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PROBATE/JUVENILE COURT
KNOX COUNTY, OHIO

KNOX COUNTY
RULES OF PRACTICE AND PROCEDURE OF THE
COURT OF COMMON PLEAS
JUVENILE DIVISION

Jay W. Nixon, Judge

Introduction

It is ordered that the following rules be and are hereby adopted for the governance of the practice and procedures in the Court of Common Pleas, Juvenile Division, Knox County, Ohio, until otherwise provided pursuant to: Article IV, Section (5) of the Ohio Constitution; Section 2123.15 of the Ohio Revised Code; and the Rules of Superintendence promulgated by the Supreme Court of Ohio.

Adoption, Scope and Construction of Rules

- A. The Juvenile Division of the Common Pleas Court for Knox County, Ohio, adopts the following Rules for the management of proceedings and other functions of the Court. The Court may amend the Rules from time to time as needed or required by law.
- B. These Rules are intended to supplement and complement the Ohio Rules of Juvenile Procedure, the Ohio Rules of Civil Procedure, the Superintendence Rules of the Supreme Court of Ohio, and controlling statutes.
- C. These Rules shall be applied, construed, and enforced so as to avoid inconsistency with other rules of Court and statutes governing proceedings of this Court. In their application, they shall be construed so as to provide fairness and to secure just and expeditious determination of all proceedings.
- D. These Rules shall be cited as “Juv.Ct.R. __. __.”
- E. These Rules shall be effective as of September 4, 2019.

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RULE 1 GENERAL

RULE 1.01 Sessions of Court

- (A) The Knox County Common Pleas Court - Juvenile Division (the “Court”) shall be open for the transaction of judicial business from 8:00 a.m. to 4:00 p.m. on all business days, Monday through Friday, with the exception of legal holidays as provided by law.
- (B) The Court shall conduct Juvenile Traffic Court on Mondays, beginning at 9:00 A.M., until conclusion.
- (C) The Court shall conduct the Juvenile Mental Health Court on Tuesdays, beginning at 3:00 P.M., until conclusion.
- (D) The Court shall conduct the Juvenile Drug Court on Thursdays, beginning at 3:30 P.M., until conclusion.
- (E) The Court, at the discretion of and upon the order of the Judge, may be open at other hours for matters of an extraordinary nature or importance.

RULE 1.02 Conduct in Court

- (A) Proper decorum in the Court is necessary for the administration of justice and the Court’s functions. All persons appearing therein shall be treated with all due professional courtesy and respect by all parties and counsel. Any conduct which interferes, or tends to interfere with the proper administration of justice and/or the business of the Court is strictly prohibited and may, at the discretion of the Court, subject the offending party, counsel, or other participant to sanctions, including contempt.
- (B) Appearance in Court under the influence of alcohol or drug of abuse by any person is strictly prohibited. Any party or other person appearing in this Court who appears to be under the influence of alcohol and/or any drug of abuse shall, at the discretion of the Court, be ordered to submit to alcohol testing or a drug screen. A positive alcohol test and/or drug test may result in a finding of direct contempt. A finding of contempt may subject the contemner to a fine, incarceration, or both.

RULE 1.03 Ohio Attorney

- (A) No action in the Court shall be filed or tried by an attorney who is not admitted to practice in the State of Ohio. This rule does not preclude pro se appearances.

- (B) The Judge or Magistrate may request that any attorney appearing before the Court present identification certifying that he or she is registered and in good standing with the Ohio Supreme Court to practice law in this State.

RULE 1.04 Court Records

- (A) Official Court records for cases involving Juveniles shall be open for review and inspection as required by public record statutes. All psychological reports, social histories, Guardian ad Litem reports, home studies, and similar filings are considered confidential and shall not be available to any person except by order of the Judge or Magistrate, or by the written consent of the juvenile therein. The written consent of the juvenile shall be executed at the Court in the presence of an officer of the Court or Deputy Clerk.
- (B) Juvenile Probation reports and records shall be considered confidential information and shall not be made public. The inspection of Probation records by attorneys and interested parties shall be governed by Rule 32(C) of the Ohio Rules of Juvenile Procedure. No person shall be permitted to review any probation records without the prior written consent of the Judge or Magistrate.
- (C) The records of adult cases shall be public records as provided by law.
- (D) Written request for information (i.e. military, government, employment) will be processed without delay. All efforts will be made by the Court to respond within seventy-two (72) business hours. Written requests may be hand-delivered, mailed, or faxed to the Court.

RULE 1.05 Official Record of Proceedings

- (A) A complete record of all testimony or other oral proceedings shall be taken in shorthand, stenotype, or by electronic recording device, pursuant to Juv.R. 37.
- (B) No public use shall be made by any person, including a party, of any Court record, including the recording or transcript thereof of any Court hearing, except in the course of an appeal or as authorized by the order of the Court.
- (C) All requests for transcripts for the purpose of an appeal or objection to a Magistrate's Decision shall be filed with the Clerk of the Court. All original transcripts produced shall be filed with the Clerk and shall become part of the official record of the case. The compensation for making transcripts and copies shall be paid forthwith by the party for whose benefit the same is made at an amount and upon such terms as the Court shall determine. No transcript will be prepared by the Court for any party until satisfactory arrangements for payment have been made.

RULE 1.06 Photographing, Recording or Broadcasting of Proceedings

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

RULE 1.07 Filing by Electronic Means

- (A) Pursuant to Civ.R. 5(E) and Juv.R. 8, the Court adopts the following procedures for the acceptance of filings by electronic means (facsimile or email), subsequent to the original complaint, of pleadings and other papers not longer than ten (10) pages in length by attorneys admitted to practice in the state of Ohio. No document shall be filed in this manner by a pro se litigant or any person not admitted to practice in the State of Ohio. No document longer than ten (10) pages in length shall be filed in this manner without prior approval of the Court.
- (B) The Court shall: maintain an independent private telephone line (for facsimile filing) and an email account (for email filing); publish the telephone number and email address; and maintain a facsimile machine and email account for utilization by members of the bar authorized to practice law in Ohio in filing documents with the Court and its Clerk as provided herein. The facsimile telephone number is (740) 393-6832. The email address is probatejuvenile@co.knox.oh.us.
- (C) The filing of pleadings or other papers, subsequent to the original complaint and not requiring a security deposit pursuant to Local Rule, may be filed with the Clerk by facsimile or email copy. Any signature on electronically transmitted documents 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, the Court shall order the filing stricken. The original document bearing an original signature need not be filed with the Court. The Clerk shall docket any electronically transmitted documents when received. In the event any electronic copy is received by the Clerk after 4:00 p.m. on a regular business day or anytime on a weekend or holiday, the electronic copy shall be considered filed on the next ensuing regular business day the Court is in session.
- (D) Any electronically transmitted document filed pursuant to this rule shall conform to the requirements of applicable Rules of Civil Procedure, Rules of Juvenile Procedure, and Local Rules, in both form and substance.

RULE 2 SECURITY FOR COSTS

RULE 2.01 Deposit for Costs

Deposits for Court costs shall be paid at the time of filing in accordance with the schedule of deposits contained in Appendix A.

RULE 2.02 Inability to Secure Costs

If a litigant claims inability to either prepay or give security for costs, the litigant shall complete a Financial Disclosure Form/Affidavit of Indigency required by R.C. 2323.30 and R.C. 2323.31 (Form OPD – 206R), substantiating such inability, and file said Disclosure Form/Affidavit with the pleadings.

RULE 2.03 Payment of Fines and Costs

In any case, regardless of its nature, where fines and/or court costs are assessed against a party, said fines and/or court costs are due and payable immediately unless otherwise ordered by the Court. Failure to pay may result in a citation for contempt or other collection efforts.

RULE 2.04 Deposit for Fees of Guardian ad Litem

Any party requesting appointment of a Guardian ad Litem in a proceeding involving allocation of parental rights and/or parenting time shall, at the time of appointment of a Guardian ad Litem, deposit with the Guardian Ad Litem the sum of \$250.00, or other amount ordered by the Judge or Magistrate, to be applied toward the satisfaction of the Guardian ad Litem fees. The opposing party shall similarly be required to deposit the sum of \$250.00, or other amount ordered by the Judge or Magistrate. For good cause shown, and upon motion of the party, the Court may waive the deposit requirement. No deposit for Guardian ad Litem fees shall be required in cases filed by the Children Services Unit of the Knox County Department of Job and Family Services alleging a child to be dependent, neglected, abused, unruly, or delinquent. The assessment of the costs for the fees of Guardian ad Litem shall be made by Court at the completion of the proceedings. In any case, the Court reserves the right to reallocate the fees of the Guardian ad Litem at any time.

RULE 2.05 Jury Demand

A demand for jury trial shall be made no later than six (6) weeks prior to the trial date, or the date of receipt of the jury assignment, whichever occurs later in time. Any demand for jury trial shall be submitted with a jury demand fee of \$600.00 or a Financial Disclosure Form/Affidavit of Indigency. If the Court determines that the demanding party is indigent, the \$600.00 fee shall be waived.

RULE 2.06 Charges for Computerized Research

- (A) Pursuant to the authority of R.C. 2303.201(A) it is determined that, for the efficient operation of this Court, additional funds are required to obtain computerized legal research services.

The Clerk of this Court is directed and hereby authorized to charge and collect an additional fee of Three Dollars (\$3.00) upon the filing of each cause or appeal under R.C. 2303.20(A), (Q), and (U).

All funds collected pursuant to this rule shall be paid to the County Treasurer to be maintained by the County Auditor in a separate account for utilization of this Court in procuring and maintaining computerized legal research services.

- (B) Pursuant to the authority of R.C. 2303.201(B) it is determined that, for the efficient operation of this Court, additional funds are required to computerize the office of the Clerk of the Court.

The Clerk of this Court is directed and hereby authorized to charge an additional fee of Ten Dollars (\$10.00) upon the filing of each cause of action, appeal, certificate of judgement, or the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgement under R.C. 2303.20(A), (P), (Q), (T), and (U).

All funds collected pursuant to this rule shall be paid to the County Treasurer and maintained by the County Auditor in a separate account, to be disbursed, upon an order of the Court of Common Pleas, Juvenile Division and subject to appropriation by the Board of Commissioners, in an amount no greater than the actual cost to the Court of procuring and maintaining computer systems for the office of the Clerk of the Court of the Court.

RULE 3 COUNSEL OF RECORD

RULE 3.01 Attorney Registration

Any filing made by an attorney licensed to practice law in this State shall, in addition to the requirements of Civ.R. 11, include the attorney's address, telephone number and attorney registration number.

RULE 3.02 Court Appointed Counsel

- (A) In any traffic, delinquency, unruly, contempt, abuse, neglect, or dependency case where a party believed to be indigent seeks counsel, said party shall first apply for the services of the Knox County Public Defender, 110 East High Street, Mount Vernon, Ohio (740) 393-6734. No court-appointed counsel will be provided for any other cases, unless otherwise required by statute or rule.
- (B) If the Knox County Public Defender determines that a party is likely to be deemed indigent under the law and that no conflict exists preventing representation, then the Knox County Public Defender shall immediately file a Notice of Appearance with the Court, and if the party is an adult, attach a copy of the party's completed, executed, and notarized Financial Disclosure/Affidavit of Indigency.
- (C) If the Knox County Public Defender determines that the party is likely to be deemed indigent under the law but a conflict exists preventing representation, then the Knox County Public Defender shall immediately file a Notice of Conflict with the Court, and if the party is an adult, attach a copy of the party's completed, executed, and notarized Financial Disclosure/Affidavit of Indigency.
- (D) After receiving a Notice of Conflict, the Court shall appoint counsel for indigent parties from the approved counsel list.
- (E) Attorneys may request to be added to the approved counsel list by contacting the Court Clerk. Addition to or removal from the approved counsel list shall be at the sole discretion of the Juvenile Court Judge.
- (F) Compensation for all court-appointed counsel shall be at a rate of \$50.00 per hour for out-of-court services and \$60.00 per hour for in-court services, plus expenses, subject to the maximums prescribed by the State Maximum Fee Schedule for Appointed Counsel Reimbursement as adopted by Resolution of the Knox County Board of Commissioners. Compensation for additional fees may be approved at the Court's discretion for cases involving additional litigation.
- (G) The Knox County Auditor shall compensate court-appointed counsel as ordered by the Court. The Court shall order compensation to be paid to court-appointed counsel

only upon the filing of a Motion, Entry, and Certification for Appointed Counsel Fees (Ohio Public Defender Form OPD-1026R) by appointed counsel. Form OPD-1026R shall be filed with the Court within thirty (30) days after the latter of: 1) last day of in-court representation by court-appointed counsel; or 2) the filing of a Judgment Entry in the case.

