

**RULES OF PRACTICE AND PROCEDURE
of the
COURT OF COMMON PLEAS
JUVENILE DIVISION
FULTON COUNTY, OHIO**

Rules

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The following rules have been promulgated by the Fulton County Court of Common Pleas, Juvenile Division, pursuant to Article IV, Section 5(8), of the Ohio Constitution and Sup. R. 5. They are adopted to provide for the efficient and expeditious management of business before this Court.

These rules first became effective August 18, 2000, and First Amendment effective March 5, 2002, Second Amendment effective November 1, 2005 and Third Amendment effective February 20, 2008, and Fourth Amendment effective July 1, 2009 and the Fifth Amendment effective February 1, 2016 and are subject to review and amendment, as necessary, and shall be known as the Local Rules of the Court of Common Pleas of Fulton County, Juvenile Division, and may be cited as "Fulton County Juvenile Rules" or "Ful Juv. R. ____".

RULE 1. COMPLIANCE WITH OHIO RULES OF PROCEDURE

These Rules are intended to supplement and complement the Ohio Rules of Juvenile Procedure, the Rules of Superintendence for the Courts of Ohio, the Ohio Rules of Civil Procedure and other controlling statutes.

RULE 2. HOURS OF COURT

The Court and its offices shall be open for the transaction of business from 8:30 a.m. to 4:30 p.m. Monday - Friday. The Court shall be closed on Saturday, Sunday and all Legal Holidays.

RULE 3. CONDUCT IN COURT

A. Decorum

Proper decorum in the Court is necessary to the administration of the Court's business. The general public may be excluded from the Courtroom and only those persons who have a direct interest in the case are to be admitted. Persons committing any violation of proper conduct shall be removed from the Courtroom, hallway or entryway by security personnel charged with the enforcement of this rule. Smoking is prohibited throughout the entire Fulton County Courthouse.

B. Physical Restraint of Juveniles Appearing in Court

Pursuant to Sup.R. 5.01 Physical Restraint of Juveniles Appearing in Court shall not be used unless the Judge before whom the juvenile is appearing issues a finding on the record of both of the following:

1. The use of physical restraint is necessary due to either of the following factors:
 - a. The behavior of the juvenile represents a current threat to the safety of the juvenile or other persons in the courtroom;
 - b. There is a significant and imminent risk the juvenile will flee the courtroom.
2. There are no less restrictive alternatives to the use of physical restraint.

Any party may be heard on this issue of whether physical restraint is necessary in any particular situation or as to any particular juvenile. If the Court finds that physical restraint is necessary, said restraint shall be the least restrictive necessary to meet the risk requiring the restraint, and in a manner which does not unnecessarily restrict the movement of the child's hands.

RULE 4. PHOTOGRAPHING, RECORDING, AND BROADCASTING

No radio or television transmission, voice recording device (other than a device used in making a record of the proceeding for the Court), or the making or taking of pictures shall be permitted, without prior approval of the Judge or Magistrate.

Request for permission to broadcast, televise, record, or photograph in the Courtroom shall be in writing to the presiding Judge or Magistrate as far in advance as reasonably practical, but in no event later than 6 hours prior to the Courtroom session to be broadcast or photographed unless otherwise permitted by the Court. All arrangements shall be made with the Court in advance including but not limited to pooling of equipment and personnel, light and sound criteria and location of equipment and personnel.

There shall be no audio pick-up or broadcast of conferences conducted in a Courtroom between Counsel and clients, co-Counsel or the Presiding Judge or Magistrate and Counsel. Photographing or televising by any means victims of sexual assaults and undercover police officers shall be prohibited. The Presiding Judge or Magistrate shall retain discretion to limit or prohibit photographing or televising of any juror, victim, witness, or Counsel or their work product, upon Objection.

Failure to comply with the above rule and conditions and the Sup. R. 12 shall result in the revocation of permission to broadcast, photograph or record the Trial or Hearing.

RULE 5. TERM OF COURT

The term of this Court is one calendar year. All actions and other business pending at the expiration of any term of court is automatically continued without further order. The Judge or Magistrate may adjourn Court or continue any case whenever such continuance is warranted. A Judge or Magistrate shall not continue a case scheduled before a different Judge or Magistrate absent good cause shown and extraordinary circumstances.

RULE 6. COURT PERSONNEL AND ATTORNEYS

No officer or employee of the Court shall recommend bondsmen or attorneys to persons charged in the Court, litigants or their friends or representatives except in their official capacity in assisting in the procuring of Counsel for indigent persons.

The right of all parties to be represented by Counsel of their own choosing is implicit in the Law and is fully recognized by the Court. Court employees shall maintain a neutral and impartial position and shall not function as advocates or adversaries. Court personnel shall avoid indicating that Counsel is or is not necessary in any particular case.

Where an Attorney is retained or appointed, court personnel shall make all contact with the client

through the Attorney.

No Attorney of record will be allowed to withdraw nor be discharged after 14 days prior to the Trial date except for good cause shown that such action is not the fault of the party and is not for the purpose of delay.

RULE 7. COURT PERSONNEL AND UNREPRESENTED INDIVIDUALS

Court personnel shall not provide oral or written Legal Advice to any party or other individual before the Court.

