shall: (i) make their own arrangements, (ii) file a Motion with the Court requesting permission, together with a proposed judgment entry, serve a copy of that Motion upon all Parties or their Attorneys no less than three Court Days before the scheduled hearing, and provide the Court with Proof of Service, and (iii) pay the costs associated with the stenographic record of the hearing. Such contemporaneous stenographic record of the proceedings is not permitted without a prior court order. If such stenographic record is made as permitted by this GJL Rule 16, then that Party, who caused that stenographic record, shall promptly file a copy of the transcript with the Court no more than five Court Days after the hearing.

B. For appellate or objection purposes only (e.g., Court of Appeals, Magistrate's Order or Decision), any Party or his or her Attorney may request a recording of a hearing, by filing with the Court form "GC JF 6.0 - Request for Transcription of Video/Audio Recording," in order that a recording of a hearing be transcribed by a court reporting service selected by the requesting Person and approved by the Court. The requesting Person shall file that request with the Court, promptly deliver a copy of that request to all other Parties or their Attorneys and provide the Court with Proof of Service. If the Court approves that request, then the requesting Person (i) shall pay the cost of transcription, and (ii) direct that court reporting service to contact the Clerk, no later than five Calendar Days after the Court approves the court reporting service, to obtain a copy of the Court's electronic recording, and prepare the transcript no later than 10 Calendar Days after receipt of the copy of the electronic recording. The Clerk will deliver the electronic recording to that court reporting service upon request. No later than five Calendar Days after receipt of the transcription, the requesting Person shall file the transcript with the Court. That court reporting service may not release the Court's recording to a Party, an Attorney, or other interested Person without prior written court approval.

C. If (i) the appellant is Indigent, and (ii) prepares and files the form GC JF 14.0 – Indigency Motion (including the Financial Disclosure form (ODP-206R~~)~~), together form "GC JF 6.0 - Request for Transcription of Video/Audio Recording," then the Court may order that the cost of the transcript be paid from public funds.

D. Unless the Court orders otherwise, a Party may not use the contents of the Court's recording in subsequent pleadings filed with the Court or in argument before the Court unless a transcript of the entire hearing is filed with the Court as provided in paragraph (B) of this GJL Rule.

E. Unless the Court orders otherwise, upon filing an objection to a Magistrate's Decision, a Motion to Set Aside a Magistrate's Order, or a Notice of Appeal, the objector or appellant, who is required or desires to file a transcript of a hearing, shall have the transcript prepared as provided by paragraph (B) of this GJL Rule. The objector or appellant shall file the completed transcript in the Court within the time limits of the GJL Rules, the Rules of Civil Procedure, or the Rules of Appellate Procedure, as applicable. When the complete transcript is filed by an appellant, the Court will certify the transcript to the Court of Appeals.

Geauga Juvenile Local Rule 17. Access to Juvenile Proceedings.

A. Public Access. Unless otherwise ordered by the Court, access to juvenile traffic, delinquency, unruly, neglect, abuse, or dependency proceedings are limited to Persons with a direct interest in the proceedings. Victims and their immediate family are persons with a direct interest in the proceedings.

B. Media Access. To the extent that a juvenile proceeding is open to the public as provided by Applicable Law, access by members of the media is governed by Sup. R. 12. No member of the media may photograph or record a juvenile proceeding without first obtaining written approval by the Judge or magistrate. An application to obtain such approval is available from the Clerk.

Geauga Juvenile Local Rule 18. Appointments.

A. Appointment Process. The Court will make appointments from its appointment lists in a manner that best assures the equitable distribution of appointments among the qualified appointees. The Court will consider the factors listed in Sup. R. 8(D).

B. Appointment Lists. Excluding the Court's Resource Center mediators, the Clerk shall maintain one or more lists of legal counsel, mediators, Parent Coordinators, GALs, healthcare providers and counsellors, and others, who have expressed an interest in serving as such and have been approved by the Court.

C. Compensation. Except as otherwise specifically provided for in these GJL Rules or Applicable Law, the Court may determine the reasonable compensation for Persons whom the Court appoints to serve in any capacity. The Court may create by court order standard compensation rates for different types of appointments, which the Court will provide to all available appointees and Persons who request to be included on the appointment lists, which the Court may amend from time to time; provided, however, that in a particular case, depending upon the complexity of the matter, and the education and experience of the appointee, the Court may deviate from any standard compensation rate schedule in determining the reasonable compensation of an appointee.

Geauga Juvenile Local Rule 19. Victim Rights. An attorney of the county prosecutor's office may not act on behalf of a Victim in a legal proceeding in this Court regarding a criminal offense or delinquent act, as permitted by the Ohio Constitution, Article I, §10a, sub-section (B), without first obtaining a written request signed by the Victim and then filing that written request with the Court before the hearing.

Geauga Juvenile Local Rule 20. Motions to Show Cause and Complaints in Contempt.

A. Contents of Motion. A Motion to Show Cause shall state with specificity each provision of a prior court order with which a Party has failed to comply, the date of such order, and the facts constituting the non-compliance. The Motion shall be supported by an affidavit. A copy of the court order or JFS administrative order, as applicable, with respect to which the Party allegedly has failed to comply shall be attached to that Motion.

B. Complaint in Contempt. A Complaint in Contempt shall state with specificity each provision of a JFS administrative order with respect to which a Party has failed to comply, the date of such order, and the facts constituting the non-compliance. A copy of the JFS administrative order shall accompany the Complaint.

C. Motions/Complaints for Non-Support. If the Motion or Complaint pertains to the failure to pay child support, then that Motion or Complaint shall set forth (i) the date of the last court order of support or JFS administrative order, if applicable, (ii) the amount of support, (iii) the total elapsed weeks or months, (iv) the amount that should have been paid during that time, (v) the amount actually paid during that time, and (vi) the amount of arrearage existing to the date of filing. For purposes of computing the arrearage, the effective date of a court order for child support is the date of journalization unless that order specifically designates some other effective date. At the hearing, the Filer shall update the arrearage computation to the date of hearing.

D. Medical Bills or Other Support Obligations. If the Motion or Complaint asserts non-payment of medical/dental/optical bills or support other than periodic payments, then that Motion or Complaint shall itemize the expenses and state whether demand for payment has been made before filing.

Geauga Juvenile Local Rule 21. Unruly, Delinquent, Traffic Offender.

A. Filing Complaint - Intake and Diversion. Any person having knowledge of a Child who appears to be a Juvenile Traffic Offender, Delinquent or Unruly Child may file a Complaint in the Court in which the child has a legal residence or legal settlement, with respect to that Child if permitted under Juv. R. 10(A). The Court recognizes the guidance set forth in Juv. R. 9, which states that "In all appropriate cases formal court action should be avoided and other community resources utilized to ameliorate situations brought to the attention of the court." Before the filing of a formal delinquency or unruly Complaint with the Clerk, the Complaint shall be screened for diversion by the Director of Probation.

1. Any person filing a Complaint shall include all supporting documentary evidence along with the Complaint.

2. Supporting documentary evidence shall include but may not be limited to police reports, witness statements, Geauga County Juvenile Court Intake Form (green sheet) or any other information needed to ascertain appropriate juvenile court actions pursuant to Ohio Juv. R 9. Any Complaint filed without said supporting documentary evidence shall be returned to the Filer.

3. The supporting documentary evidence shall be provided to the Director of Probation pursuant to above, but shall not be provided to the Judge or Magistrate before the adjudication of the juvenile's case.

4. Denial of Allegations. If the Child denies the allegations in such Complaint, then no attorney of the Geauga County Prosecutor's Office may assist the Court in presenting evidence, or otherwise participating in the legal proceeding, unless the Court directs the Geauga County Prosecutor's Office to do so by court order pursuant to Juv. R. 29(E)(1) rather than directing another attorney to do so.

B. Driving Privileges, License Reinstatement.

1. Petition for Driving Privileges. If a Delinquent Child, an Unruly Child, or a Juvenile Traffic Offender requires driving privileges that are not included in the court order, then that Child may petition the Court for driving privileges by preparing and filing form "GC JF 9.6 - Petition for Driving Privileges," and shall prepare and attach to that petition form "GC JF 9.8 - Proof of Insurance." Those forms are located on the Court's website or may be obtained from the Clerk.