RULE 3.03 Withdrawal of Counsel

- (A) Attorneys seeking to withdraw as counsel in a pending case shall submit a motion, memorandum and order to the Judge or Magistrate assigned to hear the case. Said motion and order must contain a certificate of service to opposing counsel and to the withdrawing attorney's client.
- (B) Leave to withdraw shall not be granted within thirty (30) days of scheduled trial or hearing, except for good cause shown. Nonpayment of attorney's fees by the client is not a basis for withdrawal.

RULE 3.04 Attorney Scheduling

- (A) Each attorney is responsible for requesting adequate court time for all motion hearings and final hearings. In the event no court time is requested, each motion hearing will be scheduled for at least thirty (30) minutes. Each attorney shall have at least fifteen (15) minutes to proceed and complete his or her case.
- (B) In the event adequate time has not been requested, continuances will be granted at the discretion of the Court.
- (C) Each attorney shall have a copy of his or her calendar available at all scheduling conferences, status conferences, pretrial conferences, and hearings.
- (D) Each attorney shall cooperate fully with the Court in the scheduling of all appearances before the Court with consideration for prior scheduled appearances in other courts. Client appointments or conferences are not a basis for non-availability for scheduling.

RULE 4 SERVICE

RULE 4.01 Service by Civil Rules

Service in any matter filed or pending before the Court shall be in accordance with the Rules of Civil Procedure.

RULE 4.02 Service by Posting

Consistent with the provisions of Juv.R. 16(A), provision is hereby made by local rule to permit service by publication to be made by posting and mail in lieu of publication by newspaper whenever it does not appear that newspaper publication is any more likely to provide actual notice to the person upon whom service is to be made.

Upon the filing of an affidavit attesting that the residence of a party is unknown and cannot be ascertained with reasonable diligence and the filing of a request or instructions to the clerk of this Court for service by posting and mail as well as a copy of the notice to be posted, the clerk shall cause service of notice to be made by posting the notice so filed upon the bulletin board on the first floor of the Knox County Courthouse Common Pleas Court as well as upon a bulletin board at the Knox County Jail, and upon a bulletin board in the lobby of the Public Assistance Division of the Knox County Department of Job and Family Services. The notice so posted shall contain the same information required to be contained in a newspaper publication and shall be posted in the required location for seven (7) consecutive days.

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

RULE 5 CASE MANAGEMENT

RULE 5.01 Continuances

- (A) All requests for continuances or advancements shall be in writing and shall be submitted to the Judge or Magistrate to whom the case is assigned at the earliest possible time, at least fourteen (14) days prior to the date of a jury trial, and seven (7) days prior to other hearings.
- (B) All requests for continuances shall contain the following information:
 - (1) The date on which the need for continuance arose;
 - (2) The reason(s) for requesting the continuance;
 - (3) The date on which all other attorneys of record and Guardians ad Litem were contacted, and whether these attorneys and guardians agree on the need for a continuance; and
 - (4) The earliest date that all parties will be ready to proceed.
- (C) No case will be continued on the day of the trial or hearing except for good cause shown, which cause was not known to the party or counsel prior to the date of trial or hearing, and provided that the party and/or counsel have used due diligence to be ready for trial and have notified or made diligent efforts to notify the opposing counsel or party as soon as they became aware of the necessity to request a continuance. This rule may not be waived by consent of counsel.

RULE 5.02 Trial

- (A) Motions *in limine* shall be filed not less than seven (7) days prior to trial, except for good cause shown.
- (B) If requested by the Court, the parties shall file trial briefs with the Court stating their respective cases, both factual and legal, and bring to the Court's attention any anticipated legal issues which counsel expects to arise during the trial. Copies shall be furnished to opposing counsel prior to trial. Trial briefs shall be filed at least four (4) weeks prior to trial.

RULE 5.03 Failure to Appear

In addition to or in lieu of holding a party in contempt when that party fails to appear within ten (10) minutes after the time scheduled for a conference or hearing, the Court may:

- (A) When the moving party fails to prosecute or comply with these rules or any Court order, the Court may, after notice to counsel, dismiss the case or grant any other appropriate relief to the responding party;
- (B) When the responding party fails to appear at a pretrial conference or the trial/hearing, the Court may order that the case will proceed ex parte; and/or
- (C) Issue an arrest warrant or capias for any party failing to appear for a conference or hearing after receiving notice of the conference or hearing by personal service.

RULE 6 ALLOCATION OF PARENTAL RIGHTS & RESPONSIBILITIES

RULE 6.01 Ex parte Orders

- (A) There shall be no ex parte orders regarding custody of a minor child prior to non-oral temporary orders, except upon showing of good cause and supported by adequate affidavits indicating an immediate or imminent risk to the health, safety, or welfare of the child if the requested relief is not granted.
- (B) Incomplete, inaccurate, or misleading information provided to the Court may result in sanctions and/or contempt charges against the attorney and/or the party providing such information.
- (C) All motions for ex parte relief shall be served upon the opposing party by personal service.

RULE 6.02 Temporary Orders

- (A) Requests for temporary allocation of parental rights and responsibilities shall be made by motion, with a memorandum in support thereof and a child custody affidavit. The Court may schedule a non-oral hearing on affidavits only upon service of the motion upon the opposing party.
- (B) If either party wishes to contest a temporary order granting custody, temporary residential parent status, parenting time, or other interim order, the party shall file a motion for relief or motion to set aside, as appropriate. Copies of the motion shall be served in accordance with the Rules of Civil Procedure. Upon filing, the Court may schedule the matter for hearing.

RULE 6.03 Allocation of Parental Rights and Responsibilities

Final orders allocating parental rights and responsibilities shall be established through one of the following procedures as appropriate:

- (A) When both parties request shared parenting and file a single Agreed Shared Parenting Plan, the following documents shall be submitted to the Magistrate for approval prior to filing:
 - (1) Agreed Shared Parenting Plan which includes at least the following information:
 - (a) Physical living arrangements of the child(ren);

- (b) Child Support, including reasons for deviation from schedule of support, if applicable, by separate Findings of Fact;
 - (c) Medical, dental, and hospitalization care plan;
 - (d) Parenting time schedule; and
 - (e) A designation of residential parent, if necessary, for the receipt of public benefits and/or school placement purposes.
- (2) Ohio Child Support Computation Worksheet.
- (3) Child custody affidavit.
- (4) Shared Parenting Decree.
- (B) When both parents request shared parenting but submit separate plans:
 - (1) The parties shall advise the Magistrate at the pretrial conference that two (2) plans will be filed.
 - (2) Whenever possible, the shared parenting plans shall be filed with the Court and copies submitted to opposing counsel/party within fourteen (14) days of the pretrial conference.
- (C) When one party requests shared parenting and the other party objects, the requesting party shall advise the Magistrate at the pretrial conference of the intention to file a shared parenting plan.
- (D) When a shared parenting request is denied or in cases in which neither parent requests shared parenting, the parties shall:
 - (1) Agree that one parent shall have sole custody; or
 - (2) Advise the Court at the pretrial conference that each party seeks sole custody.
- (E) Upon learning that each parent seeks sole custody, the Court may issue an order regarding any of the following:
 - (1) The nature of any investigation to be conducted;
 - (2) The time table for completion of investigation and discovery;
 - (3) The necessity for psychological evaluations, the appointment of the evaluator, and the source of payment for the evaluations along with the time table for completion of the report. Court personnel shall make all arrangements for court-ordered

psychological evaluations. Attorneys for the parties are to have no direct contact with the appointed psychologist prior to the completion of the report. The appointed psychologist shall be considered the Court's own witness and his/her report shall be a part of the record on the Court's own motion.

RULE 6.04 Modification of Prior Orders Allocating Parental Rights and Responsibilities or Parenting Time

- (A) A motion for a change of allocation of parental rights and responsibilities or a motion for modification of a shared parenting decree shall set forth the Court order sought to be modified and the specific change in circumstances upon which the motion is filed. A motion for modification of parenting time, grandparent visitation, or other motion not seeking modification of the custodial parent or party, shall set forth the Court order sought to be modified, if any, but does not require a showing of changed circumstances. If a motion fails to be specific, the Court may dismiss the action on the Court's own motion.
- (B) Upon service of the motion on the opposing party the Clerk shall schedule a pretrial conference. Notice of the date, time and place of conference shall be sent to the parties. The purpose of the pretrial conference is to review:
 - (1) Settlement/agreement: Counsel shall have discussed settlement proposals prior to the pretrial conference;
 - (2) Request for psychological evaluations or other evaluations;
 - (3) Need for home studies;
 - (4) Appointment of a Guardian ad Litem;
 - (5) Discovery deadlines; and
 - (6) Any other matter as determined by the Court.
- (C) Pretrials shall be set at thirty (30) minute intervals. During the pretrial, the Judge or Magistrate will also conduct the following business:
 - (1) The Court will proceed with a child interview if requested; and
 - (2) The Court will perform any in-camera inspection of any information that may have been subpoenaed from Children Services.

If the matter is not settled at the pretrial, a trial date shall be set. Counsel shall bring his or her calendar to the pretrial.

RULE 6.05 Subpoenas of Children Services, Evidence, Records, Case Worker and/or Keeper of the Records in Private Custody Cases

- (A) If any party to a private custody action wishes to subpoena or otherwise elicit information from Knox County Job and Family Services/Children Services Unit, the party shall, within seven (7) days of the date of pretrial, give notice to the Children Services caseworker of the information they are seeking so the Court can proceed at the pretrial regarding whether or not the issue of confidentiality should be considered.
- (B) The notice of intent to subpoena the Children Services records shall be made seven (7) days prior to the pretrial date. If the parties fail to follow this procedure, any evidence requested from Children Services will be excluded except upon a showing of good cause.
- (C) Ten (10) days prior to pretrial the party who is requesting the information from Children Services shall submit to the Court a memorandum in support of the issue regarding why the issue of confidentiality should be breached and the overriding concerns therein.

RULE 6.06 Modification by Agreement

- (A) In all cases in which the parties agree either to change legal custody or to change an existing shared parenting plan, the parties shall file a request for approval of an agreed shared parenting plan or a request for approval of an agreed sole custody entry.
- (B) The request shall contain either of the following as appropriate:
 - (1) An Agreed Shared Parenting Plan (and Entry) shall include:
 - (a) Physical living arrangements of the child(ren);
 - (b) Child support including the reasons for variations from the schedule of support, if applicable, by separate Findings of Fact;
 - (c) Medical, dental, hospitalization care plan;
 - (d) Visitation/companionship;
 - (e) Designation of residential parent, if necessary, for the receipt of public benefits and/or school placement purposes;
 - (f) Ohio Child Support Computation Worksheet;
 - (g) Child custody affidavit; and

- (h) Shared parenting decree.
- (2) A sole custody entry shall include all of the items listed in section B(1), except (e) and (h).

RULE 6.07 Residential Parent – Notice of Intent to Relocate

- (A) A residential parent shall file a notice of intent to relocate with the deputy clerk of this Court and the CSEA at least sixty (60) days prior to the change of residence. The notice shall contain the following information:
 - (1) Name and current address of residential parent;
 - (2) Name(s) of child(ren);
 - (3) Proposed new residence address;
 - (4) Statements as to any objections there may be to releasing the proposed address to the non-residential parent; and
 - (5) Name and address of non-residential parent.
- (B) If the residential parent requests that the proposed address not be released to the non-residential parent, the residential parent shall file a motion to deny notice of relocation with the Court with service of process to the non-residential parent pursuant to the Rules of Civil Procedure.

The motion shall include the date, time and place of the hearing.

IF THE RESIDENTIAL PARENT MAKES NO SPECIFIC OBJECTION TO THE RELEASE OF THE PROPOSED ADDRESS TO THE NON-RESIDENTIAL PARENT, A COPY OF THE NOTICE WILL BE SENT TO THE NON-RESIDENTIAL PARENT.

- (C) Upon receipt of the notice of intent to relocate (certificate of mailing by the Clerk), the non-residential parent may file a motion requesting modification of any parenting time schedule.

RULE 6.08 Parent Education

- (A) All parties to contested actions involving allocation of parental rights and responsibilities or parenting time shall attend a program of parent education as

specified by the Court. Each person ordered to attend shall pay a fee, unless determined to be indigent by the Court.