Upon receipt of improper Ex-Parte written communication or correspondence, court personnel shall return said written communication or correspondence to the sender along with the Court's standard response set forth in Exhibit C attached hereto. If return of said communication or correspondence is impossible, the material shall be destroyed.

RULE 8. COURT RECORDS

All probation reports and records, physical and mental examinations, social and family histories shall be considered confidential information and shall not be made public, and shall be governed by Juv.R. 32(C). Any such probation report and record, physical and mental examination, or social and family history may be copied by Counsel without leave of the Court, for exclusive use by Counsel. No copy shall be distributed by Counsel to anyone including his or her own client.

Any other release of records will be governed by the Court's Public Records Policy adopted by this Court.

RULE 9. JOURNAL ENTRIES

All Judgement Entries prepared by the Court shall become effective when pronounced, and shall be entered on the Journal of the Court in order of the dates of their pronouncements.

All Judgement Entries directed by the Court to be filed by Counsel shall be filed with the Court no later than 21 days from the date of any Hearing.

Counsel who fail to timely submit entries shall be given notice by the Clerk to appear on a specific date and time to present the entry. Counsel must attend the aforesaid hearing.

Pursuant to Sup.R. 7, if the Court is required to prepare its own Judgment Entry due to Counsel's nonfeasance an additional fee of \$250.00 shall be assessed as court costs paid by the attorney and deposited by the clerk in this Court's Special Project fund pursuant to Ful Juv.R. 16.

RULE 10. TRANSCRIPTS

Any party requesting a full or partial transcript of any proceeding shall, in writing, file the request with the Clerk of this Court which shall contain 1) case name; 2) case number; 3) presiding Judge or Magistrate; 4) date of hearing; 5) reason for request; 6) number of copies, if any, in addition to the original; 7) payor of transcript; and 8) date appeal was filed, where appropriate.

Requests for transcripts shall be accompanied by a security deposit in the amount established by the Clerk of this Court unless accompanied by an Order directing that the transcript be prepared at public expense.

The cost of a transcript, regardless of the type of case, shall be \$6.00 per page for the original and any necessary copies.

Upon request of any party the Court shall provide a duplicate of any proceeding unless said proceeding is confidential by law. The cost of the duplicate recording shall be governed by the Public Records Policy adopted by this Court.

RULE 11. CASE MANAGEMENT PLAN

The Court hereby establishes the following plan for the filing, assignment, and hearing of matters. The time frame established for each phase is to be followed as closely as possible with the primary goal to move each case as expeditiously as possible. It is the responsibility of each party to be prepared in advance for any scheduled hearing. The Court may at any time refer the case for informal processing, per Juv.R. 9 and Ful Juv. R. 13; or mediation per Ful Juv. R. 14 in order to seek a timely and equitable resolution of the case. The inability of the court to meet these guidelines shall not be grounds for the dismissal of a case.

Schedule events by the type of case-scheduling starts with the date of filling the complaint and continue sequentially.

Delinquency

When detained:

24 hours Detention Hearing
1-3 days Arraignment Hearing
3-10 days Adjudicatory Hearing
30-45 days Disposition Hearing

When released from custody:

4-6 weeks Arraignment and Disposition if charge admitted
6-8 weeks Pre-Trial
8-12 weeks Adjudicatory Hearing and Disposition Hearing

Dependency, Neglect, or Abuse:

72 hours Shelter Care or no contact order hearing
1-30 days Adjudicatory Hearing

30-90 days Disposition Hearing
5-6 months Administrative Review Hearing
11 months Extension request filed
12 months Case closed if no extension filed

Adult Cases:

1-5 days Bond Hearing if necessary
1-7 days Arraignment if in jail
30 days Trial if in jail
4-6 weeks Arraignment if released
8-12 weeks Trial if by Judge
4-6 months Trial if before Jury

Juvenile Traffic Offenders, and Unruly:

3-4 weeks Arraignment or waiver of hearing
5-8 weeks Adjudicatory Hearing and Disposition Hearing

Juvenile Tobacco Offenders:

5-7 weeks Arraignment or waiver of hearing
8-12 weeks Adjudicatory Hearing and Disposition Hearing

RULE 12. WAIVER OF ADJUDICATORY HEARING FOR FIRST TIME JUVENILE TRAFFIC OFFENDERS

Pursuant to R.C. 2152.01 and Traf.R. 13.1, and to protect the public interest and to substitute therefore a program of care and rehabilitation for juvenile traffic offenders the Court hereby establishes a procedure for the waiver of appearance and entry of plea of admission in writing and the acceptance of predetermined disposition for certain juvenile traffic offenders.

Upon the filing of a uniform complaint, if it appears:

- (1) That the alleged offender is a juvenile between the ages of 14 and 18 years at the time of the offense;
- (2) That this is the first traffic offense for the offender based on the Court's own records, computer printout or other information;
- (3) That the offense is minor, i.e., a violation involving the assessment of two or less points by the Bureau of Motor Vehicles;
- (4) That the offense is a speeding violation alleging a speed of less than 30 miles per hour above the speed limit;
- (5) That the offense does not allege operating a vehicle without an operator's license, or operating a vehicle while under suspension, or passing a school bus;
- (6) And the citation alleges an offense that may be processed by a traffic violation bureau, the Clerk may enclose with the notice of hearing a summons advising the alleged juvenile traffic offender and parents, guardian or custodian of the procedure for executing waiver of appearance in Court, the entry of a plea of admission in writing, and notice of financial

responsibility laws of Ohio and the possible disposition of the proceeding.