2. Petition for License Reinstatement. A Delinquent Child, an Unruly Child, or a Juvenile Traffic Offender (i) may petition the Court for reinstatement of a driver's license by preparing and filing form "GC JF 9.7 - Petition for License Reinstatement," and (ii) shall prepare and attach to that petition form "GC JF 9.8 - Proof of Insurance." Those forms are located on the Court's website or may be obtained from the Clerk.

C. Sealing and Expungement of Records.

1. Sealing Records. A Delinquent Child, Unruly Child, or Juvenile Traffic Offender may apply to the Court, at the appropriate time (see R.C. 2151.356), for a court order to seal records by preparing and filing form "GC JF 9.1 - Application to Seal Record," which form is located on the Court's website or may be obtained from the Clerk.

2. Expungement of Records. A Delinquent Child, Unruly Child, or Juvenile Traffic Offender may apply to the Court, at the appropriate time (see R.C. 2151.358), for a court order to expunge the records by preparing and filing form "GC JF 9.2 - Application to Expunge Record," which form is located on the Court's website or may be obtained from the Clerk.

Geauga Juvenile Local Rule 22. Continuances.

A. Process. All requests for a continuance shall be made by Motion, accompanied by a proposed entry with blank spaces for the Court to complete if it grants the Motion.

B. Contents of Motion. A Motion for a continuance shall contain (i) a clear and concise statement establishing Reasonable Cause as to why additional time is needed and how much additional time is requested, (ii) the date the movant became aware of the Reasonable Cause, and (iii) a representation that the movant has communicated with all Attorneys, GALs, and pro se Parties, and as to each of them whether they consent to the continuance and shall be accompanied by a Proof of Service.

C. Timing. A Motion for a continuance of a hearing or trial, or Motions for extension of time to file, shall be filed no less than three Court Days before the filing date to allow the Court adequate time to consider and rule on that Motion. A Motion that is not timely filed shall contain a statement informing the Court as to why that Motion was not timely filed. The Court may not grant a Motion for extension that is not timely filed. For good cause, the Court may grant a Motion for extension even if that Motion is filed within three Court Days before the filing date.

Geauga Juvenile Local Rule 23. Parenting Time. The Court has posted on its website two Standard Parenting Time Schedules, depending upon whether the non-residential parent resides in Ohio or outside of Ohio. While the Court will consider all factors to be considered by Applicable Law when issuing a parenting time order, the Court will consider ordering the appropriate schedule unless (i) there is good cause to deviate from the standard schedule, or (ii) the parents agree to an alternative schedule that is acceptable to the Court.

Geauga Juvenile Local Rule 24. Magistrate.

A. Grant of Authority. Pursuant to Juv. R. 40, Civ. R. 53, Crim. R. 19, and R.C. §2151.16, the magistrate is empowered and authorized to conduct hearings, make orders, and render decisions in any case assigned to the magistrate to the fullest extent permitted by Applicable Law.

B. Objection to Magistrate's Order or Decision.

1. To file an objection to a magistrate's order or decision, a Party shall file objections to a magistrate's order or decision in the manner set forth in Civ. R. 53 and in these GJL Rules.

2. The objection shall be accompanied by a supporting memorandum, clearly and specifically stating the grounds for the objection. The Court may dismiss a broad objection that lacks the required specificity.

3. If a transcript is necessary to support the objections, then the objecting Party shall have the written transcript prepared in accordance with GJL Rule 16(B), unless the Court orders otherwise. The transcript shall be filed with the Court no later than 30 Calendar Days after filing the objections unless the Court grants an extension. Failure to file the transcript within the required time is grounds for dismissal of the objections.

4. The objecting Party has 10 Calendar Days after the date of filing the transcript in which to supplement its objections with additional information or citations to the transcript. The opposing Party will have 10 Calendar Days after the objecting Party files its objections to file a memorandum in opposition to the objections.

5. The Court will only hold a hearing on the objections if a Party specifically requests a hearing in its objection or in its filing of an opposition to the objections. The Court may set the matter for hearing on its own motion even if not requested by any Party. Unless the Court is required by Applicable Law to provide the notice, the proponent of the hearing shall provide written notice of hearing to all Parties or their Attorneys, and provide the Court with Proof of Service.

Geauga Juvenile Local Rule 25. Mediation.

A. General Provisions. The Court adopts these mediation rules for alternative dispute resolution of contested matters in the Court.

1. Uniform Mediation Act. The Court implements the Uniform Mediation Act, R.C. Chapter 2710 ("UMA"). If there are any inconsistencies between these GJL Rules and the UMA, then the UMA controls the resolution of the issue.

2. Statement of Purpose. The purpose of mediation is to promote greater efficiency and public satisfaction through the facilitation of the earliest possible resolution of disputed cases in the Court by the use of mediation. The Court has established this mediation process to increase access to justice, to increase the Parties' participation in the court process and their satisfaction with the outcome, to allow cases to settle more quickly and with less expense to the Parties, and to expand the dispute resolution resources available to the Parties.

3. Definitions. All defined terms in the UMA have the same meaning for purposes of this GJL Rule 25.

4. Domestic Violence. All Parties and their Attorneys shall promptly inform the Court of any acts or threats of Domestic Abuse or Domestic Violence known to them that exist or to have existed in the past, or which become known to them following entry of the order of referral to mediation, but before conclusion of all mediation proceedings, which allegations involve any persons whose attendance is required by the referral order.

B. Confidentiality and Privilege. All mediation communications related to or made during the mediation process are governed by the UMA, the Ohio Rules of Evidence, and other Applicable Law.

1. General Provision. Except as the Court otherwise orders in a particular case or as otherwise provided by Applicable Law, all communications, negotiations, or settlement discussions between participants in the course of a mediation are not subject to discovery, are not admissible in evidence, shall remain confidential, and are protected from disclosure.

2. Mediator May Not Testify. The mediator is prohibited from being called as a witness in any subsequent legal proceeding, unless (i) the Parties otherwise agree under the terms of a mediation agreement, or (ii) the Court orders otherwise.

C. Initiation of Mediation. This GJL Rule 25(C) governs the initiation of mediation and the selection of a mediator.

1. Mediation Referral. In accordance with GJL Rule 18(A), the Court may refer a case to mediation by court order at any time, including by reason of the Motion of any Party or the agreement of the Parties. No later than 30 Calendar Days after the date of that order, the mediator shall schedule and provide notice to the Parties or their Attorneys of a mediation session, which shall indicate, at a minimum, the date, time, place, and contact information for the mediation.

2. Eligibility of Cases. The Court will determine the eligibility and appropriateness of each referral before the commencement of the mediation process and may decline any referrals the Court deems inappropriate. The following cases are likely not to be referred to mediation:

i. cases in which one Party has been convicted of, or pled guilty to, a violation of R.C. 2919.25 (Domestic Violence) within the past two years or when a civil protection order is in effect;

ii. cases in which the physical distance between the Parties is so great that it is not feasible for them to participate in mediation sessions, provided, however, that the Court may order mediation using a telephone or by other electronic means such as the Court's Webex system, Zoom (or similar electronic conferencing);

iii. in emergency circumstances requiring an immediate hearing by the Judge or magistrate;

iv. cases in which the Parties have achieved an executed agreed judgement entry; or

v. any cases that a Court Mediator deems necessary to terminate.

D. Selection and Assignment of Mediator. The following methods may be used to determine the mediator for the case:

1. Court Appointment. The Court may appointment a mediator, taking into consideration the qualifications, skills, expertise, and caseload of the mediator, in addition to the type, complexity, and requirements of the case.

2. Selection by Parties. If the Court refers the dispute to mediation, then the Parties may select a mediator, but subject to Court approval.

3. Resource Center. The Court may refer the matter to the Resource Center without selecting a particular mediator.

E. Mediator Conflict of Interest. In accordance with R.C. §2710.08, the mediator shall disclose in writing, to the Parties or their Attorneys, any known possible conflicts that may affect the mediator's impartiality as soon as such conflicts become known to the mediator. If any Attorney or a mediation Party requests that the assigned mediator withdraw because of the facts so disclosed, then the assigned mediator shall withdraw and request that the Court appoint another mediator (i) from the Court's list of qualified mediators or (ii) by referral to the Resource Center. The Parties are free to retain the mediator by an informed, written waiver of the conflict of interests.

F. Mediation Process. This GJL Rule 25(F) governs the process for all mediations. The mediator may have additional procedural policies that the Parties shall follow.