- (B) No final entry will be approved until all parties have complied with any order for attendance. In addition, failure to attend as ordered may subject the person to a finding of contempt against the offending party or result in a dismissal of the pending motion at the discretion of the Court.

RULE 7 PARENTING TIME

RULE 7.01 Model Parenting Schedule

The Court has adopted the Knox County Parenting Schedule as a guideline for parenting time, a copy of which is attached hereto, as Appendix B. These guidelines are to be used when the parties cannot otherwise agree upon parenting time. This, however, does not limit the discretion of the Court in granting alternative parenting time.

RULE 7.02 Phased Parenting Time Schedule

The Court has adopted the Phased Parenting Time Schedule as a guideline for phased parenting time, a copy of which is attached hereto, as Appendix C. These guidelines are to be used when the parties cannot otherwise agree upon phased parenting time. This, however, does not limit the discretion of the Court in granting alternative parenting time.

RULE 8 CHILD SUPPORT

RULE 8.01 Schedule of Support

In every case in which child support is ordered, the amount of support shall be calculated in accordance with the schedule of support referenced in R.C. 3119.021, subject to the permissible statutory deviations.

RULE 8.02 Ex Parte Child Support Orders

The Court shall not issue ex parte child support orders. The Court may suspend, terminate, or impound child support order via ex parte order at the sole discretion of the Judge or Magistrate.

RULE 8.03 Temporary Orders

Requests for temporary orders of child support pending final hearing shall be made by motion and affidavit stating all known financial information of both parents.

RULE 8.04 Motions for Modification of Support

All motions for the establishment or modification of the support order shall be accompanied by a complete proposed Ohio Child Support Computation Worksheet. If at the time of hearing a worksheet has not been filed in accordance with this rule, the matter may be continued and the Court may entertain a motion for attorney fees against the non-complying parties.

RULE 8.05 Health Insurance Coverage Orders

- (A) In addition to the monetary amount of support ordered, parents will be ordered to provide private health insurance for their children whenever such insurance is available at a reasonable cost to them through a group policy through their employment or otherwise.
- (B) Whenever two private health insurance policies are in effect, the residential parent's policy shall be considered primary coverage and the non-residential parent's policy shall be secondary, unless otherwise agreed to by the parties or ordered by the Court.
- (C) All medical, dental, optical, prescription drug, orthodontic, psychiatric and psychological expense shall be divided between the parties and paid by the parties according to the percentage of child support that they pay as determined by the Ohio

Child Support Guidelines, unless otherwise agreed to by the parties or ordered by the Court.

- (D) To facilitate the maximum amount of health care coverage available for the children of the parties, credit will be given for the differential premium paid by a stepparent if the minor children of the action are covered by the stepparent's plan or policy of health insurance.

RULE 8.06 Wage Withholding Orders

In any case where child support is established, modified or terminated, all wage withholding notices or orders terminating wage-withholding orders shall be prepared and filed by Knox County Child Support Services. Wage withholding notices or orders terminating wage withholding orders from private parties or counsel will not be accepted.

RULE 8.07 Child Enforcement Records

The certified copy of records of Knox County Child Support Services as subpoenaed by the attorneys in the case will be considered as prima facie evidence of the child support obligation and the child support payment records, subject to any challenge for accuracy.

RULE 8.08 Child Support Orders

- (A) In all cases in which a permanent child support order is made in a decision or entry, the official file shall contain a completed Ohio Child Support Computation Worksheet. If the amount ordered or agreed upon deviates from the amount indicated in the calculation sheet, the entry shall state that the scheduled amount is inappropriate, unjust and not in the best interest of the child and shall contain findings of fact supporting the deviation.
- (B) The Court may refuse to approve orders which are not, in the Court's opinion, in the best interest of the child(ren).
- (C) When a temporary or permanent child support order is filed with the Court, an additional copy must be provided and filed for Knox County Child Support Services.

RULE 9 GUARDIANS AD LITEM

(A) Private Custody Cases

- (1) Any party may request appointment of a Guardian ad Litem (GAL) in a proceeding involving allocation or reallocation of parental rights and responsibilities and/or parenting time. Upon the filing of a motion to appoint GAL, the Court shall appoint a GAL from the approved GAL list.
- (2) Attorneys may request to be added to the approved GAL list by contacting the Court Administrator. Addition to or removal from the approved GAL list shall be at the sole discretion of the Juvenile Court Judge.
- (3) At the time of appointment of a GAL, each party shall deposit with the GAL the sum of \$250.00 to be applied toward the satisfaction of the fees for the GAL. Upon the motion of a party, for good cause shown, and the filing of a Financial Disclosure/Affidavit of Indigency by the party, the Court may waive the deposit requirement and/or the payment of GAL fees by the party. The Court may order payment of additional GAL deposits/payments upon motion of the GAL or upon motion of the Court.
- (4) Compensation for GALs in private custody cases shall be at a rate of \$50.00 per hour for out-of-court services and \$60.00 per hour for in-court services, plus expenses, subject to the maximums prescribed by the State Maximum Fee Schedule for Appointed Counsel Reimbursement as adopted by Resolution of the Knox County Board of Commissioners. Compensation for additional fees may be approved at the Court's discretion for cases involving additional litigation.
- (5) If the Court determines that a party is indigent, that party's portion of the GAL fees shall be paid by the Knox County Auditor as ordered by the Court. The Court shall order such payment only upon the filing of a Motion, Entry, and Certification for Appointed Counsel Fees (Ohio Public Defender Form OPD-1026R) by appointed counsel. Form OPD-1026R shall be filed with the Court within thirty (30) days after the latter of: 1) last day of in court representation by the GAL; or 2) the filing of a Judgment Entry in the case.
- (6) Guardians ad Litem shall distribute copies of any written report or recommendation to the counsel of record for any represented party prior to filing said report or recommendation with the Court. Unrepresented parties shall not be provided copies of GAL reports or recommendations directly. However, the Court shall provide copies of GAL reports or recommendations to unrepresented parties for review at the courthouse.

(B) Abuse, Neglect, and/or Dependency Cases; Delinquency and Unruly Cases

- (1) No deposit for GAL fees shall be required in: cases filed by the Children Services Unit of the Knox County Department of Job and Family Services alleging a child to be dependent, neglected and/or abused; or cases alleging unruliness or delinquency. The Court shall appoint a GAL in such cases, if required by statute or upon request of any party, from the approved GAL list.
- (2) Compensation for court-appointed GALs shall be at a rate of \$50.00 per hour for out-of-court services and \$60.00 per hour for in-court services, plus expenses, subject to the maximums prescribed by the State Maximum Fee Schedule for Appointed Counsel Reimbursement as adopted by Resolution of the Knox County Board of Commissioners. Compensation for additional fees may be approved at the Court's discretion for cases involving additional litigation.
- (3) The Knox County Auditor shall compensate court-appointed GALs as ordered by the Court. The Court shall order such payment only upon the filing of a Motion, Entry, and Certification for Appointed Counsel Fees (Ohio Public Defender Form OPD-1026R) by the GAL. Form OPD-1026R shall be filed with the Court within thirty (30) days after the latter of: 1) last day of in-court representation by the GAL; or 2) the filing of a Judgment Entry in the case.
- (4) Guardians ad Litem shall distribute copies of any written report or recommendation to the counsel of record for any represented party prior to filing said report or recommendation with the Court. Unrepresented parties shall not be provided copies of GAL reports or recommendations directly. However, the Court shall provide copies of GAL reports or recommendations to unrepresented parties for review at the courthouse.

RULE 10 HOME STUDIES

The Court may order a home study to be performed in any case of allocation of parental rights and responsibilities, parenting time and companionship, or placement of a child outside the home. Parties, unless determined to be indigent, shall pay the home study investigator directly at such rates/terms as the investigator shall require, subject to motion for contempt for non-payment.

RULE 11 MOTION PRACTICE

RULE 11.01 Time of Hearing

- (A) All hearings on motions shall be scheduled for one (1) hour. Any attorney needing more than one (1) hour must request additional time when scheduling a hearing.
- (B) Attorneys who file cross motions which will require additional time shall request the same from the Clerk. If a hearing cannot be concluded in the amount of time allotted, the Court may grant a continuance and proceed at its discretion or may dismiss the action.

RULE 11.02 Content of Motions

(A) Motions to Show Cause

- (1) All motions 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 noncompliance. The motion shall be accompanied by an affidavit signed by the moving party, and an Order to Show Cause.
- (2) If the motion pertains to the nonpayment of child support, the motion shall clearly set forth the date of the last order of support, the amount of said order, the time period between the date of the last order and the filing of the motion, the amount which should have been paid and the amount that was actually paid during that period, and the amount of the arrearage existing as of the date of filing. For purposes of computing the arrearage, the effective date of any order shall be the date of journalization of the order unless the order specifically states some other effective date. At hearing, the movant shall be prepared to update the arrearage computation to the date of hearing.
- (3) If the motion asserts nonpayment of medical or dental bills, or support other than periodic payments, the motion shall itemize such expenses and state whether demand for payment has been made, including the date of demand, prior to filing the motion.
- (4) Upon a finding of contempt, a standard award of attorney's fees of up to \$500.00 may be awarded. Attorneys seeking fees in excess of \$500.00 shall so state in the text of the motion and shall present evidence, including an itemization of time spent, at the time of hearing regarding the basis of the fee requested.

(B) Motions to Modify

All motions to modify a prior Court order, including motions for a change in the allocation of parental rights and responsibilities, shall set forth the Court order sought to be modified, the nature and extent of the modification sought, and the specific change in circumstances which justifies the relief requested, if applicable. If the motion fails to be specific, the Court may dismiss on its own motion.

(C) Motions for Lump-Sum Judgment

All motions for lump sum judgment shall set forth the Court order upon which the motion is based and the total amount due thereunder. A copy of the records of Knox County Child Support Services shall be attached to all motions involving child support. If the motion fails to include this information, the Court may dismiss it on its own motion.

RULE 11.03 Motions to Set Aside Magistrate's Order

- (A) Objections to a Magistrate's Order may be made by Motion to Set Aside pursuant to Civ.R. 53(D)(2)(b) and/or Juv.R. 40(D)(2)(b), as appropriate.
- (B) Motions to Set Aside shall be filed within ten (10) days after the Magistrate's Order is entered. The Motion to Set Aside does not stay the effectiveness of the Magistrate's Order unless a stay is requested and granted by the Magistrate or the Judge.
- (C) Motions to Set Aside shall be specific and state with particularity the grounds therefore.

RULE 11.04 Objections to Magistrate's Decision

(A) Content

Objections to a Magistrate's Decision filed pursuant to Civ.R. 53(D)(3)(b) and/or Juv.R. 40(D)(3)(b) shall be specific and state with particularity the grounds therefore and shall include the date of the Magistrate's Decision upon which they object. Such objections shall specify whether they are directed to findings of fact, conclusions of law, and/or the Orders of the Magistrate. If objections are directed to findings of fact, a transcript and/or affidavit shall be filed with the Objection.

(B) Time

Objections shall be filed within fourteen (14) days of the filing of the Magistrate's Decision. Said time does not include extensions of time for service pursuant to

Civ.R. 6. Such time period may be extended for good cause shown upon written motion filed prior to the expiration of the original fourteen (14) days. If a party makes a timely request for findings of fact and conclusions of law, the time for filing objections begins to run when the Magistrate files a decision that includes findings of fact and conclusions of law.

(C) Brief in Response

If objections are timely filed and served by any party, the other party may file and serve objections within ten (10) days of the day on which the first objections were filed. A party may file a brief in opposition to objections within ten (10) days of the date on which the objections were filed. An extension of time for filing cross objections or a brief may be obtained for the same reasons and upon the same terms as set forth in sub-section (B) of this rule.

(D) Transcripts

If a record of proceedings is available and a party desires to support his objections with a transcript or parts thereof, such party shall file a written motion for an extension of time in which to have the transcript prepared.

Since preparation of transcript may cause delay in the final disposition of a case, the Judge or Magistrate, in granting an extension of time, may make such temporary orders as deemed necessary. Said orders may include an order requiring any objecting party to post bond to cover any damages the opposing party may suffer because of the delay or ordering partial performance of the Magistrate's Decision pending disposition of the objection.

(E) Ruling on Objections

A ruling on the objections will be made based on the objections, any brief in opposition to the objections, and any transcript provided to the Court. The Court shall prepare and file an entry reflecting the Court's ruling in all cases.