Upon presentation to the Clerk by a child and parent, guardian or custodian of an admission in writing to the allegations of the complaint and the child is able to present proof of financial responsibility when required by R.C. Chapter 4509, a fine in the amount of \$25.00 (or \$20.00 for a passenger, or \$30.00 for a driver not wearing a seatbelt) and court costs are imposed. In addition points will be assessed by the Ohio Bureau of Motor Vehicles on the juvenile driving record.

The waiver shall constitute an admission to the traffic violation and a waiver of the alleged juvenile traffic offender's rights to adjudicatory hearing before the Court, to cross examine witnesses, to subpoena witnesses, to remain silent, and to representation of counsel.

If the child is unable to provide appropriate proof of financial responsibility when required, the child is ineligible to participate in this waiver procedure, and must appear before the Court for hearing and disposition. If the child and parents, guardian or custodian avail themselves of this waiver privilege they must do so in strict compliance with the written instructions and this rule.

RULE 13. DIVERSION

Pursuant to Juv.R. 9(A) the Court has adopted a number of diversion programs and procedures.

(A) Pre-Adjudication Diversion

- (1) All first time misdemeanor, alleged juvenile delinquents and unruly children shall be referred to the Juvenile Probation Department for diversion and unofficial processing. The only exception to this diversion policy shall be cases where the Prosecuting Authority and Probation Officer request official action in lieu of diversion.
- (2) All second time misdemeanor, alleged juvenile delinquents and unruly children shall be referred to the Juvenile Probation Department for diversion and unofficial processing which shall include at minimum unofficial probation, restitution, and a tour of the Northwest Ohio Juvenile Detention Training & Rehabilitation Center. Exceptions to this diversion policy shall be for misdemeanors involving physical harm to persons and any other case where the Prosecuting Authority and Juvenile Probation Officer request official action in lieu of diversion.

(B) Post-Adjudication Diversion

Appropriate, adjudicated felony and misdemeanor juvenile delinquents with the advice and consent of the Prosecuting Authority may be referred to the Juvenile Probation Department for diversion. After the Court enters adjudication and appropriate temporary orders including but not

limited to intensive probation, restitution, and rehabilitative detention time, the Court may continue the matter for disposition for not more than six months from adjudication pursuant to Juv.R. 29(F)(2)(b). Ten days prior to the afore-mentioned scheduled dispositional hearing, the assigned Probation Officer shall submit a written report to the Court and to the Prosecuting Authority detailing the progress of the child including whether or not the temporary orders have been successfully followed and any other relevant material. Upon a positive recommendation from the Probation Officer the charges shall be dismissed by the Court resulting in no final conviction for the child.

RULE 14. MEDIATION

If there is any disagreement regarding the allocation of parental rights and responsibilities; parenting time; companionship or visitation rights, the parties may mediate their differences within a specified period of time. Unless otherwise provided the mediation will be arranged with the assigned Court Mediator.

Pursuant to R.C. 2303.201(E)(1) the Court establishes a fee of \$50.00 to be assessed to all cases filed with the Court regarding the allocation of parental rights and responsibilities; parenting time; companionship or visitation rights. The fee represents partial payment of the cost of mediation services and no additional fee will be charged to any parties availing themselves of the services of the Court Mediator.

RULE 15. GUARDIAN AD LITEM

When required by law or on the Court's own motion a Guardian Ad Litem shall be appointed to protect the interests of a child. Sup.R. 48 (D) and (F) shall direct the conduct of all Guardian Ad Litem.

All Guardian Ad Litem shall comply with the training requirements of Sup.R. 48 (E).

At all times one Deputy Clerk of this Court shall be designated to perform all duties and responsibilities contained in Sup.R. 48 (G). Since the Court only appoints licensed attorneys to serve as the Guardian Ad Litem, no criminal record check or civil background check is required.

In all appropriate indigent cases where the State is a party in abuse, neglect, dependency, or delinquency actions; where a Guardian Ad Litem is appointed by the Court, he/she shall be paid the same as Court Appointed Counsel, on the same form to be submitted to the Court. All other Court Appointed Guardian Ad Litem shall be paid as directed by the Court at the same hourly rate that is presently established for Court Appointed Counsel.

RULE 16. SPECIAL PROJECTS FUND

Pursuant to R.C. 2303.201 (E)(1) the Court establishes a fee of \$20.00 to be assessed in all Adult criminal, Delinquency, Unruly, and Traffic cases filed in this Court for the purposes set forth in said Statute. The Special Projects Fee of \$50.00 established by Ful Juv. R. 14 shall continue to be collected and paid to offset the cost of the mediation services and the \$20.00 fee pursuant to this rule shall not be assessed on cases where the \$50.00 fee is assessed. All such monies collected shall be paid to the County Treasurer in a General Special Projects Fund. Said funds shall be disbursed only upon order of the Court.