1. Mediation Procedure. A mediator may meet with the Parties individually before bringing the Parties together for any reason, including without limitation further screening. A mediator may schedule multiple mediation sessions, if necessary for the resolution of the issues in part or in their entirety. The Court will utilize procedures for all cases to accomplish all of the following:

i. Participation. The procedures will ensure that all Parties are allowed to participate in mediation, and if the Parties wish, that their Attorney and other persons they designate are allowed to accompany them and participate in mediation.

ii. Domestic Abuse or Domestic Violence. The procedures will provide for screening for potential Domestic Abuse or Domestic Violence both before and during mediation.

iii. Referrals. The procedures will enable appropriate referrals, if necessary, to attorneys and other support services for all Parties, including Victims and suspected Victims of Domestic Abuse or Domestic Violence.

iv. Prohibited Uses. The procedures will prohibit the use of mediation in any of the following circumstances: (i) as an alternative to the prosecution or adjudication of Domestic Violence; (ii) in determining whether to grant, modify, or terminate a protection order; (iii) in determining the terms and conditions of a protection order; and (iv) in determining the penalty for violation of a protection order.

2. Mediation Case Summary. If requested by the mediator, then no less than five Court Days before the mediation, the Parties shall submit to the mediator a short memorandum stating the legal and factual positions of each Party, as well as other material information each Party believes would be beneficial to the mediator, which may include: (i) a summary of material facts; (ii) a summary of legal issues; (iii) the status of discovery; (iv) a summary of all claims and requests; and (v) settlement attempts to date, including demands and offers.

3. Party and Non-Party Participation. The following requirements apply to participation in the mediation by Parties and non-Parties.

i. Mandatory Participation. Parties who are ordered into mediation shall attend scheduled mediation sessions. If the Parties or their Attorneys, when requested by the mediator,

do not attend the mediation sessions, then the mediator shall report the non-compliance to the Court.

ii. Attorneys. As per R.C. §2710.09, an Attorney or other individual designated by a Party may accompany the Party to and participate in a mediation; provide that the other individual complies with sub-paragraph (v) below. A waiver of participation given before the mediation may be rescinded.

iii. Necessary Party. If a Party's Attorney becomes aware of the identity of a Person whose consent is required to resolve the dispute, but that Person has not yet been joined as a Party in the pleadings, then that Attorney shall promptly inform the mediator and the Court in writing.

iv. Disclosure of Relationship. If the opposing Parties: (i) are related by blood, adoption, or marriage; (ii) have resided in a common residence; or (iii) have known or alleged Domestic Abuse or Domestic Violence at any time regarding a Party, family or household member before or during the mediation, then those Parties and their Attorneys shall disclose that information to the mediator and shall participate in any screening the Court requires.

v. Non-Parties. By participating in mediation, a non-Party participant, as defined by R.C. §2710.01(D), agrees to be bound by this GJL Rule 25 and submits to the Court's jurisdiction to the extent necessary for enforcement of this GJL Rule 25. Any non-Party participant has the rights and duties under this GJL Rule 25 attributed to Parties, except as provided by R.C. §2710.03(B)(3) and §2710.04(A)(2).

4. Inform the GAL and Parenting Coordinator. When the mediation process is commenced, whether by court referral or voluntary, the mediator shall promptly notify the GAL and Parenting Coordinator.

5. Court Orders. All court orders will continue in effect during the mediation process and are not stayed or suspended unless the Court orders otherwise.

6. Continuances. The Court's policy is to resolve matters as expeditiously as possible. The Court will only grant continuances of scheduled mediations for Reasonable Cause shown after the Parties and mediator have determined an acceptable date. Only the Court may grant a continuance. Generally, the existence of pending Motions is not Reasonable Cause for a continuance.

7. Termination. If the mediator determines that further mediation efforts could be unsafe or otherwise may not benefit the Parties, then the mediator shall inform all Parties, any GAL or Parent Coordinator, and the Court in writing. The Court may terminate mediation at any time by court order. In all events, following termination, the Court may again refer the case to mediation.

8. Withdrawal. A mediator may withdraw as such at any time subject to court approval; provided that the mediator delivers to the Court a written withdrawal notice setting forth the reasons for withdrawal and the effective date of withdrawal. Upon receipt of court approval, the mediator shall inform all Parties and their Attorneys, the GAL, and the Parenting Coordinator, in writing, and provide the Court with Proof of Service.

G. Results of Mediation. This GJL Rule 25(G) provides requirements applicable upon the conclusion of mediation.

1. Mediation Agreement. If the Parties reach an agreement, then the mediator, the Parties, or their Attorneys, if applicable, promptly (i) shall prepare a written agreement memorializing that agreement, which mediation agreement must be signed by the Parties and Attorneys, and (ii) notify the GAL and the Parenting Coordinator. The mediation agreement may become a court order after review and approval by the Court. The Court will not consider an oral agreement by the Attorneys, or with Parties or an officer of the Court, unless made in open court.

2. Mediator's Report. At the conclusion of mediation, and in compliance with R.C. §2710.06, the mediator shall inform the Court of the status of the mediation. The mediator's report shall include all of the following: (i) whether the mediation occurred or was terminated; (ii) whether the Parties reached a settlement on some, all, or none of the issues; (iii) attendance of the Parties; (iv) whether future mediation sessions are scheduled, including the date and time; and (v) any other information the Court requests or the mediator deems important.

3. Failure to Participate. If any Person fails to participate in or to attend mediation without Reasonable Cause, after being ordered to do so by the Court, then the Court may impose sanctions against the offending Person, which may include without limitation the award of attorney's fees and other costs, contempt, or other appropriate sanctions.

H. Mediation Costs.

1. Resource Center. If the Parties mediate using the Court's Resource Center, then there is no charge to the Parties for such mediation services, but the Judge or magistrate may assess other court costs or sanctions for the failure of a Party to appear for a scheduled mediation conference.

2. Other Mediators. If the Parties mediate without using the Court's Resource Center, then the Court will assess the direct costs of that mediation. The Court may order the Parties to deposit funds with the Clerk to cover those direct mediation costs. Moreover, the Judge or magistrate may assess other costs or sanctions for the failure of a Party to appear for a scheduled mediation conference.

I. Mediator Evaluations. A mediator shall provide the Parties with form "GC JF 6.5 - Mediator Evaluation," at the first contact with a Party and at the end of the mediation process. The evaluation form may be completed by the Parties and submitted to the Clerk at the end of the mediation process.

J. Complaint of Mediator.

1. A Party to a case may file a complaint regarding misconduct of the mediator no later than three months after the termination of the mediation.

2. The complaining Party shall file the complaint with the Clerk using form "GC JF 6.1 - Complaint-Mediator."

3. The Clerk shall provide a copy of the complaint to the mediator.

4. The mediator may respond in writing to the Judge no later than 14 Calendar Days after the date of receipt of the complaint.

5. The Court designee shall investigate the allegations and shall issue a response.

6. The Court will consider the complaint and take appropriate action.

7. The Clerk will give written notice to the Person making the complaint and to the mediator of the Court's disposition of that complaint.

8. The Clerk will maintain a record of the nature and disposition of the complaint.

K. Voluntary Mediation. Persons may voluntarily seek mediation of disputes regarding or related to child custody, parenting, and companionship time, at the Court's Resource Center without a Court referral in a pending case or without filing any pleading with the Court. The rules set forth above in this GJL Rule 25 are not applicable except as set forth below:

1. Disclosure of Abuse, Neglect, and Harm. A mediator shall inform the Parties that the mediator shall report any suspected child abuse or neglect and any apparent serious risk of harm to a Party, a family or household member, or a third party to child protective services, law enforcement, or other appropriate authority to the extent required by Applicable Law (e.g., R.C. §2151.421).

2. Use of Electronic Means. The mediator may require that mediation occur by telephone or by other electronic means such as the Court's Webex system, Zoom (or similar electronic conferencing).

3. Confidentiality and Privilege. GJL Rule 25(B) is applicable.

4. Conflict of Interest. GJL Rule 25(E) is applicable.

5. Mediation Process. GJL Rule 25(F) is applicable, except for GJL Rule 25(F)(6).

6. Mediator Evaluation. GJL Rule 25(I) is applicable.

7. Complaint of Mediator. GJL Rule 25(J) is applicable.

8. Inform the Court. If a case is pending, and if any one or more of the persons seeking voluntary mediation are Parties to a case pending before the Court, then the mediator shall promptly notify the Court (i) if the mediator decides to engage in voluntary mediation, and (ii) when the mediation is concluded or terminated.