RULE 12 PLEADINGS

RULE 12.01 Complaints

No original action shall be docketed or processed by this Court unless the following is received by the Court at the initiation of the proceedings and is satisfactorily completed:

- (A) Delinquent Child – Juvenile Complaint
- (B) Unruly Child – Juvenile Complaint
- (C) Unruly Child (Truancy) – Juvenile Complaint and Student Information Summary
- (D) Dependent/Neglected/Abused – Juvenile Complaint
- (E) Juvenile Traffic Offender – Uniform Traffic Citation
- (F) Parent/Child Relationship – Affidavit/Complaint
- (G) Adult Criminal – Affidavit/Complaint
- (H) Other Civil Actions – Petition/Complaint

In all Delinquent, Unruly, Truancy, or Juvenile Traffic Offenders cases, the State of Ohio or Plaintiff's discovery shall be filed with the complaint.

RULE 12.02 Subsequent Pleadings

This Court shall not accept any pleading which is incomplete in form. All Deputy Clerks shall refuse any pleadings which do not contain a full caption, including the pertinent case number and signatures of either trial counsel or the party.

RULE 12.03 Amendment to Pleadings

In no case when pleadings are amended shall the original pleadings be withdrawn from the files, nor shall any part be obliterated. In no case shall any amendment be made by interlineation without leave of Court and in all cases where an amendment is made by interlineation the Judgment Entry must state what changes were made in the original pleadings.

RULE 12.04 Responsive Pleadings

In cases alleging abuse, neglect, or dependency, the answer or responsive pleading shall with specificity address each allegation contained in the complaint. General denials shall not be permitted.

RULE 12.05 Diversion

Pursuant to Juv.R. 9, the Court may, in its discretion, divert any case where the Court finds that diversion is in the best interest of the juvenile. The juvenile and/or parent shall be assessed a fee for each case so diverted.

RULE 13 PREPARATION OF JUDGMENT ENTRIES AND ORDERS

RULE 13.01 Filing of Judgment Entries and Orders

- (A) In all Juvenile Delinquency, Unruly, and Traffic Offender cases, the Court will prepare all final orders, unless the Court otherwise directs. However, all preliminary matters decided by the Court prior to the final adjudicatory hearing which require journalization are the responsibility of counsel and all entries shall be drafted as designated by the Court.
- (B) In all cases of Dependency, Neglect, Abuse, Allocation of Parental Rights and Responsibilities, and other civil actions, it is the responsibility of counsel for the party so designated by the Court to prepare the appropriate judgment entry. Proposed Dispositional judgment entries in Dependency, Neglect, and Abuse cases shall be submitted to the Court within seven (7) days of the Dispositional Hearing. In all other cases, designated counsel shall submit the proposed entry to the Court within fourteen (14) days after the hearing.
- (C) In cases where agreement is reached prior to or at the final hearing, the parties shall prepare and execute a memorandum of agreement on a form provided by the Court setting forth the terms of the agreement, if no judgment entry has been prepared based on the agreement reached. Counsel designated by the Court shall prepare a judgment entry or magistrate's decision consistent with the terms of the memorandum of agreement and submit to the Court within fourteen (14) days of the execution of the memorandum of agreement.

Signatures of the parties are unnecessary on any Judgment Entry or Magistrate's Decision submitted pursuant to a memorandum of agreement.
- (D) When counsel approves the entry, it shall be presented to the Court for approval and journalization of record. If counsel are unable to agree upon the entry, each counsel shall prepare and submit his/her own proposed entry for consideration by the Court, and either the approved proposed entry, or the two (2) proposed entries shall be presented to the Court within fourteen (14) days after the decision of the Court is announced. Upon the expiration of fourteen (14) days, if no entry has been submitted to the Court, all parties and counsel may be summoned to appear before the Court to show cause why they should not be held in contempt of court for failure to abide by the orders of the Court.

RULE 13.02 Notice of Filing

Within seven (7) days of the filing of an entry of any final appealable judgement or order, the Ex-Officio Clerk of the Court shall serve notice of the entry upon every party who is not in default for failure to appear and make notation of the service upon the docket.

RULE 14 TRUANCY

RULE 14.01 Complaint

- (A) Complaints alleging truancy shall be filed with the Court by the school on the sixty-first (61st) day after initiation of an absence intervention plan or other intervention strategy implemented by the school, or at any time during the implementation phase of the absence intervention plan or other intervention strategies if the juvenile is absent without legitimate excuse for 30 or more consecutive hours or 42 or more hours in one school month, unless the absence intervention team has determined that the student has made substantial progress on the absence intervention plan.
- (B) Five (5) copies of the complaint alleging truancy shall be filed by the school on the complaint form provided by the Court and shall include the following attachments:
 - (1) An affidavit detailing the school's meaningful attempts to contact and engage the parents, and attempts to re-engage the juvenile, including progress on any truancy intervention plan, other intervention strategies, and any offered alternatives to adjudication described in R.C. 3321.191(C)(2)(b);
 - (2) A demographics sheet for the juvenile;
 - (3) A record of the juvenile's attendance, including the specific number of hours of school that the juvenile has missed;
 - (4) A record of the juvenile's grades (summary only);
 - (5) A copy of the juvenile's disciplinary records (if any); and
 - (6) Any other documents that the school deems relevant.
- (C) All truancy complaints shall be filed prior to the end of the current school year.
- (D) Notice of any diversion hearing or formal Court hearing will be sent to the school. When possible, notice of any continuance will also be sent to the school. The school should contact the Court one (1) hour prior to each hearing to confirm that the hearing has not been continued.
- (E) While truancy complaints may be filed against any school age student (ages 6 through 18) residing in Knox County, the Court will generally not accept truancy complaints against students in kindergarten through 5th grade, absent exceptional circumstances. Grade school truancy issues should be referred to the Knox County Prosecutor's Office for evaluation of possible educational neglect charges.

- (F) Truancy complaints against students eighteen (18) years of age or older or students residing outside of Knox County will not be accepted by the Court, as the Court lacks jurisdiction in such cases.

RULE 14.02 Diversion

Whenever possible, the Court will initially refer an alleged truant to the Court's Truancy Diversion Program. If the juvenile fails to successfully complete Truancy Diversion, the Court will proceed with formal adjudication and disposition of the truancy charges.

RULE 15 TRAFFIC

RULE 15.01 Juvenile Traffic Offenders

In each case that a juvenile is adjudicated a juvenile traffic offender, the juvenile will be placed on administrative probation for the length of time needed to complete any and all orders the Court may enter. Unless otherwise ordered by the Court, no probation officer will be assigned or reporting required. Administrative probation will automatically terminate upon the successful completion of all orders entered by the Court. Failure to complete a Court order will result in a probation violation being filed against the juvenile traffic offender.

RULE 15.02 Driving Privileges

(A) In any case where the Court suspends the juvenile's permit or license, the Court may, in its discretion, award driving privileges during the period of suspension upon such terms as the Court deems appropriate. Any juvenile granted driving privileges will be required to remit a privilege fee to the Court.

(B) Privileges awarded normally extend to:

- (1) to and from school, and designated school-related activities;
- (2) to and from a place of employment; and/or
- (3) to such other privileges as the Court deems appropriate.

All driving while under privileges must be by the most direct route, with no passengers other than members of the juvenile's immediate family.

(C) The Clerk shall, within fourteen (14) days of the date of suspension, notify the Ohio Bureau of Motor Vehicles of the suspension and scope of privileges extended.

RULE 15.03 Seat Belt

Upon the appearance of the child and parent, guardian, or custodian before the Clerk, if the child enters a written waiver of hearing and plea of admission to the allegations set forth in the complaint, the following dispositional orders will be entered:

- (A) For a first offense where it is alleged that the driver of a vehicle failed to use a seat belt, a fine in the amount of \$30.00, plus court costs and applicable state fees will be imposed.
- (B) For a first offense where it is alleged that the passenger of a vehicle failed to use a seat belt, a fine in the amount of \$20.00, plus court costs and applicable state fees will be imposed.
- (C) For a second or subsequent offense, an appearance before the Court by the juvenile and parent, guardian, or custodian will be required. Adjudication or admission to the charge will result in the juvenile being adjudicated a juvenile traffic offender subject to disposition pursuant to R.C. 2152.21.

RULE 15.04 Electronically Produced Tickets

The use and filing of a ticket that is produced by computer or other electronic means is hereby authorized. The electronic ticket shall conform in all substantive respects of the Ohio Uniform Traffic Ticket. If the electronically produced ticket is issued at the scene of an alleged offense, the issuing officer shall provide the defendant with a paper copy of the ticket in accordance with Traf.R. 3(F).

RULE 16 CURFEWS

RULE 16.01 Juvenile Curfew Offenders

Upon the appearance of the child and parent, guardian, or custodian before the Clerk, if the child enters a written waiver of hearing and plea of admission to the allegations set forth in the complaint, the following dispositional orders will be entered:

- (A) For a first offense where it is alleged that the juvenile violated the curfew law, a fine in the amount of \$25.00 and court costs will be imposed.
- (B) For a second offense where it is alleged that the juvenile violated the curfew law, an appearance before the Court by the juvenile and parent, guardian, or custodian will be required. Adjudication or admission to that charge will result in the juvenile being adjudicated an unruly child, subject to a \$50.00 fine, court costs, and other orders as imposed by the Court.
- (C) For a third offense where it is alleged that the juvenile violated the curfew law, an appearance before the Court by the juvenile and parent, guardian, or custodian will be required. Adjudication or admission to that charge will result in the juvenile being adjudicated an unruly child, subject to a \$100.00 fine, court costs, and other orders as imposed by the Court.

RULE 16.02 Adult Aiding and Abetting Curfew Offenders

Upon the appearance of the adult Defendant before the Clerk, if the adult Defendant enters a written waiver of hearing and plea of guilty to the allegations set forth in the complaint, the following dispositional orders will be entered:

- (A) For a first offense where it is alleged that the adult violated the aiding and abetting curfew ordinance, a fine and court costs will be imposed.
- (B) For a second or subsequent offense where it is alleged that the adult violated the aiding and abetting curfew ordinance, an appearance before the Court by the adult will be required. Disposition shall be at the discretion of the Judge.

RULE 17 SEALING AND EXPUNGEMENT OF RECORDS

- (A) Any delinquency or unruly case that is dismissed will be sealed immediately.
- (B) Any delinquency or unruly case which is handled as a diversion pursuant to Juv.R. 9 will be sealed upon successful completion of terms and conditions of diversion.
- (C) All other delinquency or unruly cases are subject to provisions as set forth in R.C. 2151.358 regarding the sealing or expungement of records, as applicable.

RULE 18 MEDIATION

RULE 18.01 General

- (A) The Court incorporates by reference R.C. 2710.01, et seq. (the Uniform Mediation Act or “UMA”), R.C. 3109.052 (Mediation of differences as to allocation of paternal rights and responsibilities), and Sup.R. 16 (Mediation).
- (B) The Court may order the parties to participate in a mediation assessment after service of summons of a complaint or at any time after filing of a post-judgment motion. The mediation assessment will be addressed at the pretrial conference or status conference scheduled in each case. The Court may waive the mediation assessment if the parties have entered into mediation prior to the commencement of the action.
- (C) The Judge or Magistrate may refer any case for mediation by Court Order.
- (D) The Mediator shall notify the Court, upon the conclusion of mediation, if the parties have reached an agreement on all or some issues. Any agreement reached during mediation shall not be binding upon the parties until reviewed and approved by their counsel and the Court.
- (E) All communications related to mediation or made during the mediation process shall be pursuant to and subject to the provisions of the UMA, R.C. 3109.052, the Ohio Rules of Evidence, and any other pertinent judicial rule, and shall be governed by the privileges as set forth in the UMA, the Ohio Rules of Evidence, and other pertinent judicial rules.
- (F) Mediators will not be permitted to testify regarding the substance of the mediation negotiations, including but not limited to, cooperation or non-cooperation of the parties.
- (G) The efforts of the Mediator shall not be construed as giving legal advice.
- (I) The Court may refer the following cases for mediation:
 - (1) Allocation of parental rights and responsibilities.
 - (2) Reallocation/modification of parental rights and responsibilities.
 - (3) Allocation of parenting time.
 - (4) Reallocation/modification parenting time.
 - (5) Any other case the Court deems appropriate.