RULE 17. ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES; PARENTING TIME; COMPANIONSHIP OR VISITATION RIGHTS

- A. All actions seeking allocation of parental rights and responsibilities; parenting time; companionship or visitation rights of a child shall be initiated by sworn complaint or in pre-existing cases by motion, both must be accompanied by a child custody affidavit pursuant to R.C. 3109.27.
- B. No Ex-Parte Orders allocating parental rights and responsibilities; parenting time; companionship or visitation rights shall be granted except upon a complaint filed by the Fulton County Department of Jobs and Family Services, containing allegations of neglect, dependency, or abuse; or upon a showing of extraordinary circumstances verified by Affidavit.
- C. After service of the complaint, or motion, an Initial Hearing shall be scheduled. The respondent shall be given at least 3 days notice of the Initial Hearing.
- D. At the Initial Hearing the Court may rule upon the temporary allocation of parental rights and responsibilities including child support; parenting time; or companionship or visitation rights. The Court may order a social investigation, counseling, psychological evaluation, mediation, or appointment of a Guardian Ad Litem. The Court shall determine the payment of the cost of these services pursuant to these rules. A social investigation arranged by the Court to be conducted by the Court's investigator shall cost \$200.00 for each household to be investigated plus mileage, long distance telephone calls and out of pocket expenses incurred by the investigator.
- E. The Court adopts a schedule of parenting time as set forth in Exhibit A attached hereto, for situations where the parents reside in the same locale. For a more expanded schedule of parenting time the Court adopts the schedule set forth in Exhibit E attached hereto, which may be substituted in appropriate cases for Exhibit A. For parties residing in different locations that make Exhibits A or E impractical, the Court will adopt a schedule on a case by case basis.
- F. The Court further adopts a phase-in parenting time schedule as set forth in Exhibit B attached hereto, for situations where the non-residential parent has had a significant interruption or never had contact with the child or children.

- G. Any motion to modify a prior existing allocation of parental rights and responsibilities and/or parenting time that is less than two years (24 months) since the issuance of that order is subject to the following special provisions:
1. Pursuant to R.C. 3109.04(E)(1)(a) the moving party shall file a memorandum supported by affidavit detailing the precise circumstances that have changed since the prior order was issued.
 2. A Guardian Ad Litem pursuant to Ful Juv.R. 15 is automatically appointed by the Court and the moving party shall deposit the sum of \$1,200.00 as security for the Guardian Ad Litem pursuant to Ful Juv.R. 20.
- H. In any action where a grandparent, relative, or other person is seeking companionship or visitation rights with a child the following special provisions apply:
1. A Guardian Ad Litem pursuant to Ful Juv.R. 15 is automatically appointed by the Court and the moving party shall deposit the sum of \$1,200.00 as security for the Guardian Ad Litem pursuant to Ful Juv.R. 20 unless said appointment of a Guardian Ad Litem is waived by the Court for cause shown.
 2. In addition to the custody affidavit pursuant to R.C. 3109.27 the applicant shall file an affidavit listing any and all contact between the applicant and the child in question. The applicant shall submit a list of all immediate relatives of the child and whether or not said relative is living or deceased.

RULE 18. ASSIGNMENT OF MAGISTRATE

Pursuant to Juv.R. 40, Civ.R. 53, Crim.R. 19 and the Revised Code, Magistrates are empowered and authorized to hear and decide all cases assigned. All further matters shall be heard by the same Magistrate unless otherwise ordered.

RULE 19. SERVICE AND NOTICE BY POSTING AND MAIL

Pursuant to Juv.R. 16 the Court determines that Service by publication shall be by posting and mail unless newspaper publication is requested in the Praeceptum for Service.

Upon the filing of a Praeceptum for Service by posting and mail the Court designates the bulletin board in the main hallway on the first floor of the Fulton County Courthouse as a conspicuous place to post notice; and the bulletin board at the Board of Fulton County Commissioners at 152 South Fulton, Suite 270 and the bulletin board of the Fulton County Department of Jobs and Family Services located at Detwiler Manor, South Shoop Avenue, Wauseon, Ohio as the two additional public places designated for posting. To complete service of publication by posting and mail the Clerk of this Court shall conform to the provisions of the aforesaid Juv.R. 16.

RULE 20. SECURITY FOR COSTS

Upon the filing of a Complaint and/or Motion for allocation of parental rights and responsibilities; parenting time; companionship or visitation rights a deposit for costs in the amount of \$150.00 shall be

filed with the Clerk of the Court unless said filing fee is waived. The \$50.00 fee provided for in Ful Juv.R. 14 shall be deducted from the deposit for payment of mediation services.

Upon the request of any party for a social investigation on the allocation of parental rights and responsibilities including custody for school purposes and parenting time; companionship or visitation rights, the amount of \$350.00 for the first household to be investigated and an additional amount of \$200.00 for each additional household to be investigated shall be deposited.

Pursuant to Ful Juv.R. 15 where a Guardian Ad Litem is appointed in a non-indigent case, each party shall deposit a pro-rata share of the sum of \$1,200.00 with the Clerk unless a different amount is specified by Court Order to cover the cost of the Guardian Ad Litem, or unless pursuant to Ful Juv.R. 17(G)&(H).