Geauga Juvenile Local Rule 26. Case Management Plan. To promote the timely disposition of cases, the Court adopts the following guidelines for the management of cases in accordance with Sup. R. 5(D)(1):

A. Delinquency, Traffic, and Unruly Cases. The Court will manage such cases as follows:

1. Child Held in Detention.

i. Detention hearing. The Court will conduct a Detention hearing the next Court Day, but no later than 72 hours after a Child is placed in detention. The Court will conduct a rehearing if required by Juv. R. 7(G).

ii. Juv. R. 30 hearing. A Juv. R. 30 hearing regarding the relinquishment of jurisdiction for the purpose of criminal prosecution will be held no less than three Calendar Days and no more than 10 Calendar Days after the Detention.

iii. Adjudicatory hearing. The Court (i) will schedule the Adjudicatory hearing no less than 72 hours after filing the Complaint, (ii) will conduct the Adjudicatory hearing no more than 15 Calendar Days after filing the Complaint, in accordance with Juv. R. 29, and (iii) may continue the Adjudicatory hearing for good cause as permitted by Juv. R. 29(A).

iv. Disposition. The Court will conduct the Dispositional hearing or otherwise dispose of the case pursuant to Juv. R. 29(F)(2)(a) through (d).

v. Admission. If the Child admits the charges, then the Court will promptly proceed to dispose of the case.

vi. Pretrials or Conferences. The Court may schedule and conduct Pretrials or other conferences as it deems necessary.

2. Child Not Held in Detention.

i. Plea Hearing. The Court will conduct an initial hearing no later than 30 Calendar Days after filing the Complaint.

ii. Adjudicatory hearing. The Court will conduct the Adjudicatory hearing no later than 30 Calendar Days after the initial hearing and may continue the Adjudicatory hearing for good cause as permitted by Juv. R. 29(A).

iii. Disposition. The Court will conduct the Dispositional hearing or otherwise dispose of the case pursuant to Juv. R. 29(F)(2)(a) through (d).

iv. Admission. If the Child admits the charges, then the Court will promptly proceed to dispose of the case.

v. Pretrials or Conferences. The Court may schedule and conduct Pretrials or other conferences as it deems necessary.

B. Abuse, Neglect, and Dependency cases. The Court will manage such cases as follows:

1. Ex Parte Order. The Court will conduct a hearing on an ex parte order removing a Child from custody of a parent or custodian on the next Court Day after the ex parte order.

2. Adjudicatory hearing. The Court will conduct the Adjudicatory hearing no more than 30 Calendar Days after filing the Complaint; provided however that upon a showing of good cause the Court may extend the Adjudicatory hearing to the extent permitted by R.C. § 2151.28(A)(2) or Juv. R. 29(A).

3. Dispositional hearing. The Court will conduct the Dispositional hearing in accordance with Juv. R. 34.

4. Pretrials or Conferences. The Court may schedule and conduct Pretrials or other conferences as it deems necessary.

5. Review (Permanency) hearing. After the Dispositional hearing, the Court will conduct a Review hearing on the earlier of (i) one year after filing the Complaint or (ii) the day the Child was placed into shelter care. The Court will conduct subsequent Review hearings at least every 12 months until: (i) the Child is adopted, (ii) the Child is returned to the parent(s), or (iii) the Court terminates the Child's placement or custody arrangement. See R.C. §2151.417(C), Juv. R. 36, and Juv. R. 38(B).

6. Permanent Custody hearing. Upon the filing of a Motion for permanent custody, the Court will conduct a Permanent Custody hearing no later than 120 Calendar Days after filing that Motion; provided however that the Court may extend the Permanent Custody hearing upon a showing of good cause, but in any event the Court will not extend the Permanent Custody hearing beyond 200 Calendar Days after filing that Motion. See R.C. §2151.414(A)(2).

7. QRTP Permanency Hearing.

    a. QRTP Placement Notice. When a placing agency (including Geauga County Job & Family Services) places a Child in a QRTP, that placing agency shall file a written notice with the Clerk regarding such placement no later than five Calendar Days after placement, which notice shall provide the applicable Court case number, Child's name, and name, address, phone number, and contact person of that QRTP.

    b. Qualified Individual; Assessment.

        i. Notification of Assessment. The placing agency shall file a written notice with the Clerk, no later than five Calendar Days after engagement of a "qualified individual" (as defined in 42 U.S.C. 675a(D)), who was engaged to perform an assessment, which notice shall provide (i) the name, address, and phone number of that qualified individual and (ii) the Child's name and case number.

        ii. Assessment Filing. The placing agency shall file, or cause the qualified individual who was engaged to prepare an assessment to file, that assessment with the Clerk no later than five Calendar Days after completion of that assessment.

    c. Hearing Date. Except as the Court otherwise orders in a particular case, the Court will hold a permanency hearing to approve or disapprove the Child's placement in a QRTP no later than 45 Calendars Days after that placement.

    d. Notice of Permanency Team. The placing agency shall file a written notice with the Clerk, no later than 35 Calendar Days after the Child's placement in a QRTP, which notice shall provide the name, address, and phone number of each member of that permanency team who is family member of that Child.

C. Civil Custody and Parenting (Companionship) Time Proceedings. The Court will manage such cases as follows:

1. Ex Parte Order. The Court will conduct a hearing on an ex parte order removing a Child from custody of a parent or custodian on the next Court Day after the ex parte order, but no later than 72 hours after granting the order.

2. Initial hearing. Subject to referring the matter to mediation, the Court will conduct an initial hearing no later than 60 Calendar Days after filing the Complaint or Motion. All pre-trial matters including completion of discovery, should be resolved at the initial hearing.

3. Adjudicatory hearing and Dispositional hearing. The Court will conduct an Adjudicatory hearing and a Dispositional hearing in accordance with Juv. R. 29.

4. Pretrials or Conferences. The Court may schedule and conduct Pretrials or other conferences as it deems necessary.

D. Parentage Proceeding. The Court will manage such cases as follows:

1. Genetic Testing. Upon the filing of a Complaint or Motion that conforms to the requirements of R.C. Chapter 3111, the Court may immediately order a genetic test by a qualified examiner. Upon completion of the genetic test, the examiner will promptly deliver the original results to the Court and copies to the Parties or their Attorneys. Upon receipt of the original results, the Court will set a pre-trial hearing. In compliance with R.C. §3111.09, the Party filing the Complaint or Motion or the GCCSED shall prepay the genetic test fee. The Court may tax that fee as court costs.

2. Status of GCCSED. The GCCSED is not a Party to any parentage proceeding except as a representative of the State of Ohio. However, any post-order Motions must be served upon the GCCSED.

3. Test Results. If genetic tests show exclusion, then the Court will entertain a Motion to dismiss. If genetic tests show inclusion, then if the defendant (i) changes the plea to admit, the Court will proceed to determine a support order if requested by a Party, or (ii) does not change a plea to admit, then the Court will conduct a Parentage hearing no later than 30 Calendar Days after receipt of the genetic test report.

4. Pretrials or Conference. The Court may schedule and conduct Pretrials or other conferences as it deems necessary.

5. Continuance. In accordance with Applicable Law, including GJL Rule 22, the Court may continue any hearing upon a showing of good cause.

E. Expediated Competency Hearing. The Court will conduct any competency hearing as required under R.C. §§ 2152.51 to 2152.59 and other Applicable Law. Upon the conclusion of each hearing, the Court shall provide written notice to the prosecuting attorney, the child's Attorney, the child's GAL, and the child's parents, guardian, or custodian of the date, time and place of the next scheduled hearing. Notice is not required for any Party or other individual designated in this rule to whom notice of the next hearing was provided in writing upon conclusion of the immediately preceding hearing.

F. Electronic Hearings or Conferences. On a case-by-case basis or by published court order, the Court may determine to conduct hearings or conferences by telephone or by other electronic means such as the Court's Webex system, Zoom (or similar electronic conferencing).

Geauga Juvenile Local Rule 27. Jury Management Plan. As required by Sup. R. 5(D)(2), the Court adopts as its jury management plan that jury management plan established by the Geauga County Court of Common Pleas - General Division.