RULE 18.02 Mediation Procedures

(A) The Court shall utilize procedures for all cases that will:

- (1) Ensure that parties are allowed to participate in mediation, and if the parties wish, that their attorneys and other individuals they designate are allowed to accompany them and participate in mediation;
- (2) Screen for domestic violence both before and during mediation; and
- (3) Encourage appropriate referrals to legal counsel and other support services for all parties, including victims of and suspected victims of domestic violence.

(B) The use of mediation is prohibited under the following circumstances:

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

Nothing in division (B) of this rule shall prohibit the use of mediation in a subsequent divorce or custody case even though that case may result in the termination of provision of a protection order.

(C) Mediation of allocation of parental rights and responsibilities or parenting time shall abide by all provisions set forth in section (A) of this rule. Mediation may then proceed, when violence or fear of violence is alleged, suspected, or present, only if the Mediator has specialized training set forth in "Qualifications" section 18.03 of this rule and all of the following conditions are satisfied:

- (1) The person who is or may be the victim of domestic violence is fully informed, both orally and in writing, about the mediation process, his or her right to decline participation in the mediation process, and his or her option to have a support person present at mediation sessions.
- (2) The parties have the capacity to mediate without fear of coercion or control.
- (3) Appropriate procedures are in place to provide for the safety of the person who is or may be the victim of domestic violence and all other persons present at the mediation.
- (4) Procedures are in place for the Mediator to terminate if he or she believes there is continued threat of domestic violence or coercion between the parties.

- (5) Procedures are in place for issuing written Finding of Fact, as required by R.C. 3109.052, to refer certain cases involving domestic violence to mediation.

RULE 18.03 Mediator Qualifications

(A) General Qualifications and Training.

A Mediator employed by the division or to whom the division makes referrals for medication or allocation of parental rights and responsibilities, the care of, or visitation with, minor children, abuse, neglect and dependency, or juvenile perpetrated domestic violence cases shall satisfy all of the following:

- (1) Possess a bachelor's degree, or equivalent education or experience as is satisfactory to the division, and at least two years of professional experience with families. "Professional experience with families" includes mediation, counseling, casework, legal representation in family law matters, or such other equivalent experience satisfactory to the division.
- (2) Complete at least twelve (12) hours of basic mediation training or equivalent experience as a mediator that is satisfactory to the division.
- (3) After completing the above training, complete at least forty (40) hours of specialized family or divorce mediation training, which has been approved by the Dispute Resolution Section of the Supreme Court.

(B) Specific Qualifications and Training: Domestic Abuse.

A Mediator employed by the division or to whom the division makes referrals for mediation of any case shall complete at least fourteen (14) hours of specialized training in domestic abuse and mediation through a training program approved by the Ohio Supreme Court.

RULE 19 CHILDREN SERVICES CASES

- (A) All pleadings and other documents filed in Abuse, Neglect, and/or Dependency Cases prosecuted by the Knox County Department of Job and Family Services/Children Services Unit (“KCDJFS”) shall use the full legal name of a juvenile, rather than initials, except in the following instances, in which cases the juvenile’s name shall be replaced with initials:
- (1) When filing a notice of appeal and any subsequent documents filed in the appeal process;
 - (2) When a copy of a Court decision is to be submitted or released for any public purpose, including, but not limited to, publication in a journal, press releases, educational events, or any public presentation or disclosure; or
 - (3) When otherwise required by law pursuant to Sup.R. 45(E)(3)(e) or pursuant to any other applicable rule or statute.
- (B) In any matter in which the Court has jurisdiction and KCDJFS is a party, KCDJFS shall:
- (1) provide a copy of the non-confidential portion of the KCDJFS file, or access to the file through alternative means such as the ECM portal system, to the Guardian ad Litem at or before the Preliminary Hearing, and if file size or other logistical issue exists preventing compliance with this rule, KCDJFS shall make reasonable accommodations to allow the Guardian ad Litem to review the file as soon as possible;
 - (2) provide at least fourteen (14) days prior notice to the Guardian ad Litem of any Semi-Annual Review (SAR) or Family Team Meeting regarding the child(ren);
 - (3) prepare Judgment Entries and other entries as directed by the Court, and submit said entries to the Court for approval: within seven (7) days after Dispositional hearings; and within fourteen (14) days after any other hearing;
 - (4) prepare and maintain a Case Plan pursuant to R.C. 2151.412;
 - (5) file a copy of the case plan with the Court.
- (C) If a Guardian ad Litem reports suspected or alleged abuse or neglect to KCDJFS (pursuant to the statutory mandate of R.C. 2151.421(A)(1)) regarding a juvenile involved in an active abuse, neglect, or dependency case, and KCDJFS screens out the report, then KCDJFS shall immediately provide the Guardian ad Litem with the reasons for screening out the report.

RULE 20 RESERVED

RULE 21 JURY USE AND MANAGEMENT PLAN

The following Rule is promulgated pursuant to the Rule of the Supreme Court of Ohio requiring a plan utilizing the Ohio Trial Court Jury Use and Management Standards as a guideline.

(A) Opportunity for Service

- (1) The opportunity for jury service shall not be denied or limited on the basis of race, national origin, gender, age, religious belief, income, occupation, disability, or any other factor that discriminates against a cognizable group in the jurisdiction.
- (2) Jury service is an obligation of all qualified citizens of Knox County, Ohio.

(B) Jury Source List

- (1) Pursuant to Court Order, the jury source list shall be obtained from the Board of Elections' list of registered voters. The Court shall designate a key number based on the total number of registered voters and the number of jurors needed for a year of service. The Jury Commissioners shall then receive a computer printout from the Board of Elections (for example, every 14th name).
- (2) The jury source list shall be representative and should be as inclusive of the adult population in the jurisdiction as is feasible.
- (3) The Court shall annually review the jury source list for its representativeness and inclusiveness of the adult population in the jurisdiction as is feasible.
- (4) Should the Court determine that improvement is needed in the representativeness or inclusiveness of the jury source list, appropriate corrective action shall be taken.

(C) Random Selection Procedures

The jury source list from Board of Elections shall be printed out. Names are then computer generated for random drawing during a public jury drawing.

(D) Eligibility for Jury Service

- (1) All persons shall be eligible for jury service except those who:
 - (a) Are less than eighteen years of age;

- (b) Are not citizens of the United States;
- (c) Are not residents of the jurisdiction in which they have been summoned to serve; to wit, Knox County;
- (d) Are not able to communicate in the English language; or
- (e) Have been convicted of a felony and have not had their civil rights restored.

(E) Term of and Availability for Jury Service

- (1) The time that persons are called upon to perform jury service and to be available should be the shortest period consistent with the needs of justice.
- (2) Jurors shall be “on call” for a one year period. If a jury trial is scheduled, the jurors shall be notified by mail when they are to report. They do not report every day.

(F) Exemption, Excuse and Deferral

- (1) Deferrals for jury service for reasonably short periods of time may be permitted by a judge or specifically authorized Court official.
- (2) Requests for excuses and deferrals and their disposition shall be written or otherwise made or recorded.

(G) Voir Dire

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

(5) In criminal cases, the voir dire process shall be held on the record. In civil cases, the voir dire process shall be held on the record unless waived by the parties.

(6) Rules on Voir Dire

(a) The case may not be argued in any way while questioning the jurors.

(b) Counsel may not engage in efforts to indoctrinate jurors.

(c) Jurors may not be questioned concerning anticipated instructions or theories of law. This does not prevent general questions concerning the validity and philosophy of reasonable doubt or the presumption of innocence.

(d) Jurors may not be asked what kind of verdict they might return under any circumstance.

(e) Questions are to be asked collectively of the entire panel whenever possible.

(H) Removal from the Jury Panel for Cause

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

(I) Peremptory Challenges

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

(J) Administration of the Jury System

(1) The responsibility for administration of the jury system shall be vested exclusively with the Knox County Common Pleas Court.

(2) Ohio Rules of Court shall govern all procedures concerning jury selection and service.

(K) Notification and Summoning Procedures

(1) The notice summoning a person to jury service and the questionnaire eliciting essential information regarding that person should be:

(a) Combined in a single document;

- (b) Phrased so as to be readily understood by an individual unfamiliar with the legal and jury systems; and
 - (c) Prepared by the Sheriff and served by ordinary mail.
- (2) A summons should clearly explain how and when the recipient must respond and the consequence of a failure to respond.
 - (3) The jury questionnaire should be phrased and organized so as to facilitate quick and accurate screening and should request only that information essential for:
 - (a) Determining whether a person meets the criteria for eligibility;
 - (b) Providing a basic background information ordinarily sought during voir dire examination; and
 - (c) Efficiently managing the jury system.
 - (4) Policies and procedures should be established for monitoring failures to respond to a summons and for enforcing a summons to report for jury service.
 - (5) Jurors who fail to report for service are scheduled for a contempt hearing to inform the judge as to why they did not appear. Sanctions are imposed as warranted.

(L) Monitoring the Jury System

The Court shall collect and analyze information regarding the performance of the jury system annually in order to evaluate:

- (1) The representativeness and inclusiveness of the jury source list;
- (2) The effectiveness of qualification and summoning procedures;
- (3) The responsiveness of individual citizens to jury duty summonses;
- (4) The efficient use of jurors; and
- (5) The cost-effectiveness of the jury management system.

(M) Juror Use

- (1) The Court shall employ the services of prospective jurors so as to achieve optimum use with a minimum of inconvenience to jurors.
- (2) The Court shall determine the minimally sufficient number of jurors needed to accommodate trial activity. This information and appropriate management techniques should be used to adjust both the number of individuals summoned for jury duty and the number assigned to jury panels.

(N) Jury Facilities

- (1) The Court shall provide an adequate and suitable environment for jurors.
- (2) The entrance and registration area shall be clearly identified and appropriately designed to accommodate the daily flow of prospective jurors to the courthouse.
- (3) Jurors shall be accommodated in pleasant waiting facilities furnished with suitable amenities.
- (4) Jury deliberation rooms shall include space, furnishings, and facilities conducive to reaching a fair verdict. The safety and security of the deliberation rooms shall be ensured.
- (5) To the extent feasible, juror facilities should be arranged to minimize contact between jurors, parties, counsel, and the public.

(O) Juror Compensation

- (1) Persons called for jury service should receive a reasonable fee for their service and expenses pursuant to statutory authority.
- (2) Such fees shall be paid promptly.
- (3) Employers shall be prohibited from discharging, laying off, denying advancement opportunities to, or otherwise penalizing employees who miss work because of jury service.
- (4) Upon completion of the jury term, the bookkeeper of the Juvenile Court shall mails checks to jurors (\$10.00 for each day served).

(P) Juror Orientation and Instruction

- (1) The Court shall provide some form of orientation or instructions to persons called for jury service.
- (2) The trial judge should:
 - (a) Give preliminary instructions to all prospective jurors;
 - (b) Give instructions directly following empanelment of the jury to explain the jury's role, the trial procedures including notetaking and questioning by jurors, the nature of evidence and its evaluation, the issues to be addressed, and the basic relevant legal principles;
 - (c) Prior to the commencement of deliberations, instruct the jury on the law, on the appropriate procedures to be followed during deliberations, and on the appropriate method for reporting the results of its deliberations. Such instructions should be made available to the jurors during deliberations;
 - (d) Prepare and deliver instructions which are readily understandable by individuals unfamiliar with the legal system;
 - (e) Utilization of written instructions is preferable;
 - (f) Before dismissing a jury at the conclusion of a case, the trial judge should:
 - (i) release the jurors from their duty or confidentiality;
 - (ii) explain their rights regarding inquiries from counsel or the press;
 - (iii) either advise them that they are discharged from service or specify where they must report; and
 - (iv) express appreciation to the jurors for their service; but not expressed approval or disapproval of the result of the deliberation.
- (3) All communications between the judge and members of the jury panel from the time of reporting to the courtroom for voir dire until dismissal shall be in writing or on the record in open Court. Counsel for each party shall be informed of such communication and given the opportunity to be heard.

(Q) Jury Size and Unanimity of Verdict

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

(R) Jury Deliberations

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

(S) Sequestration of Jurors

- (1) A jury should be sequestered only for good cause, including but not limited to insulating its members from improper information or influences.
- (2) The jury shall be sequestered after a capital case is submitted to the jury in conformity with existing Ohio law.
- (3) The trial judge shall have the discretion to sequester a jury on the motion of counsel or on the judge's initiative and shall have the responsibility to oversee the conditions of sequestration.
- (4) Standard procedures should be promulgated to:
 - (a) Achieve the purpose of sequestration; and
 - (b) Minimize the inconvenience and discomfort of the sequestered jurors.
- (5) Training shall be provided to personnel who escort and assist jurors during sequestration.