Unless waived in writing by the Court, each applicant for a Court Appointed Counsel shall file with the Court a Financial Disclosure/Affidavit of Indigency form accompanied by a \$25.00 non-refundable application fee. An application shall be filed by the parent of any party who is a minor and pay the non-refundable application fee as aforesaid. The Court shall not determine the eligibility for Court Appointed Counsel until said non-refundable application fee is presented to the Court within seven days of the application or waived in writing by the Court.

RULE 21. DETENTION OF JUVENILE DELINQUENTS

Upon the arrest of a juvenile by a local law enforcement officer for delinquent behavior the officer has 3 options:

- 1) Release child to parents, guardians, or custodians and file charges later.
- 2) Place child under house arrest and file charges promptly.
- 3) Detention at the Northwest Ohio Juvenile Detention Training & Rehabilitation Facility in Stryker, Ohio.
 - a. If arrest is pursuant to a Fulton County Warrant take child and commitment paper to the Northwest Ohio Juvenile Detention Training & Rehabilitation Facility in Stryker, Ohio. If arrest is pursuant to Warrant other than Fulton County contact issuing Court or Agency.
 - b. If arrest is not pursuant to a Warrant contact either Probation Officer or Judge of this Court.
 - c. If the officer is unable to contact either Probation Officer or the Judge, for felony offenses or problem misdemeanors the officer should contact the Northwest Ohio Juvenile Detention Training & Rehabilitation Facility in Stryker, Ohio and request authorization for detention at that time.
 - d. If the child is detained the officer is required to file all charges by the next Court day and attend all scheduled hearings. If any child is removed from the home, it is the responsibility of the arresting officer to immediately notify the parents and guardians of the child that the

child has been arrested and detained.

Children alleged or adjudged to be unruly offenders pursuant to R.C. 2151.022 or traffic offenders pursuant to R.C. 2152.02N shall **NOT** be detained. R.C. 2151.331 and S.3148; S.821; 92d Cong., 2nd Sess; 93d Cong; 1st Sess.

RULE 22. COURT APPOINTMENTS

Pursuant to Sup.R. 8 the Court shall maintain a list of licensed attorneys and investigators, and make appointments from that list considering the skill and expertise of the appointee in the designated area of appointment as well as current caseload. For appointment of Guardian Ad Litem see Sup.R. 48 and the above Ful. Juv.R. 15. Compensation for the appointment shall be provided for by these rules, applicable statutes or the schedule of the Ohio Public Defender approved by the Fulton County Commissioners.

RULE 23. JUVENILE TOBACCO OFFENDERS

Pursuant to R.C. 2151.87 and Juv.R. 1, 2, 3, 9(a), 22, and 29(F)(2)(a) and to protect the public interest and substitute therefore a program of care and rehabilitation for juvenile tobacco offenders the Court hereby establishes a procedure for the waiver of appearance and entry of a plea of admission in writing and the acceptance of a predetermined disposition for juvenile tobacco offenders.

Upon presentation to the Clerk by a child and a parent, guardian or custodian of an admission in writing to the allegations of the complaint in violation of R.C. 2151.87; the payment of a fine of \$15.00 plus court costs, on a first offense and a fine of \$65.00 plus court costs, on a second offense are imposed. The admission in writing and waiver shall constitute an admission to the juvenile tobacco offense and a waiver of the alleged juvenile tobacco offenders rights to adjudicatory hearing before the Court, to cross examine witnesses, to subpoena witnesses on the child's behalf, to remain silent, and to representation of Counsel.

In lieu of the fines and court costs established for a first and second juvenile tobacco offense, the juvenile tobacco offender may submit to the Court a certificate from the Fulton County Health Department demonstrating proof that the child has successfully completed a youth smoking education program. Upon the presentation of such certificate all fines and court costs shall be waived upon the adjudication for violation of R.C. 2151.87.

Juveniles who have received a third charge of violating R.C. 2151.87 shall have their case scheduled for hearing before the Court.

RULE 24. CHILD SUPPORT MODIFICATIONS

- A. Any Motion requesting a modification (increase or decrease) of an existing child support order, or any objection to, or appeal from a CSEA Administrative Order concerning child support or objection to a Magistrate's Decision concerning child support, shall include a copy of the order, in question; the date of such order; the specific grounds for requesting the modification or the

objection; and a proposed Child Support Calculation Sheet. Failure to provide this information shall result in an immediate dismissal of the motion/objection.

- B. Copies of all such material shall be forwarded by the Clerk of this Court to the respondent to the motion or objection for review and provide said respondent with 14 days to file a response. After the completion of the 14 days to allow for a response, the Court shall review the motion/objection and either issue an appropriate Order modifying the amount of child support due and the effective date thereof, deny the motion/objection, or set the matter for Hearing. The Respondent is to be notified that attendance at the scheduled Hearing although not required is encouraged. The Hearing may result in the modification of the existing Child Support Order.