Geauga Juvenile Local Rule 28. Child Restraint Rule.

A. Pursuant to Sup. R. 5.01, a Child is presumed not to require the use of physical restraints in courtroom proceedings. When the Judge or magistrate, before whom the Child is appearing, determines on the record that (1) physical restraint is necessary and appropriate based on the totality of the circumstances, and (2) a no less restrictive alternative could reasonably be expected to produce an appropriate and effective outcome, then that presumption against physical restraint is overcome.

B. When determining whether restraint is necessary, the Judge or magistrate will consider the following:

   1. the severity and nature of the offense;

   2. the Child's risk of flight;

   3. the Child's risk of receiving assistance in the courtroom to enable flight or to enable acts of violence;

   4. whether the Child has made actual threats associated with the present case or with prior acts;

   5. whether a threat could be reasonably inferred from the nature of the offense, the acts of the Child associated with the present case, or from the Child's prior acts;

   6. the recommendations of Law Enforcement Officers and probation officers familiar with the Child or with standard procedures for restraining a Child;

   7. the presence or absence of the victim and the victim's family from the proceedings; and

   8. any other factor the Judge or magistrate deems relevant.

C. When requested by the Judge or magistrate, before whom the Child will appear, a probation or intake staff member shall provide a report to the Court and to all Parties in the case that makes recommendations as to whether physical restraints are necessary and appropriate.

D. If physical restraint is found necessary by the Judge or magistrate, then the Judge or magistrate shall require that restraint be the least restrictive necessary to meet the risk requiring the restraint and in a manner that does not unnecessarily restrict the movement of the Child's hands.

E. All Parties are entitled to be heard at any proceeding on the issue of whether physical restraints are necessary for the Child at that proceeding.

F. Nothing in this rule prevents Law Enforcement Officers from taking whatever measures deemed necessary to secure a Child during transportation to or from the Court or in the court facility either before or after hearings.

G. Notwithstanding the provisions set forth above in this Geauga Juvenile Local Rule 28, if the Child (i) is a pregnant female or (ii) was pregnant during any period of postpartum recovery up to six weeks after that Child's pregnancy, then this Geauga Juvenile Local Rule 28 is applicable only to the extent that the restraint of such Child complies with R.C. 2152.75.

Geauga Juvenile Local Rule 29. Parenting Coordination.

A. Purpose. This GJL Rule 29 allows for the resolution of disputes related to parental rights and responsibilities or companionship time orders outside of Court.

B. Scope. The Court may appoint a Parenting Coordinator upon the filing of a parental rights and responsibilities or companionship time order.

C. Limitations of Parenting Coordinator. A Parenting Coordinator may not determine the following:

1. whether to grant, modify, or terminate a protection order;

2. the terms and conditions of a protection order;

3. the penalty for violation of a protection order;

4. changes in the designation of the primary residential parent or legal guardian; or

5. changes in the primary placement of a Child.

D. Parenting Coordinator Qualifications, Continuing Education, Reporting.

1. Qualification. In accordance with GJL 18(A), the Court will only appoint an individual as a Parenting Coordinator who has all of the qualifications set forth in Sup. R. 90.05 and Sup. R. 90.06.

2. Continuing Education; Reporting. Each Parenting Coordinator shall meet the qualification requirements set forth in Sup. R. 90.07, and shall timely deliver the annual report required by Sup. R. 90.07(B) to the Director of the Parenting Coordination Program, using form “GC JF 6.9 – Annual Certificate – Parenting Coordinator.”

3. Reporting. A Parenting Coordinator shall submit to the Director of the Parenting Coordination Program:

i. a resume documenting compliance with Sup. R. 90.09(B),

ii. an updated resume in the event of any substantive changes, and

iii. notification of any changes to name, address, and telephone number and, if available, electronic mail address.

E. Responsibilities of Director of the Parenting Coordination Program. The Director of the Parenting Coordination Program (i) shall perform the responsibilities set forth in Sup. R. 90.09, and (ii) each calendar year, shall prepare and deliver to the Judge a Certificate of Compliance, on or before January 31 of the following year, using CG Form “CG JF 10.1 – Certificate of Compliance.”

F. Appointment.

1. Scope of Appointment. The Court may order Parenting Coordination, sua sponte or upon written or oral Motion by one or both Parties, when one or more of the following factors are present:

i. the Parties have ongoing disagreements about the implementation of parental rights and responsibilities or a companionship time order and need assistance;

ii. there is a history of extreme or ongoing parental conflict that has been unresolved by previous litigation or other interventions and from which a Child of the Parties is adversely affected;

iii. the Parties have a Child whose parenting time schedule requires frequent adjustments, specified in a court order, to maintain age-appropriate contact with both Parties, and the parties have been previously unable to reach agreements on their parenting time schedule without Court intervention;

iv. the Parties have a Child with a medical or psychological condition or disability that requires frequent decisions regarding treatment or frequent adjustments in the parenting time schedule, specified in a court order, and the Parties have been previously unable to reach agreements on their parenting time schedule without Court intervention;

v. one or both Parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements on or adjust their parenting time schedule without assistance, even when minor in nature; or

vi. any other factor as determined by the Court.

2. Parenting Coordinator Appointment Order. The appointment order shall set forth all of the following:

i. the name, business address, and business telephone number of the Parenting Coordinator;

ii. the specific powers and duties of the Parenting Coordinator;

iii. the term of the appointment;

iv. the scope of confidentiality;

v. the fees and expenses to be charged for the services of the Parenting Coordinator;

vi. the Parties' responsibility for the payment of fees and expenses for services rendered by the Parenting Coordinator;

vii. the right to suspend all services until payment of any unpaid balances;

viii. the terms and conditions of Parenting Coordination; and

ix. any other provisions specifically agreed to by the Parties not in conflict with the definition of Parenting Coordination in GJL Rule 1.

3. Selection of Parenting Coordinator for Appointment. The Court may select and appoint the Parenting Coordinator using one of the following methods:

i. by the Court randomly from the Court's roster of Parenting Coordinators, in accordance with GJL Rule 18(A),

ii. by the Court based on the type of case, and the qualifications and caseload of the Parenting Coordinator,

iii. by agreement of the Parties from the Court's roster of Parenting Coordinators, or

iv. by any other method approved by the Court.

4. Prohibited Parenting Coordinator Appointments. The Court will not appoint a Parenting Coordinator who does not possess the qualifications required in this GJL Rule 29, or who has served or is serving in a role that creates a professional conflict including, but not limited to, a Child's Attorney or Child advocate, GAL, custody evaluator, therapist, consultant, coach, or other mental health provider to any family member, or Attorney for either Party. Parties may not waive this prohibition.

5. Appointment of Mediator as Parenting Coordinator. With written consent of the Parties, the individual who served as a mediator for the Parties may be appointed as the Parenting Coordinator.

6. Termination or Modification of Parenting Coordinator Appointment. Upon Motion of a Party, for good cause shown, or sua sponte, the Court may terminate or modify the Parenting Coordinator appointment.

H. Parenting Coordination Agreements, Reports, and Decisions.

i. Parties shall sign and abide by agreements reached during a Parenting Coordination session, which shall be maintained in the Parenting Coordination file. The Parenting Coordinator shall provide a copy to each Party or their Attorneys.

ii. The Parenting Coordinator shall first attempt to assist the Parties in reaching an agreement that resolves the dispute. If the Parties are unable to reach an agreement, the Parenting Coordinator shall issue a written decision that is effective immediately, using form "GC JF 6.7 – Parenting Coordinator Decision." The Parenting Coordinator shall deliver copies to the Parties or their Attorneys and provide the Court with Proof of Service.

iii. No later than 14 Calendar Days after receipt of that decision, a Party may file with the Clerk a written objection to a Parenting Coordinator's decision, and if so that Party shall promptly serve the Parenting Coordinator and all other Parties or their Attorneys with a copy of the objection and provide the Court with Proof of Service. If any Party timely files objections, any other Party may similarly file objections with the Court and serve the Parenting Coordinator and all other Parties or their Attorneys, no later than 10 Calendar Days after the first objections are filed and provide the Court with Proof of Service. The Court may schedule a hearing on the objections, upon request, at the Court's discretion. The Judge shall issue a ruling on the objections no later than 30 Calendar Days after the date of the last objection filed.

iv. Upon the Court's request, the Parenting Coordinator shall prepare and deliver to the Court a report, using form "GC JF 6.8 - Parenting Coordinator Report."