RULE 22 SPECIALIZED DOCKET – DRUG COURT

(A) Establishment of the Knox County Juvenile Drug Court Docket

In order to facilitate efficient and effective treatment of alcohol and drug addicted offenders, Judge James M. Ronk of the Knox County Common Pleas Court, Juvenile Division, established the Drug Court on April 1, 2001.

It shall be the goal of the Juvenile Drug Court that all participants involved in delinquent activities and/or unruly behavior will learn to lead and maintain drug and alcohol free lives. Additionally, all adolescents will stop criminal activities and adopt a productive and healthy lifestyle.

(B) Placement in the Drug Court

Youth that are adjudicated delinquent and found guilty are placed on probation with the Court. These youth are put on the Drug Court Watch List, specialized caseload for youth with drug charges. After being placed on this caseload, a number of factors are considered. All of these factors are taken into consideration in a monthly meeting that involves the Watch List probation officer, Drug Court probation officer, and Drug Court treatment counselor:

- (1) The youth must be found guilty of a delinquent charge and placed on probation with the Court.
- (2) The youth has two or more probation violations for failed screens.
- (3) An OYAS Assessment is given to youth considered for programs at Knox County Juvenile Court. A youth's score in the moderate to high range would be considered.
- (4) The information from the social history regarding substance abuse within the family will be gathered. Information regarding the family dynamics, social interaction of the youth and family is also taken into consideration.
- (5) Physical appearance is taken into consideration. Behavior reports from the school and the parents are also considered.
- (6) Past court involvement is reviewed for past history of drug charges and pattern of behavior involving substance abuse.
- (7) Attendance and participation with treatment is considered. In addition, a youth's motivation, as determined by a counselor, is taken into consideration.
- (8) A licensed Chemical Dependency counselor will determine if an Abuse or Dependency diagnosis is appropriate based on the DSM-V diagnostic criteria.

- (9) Grades and attendance are gathered from school, or if applicable a report from employer.
- (10) The age of the Juvenile is considered upon admission to program. The goal would be for youth to have completed the program prior to their 18th birthday

If the above criteria are met, it is still determined by the Drug Court Team and specialized docket Judge. The Specialized docket Judge has discretion on admission of youth entered into the Drug Court Program.

(C) Drug Court Docket Case Management

The Drug Court Program is a specialized docket established to assist chemically dependent offenders on their road to recovery, by providing services and programming to address their specific needs. Services and Programming are more specifically outlined in the Drug Court Program Description, Drug Court Program Handbook and Drug Court Participant Agreement. Services may include participation in the following:

- Residential treatment
- Intensive outpatient treatment
- Individual treatment sessions
- Gender specific programming
- Family therapy
- Medication
- Medication monitoring
- Ongoing mental health treatment
- Case management
- Education
- Vocational training
- Employment
- Transportation
- Anger management
- Criminal thinking
- Parenting classes
- Domestic violence programming
- Physical, mental, and dental health

(D) Termination from the Drug Court Program

(1) Unsuccessful termination from the program

Youth may be terminated unsuccessfully from the Drug Court Program for the following reasons:

- (a) Youth that commit a subsequent offense while on probation with the Drug Court;
- (b) Youth that commit a serious felony offense and are sentenced to the Ohio Department of Youth Services; or
- (c) Youth that continually fail to comply with the requirements of the Drug Court Program.

At any time during a youth's participation in the Drug Court Program, they could be terminated from the program and sentenced by the Judge or Magistrate for not complying with the rules and treatment plan.

(2) Neutral discharge

The Court may grant the youth permission to move out of the Court's Jurisdiction. Any mental or physical issues that may arise during the program, which may prevent the client from benefiting from the Drug Court could result in a neutral discharge.

RULE 23 JUVENILE RESTRAINT RULE

- (A) Restraints shall be removed prior to the commencement of a proceeding unless the Court determines on the record, after providing any party an opportunity to be heard on the issue of physical restraint for that child at that hearing, that there is no less restrictive alternative to the use of physical restraint and that the physical restraint of the child is necessary because of either of the following:
 - (1) The child represents a current and significant threat to the safety of the child's self or other persons in the courtroom; or
 - (2) There is a significant risk the child will flee from the courtroom.
- (B) If the Court finds physical restraint to be necessary, the restraint shall be the least restrictive necessary to meet the risk requiring the restraint and in a manner which does not unnecessarily restrict the movement of the child's hands.

RULE 24 SPECIALIZED DOCKET – MENTAL HEALTH COURT

(A) Establishment

The Mission of the Knox County Juvenile Mental Health Court prepares Knox County Juveniles to lead healthy, responsible, and law abiding lives by assisting them in stabilization and coping appropriately with mental illness. This is accomplished in collaboration with the treatment providers using accountability, rewards, and sanctions for the youth (and his or her family).

(B) Goals and Objectives

- (1) Reduce recidivism among individuals with severe and persistent mental health issues in the Knox County Juvenile Court system.
- (2) Reduce participants' detainment time by providing a specialized program for mental health clients.
- (3) Increase the number of Knox County Juvenile Probation successful terminations.

(C) Placement in the Mental Health Court Docket

MHC serves juveniles who reside in Knox County and are charged with misdemeanors and felonies, and who have severe and persistent mental illnesses that are contributing factors in their law-breaking behavior and juvenile court involvement, and for whom court-monitored treatment and other services would enhance their ability to become productive and law-abiding citizens. The program criteria are the minimum requirements that a person must meet in order to enter MHC.

(D) Legal Criteria

- (1) The juvenile must be between the ages of 13 and 17 and under the jurisdiction of the Knox County Juvenile Court. An individual below the age of 13 and above the age of 17 may also be considered at the discretion of the Judge.
- (2) The juvenile is charged with a misdemeanor or felony offense.
- (3) The juvenile is not charged with a drug trafficking offense, sexually-oriented offense, offenses involving a weapon, or offense of violence resulting in serious physical harm to another.
- (4) The juvenile is competent to stand trial (if concerns are raised in regards to competency by defense counsel or other creditable sources a forensic assessment may be required).

- (5) The juvenile has reviewed and verbally indicated a willingness to conform to the Participation Agreement.

(E) Clinical Criteria

- (1) The juvenile must have a mental health diagnosis that is directly contributing, causing, or aggravating the delinquent behaviors of the youth.
- (2) The juvenile must be stable enough to understand and comply with program requirements; and
- (3) The juvenile must not pose an unacceptable risk to program staff, family, or community.

(F) Mental Health Court Case Management

(1) Pre-Phase Orientation Phase

The goal of the orientation phase is to instill a thorough understanding of the MHC requirements to assure the highest level of function and success within the program. This phase will be completed after the first or second week of being at the status review hearings.

(2) Compliance Phase (Phase I – Initial)

This phase stabilizes the participant and assures participant compliance with MHC requirements. During this phase, the participant has the most contact with the court by attending weekly scheduled status review hearings. This is also the most intense phase for the participant's case manager and/or probation officer.

(3) Program Engagement Phase (Phase 2)

After the participant obtains stability in the compliance phase, the participant will begin to address the issues that brought the participant into MHC. During this period, the participant will begin to develop skills, improve family relationships, and set employment, vocational, or educational goals. Based on the participant's progress, required appearances at status review hearings may be reduced.

(4) Growth and Development Phase (Phase 3)

This phase is focused on developing self-sufficiency. The participant will begin to utilize skills learned in treatment and programming, continue to improve family relationships, and begin to learn to manage his/her mental illness. This

phase is key, as the participant puts into practice everything learned in the first two phases and will be able to demonstrate ongoing stability.

(5) Maintenance Phase (Phase 4)

This phase is focused on the juvenile maintaining the stability obtained in the earlier phases. By the time the juvenile graduates to this phase, he/she has successfully and faithfully adhered to treatment or programming requirements. The juvenile may have also integrated structure into his/her life by avoiding additional involvement with the criminal justice system.

The amount of court involvement and case management will lessen as the participant demonstrates ongoing stability using the tools acquired in the earlier phases. Appearances at MHC status review hearings may be reduced even further but in no event less than once a month. The treatment team will act in a support role, monitoring the participant's maintenance. With any regression, the treatment team will act swiftly to put participant back on track. The length of this phase varies, depending on the participant's needs.

(G) MHC Completions/Terminations/Neutral Discharge

(1) Criteria for Successful Completion

(a) Successful completion criteria are the guidelines used to identify how participants can successfully complete MHC. In order to successfully complete MHC, the participant must demonstrate the compliant behavior and accomplishments below.

(i) Compliant behavior may include:

- Completed community service hours;
- Demonstrated compliance with prescribed medication(s);
- Demonstrated period of abstinence from alcohol and non-prescribed drugs (evidence of negative screens for a minimum of 90 days prior to completion of MHC);
- Attended sober support group meetings, as recommended by the provider;
- Displayed a change in thinking, attitude, and beliefs;
- Successfully completed treatment or programming;
- Maintained consistent school attendance;
- Demonstrated ability to identify and eliminate criminal thinking patterns;
- Paid in full court costs, restitution, and treatment costs (if applicable); and
- Wrote an essay on how MHC has affected their lives.

(ii) Accomplishments may include:

- Demonstrated abstinence from alcohol and drugs as evidenced by negative screens;
- Completion of treatment;
- Relapse prevention plan established;
- Regular sober support attendance, as recommended by the provider;
- Completed MHC requirements, including community service;
- Completed vocational or educational plan;
- Paid in full restitution and court costs;
- Displayed responsibility for his/her behavior;
- Demonstrated stability in the community; and
- The participant petitions for successful completion.

(b) Upon request of the participant, review of the compliant behavior, and review of the accomplishments, the treatment team will recommend successful completion. The Judge has discretion to determine when the participant will successfully complete MHC. Upon successful completion of MHC, the participant shall participate in a graduation ceremony hosted by the Court and shall receive a certificate of completion.

(2) Termination Classifications

The MHC Judge has discretion in determining termination from the specialized docket.

(a) Unsuccessful termination

(i) Termination criteria for unsuccessful completion of MHC includes:

- Ongoing non-compliance with treatment or resistance to treatment;
- New, serious criminal convictions;
- A serious MHC infraction or series of infractions; and
- A serious probation violation or series of probation violations.

(ii) The unsuccessful termination policies and procedures include:

- Loss of future eligibility for the specialized docket;
- Further legal action; and
- Upon a finding of a probation violation, the sentence and fine not suspended during the completed phases of MHC will be re-imposed by the Judge.

(b) Neutral discharge

(i) A participant may be neutrally discharged if the participant is no longer capable of completing MHC as a result of:

- A serious medical condition;
- Serious mental health condition;
- Death; or
- Other factors that may keep the participant from meeting the requirements for successful completion.

(ii) Upon neutral discharge from MHC, the case is placed on non-reporting probation or probation is terminated.

(c) Inactive status

MHC has an inactive status for those participants who are:

(i) Placed in a residential facility and cannot be transported for status review hearings;

(ii) Charged with new crimes pending adjudication and/or a final disposition for sentencing; or

(iii) In need of further assessments or evaluations to determine if MHC is beneficial to the participant and the program.

APPENDIX A
SCHEDULE OF FILING FEES AND COURT COSTS
EFFECTIVE

FILING FEES

Complaints/New Actions.....	\$250.00
Motion to Reopen Existing Case	\$150.00

COURT COSTS

Misdemeanor Delinquent.....	\$ 70.00
Felony Delinquent Cases	\$105.00
Traffic Cases – Moving Violation	\$ 80.00
Traffic Cases – Non Moving Violation	\$ 51.00
Adult Court Costs	\$105.00
Transcript Request Deposit	\$400.00
Copy of Hearing on CD/Flash Drive	\$ 25.00
Copies (per page)	\$.05

APPENDIX B

KNOX COUNTY PARENTING SCHEDULE

PREFACE: There is no specific schedule of parenting time that can address the changing needs of children and parents. It is important for parents to remain flexible based upon the changing needs of their children. As children mature and become involved in activities outside the home, they often have less time to spend with parents. The Court encourages parents to resolve parenting issues amicably as they occur.

The schedule for parenting time set forth is, in most cases, the **MINIMUM** amount of parenting time for the non-residential parent. Parents are encouraged to create their own parenting schedules, which may include more or less parenting time as the parties agree.