RULE 25. COMPUTERIZATION FUND

Pursuant to R.C. 2151.541 the Court establishes the Court Computerization Fund. Costs are hereby authorized to be collected on each of the following cases in the amount of \$30.00 (additional dollars) and shall be paid to the County for deposit and credited to the Juvenile Court Computerization Fund.

- Delinquency actions
- Unruly actions
- Abuse actions
- Neglect actions
- Dependency actions
- Parentage actions
- Allocation of parental rights and responsibilities
- Parenting time actions
- Companionship or visitation rights actions
- Child Support actions
- Traffic citations
- Adult actions
- Contempt actions
- Tobacco offenders

RULE 26. ELECTRONIC TRANSMISSION FILINGS

Electronic Filings:

In conformity with the facsimile filing standards for Ohio Courts as provided in Appendix E to the Sup.R. and with Civ.R. 5(E), pleadings, motions, applications and other filings may be filed with the Court by facsimile transmission or other electronic transmissions subject to the following conditions:

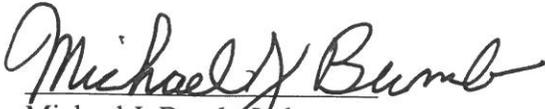
- A. Application of Rules and Orders: This Local Rule has been instituted solely for the convenience of those filing documents with the Court. The sender assumes all responsibilities, obligations and liabilities for using this method of filing. This Local Rule pertains only to facsimile and other electronic filings and does not override, alter, amend, revoke or otherwise change any Local Rule or Civil Rule respecting the requirements of any filings such as obtaining the consent of parties or

counsel or obtaining signatures or the authorization to sign for opposing counsel.

- B. Filings Not Accepted: The following documents may **NOT** be filed by facsimile or other electronic transmission:
- 1) Any filing commencing a proceeding for which the Court must collect an initial case deposit against costs or a specific filing fee and/or for which the Court is required to effectuate service of summons.
- C. Facsimile Cover Page: All filings by facsimile shall be accompanied by a cover page that states all of the following information: 1.) date of transmission; 2.) the transmitting fax number; 3.) case number and caption of the case in which the document is to be filed; 4.) description of the document to be filed; 5.) the assigned judge; 6.) and an indication of the number of pages included in the transmission, including the cover page.
- D. Facsimile Machine: The telephone number of the facsimile machine available for receiving fax filings for the Court is (419) 337-9273.
- E. Document Restrictions: A fax transmission or other electronic transmission as referred to in this Local Rule, may contain more than one document but may not apply to more than one case number per transmission. Regardless of the number of documents being sent, facsimile transmissions or other electronic transmissions may not be in excess of twenty (20) pages each excluding the facsimile cover page. If the document to be transmitted exceeds the page limit established by this local rule, the original must be filed.
- F. Time of filing: The date and time of receipt of any document is the date and time imprinted on the document by the machine receiving the transmission. The effective date and time of filing for all documents received outside of the normal business hours of the office of the Clerk of Court shall be the next date that the Court is in session. Documents so received shall be filed-stamped in order of their receipt as documented by the date and time imprinted by the receiving machine.
- G. Original Filings: Documents filed by facsimile or other electronic transmission are accepted as the effective original documents in the court file. The source document need not be filed. However, the sending party must maintain possession of the source document and make them available for inspection by the court upon request until all opportunities for post judgment relief have been exhausted.
- H. Signatures: Documents shall be filed with a signature or a notation “/s/” followed by the name of the person signing the source document. The person transmitting the document represents that the signed source document is in his or her possession.
- I. The Clerk of Court **NEED NOT** acknowledge receipt of a facsimile transmission.

CONCLUSION

It is therefore **ORDERED, ADJUDGED AND DECREED** that the aforementioned Rules are hereby **APPROVED, CONFIRMED AND ADOPTED** as the Rules of this Court originally effective August 18, 2000, and as Amended March 5, 2002, as Amended November 1, 2005 and as Amended February 20, 2008 and as Amended July 1, 2009, and Amended as February 1, 2016 that a copy thereof be transmitted by the Clerk to the Supreme Court of Ohio.

A handwritten signature in black ink that reads "Michael J. Bumb". The signature is written in a cursive style with a horizontal line underneath the name.

Michael J. Bumb, Judge
Court of Common Pleas
Juvenile Division
Fulton County, Ohio

**COURT OF COMMON PLEAS OF FULTON COUNTY, OHIO
JUVENILE DIVISION**

EXHIBIT A FUL JUV.R. 17

PARENTING TIME SCHEDULE

Parenting time is for children to do things with the parent they do not live with. Activities you can do with them or skills you can teach them help the time be rewarding. Helping the children find friends in your neighborhood also helps make it like home for them.

Liberal parenting time is encouraged, as contact with both parents is important to the children. Specific items in the Judgement Entry take precedence over this schedule. Changes or modifications can be made by the Court if need for such is shown.