I. Parenting Coordination Procedures.

1. Screening for and Disclosure of Domestic Abuse and Domestic Violence.

i. The Parenting Coordinator shall screen all cases for Domestic Abuse and Domestic Violence before the commencement of and during the Parenting Coordination process.

ii. Regarding the Parties, members of their household, or other persons who have contact with the Children, all Parties and their Attorneys shall immediately advise the Parenting Coordinator of any Domestic Violence convictions or allegations known to them or which become known to them during the Parenting Coordination process.

iii. When Domestic Abuse or Domestic Violence is alleged, suspected, or present, before proceeding, a Parenting Coordinator shall do each of the following:

1. Fully inform the person who is or may be the Victim of Domestic Abuse or Domestic Violence about the Parenting Coordination process and the option to have a support person present at Parenting Coordination sessions;
2. Have procedures in place to provide for the safety of all persons involved in the Parenting Coordination process; and
3. Have procedures in place to terminate the Parenting Coordination session/process if there is a continued threat of Domestic Abuse or Domestic Violence involving the Parties, children, or family and household members.

2. Disclosure of Abuse, Neglect, and Harm. A Parenting Coordinator shall inform the Parties that the Parenting Coordinator shall report any suspected child abuse or neglect and any apparent serious risk of harm to Party, a family or household member, or another Party, to child protective services, law enforcement, or other appropriate authority to the extent required by Applicable Law (e.g., R.C. §2151.421).

3. Attendance and Participation.

i. The Parties shall contact and meet with the Parenting Coordinator no later than 30 Calendar Days after the appointment order. Parties shall attend Parenting Coordination sessions as requested by the Parenting Coordinator. Requests to reschedule Parenting Coordination sessions are effective only if approved by the Parenting Coordinator.

ii. If the Parties request, then the Parenting Coordinator shall allow attendance of their Attorneys and any other individuals designated by the Parties.

iii. If needed for the safety, health, or welfare of the participants, the Parenting Coordinator may conduct Parenting Coordination sessions by telephone or by other electronic means such as the Court's Webex system, Zoom (or similar electronic conferencing).

4. Referrals to Support Services. A Parenting Coordinator shall provide information regarding referrals to other support resources as appropriate, including a referral to legal counsel, counseling, and parenting courses.

5. Parenting Coordinator Evaluations.

   i. A Parenting Coordinator shall provide the Parties with form "GC JF 6.4 – Parenting Coordinator Evaluation," before the first Parenting Coordination session and at the end of the term of the appointment. That evaluation form may be completed by the Parties and submitted to the Director of the Parenting Coordination Program at the end of the parent coordinator process.

   ii. The Director of the Parenting Coordination Program shall complete a review of those evaluation forms for the prior year no later than the end of January of the following year.

6. Complaint of Parenting Coordinator Misconduct.

   i. A Party to a case in which a Parenting Coordinator has been appointed may file a complaint regarding misconduct of the Parenting Coordinator no later than three months after the termination of the appointment. Dissatisfaction with the decisions of the Parenting Coordinator does not constitute misconduct.

   ii. The complaining Party shall submit the complaint to the Director of the Parenting Coordination Program using form "GC JF 6.2 - Complaint-Parenting Coordinator."

   iii. The Director of the Parenting Coordination Program shall provide a copy of the complaint to the Parenting Coordinator.

   iv. The Parenting Coordinator may respond in writing to the Director of the Parenting Coordination Program no later than 14 Calendar Days after the date of receipt of the complaint.

   v. The Court designee shall investigate the allegations and shall issue a response.

   vi. The Court will consider the complaint and take appropriate action.

   vii. The Director of the Parenting Coordination Program promptly will notify, in writing, the Person filing the complaint and the Parenting Coordinator of the Court's disposition of that complaint.

   viii. The Director of the Parenting Coordination Program will maintain a record of the nature and disposition of the complaint.

7. Fees. A Parenting Coordinator shall be paid per an hourly rate listed on the Court's website, unless otherwise ordered by the Court or agreed to by the Parties and the Parenting Coordinator. If the Court determines that a Party is Indigent (after filing ~~of~~form GC JF 14.0 – Indigency Motion, including the Financial Disclosure form (ODP-206R), then the Court may order that the Parent Coordinator fees be paid from public funds. The Parenting Coordinator may suspend all services until payment of any unpaid balances. The Court may order one or more Parties to pay a deposit to the Clerk to be applied to such fees and related costs. The Court will determine how the Parenting Coordinator fees are allocated between the Parties if not otherwise agreed to by the Parties.

J. Confidentiality and Privilege. Except as provided by Applicable Law, communications made as part of Parenting Coordination, including communications between the Parties and their Children and the Parenting Coordinator, communications between the Parenting Coordinator

and other relevant Parties, and communications with the Court, are not confidential. Except as provided by Applicable Law, Parenting Coordination is not privileged.

K. Public Access. The files maintained by a Parenting Coordinator, but not filed with the Clerk or submitted to the Court, are not available for public access pursuant to Sup. R. 44 through Sup. R. 47.

L. Model Standards. A Parenting Coordinator shall comply with the "Guidelines for Parenting Coordination" developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination. However, wherever a conflict exists between those guidelines and this GJL Rule 29, this GJL Rule 29 governs.

M. Court Reporting Requirements. On or before February 1st of each year, the Court will file with the Dispute Resolution Section of the Supreme Court of Ohio all of the following:

1. a copy of this GJL Rule 29;

2. a copy of the Court's current roster of Parenting Coordinators;

3. a copy of each new or updated resume received by the Court from a Parenting Coordinator during the previous year; and

4. a copy of each list of continuing education training received by the Court from each Parenting Coordinator.

N. Sanctions. The Court may impose sanctions for any violation of this GJL Rule 29, which may include, but is not limited to, attorney's fees and other costs, contempt, or other appropriate sanctions.

Geauga Juvenile Local Rule 30. Guardian ad Litem. This GJL Rule 30 supplements the requirements of R.C. §2151.281 and Sup. R. 48.

A. Compensation - Non-CASA GAL.

1. The Court may order one or more Parties to pay the fees and related costs of a Non-CASA GAL. The Court may require the payment of a court cost deposit for anticipated fees and related costs.

2. If the Court determines that a Party is Indigent (after ~~the~~ filing ~~of~~form GC JF 14.0 – Indigency Motion, including the Financial Disclosure form (ODP-206R), then the Court may order that the Non-CASA GAL fees and related costs be paid from public funds.

3. A Non-CASA GAL shall maintain accurate time and expense records and shall provide monthly billings to the Parties during the pendency of the case.

4. Upon Motion for Non-CASA GAL fees to be paid by the Parties, the Court will conduct a hearing to determine:

i. the amount of time the Non-CASA GAL has expended to represent the Child's best interest;

ii. whether the time and services rendered were reasonable and necessary for the Non-CASA GAL's representation of the Child's best interest;

iii. whether the Non-CASA GAL's hourly rate is commensurate with customary fees in this locality; and

iv. the amount each Party shall contribute toward the Non-CASA GAL's fees.

5. Non-CASA GAL fees are assessed as and for additional child support and as such are not dischargeable in bankruptcy.

6. If a Party fails to pay the Non-CASA GAL fees ordered, then the Court may impose any sanction the Court deems appropriate, including but not limited to a fine, community service, or jail time.

B. Dual Appointment Capacity. If a GAL is also appointed as the Child's Attorney and a conflict of interest arises in the dual appointment, then the GAL/Attorney shall immediately notify the Court and withdraw as GAL pursuant to R.C. §2151.281(H) and Juv. R. 4(C)(2), and the Court may provide the Party the additional time required to secure another attorney.

C. Removal for Conflict of Interest. Upon a Party's Motion, or upon the Court's own Motion, where it appears that a GAL/Attorney has a conflict of interest, the Court may remove the GAL/Attorney from the case and provide the Party the additional time required to secure another attorney.

D. Director of the GAL Program. The Court shall appoint a person to serve as the Director of the GAL Program, primarily to comply with the Court's requirements set forth in Sup. R. 48.07. The Director of the GAL Program shall cause the following:

1. In accordance with GJL Rule 18(A), maintain a public list of approved GALs while maintaining individual privacy pursuant to Sup. R. 44 through 47.