When relationships end, parents may experience a difficult time dealing with one another. Times when children are physically transferred between the parents is NOT an opportunity to direct hostility toward the other parent, including demeaning language or behavior. **IT IS THE ABSOLUTE DUTY OF EACH PARENT TO MAKE CERTAIN THAT THE CHILD IS READY FOR PARENTING TIME WITH THE OTHER PARENT AND IS TRANSFERRED TO THE OTHER PARENT IN A TIMELY FASHION AT THE COMMENCEMENT AND AT THE TIME PARENTING ENDS.**

GENERAL RULES REGARDING PARENTING TIMES: These rules apply to all parenting times.

Conflicting Schedules; Order of Priority:

Unless the Court orders otherwise, in the event of conflicts in parenting time schedules under this Rule, the following is the order of priority, with number one having the first priority:

1. Holidays and days of Special Meaning as set forth in Local Rule except the child's birthday.
2. Child's birthday.
3. Vacation periods or extended parenting times, including President's Day and Martin Luther King Day weekends.
4. Weekends and mid-week parenting times. The alternate weekend rotation is not changed due to parenting time schedule conflicts.

Illness.

Parenting time shall be provided to the non-residential parent even if the child is ill, unless the child is hospitalized or a physician has recommended that the child not be removed from the residential parent's home, in which event immediate notice shall be given to the non-residential parent. Any weekend parenting time that is missed under this provision shall be made up the next weekend available to the non-residential parent.

Medications

In all instances in which it is necessary for a child to take **prescribed** medications, the residential parent shall provide the non-residential parent with an adequate supply of such medications to care for the child's needs during parenting time.

The residential parent shall also provide the non-residential parent with copies of the explanatory materials issued by the pharmacy or, in lieu of this information, a typed or legibly written document setting forth the times of administration of medications, an explanation of whether food should be taken with the medications, a list of any potential side effects known to the residential parent and the name, address, and telephone number of the child's pediatrician and pharmacist. The residential parent shall provide this information to the non-residential parent at the time the child is exchanged for parenting time.

All medications shall be administered to the child by the non-residential parent as prescribed. If the non-residential parent is not physically present to administer medications, then it shall be the responsibility of such parent to designate an adult of suitable maturity and judgment to administer the medications as prescribed.

Communications

Unless the Court orders otherwise, each parent must keep the other informed of his/her current address and telephone numbers and an alternate telephone number in case of emergencies.

IT IS THE RESPONSIBILITY OF THE PARENTS, NOT THE CHILDREN, TO MAKE ALL PARENTING TIME ARRANGEMENTS. Both parents shall refrain from criticizing the other or arguing with the other parent in the children's presence.

Either parent may have reasonable telephone contact with the children not to exceed twice a week for a period of between 5 to 10 minutes during the hours of 7:00 a.m. to 8:00 p.m. If the children are not available, the children should return the telephone call within 24 hours of the time the parent made the unsuccessful call to the children.

Children are permitted unlimited telephone/and or e-mail contact with the parent with whom they are not spending parenting time.

Both parents shall encourage free communications between the children and the other parent.

Neither parent shall do anything to impede or restrict reasonable communications by telephone, cell phone (including text messaging), mail, or computer (e-mail or instant messaging) with the child and the other parent regardless of who initiated the communication. Neither parent shall monitor or listen in on the children's telephone calls with the other parent.

Clothing and Supplies for Children older than 3 years of age

The residential parent shall send the child with sufficient clothing and outerwear appropriate for the season and for any known or planned activities. The non-residential parent shall return all items that are sent at the end of parenting time.

Clothing and Supplies for Children under 3 years of age

In cases with infants and young children 3 years and younger, each parent shall maintain at their home a crib or infant bed (as applicable), a car seat, formula, bottles, appropriate clothing and outerwear, and a sufficient supply of diapers and related items in his/her home for the child.

Children's Activities

Scheduled periods of parenting time shall not be delayed or denied because a child has other activities. It is the responsibility of the parents to discuss extra-curricular activities of the children in advance, including time, dates, and transportation needs. A parent receiving activity schedules shall provide a copy to the other parent. The parent who has the children during the time of the scheduled activity is responsible for the transportation, attendance and/or other arrangements. Both parents are permitted to attend all their children's activities, regardless of the parenting schedule.

The residential parent shall not unreasonably schedule activities or appointments with the minor children when the child would otherwise be with the non-residential parent.

Schoolwork

A parent must provide time for any child to study, complete homework assignments, papers, or other school assigned projects, even if the completion of this work interferes with the parent's plans with the children. If schoolwork is assigned by the school prior to the scheduled parent's time, the other parent must inform the scheduled parent of the work to be done, and it is the scheduled parent's responsibility to see that it is completed.

Grace period

The parent transporting the children for parenting time shall have a grace period of 15 minutes for pick-up and delivery if both parties live within 30 miles of one another. If the one-way distance to be traveled is more than 30 miles, the grace period shall be 30 minutes. In the event the non-residential parent exceeds the grace period, that particular parenting time is forfeited unless prior notification and arrangements have been made. This rule shall be subject to the exception that in the event the non-residential parent experiences an unavoidable accident, emergency, or traffic delay en route and promptly notifies the other parent of the delay the parenting time is not forfeited.

PROMPTNESS AND FLEXIBILITY ARE TO BE THE GOALS OF THE PARENTS CONCERNING TRANSPORTATION OF THE CHILDREN FOR PARENTING TIME

Transportation

Parents or a designated third party are responsible for providing transportation to and from parenting time. Unless the parties otherwise agree, the parent who is exercising parenting time shall pick up the child from the residential parent (or designated person, if applicable) at the child's residence, unless otherwise designated, and at the end of parenting time the other parent (or designated person, if applicable) shall be responsible for picking up the child from parenting time.

If circumstances prevent a parent from personally delivering the children to or from parenting time, another responsible adult known to both parents and the children may provide transportation with advance notice to the other parent, unless otherwise ordered by the Court.

In all instances in which a child is required by Ohio law to be transported in a child safety seat or booster seat, each parent shall use a properly installed child safety seat or booster seat. In all other instances, the parent transporting the child shall be responsible for using a properly functioning seat belt. Only a driver with a current, valid license may transport the children.

Air Travel

The non-residential parent exercising parenting time with a child, under 10 years of age, choosing air travel, must accompany that child to and from parenting time. The cost of the parent's travel is that parent's responsibility.

For children who are over 10 years of age and can travel as unaccompanied minors, the non-residential parent must make travel arrangements with the airline. Most airlines will require a fee to provide this service, which will be the responsibility of the non-residential parent. The non-residential parent shall provide written notice to the residential parent of the itinerary and the provisions for the child to fly as an unaccompanied minor.

Alterations in the Child's Physical Appearance

The non-residential parent shall not alter the physical appearance of the child by hair coloring, unconventional hair cuts, ear or other body part piercings, permanent tattooing, or any other drastic act that appreciably alters the physical appearance of the child without the consent of the residential parent.

Serious Family Illness/Death

Both parents shall accommodate parenting time requested by the other parent in circumstances in which there exists a dire family illness and/or death of a grandparent, stepparent, stepsibling, half-siblings, aunts and uncles.

Definitions

Unless otherwise specified, the term week is defined as seven consecutive days.

**THE PARENTING SCHEDULE IS DIVIDED FOR PARENTING TIME THAT
IS LOCAL, SEMI-LOCAL, AND NON- LOCAL PARENTING TIME**

**LOCAL PARENTING TIME
DESIGNED FOR PARENTS WHO RESIDE
WITHIN 15 MILES OF ONE ANOTHER
AND HAVE ONE CHILD UNDER
THE AGE OF 2 YEARS**

Children from birth to 2 years of age benefit from a schedule that recognizes the needs of their age group. The following schedule is designed to accommodate the needs of such children. **THIS SCHEDULE ONLY APPLIES WHEN THERE IS ONE CHILD IN THE FAMILY UNDER 2 YEARS OF AGE.** If there are older children in the family the child follows the same parenting time as the older children.

The non-residential parent shall have parenting time with the child 3 days during the week from 6:00 p.m. until 7:30 p.m., unless a parent's work schedule requires the parenting time to be during the morning hours. In that instance, parenting time shall be 3 days per week from 9:00 a.m. to 10:30 a.m.

For those who can not agree, the days shall be Monday, Wednesday, and Friday.

The non-residential parent shall have the child on alternate weekends from Saturday at 4:00 p.m. until Sunday at 10:00 a.m., or as the parties otherwise agree to accommodate work schedules.

For families that have other children, this rule does not apply unless the parties agree that this schedule is in the best interest of all the children in the family.

HOLIDAYS

Mother's Day and Father's Day - Children are with parents from 9:00 a.m. to 6:00 p.m.

Children's birthdays - In even numbered years, mother has the child, and in odd numbered years, father has the child. If the parents can not agree, parenting time shall be from 10:00 a.m. to 6:00 p.m. if the birthday falls on a non-school day and the parent is not working on that day. If a school day and workday, the parenting time shall be from 5:00 p.m. until 8:30 p.m.

ODD YEARS - Mother has Martin Luther King Day, Easter, July 4th and Labor Day. Father has President's Day, Memorial Day, Beggar's Night, Thanksgiving Day, Christmas Day, and New Year's Day.

EVEN YEARS - Father has Martin Luther King Day, Easter, July 4th and Labor Day. Mother has President's Day, Memorial Day, Beggar's Night, Thanksgiving Day, Christmas Day and New Year's Day.

All holidays begin at 9:00 a.m. and continue until the following morning at 9:00 a.m.

LOCAL PARENTING TIME
DESIGNED FOR PARENTS WHO RESIDE
WITHIN 30 MILES OF ONE ANOTHER
AND HAVE ONE CHILD UNDER
THE AGE OF 2 YEARS

Children from birth to 2 years of age benefit from a schedule that recognizes the needs of their age group. The following schedule is designed with the needs of such children. **THIS SCHEDULE ONLY APPLIES WHEN THERE IS ONE CHILD IN THE FAMILY UNDER 2 YEARS OF AGE.** If there are older children in the family the child follows the same parenting time as the older children.

The non-residential parent shall have parenting time with the child 1 day during the week from 5:00 p.m. until 7:30 p.m., unless a parent's work schedule requires the parenting time to be during the morning hours. In that instance, parenting time shall be 1 day per week from 9:00 a.m. to 11:30 a.m.

The non-residential parent shall have the child on alternate weekends from Saturday at noon until Sunday at 10:00 a.m., or as the parties otherwise agree to accommodate work schedules. In other words, if the non-residential parent works on Saturday, the parenting time shall shift to Friday noon until Saturday at 10:00 a.m. or Sunday noon until Monday at 10:00 a.m.

For families that have other children, this rule does not apply unless the parties agree that this schedule is in the best interest of all the children in the family.

HOLIDAYS

Mother's Day and Father's Day - Children are with parents from 9:00 a.m. to 6:00 p.m.

Children's birthdays - In even numbered years, mother has the child, and in odd numbered years, father has the child. If the parents can not agree, parenting time shall be from 10:00 a.m. to 6:00 p.m. if the birthday falls on a non-school day and the parent is not working on that day. If a school day and workday, the parenting time shall be from 5:00 p.m. until 8:30 p.m.

ODD YEARS - Mother has Martin Luther King Day, Easter, Fourth of July, Labor Day, and Christmas Day

Father has President's Day, Memorial Day, Beggar's Night, and Thanksgiving Day

EVEN YEARS - Father has Martin Luther King Day, Easter, Fourth of July, Labor Day, and Christmas Day

Mother has President's Day, Memorial Day, Beggar's Night, and Thanksgiving Day

All holidays begin at 9:00 a.m. and continue until the following morning at 9:00 a.m.

IF THE PARENTS LIVE MORE THAN 30 MILES APART THE COURT WILL DETERMINE PARENTING TIME ON A CASE BY CASE BASIS.

LOCAL PARENTING TIME
DESIGNED FOR PARENTS WHO RESIDE
WITHIN 30 MILES OF ONE ANOTHER
DURING THE SCHOOL YEAR

OPTION ONE - LOCAL

Monday	Tuesday	Wednesday	Thursday	Friday	Sat.	Sun.
NR/R	R	R/NR	NR/R	R/NR	NR	NR
R	R	R/NR	NR/R	R	R	R

WEEKENDS - The non-residential parent shall have parenting time on alternate weekends:

Beginning Friday at 6:00 p.m. and ending Monday morning when the child is returned to school, daycare or the residential parent by 9:00 a.m.