1. **AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE.**
2. **Weekends:** Alternate weekends from Friday at 7:00 p.m. until Sunday at 7:00 p.m.
3. **Holidays:** In the odd-number years, mother has Easter, July 4th, Thanksgiving and Christmas Day; and father has Memorial Day, Labor Day, and Christmas Eve. In the even-numbered years the schedules are reversed.
 - (a) A holiday that falls on a weekend should be spent with the parent who is supposed to have the children for that holiday. The rest of the weekend is to be spent with the parent who would normally have that weekend. These do not have to be made up.
 - (b) 48-hour notice should be given by the non-residential parent to the residential parent of intentions about the holidays.
 - (c) Mother's Day and Father's Day are to be spent with the appropriate parent. These are as agreed or 10:00 a.m. until 7:00 p.m.
 - (d) Other days of special meaning, such as Religious Holidays, Martin Luther King Day, etc., should be decided together, written into the Court Order, and alternated as above.
 - (e) Hours for parents who cannot agree are as follows: Easter (10 a.m. - 7 p.m.), Memorial Day (9 a.m. - 9 a.m. the next day, not to interfere with school), July 4th (9 a.m. - 9 a.m. the next day), Labor Day (9 a.m. - 9 a.m. the next day, not to interfere with school), Thanksgiving Day (9 a.m. - 9 a.m. the next day), Christmas Eve (9 p.m. December 23 - 9 p.m. December 24), Christmas Day (9 p.m. December 24 - 9 p.m. December 25).

4. **Birthdays:** The child's birthday shall be celebrated in the home of the residential parent, unless it falls on a parenting time day, and the other parent can celebrate at another time if desired.
5. **Waiting:** The children and residential parent have no duty to await the visiting non-residential parent for more than 30 minutes of the parenting time. A parent who is late forfeits parenting time for that period.
6. **Cancellations:** If a child is ill, the residential parent should give 24-hour notice, if possible, so appropriate plans can be made. The non-residential parent should give 24-hour notice to cancel. The parenting time cancelled by the non-residential parent is forfeited.
7. **Vacations:** Four weeks of parenting time each year are to be arranged with 30-day advance notice by the non-residential parent. The residential parent must give the non-residential parent 30-day notice of vacations or special plans for the child to avoid planning conflicts.
 - (a) Alternate weekends or holidays which normally would be spent with the residential parent and that fall during the non-residential parent's vacation must be given to the residential parent or made up at another time. Alternate weekends or holidays which normally would be spent with the non-residential parent and that fall during the residential parent's vacation must be given to the non-residential parent or made up at another time. Holidays and alternate weekends that are to be made up must be given/taken within 3 months.
 - (b) Summer school necessary for the child to pass to the next grade must be attended.
 - (c) A general itinerary should be provided for the residential parent if vacation will be out of town.
8. **Moving:** For parents residing in different locations that make the above schedule impractical, consult the court.

**COURT OF COMMON PLEAS OF FULTON COUNTY, OHIO
JUVENILE DIVISION**

EXHIBIT B FUL JUV.R. 17

PHASE IN PARENTING TIME SCHEDULE

Period ____ / ____ / ____ To ____ / ____ / ____

Non-residential parent shall have parenting time as follows:

First Three Months _____, _____, and _____.
1st and 3rd Saturdays 12:00 Noon – 4:00 P.M.
Second Three Months _____, _____, and _____.
1st and 3rd Saturdays 9:00 A.M. – 8:00 P.M.
Third Three Months _____, _____, and _____.
1st and 3rd Saturdays / Saturday 4:00 P.M. - Sunday 2:00 P.M.
Fourth Three Months _____, _____, and _____.
1st and 3rd Saturdays / Saturday 9:00 AM. - Sunday 7:00 P.M.

**HOLIDAYS: ONLY THANKSGIVING, CHRISTMAS & MOTHER'S/FATHER'S DAY
APPLICABLE**

Thanksgiving Day 10:00 AM. – 2:00 P.M. **OR** 4:00 P.M. - 8:00 P.M.
(Residential Parents Choice)

Christmas Eve Day 12:00 Noon – 8:00 P.M. **OR**
Christmas Day 12:00 Noon - 8:00 P.M.
(Residential Parents Choice)

On Mother's/Father's Day, add that Sunday 10:00 A.M. - 7:00 P.M.

Cancellations: If a child is ill, the residential parent should give 24-hour notice, if possible, so appropriate plans can be made. The non-residential parent should give 24-hour notice to cancel. The parenting time cancelled by the non-residential parent is forfeited.

Waiting: The children and residential parent have no duty to await the visiting non-residential parent for more than 30 minutes of the parenting time. A parent who is late forfeits parenting time for that period.

EFFECTIVE ____ / ____ / ____ STANDARD PARENTING TIME SCHEDULE,
"EXHIBIT A", SHALL APPLY AND BE FOLLOWED BY ALL PARTIES.

EXHIBIT C FUL JUV.R. 6 & 7

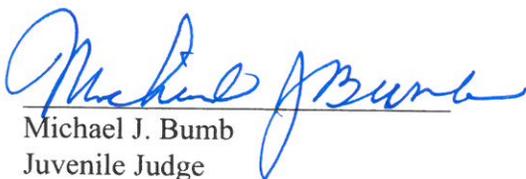
At times, this Court receives written communication or correspondence from the public on matters before the Court. **Ex-Parte** (one-sided) communication or correspondence with the Court is improper and as such is being returned to you; and shall not be considered for any purpose pursuant to Ful Juv.R. 7.