2. Coordinate the application and appointment process, keep the files and records required by Sup. R. 48 through 48.07, maintain information regarding training opportunities, and receive written comments and complaints regarding the performance of GALs practicing before that court.

3. Maintain files for all applicants and for individuals approved for appointment as GALs with the Court. The files shall contain all records and information required by Sup. R. 48 through 48.07 and by these GJL Rules for the selection and service of GALs, including a certificate or other satisfactory proof of compliance with training requirements. The Director shall require all GALs to give proof of compliance with training requirements, using form "GC JF 6.9A - Annual Certificate - GAL."

4. Require all applicants to submit a resume or information sheet stating the applicant's training, experience, and expertise demonstrating the ability of the applicant to successfully perform the responsibilities of a GAL.

5. Review a criminal and civil background check and investigation of information relevant to the fitness of the applicant to serve as a GAL.

6. Regarding CASA GALs, review all GAL reports, written or oral, to ensure that the GAL has performed those responsibilities required by R.C. 2151.281.

7. Conduct, at least annually, a review of its approved list to determine that all GALs comply with the training and education requirements of Sup. R. 48 through 48.07 and these GJL Rules, have performed satisfactorily on all assigned cases during the preceding calendar year, and are otherwise qualified to serve.

8. Require all GALs on its list to certify annually they are unaware of any circumstances that would disqualify them from serving and to report the training they have attended to comply with Sup. R. 48.05.

9. Each calendar year, prepare and deliver to the Judge a Certificate of Compliance, on or before January 31 of the following year, using form "CG JF 10.0 – Certificate of Compliance."

E. Staff Attorney Duties.

1. Regarding Non-CASA GALs, review all Non-CASA GAL reports, written or oral, to ensure that the Non-CASA GAL has performed those responsibilities required by R.C. 2151.281.

2. Establish criteria, which include all requirements of Sup. R. 48 through 48.07, for appointment and removal of GALs and procedures to ensure an equitable distribution of the workload among the GALs on the approved list. Equitable distribution means a system through which appointments are made in an objectively rational, fair, neutral, and nondiscriminatory manner and are widely distributed among substantially all persons from the list maintained by the Court. The Court may consider the complexity of the issues before the Court, as well as the experience, expertise, and demeanor of available GALs.

F. GAL Evaluations.

1. A GAL shall provide the Parties with the GAL evaluation form, which is form "GC JF 6.6 – GAL Evaluation," at the first contact with a Party and at the end of the proceedings. The Parties may complete that evaluation form and submit it to the Director of the GAL Program at the end of the proceedings.

2. The Director of the GAL Program shall complete a review of those evaluation forms for the prior year no later than the end of January of the following year.

G. Complaint of GAL. As required by Sup. R. 48(J), the Court adopts the following plan.

1. A Party may file a complaint regarding the GAL's misconduct no later than three months after the termination of the appointment. Dissatisfaction with the GAL's reports or decisions does not constitute misconduct.

2. The complaining Party shall submit the complaint to the Director of the GAL Program using form "GC JF 6.3 - Complaint-Guardian Ad Litem."

3. The Director of the GAL Program shall provide a copy of the complaint to the GAL.

4. The GAL may respond in writing to the Director of the GAL Program no later than 14 Calendar Days after the date of receipt of the complaint.

5. The Court designee shall investigate the allegations and shall issue a response.

6. The Court will consider the complaint and take appropriate action.

7. The Director of the GAL Program promptly will notify, in writing, the Person filing the complaint and the GAL of the Court's disposition of that complaint.

8. The Director of the GAL Program will maintain a record of the nature and disposition of the complaint.

Geauga Juvenile Local Rule 31. Withdrawal of Legal Counsel.

A. Voluntary Withdrawal.

1. Motion Required. Upon entering an appearance as legal counsel for a Party, no Attorney shall be relieved of his or her responsibility and duties unless: (a) the Attorney timely files a written motion with the Court stating the reasons for the withdrawal; (b) the Attorney provides the Court with Proof of Service that the client and all other Parties or their Attorneys have been served with the Motion; (c) the Motion includes the last known address and phone number of the client; and (d) the Court grants the Motion.

2. Notice of Hearing. The Court may approve or deny that Motion without a hearing or may set the matter for hearing. If the Court sets the matter for hearing, then the Attorney shall notify all Interested Persons of the hearing date no less than 10 Court Days before the hearing and provide the Court with Proof of Service.

B. Involuntary Withdrawal.

1. Generally. Once the Court receives written notice that an Attorney is deceased, is seriously ill, or that other similar circumstances beyond the Attorney's control have occurred that make it impossible for the Attorney to fulfill his or her duties, that Attorney will be deemed to have involuntarily withdrawn and will have no further duties as such other than, to the extent possible, reasonably cooperate with and assist a successor Attorney.

2. Substitution of Legal Counsel. A Party may discharge his or her Attorney and engage the services of another Attorney, who shall file a notice of appearance with the Court. The new Attorney shall deliver written notice of engagement to all Interested Persons, including all other Attorneys, no later than five Calendars Days after engagement and provide the Court with Proof of Service.

Geauga Juvenile Local Rule 32. Notice of Hearings to Foster/Kinship Caregivers.

A. In accordance with R.C. §2151.424, the Court will provide notice to foster and kinship caregivers of their right to attend hearings, to be heard at the hearings, and to provide information to the Court concerning a Child in their care.

B. To facilitate the Court in fulfilling its duty to provide proper notice of such hearings to foster and kinship caregivers, the Parties or their Attorneys will deliver contact information concerning each such caregiver (e.g., name, address, telephone number, and relationship to the Child) that will enable the Court to provide such notice, to be filed with the Clerk no sooner than 14 Calendar Days before the Hearing.

C. If a Child has been placed in a certified foster home or is in the custody of, or has been placed with, a kinship caregiver as contemplated by R.C. §2151.424, then the public children services agency, including JFS, which is a Party to the proceeding, shall prepare and file with the Court form "GC JF 8.2 – Child Placement Form," (i) on the next Court Day after the initial placement, or (ii) no later than seven Calendar Days after any change in placement of the Child.

D. Information regarding the identity and contact information for foster or kinship caregivers provided to assist the Court in fulfilling its duty to give notice under R.C.§ 2151.424 is not accessible to the public, including any Party to the case, except a GAL.

Geauga Juvenile Local Rule 33. Juvenile Civil Protection Orders.

A. Purpose. The Court will administer all Juvenile Civil Protection Order cases brought under this GJL Rule 33 in accordance with Applicable Law, including Civ. R. 56, R.C. §2151.34 and R.C. §3113.31, and Sup. R. 10.05 to facilitate the issuance of civil protection orders against a Child who engages in certain violent behaviors (e.g., Domestic Violence, or sexually oriented offenses). The Court will use forms substantially similar to the petitions, protection order forms, notices, and warning forms promulgated by the Supreme Court of Ohio in Sup. R. Rule 10.05.

B. Costs. The Court will not assess any costs or fees for filing or obtaining such protection order.

C. Mutual Orders. The Court will not order any petitioner, in a protection order that the petitioner originally requested, to perform any act, refrain from any act, or assume any legal duty, unless (i) respondent has filed a separate petition for a protection order, (ii) the petitioner has received or waived written notice of respondent's petition at least 48 hours in advance of any hearing, and (iii) the petitioner's other due process rights have been protected by the Court.

D. Victim Advocate. The Court will afford every petitioner the opportunity to be accompanied by a victim advocate in all stages of a proceeding under this GJL Rule 33.

E. Timely Procedures. The Clerk shall promptly file a petition for a Juvenile Civil Protection Order or Juvenile Domestic Violence Civil Protection Order when it is presented to the Clerk. The Clerk may assist the petitioners in completing the forms. If an ex parte hearing is requested, then the Court will conduct the ex parte hearing no later than the next Court Day after the filing of the petition. If the Court issues an ex parte order in a Juvenile Domestic Violence Civil Protection Order matter in which the Child is removed from his or her home, the matter shall be set for full hearing no later than seven Calendar Days after the date of the issuance of the ex parte order. If the Court issues an ex parte order in a Juvenile Domestic Violence Civil Protection Order matter and the respondent is not removed from his or her home or if the Court issues an ex parte order in a Juvenile Civil Protection Order matter, then the Court will set the matter for full hearing no later than 10 Calendar Days after the date of said ex parte hearing. If the Court denies a request for an ex parte order or if the petitioner does not request an ex parte order, then the matter shall proceed as in a normal civil action and the Court will grant a full hearing on the matter.