WEEKDAYS - The non-residential parent shall have parenting time on Wednesday beginning at 6:00 p.m. until Thursday morning when the child is returned to school, daycare or the residential parent by 9:00 a.m.

OPTION TWO - LOCAL

WEEKENDS - The non-residential parent shall have parenting time on alternate weekends:

Beginning Thursday night at 6:00 p.m. and ending Sunday at 6:00 p.m. when the child is returned to the residential parent. The non-residential parent is responsible for delivering the child to school on a timely basis on Friday. If the child does not have school on the Friday the child shall remain with the non-residential parent.

WEEKDAYS - The non-residential parent shall have midweek visitation on Tuesdays at 6:00 p.m. and ending Wednesday morning when the child shall be returned to school, daycare, or the residential parent.

SEMI - LOCAL PARENTING TIME
DESIGNED FOR PARENTS WHO RESIDE
WITHIN 90 MILES OF ONE ANOTHER
DURING THE SCHOOL YEAR

WEEKENDS - The non-residential parent shall have parenting time on alternate weekends:

Beginning Friday at 6:00 p.m. and ending Sunday at 7:00 p.m., unless the following Monday is a school holiday, in that event the non-residential parent will return the child Monday at 6:00 p.m.

HOLIDAYS AND SPECIAL DAYS OF MEANING FOR BOTH LOCAL
AND SEMI OPTIONS:

HOLIDAY / SPECIAL DAYS OF MEANING SCHEDULE

ODD YEARS	EVEN YEARS
<u>MOTHER'S SCHEDULE FOR ODD YEARS</u>	<u>FATHER'S SCHEDULE FOR EVEN YEARS</u>
EASTER: Saturday 6:00 p.m. to Sunday 6:00 p.m.	EASTER: Saturday 6:00 p.m. to Sunday 6:00 p.m.
SPRING BREAK: 9:00 a.m. the day <i>AFTER</i> school recesses to 6:00 p.m. the day <i>BEFORE</i> school resumes	SPRING BREAK: 9:00 a.m. the day <i>AFTER</i> school recesses to 6:00 p.m. the day <i>BEFORE</i> school resumes
LABOR DAY: Sunday 6:00 p.m. to Monday 6:00 p.m.	LABOR DAY: Sunday 6:00 p.m. to Monday 6:00 p.m.
<u>FATHER'S SCHEDULE FOR ODD YEARS</u>	<u>MOTHER'S SCHEDULE FOR EVEN YEARS</u>
PRESIDENT'S DAY: Weekend Friday at 6:00 p.m. to Monday 6:00 p.m.	PRESIDENT'S DAY: Weekend Friday at 6:00 p.m. to Monday 6:00 p.m.
MARTIN LUTHER KING DAY: Weekend Friday at 6:00 p.m. to Monday 6:00 p.m.	MARTIN LUTHER KING DAY: Weekend Friday at 6:00 p.m. to Monday 6:00 p.m.
MEMORIAL DAY: Sunday 6:00 p.m. to Monday 6:00 p.m.	MEMORIAL DAY: Sunday 6:00 p.m. to Monday 6:00 p.m.
BEGGAR'S NIGHT:(where father resides) 4:30 p.m. to 8:00 p.m.	BEGGAR'S NIGHT: (where mother resides) 4:30 p.m. to 8:00 p.m.
THANKSGIVING: Wednesday at 6:00 p.m. to Thursday at 6:00 p.m. unless father's regular weekend visit follows then the visit ends Monday morning (school, daycare or 9:00 a.m.)	THANKSGIVING: Wednesday at 6:00 p.m. to Thursday at 6:00 p.m. unless mother's regular weekend visit follows then the visit ends Monday morning (school, daycare or 9:00 a.m.)
WINTER BREAK: Winter break begins the first full day after the close of school and the last day is the last full day prior to the return to school. The parent with the first part of winter break has the child(ren) from the date after school recesses at 9:00 a.m. through Christmas Eve until 8:00 p.m. The remainder of break constitutes the second part of the break. In odd years, mother has the first part of winter break, father has the second part, and in even years, father has the first part of winter break, and mother has the second part.	
OTHER DAYS OF SPECIAL MEANING:	
Father's Day with father from 10:00 a.m. to 6:00 p.m.	
Mother's Day with mother from 10:00 a.m. to 6:00 p.m.	
Child's Birthday-odd years father 10:00 a.m. to 6:00 p.m. Even years mother 10:00 a.m. to 6:00 p.m.	

LONG DISTANCE - SCHOOL YEAR

For parents residing more than 90 miles apart during the school year:

WEEKENDS - one weekend per month from Friday after school until Sunday at 6:00 p.m.

The non-residential parent shall have weekend parenting time the first weekend in September to include Labor Day, the second weekend in January to include Martin Luther King Day, the second week in February to include President's Day, and the last weekend in May to include Memorial Day.

The non-residential parent's parenting time shall be from Friday after school through the holiday until 6:00 p.m. (If these holidays fall on Mondays).

The parties shall agree upon the weekend parenting time for the remaining months of the school year, October, November, March, and April. In the event the parties can not agree on the parenting weekend during these months the non-residential parent shall be entitled to any 3 day weekend that occurs or the weekend shall be the second weekend of those months.

HOLIDAYS—LONG DISTANCE

The EXTENDED holiday schedule for parents living more than 90 miles apart shall be as follows:

Thanksgiving: In even number years, mother has from the time school recesses until Sunday at 6:00 p.m. In odd numbered years, father has from time school recesses until Sunday at 6:00 p.m.

Winterbreak: The Christmas holiday shall alternate between parents so that in even numbered years the father has from the end of school before the Christmas break begins until the day after Christmas at 6:00 p.m.

Mother shall have from the day after Christmas at 6:00 p.m. until 5:00 p.m. the day before school resumes.

The schedule shall be reversed in odd-numbered years.

Spring Break: 9:00 a.m. the day after school recesses to 5:00 p.m. the day before school resumes. Even number years, mother shall

have spring break, and in odd numbered years, father will have spring break.

Additional Parenting Time: If the nonresidential parent elects to travel to the area where the children normally reside, he/she may exercise weekend parenting pursuant to Local Option one or two for parents 30 miles apart. When the non-residential parent elects to do so, he/she shall provide the residential parent with at least thirty days advanced notice.

SUMMER PARENTING TIME

General Guidelines

1. If summer school is necessary for a child in order to pass into the next grade, then regardless of which option the parties have chosen, each parent is responsible for getting the child to school during their summer parenting time.
2. Regardless of the schedule chosen during the summer break, each parent is responsible for obtaining their own work-related child care provider unless the parties otherwise agree in writing.
3. In the event of multiple children with different length summer breaks, the shortest summer break dictates the schedule.
4. Home schooled children shall follow the schedule of the residential parent's school district.
5. On the July 4th holiday, the child(ren) shall remain with the parent exercising parenting time on that date.

OPTION ONE - SUMMER

One week rotating schedule

During the summer break from school, the parents shall exercise parenting time on an alternating week schedule that begins and ends at 6:00 p.m. on Fridays. In even years, the non-residential parent shall exercise the first week of summer parenting time beginning at 6:00 p.m. on Friday after school recesses for the summer, followed by the residential parent exercising the next week. This alternating pattern shall continue during the summer recess. The summer parenting schedule ends at 6:00 p.m. on the last Friday before school resumes. Each parent may exercise a mid-week visit with the

child(ren) on _____. Any regular weekend parenting time shall be suspended during the summer. In odd years, the residential parent shall exercise the first one week block and begin the rotation.

Each parent may exercise a one week uninterrupted vacation during one of their blocks of time. The parent intending to exercise a vacation shall provide a 30 day notice to the other parent. As soon as available, but prior to leaving, the vacationing parent shall provide a travel itinerary, which includes the destination, times of arrival and departure, methods of travel, and contact information to use during the vacation.

Each parent may delegate a portion of his/her vacation time to a close relative.

OPTION TWO-SUMMER

Two week rotating schedule

During the summer break from school, the parents shall exercise parenting time in alternating two-week periods (beginning and ending at 6:00 p.m. Fridays). In even years, the non-residential parent shall exercise a two week block of summer parenting time beginning at 6:00 p.m. on the first Friday after school recesses, followed by the residential parent exercising a two week block of parenting time. The alternating pattern shall continue during the remainder of the summer. The summer parenting time schedule shall end at 6:00 p.m. on the last Friday before school resumes. Each parent shall exercise a mid-week parenting time with the children on _____. Any regular weekend parenting time shall be suspended during the summer. In odd years, the schedule is reversed with the residential parent beginning the two week rotation.

Each parent may exercise two weeks uninterrupted vacation during one of their blocks of time. The parent intending to exercise a vacation shall provide a 30 day notice to the other parent. As soon as available, but prior to leaving, the vacationing parent shall provide a travel itinerary, which includes the destination, times of arrival and departure, methods of travel, and contact information to use during the vacation.

Each parent may delegate a portion of his/her vacation time to a close relative.

OPTION THREE-SUMMER

Summer divided at middate

SUMMER IS DIVIDED AT MIDBREAK - THIS IS THE DEFAULT OPTION FOR LONG DISTANCE PARENTING (WHERE PARENTS LIVE MORE THAN 90 MILES APART). This schedule supersedes days of special meaning and birthdays that occur during the summer.

In even numbered years, the residential parent shall exercise parenting time beginning at 6:00 p.m. the day after school is over until 6:00 p.m. at the midpoint of the break. The non-residential parent shall commence parenting time at 6:00 p.m. at the mid-point break until 6:00 p.m. on the last Friday prior to the commencement of school.

For parties living within 90 miles of one another, the alternating weekend parenting time, as set forth in Semi- Local schedule may be exercised by the parent who is not exercising his or her half of the summer schedule.

Each parent may exercise two weeks uninterrupted vacation during one of their blocks of time. The parent intending to exercise a vacation shall provide a 30 day notice to the other parent. As soon as available, but prior to leaving, the vacationing parent shall provide a travel itinerary, which includes the destination, times of arrival and departure, methods of travel, and contact information to use during the vacation.

Each parent may delegate a portion of his/her vacation time to a close relative.

OPTION FOUR-SUMMER

Maintain the school year schedule (Only for those parents exercising Local Rule parenting time).

During the summer break from school, the parties shall continue to operate under their existing parenting schedule.

Each parent may exercise two weeks uninterrupted vacation during one of their blocks of time. The parent intending to exercise a vacation shall provide a 30 day notice to the other parent. As soon as available, but prior to leaving, the vacationing parent shall provide a travel itinerary, which includes the destination, times of arrival and departure, methods of travel, and contact information to use during the vacation.

Each parent may delegate a portion of his/her vacation time to a close relative.

Effective date:

APPENDIX C

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

PHASED VISITATION SCHEDULE

1. _____ shall exercise visitation with the minor child(ren) of the parties in accordance with the following schedule:

Week 1

Tuesday	6pm-8pm
Thursday	6pm-8pm
Saturday	1pm-3pm

Week 2

Tuesday	6pm-8pm
Thursday	6pm-8pm
Saturday	10am-4pm

Week 3

Tuesday	6pm-8pm
Thursday	6pm-8pm
Saturday	10am-4pm

All of the foregoing visitation, with the exception of Week 3 Saturday visitation shall occur at the home of _____. The Week 3 Saturday visitation shall occur at the home of _____.

Week 4

Tuesday	6pm-8pm
Thursday	6pm-8pm
Saturday	10am-6pm

Week 5

Tuesday	6pm-8pm
Thursday	6pm-8pm
Saturday	1pm-
Sunday	1pm

Week 6

Tuesday	6pm-8pm
Thursday	6pm-8pm
Saturday	1pm-
Sunday	1pm

Week 7

Tuesday	6pm-8pm
Thursday	6pm-8pm
Saturday	1pm-
Sunday	1pm

_____ shall thereafter exercise visitation with the minor child(ren) in accordance with the Standard Visitation Order of the Court, a copy of which is attached hereto and incorporated herein by reference, commencing with the eighth week.

2. Plaintiff and Defendant are directed to act in such a manner which will encourage love and respect for the other with the minor child. Plaintiff and Defendant are specifically enjoined from demeaning or disparaging the other in the presence of the minor child(ren) which will hinder, impede or obstruct the implementation of the foregoing schedule.
3. In the event that the minor child(ren) should become unreasonably distraught or highly emotional such as to render the foregoing visitation schedule impractical or impossible, either party may immediately file a Motion to bring the matter before the Court for further review by expedited hearing.