You may wish to consult with your attorney. This Court strongly recommends that every matter be handled by a competent, licensed attorney. Although there is no specific statutory requirement that an attorney be retained, there is a requirement that all papers and documents be filed correctly.

This Court and its staff are prohibited by R.C. 2101.41 to practice law. Therefore, this Court, nor any member of its staff, is allowed to provide advice to any individual concerning Court filings.

Obviously this Court desires to assist the public at large as much as allowed under the laws of Ohio. On the other hand, the Court is required to make decisions that involve possible contests between litigants. Therefore, you can see that the Court should not be communicating with one side or the other. The Court asks for your consideration and cooperation in this regard.

Thank you very much for your attention in this matter.


Michael J. Bumb
Juvenile Judge

**COURT OF COMMON PLEAS OF FULTON COUNTY, OHIO
JUVENILE DIVISION**

EXHIBIT E FUL JUV.R. 17

EXTENDED PARENTING TIME SCHEDULE

Parenting time is for children to do things with the parent they do not live with. Activities you can do with them or skills you can teach them help the time be rewarding. Helping the children find friends in your neighborhood also helps make it like home for them.

Liberal parenting time is encouraged, as contact with both parents is important to the children. Specific items in the Judgment Entry take precedence over this schedule. Changes or modifications can be made by the court if need for such is shown.

1. **AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE.**
2. **Weekends:** The first, second and third weekends of each month from Friday at 6:00 p.m. until Sunday at 6:00 p.m. subject to the summer parenting time set forth below. Weekend to be determined by day of the month falling on each Saturday.
3. **Weekdays:** One weekday evening per week. If the parties cannot agree as to the day and times then it shall be Tuesday between 5:00 p.m. and 8:00 p.m.
4. **Telephone Contact:** When child/children are with the other parent, each parent shall have the right of reasonable telephone communication with the child not to exceed one call per day or three calls per week.
5. **Holidays:** In the odd-number years, mother has Easter, July 4th, Thanksgiving and Christmas Day; and father has Memorial Day, Labor Day, and Christmas Eve. In the even-numbered years the schedules are reversed.
 - (a) A holiday that falls on a weekend should be spent with the parent who is supposed to have the children for that holiday. The rest of the weekend is to be spent with the parent who would normally have that weekend. These do not have to be made up.
 - (b) 48-hour notice should be given by the non-residential parent to the residential parent of intentions about the holidays.
 - (c) Mother's Day and Father's Day are to be spent with the appropriate parent.

These are as agreed or 10:00 a.m. until 7:00 p.m.

(d) Other days of special meaning, such as Religious Holidays, Martin Luther King Day, etc., should be decided together, written into the Court Order, and alternated as above.

e) Hours for parents who cannot agree are as follows: Easter (10 a.m. - 7 p.m.), Memorial Day (9 a.m. - 9 a.m. the next day, not to interfere with school), July 4th (9 a.m. - 9 a.m. the next day), Labor Day (9 a.m. - 9 a.m. the next day, not to interfere with school), Thanksgiving Day (9 a.m. - 9 a.m. the next day), Christmas Eve (7 p.m. on the last day of school or Dec. 20th of each year, whichever occurs sooner - 9:00 p.m. December 24), Christmas Day (9 p.m. December 24 - 9 p.m. December 28).

6. **Birthdays:** The child's birthday shall be celebrated in the home of the residential parent, unless it falls during parenting time, and the other parent can celebrate at another time if desired.
7. **Waiting:** The children and residential parent have no duty to await the non-residential parent for more than 30 minutes of the visitation time. A parent who is late forfeits that parenting time.
8. **Cancellations:** If a child is ill, the residential parent should give 24-hour notice, if possible, so appropriate plans can be made. The non-residential parent should give 24-hour notice to cancel. The parenting time cancelled by the non-residential parent is forfeited.
9. **Summer Parenting Time:** From 6:00 p.m. on the first Friday on or after the last official day of the school year until 6:00 p.m. on the Friday preceding the first official day of the next school year shall be spent with the other parent. The Residential Parent and Legal Custodian shall have alternating weekends during this summer parenting time from Friday at 6:00 p.m. until Sunday at 3:00 p.m. commencing on the second Friday following the last official day of the school year. During the summer parenting time by the other parent, the Residential Parent and Legal Custodian shall have one weekday evening per week. If the parties cannot agree as to the date and times then it shall be Tuesday between 5:00 p.m. and 8:00 p.m.

Furthermore during the summer parenting time the parties may arrange an uninterrupted vacation of not more than two weeks with child/children. The two weeks may be consecutive or non-consecutive. Both parents must provide the other parent with destination, times of arrival and departure and a method of travel for extended parenting time outside the parent's community. The Residential Parent and Legal Custodian shall notify the other parent the dates of his/her uninterrupted vacation on or before April 30 of each year and the other parent shall notify the Residential Parent and Legal Custodian of the same on or before May 15 of each year. Unless otherwise agreed, summer parenting time shall include only one or other of the parents alternating weekend parenting time. Summer school necessary for a child to pass the next grade must be attended.

10. **Moving:** For parents residing in different locations that make the above schedule impractical, consult the Court.