F. Service. Service of process is required for a full hearing in accordance with the Ohio Rules of Civil Procedure. Further, the Court will direct that any Juvenile Civil Protection Order or Juvenile Domestic Violence Protection Order or consent agreement issued by the Court be delivered the same day upon the respondent, all law enforcement agencies that have jurisdiction to enforce the order, and the parent, guardian, or legal custodian of the respondent the same day that the order is entered upon the Court's record. The Court may order the protection order delivered to other persons as it deems necessary.

G. Continuance of Full Hearing. Before or at the first full hearing in any Juvenile Civil Protection Order or Juvenile Domestic Violence Protection Order case, the Court may continue a case for service upon the respondent, by consent of the Parties, to allow a Party to obtain an Attorney, and for other good cause shown, under the condition that any ex parte order then in effect shall remain in effect until the date upon which the matter is reset for full hearing. The Court will not grant continuances to permit the respondent to file a petition against the petitioner. If petitioner fails to appear at the full hearing, then the Court may dismiss the petition.

H. Waiver; Modifications of Order. A petitioner may not waive, excuse, or modify any terms set forth in a Juvenile Civil Protection Order or Juvenile Domestic Violence Civil Protection Order. All requests for modifications to any existing Juvenile Civil Protection Order or Juvenile Domestic Violence Civil Protection Order shall be made by Motion to the Court and modifications may be made by court order after an evidentiary hearing.

I. Renewal; Termination of Orders. Any Juvenile Civil Protection Order or Juvenile Domestic Violence Civil Protection Order may be renewed in the same manner as the original order was issued. The Court will hear all requests for termination of a Juvenile Civil Protection Order or Juvenile Domestic Violence Civil Protection Order by evidentiary hearing.

J. Consent Agreements. Consent agreements are non-binding until the Court approves that agreement. The Judge or magistrate shall review all agreed orders and consent agreements in Juvenile Civil Protection Order cases and Juvenile Domestic Violence Civil Protection Order cases to assure compliance with Applicable Law.

Geauga Juvenile Local Rule 34. Attorney or Pro Hac Registration Number. All Attorneys appearing before the Court will include their registration number issued by the Supreme Court of Ohio on all documents filed with the Court.

Geauga Juvenile Local Rule 35. Notice of Intent to Relocate. Any person who has a duty, by court order or otherwise, to inform the Court of an intent to relocate (i.e., change of address), shall timely inform the Court by preparing and filing form “GC JF 9.5 - Notice of Intent to Relocate,” which is located on the Court’s website or may be obtained from the Clerk.

Geauga Juvenile Local Rule 36. Custody Power of Attorney; Caretaker Affidavit.

A. Notice. A person who has a duty to notify a parent after signing a Custody Power of Attorney, in accordance with R.C. §3109.55, shall use form “GC JF 9.3 - Notice to Nonresidential Parent.”

B. Receipt. When filing with the Clerk a Custody Power of Attorney, that person shall (i) prepare and file form “GC JF 9.4 - Receipt Showing Notice to Nonresidential Parent,” (ii) attach of copy of the notice if a notice is delivered, and (iii) attach the “green card” showing delivering of the notice by certified mail, return receipt requested.

C. Supporting Facts Affidavit. A person who files either a Custody Power of Attorney or a Caretaker Affidavit, shall prepare and file, together with either of those documents, the form “GC JF 12.5 – Supporting Facts Affidavit.”

Geauga Juvenile Local Rule 37. Service of Subpoena.

A. Service by the Clerk. If an Attorney, pro se litigant, or any other Person, who is permitted to serve a subpoena pursuant to Juv. R. 17, desires to have the Clerk cause the service of a

subpoena, then that Person must prepare and deliver to the Clerk (1) form "GC JF 3.3 - Subpoena" and (2) form "GC JF 3.3A - Request for Service of Subpoena."

B. Modification. An Attorney may modify form "GC JF 3.3 - Subpoena;" provided that the Attorney gives prompt notice of the modification to the Clerk and to all Parties.

Geauga Juvenile Local Rule 38. Summons.

A. Summons and Waiver of Summons.

1. Private Custody Proceeding. Other than as required in subparagraphs 2 and 3 below, if a summons is required by Juv. R. 15(A), then the Clerk shall use form "GC JF 12.0 – Summons and Order to Appear."

2. Abuse, Neglect, or Dependency Proceeding. If a summons is required by Juv. R. 15(A) in an abuse, neglect, or dependency matter, then the Clerk shall use form "GC JF 12.1 – Summons and Order to Appear."

3. Unruly Child, Delinquent Child, or Juvenile CPO Proceeding. If a summons is required by Juv. R. 15(A) in an Unruly Child, Delinquent Child, or Juvenile CPO matter, then the Clerk shall use form "GC JF 12.2 – Summons and Order to Appear."

4. Waiver of Summons. Except as otherwise provided in the following sub-paragraph (B), if a Person entitled to a summons is willing to waive service of summons, then that Person shall sign form "GC JF 12.3 – Waiver of Service of Summons," and the Filer of the applicable Complaint or Motion shall file that waiver of summons with the Clerk.

B. Civ. R. 4.7 – Requesting a Waiver of Summons. Permitted in a private custody matter only, if an Attorney, or other Interested Person desires to obtain a waiver of service as permitted by Civ. R. 4.7, then that Person shall use form "GC JF 12.4 – Notice of Lawsuit Civ. R. 4.7."

Geauga Juvenile Local Rule 39. Supervised Visitation Coordinator.

A. The Court may utilize a third party Supervised Visitation Coordinator for the safety and well-being of a child during parenting time or companionship time with a party or another Person pertaining to a case in Geauga County Juvenile Court.

B. The Supervised Visitation Coordinator shall prepare and submit a report to the Resource Center Director, or a designee of the Resource Center Director if there are any child safety concerns regarding the supervised visit.

C. Only the judge, magistrate or other designated court employees may use these reports for the sole purpose of child safety and well-being. These reports are confidential and are not discoverable. The Clerk shall store these reports in a confidential manner and these reports are not available for public access pursuant to Sup.R. 44 through 47.

D. The Supervised Visitation Coordinator shall not be called as witness, deposed, or otherwise subjected to any discovery request, except with prior written approval from the Court.

Geauga Juvenile Local Rule 40. Disability Accommodations. Persons with disabilities, special needs, or language barriers requiring the need for an interpreter shall notify the Court, in writing, no less than 10 Court Days before any hearing, conference, or other proceeding to request

reasonable accommodations. Persons who are incarcerated shall notify the Court no less than three Court Days before any hearing, conference, or other proceeding and request appearance and participation by telephone. Except for persons who are incarcerated, such persons shall deliver a copy of that notice to all Interested Persons, no less than 10 Calendar Days before any hearing and provide the Court with Proof of Service.

Geauga Juvenile Local Rule 41. Fees paid from Public Funds. Any person (e.g., guardian ad litem, attorney, etc.) seeking a court order authorizing payment of fees from public funds shall prepare and file with the Court the form titled "Motion, Entry, and Certification for Appointed Counsel Fees" no later than January 15 for services rendered during the preceding calendar year.

Geauga Juvenile Rule 42. Use of Artificial Intelligence.

A. Definition. Artificial Intelligence means a computer system or platform (e.g., LexisNexis Protégé™) that is programmed to think and learn like humans. Artificial Intelligence systems can perform tasks that mimic cognitive behavior such as problem-solving, decision-making, and language understanding. Artificial Intelligence encompasses a variety of technologies, including machine learning, natural language processing, and robotics.[1]

B. Notification and Certification. If an attorney or pro se litigant uses Artificial Intelligence for the purpose of the preparation of legal briefs, memoranda, or similar documents that are intended to inform the Court of applicable law and which are filed with the Court, then that attorney or pro se litigant shall prepare and file form "GC JF 16.1 – Use of Artificial Intelligence," together with the filing of the applicable document(s) that are prepared, in whole or in part, using Artificial Intelligence.

[1] See the "Artificial Intelligence Resource Library," *The Supreme Court of Ohio & The Ohio Judicial System* website.