

FRANKLIN COUNTY
RULES OF PRACTICE OF THE COURT OF
COMMON PLEAS
Domestic Relations Division
Effective July 1, 1984
unless otherwise noted

DOMESTIC RULES

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RULE 1. Duty Judge

The administrative judge shall appoint one judge each week who shall be known as a "Duty Judge."

In addition to a regular docket, the "Duty Judge" shall be responsible for civil protection orders, bond hearings, other unclassified business of the Court, and shall act for any other Judge who is not available.

(Amended, eff 7/1/85, eff 7/1/93, eff 7/1/99)

RULE 2. Security for costs

To Institute Action

In all actions for dissolution, divorce, legal separation, or annulment, with or without minor children, the party instituting the action shall deposit with the Clerk the sum of \$175.00 as security for costs.

Counter-Claims

In all counter-claims for divorce, annulment or legal separation the party instituting the counter-claim shall deposit with the Clerk the sum of \$28.00 as security for costs.

Post Judgment Motions

In all post judgment motions requesting modification of the allocation of parental rights and responsibilities the party instituting such motion shall deposit with the Clerk the sum of \$100.00 as security for costs. No additional deposit shall be required for the custody investigation.

In all other post judgment motions the party instituting such motion shall deposit with the Clerk the sum of \$75.00 for each motion as security for costs, except that no such deposit for security for costs shall be required for motions to withdraw as counsel or for appointment of a Guardian ad Litem.

Publication

A party requesting service by publication shall deposit with the Clerk an amount equal to the current minimum rate for publication in addition to the other regular costs.

Personal Service

A party requesting personal service within Franklin County shall deposit with the Clerk the sum of \$20.00; if the personal service is outside of Franklin County, the sum of \$55.00 in addition to the other regular costs.

Jury Demand-Parentage Action

In actions to establish the existence or non-existence of the parent-child relationship filed prior to January 1, 1998, in which a demand for jury trial is filed, the party on whose behalf the jury demand is filed shall deposit with the Clerk the sum of \$25.00 as security for costs. There shall be no right to a jury trial in actions to establish the existence or non-existence of the parent-child relationship filed on or after January 1, 1998.

Witness Fees

The party subpoenaing witnesses shall post with the Clerk the sum of \$6.00 per witness within Franklin County; for each witness outside Franklin County, a deposit of \$12.00 per witness plus mileage and a deposit of \$55.00 for the foreign Sheriff's service.

Court Reporter Costs

In all matters in which a Court Reporter is present to make a record of the proceedings a deposit of \$25.00 shall be posted prior to the commencement of such proceedings by the party so requesting the presence of the Court Reporter or by such other party as the Court may so direct, and an additional \$25.00 shall be posted prior to each subsequent day of the proceeding. This deposit may be waived only by the consent of the Judge or Magistrate presiding in such proceedings.

Inability Affidavits

Any person seeking to file pleadings without posting a deposit or security for costs, shall complete a financial disclosure / affidavit of indigency. All affidavits filed pursuant to this Rule shall be on the Form authorized by the Court, which is appended hereto and incorporated herein, or in a format consistent therewith. Upon approval of the court, the deposit shall be deferred and the Clerk shall receive and file the documents without deposit or security.

Motions to Withdraw as Counsel

Such motion, whenever made, shall not require a deposit for security costs.

Fees for Computer Research and Services

(A) Pursuant to the authority of R.C.2301.031(A) it is determined that, for the efficient operation of the Domestic Relations Division and Juvenile Branch 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 a fee of three dollars (\$3.00) upon the filing of each cause or appeal under R.C. 2303.20 (A), (Q), and (U). The fee is included in the appropriate security for costs sections listed above.

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.2301.201(B)(1) it is determined that, for the efficient operation of the Domestic Relations Division of this Court, additional funds are required to computerize the office of the Clerk of Court of Common Pleas.

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 judgment, or the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment under R.C. 2303.20 (A), (P), (Q), (T), and (U). The fee is included in the appropriate security for costs sections listed above.

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

(Amended, eff. 1/1/85; 4/15/85; 7/1/85; 1/15/86; 1/1/87; 7/1/90; 1/25/93; 6/10/96; 2/10/97; 2/9/98; 7/1/99)

PLAINTIFF

CASE

NO.

DEFENDANT

FINANCIAL DISCLOSURE / AFFIDAVIT OF INDIGENCY

NAME _____ SS# _____
 DOB / / ADDRESS _____ CITY _____
 STATE PHONE _____ **OTHER PERSONS LIVING IN HOUSEHOLD**
 1) NAME _____ AGE _____ RELATIONSHIP _____
 2) NAME _____ AGE _____
 RELATIONSHIP _____ 3) NAME _____
 AGE _____ RELATIONSHIP _____ 4) NAME _____
 AGE _____ RELATIONSHIP _____ **MONTHLY**

INCOME / EMPLOYMENT INFORMATION

Income Source	Self	Spouse	Household Members	Total
Employment				
Unemployment				
Workers' Comp				
Pension				
Social Sec.				
Child Support				
ADC				
Disability				
Food Stamps				
Other				
Total				

MONTHLY EXPENSES / LIABILITIES

Expense/Liability	Amount Debtor (Self/Household Member)	Expense/Liability	Amount Debt (Self/Household Member)
Child Support Paid		Child Care (Only if Working)	
Work Transportation		Medical / Dental Uninsured	
Medical Insurance		Costs of Caring for Infirm Family Member	
Rent / Mortgage		Food	
Electric		Gas	
Telephone		Cable TV	

Water/Sewer/Trash		Credit Cards (Specify)	
Loans (Specify)		Taxes	
Other (Specify)		Other (Specify)	
Other (Specify)		Other (Specify)	
TOTAL		TOTAL	

ASSET INFORMATION

Type of Asset	Describe Length of Ownership/ Make, Model, Year (where applicable)	Estimated Val
Real Estate / Home		
Stocks / Bonds / CD's		
Automobiles		
Trucks/Boats/Motorcycles		
Other Valuable Property		
Cash On Hand		
Money Owed to Defendant		
Checking Acct. (Bank/Acct.#)		
Savings Acct. (Bank/Acct.#)		
Credit Union (Name/Acct.#)		
TOTAL		

AFFIDAVIT OF INDIGENCY

STATE OF OHIO,
COUNTY OF FRANKLIN, SS:

_____, being first sworn,
deposes and says that (s)he is a party in the above entitled
cause; that said cause is brought in the Domestic Relations
Division of the Common Pleas Court of Franklin County, Ohio,
requesting
_____; that (s)he is:

_____ employed _____ unemployed _____ a recipient
of ADC/SSI/SSD
and is without sufficient financial means to prepay or give
security for the costs of said action. Affiant further says that
(s)he has no money with which to pay the costs of said action;
that (s)he has no available real property or personal property
with which to secure the payment of said costs that may accrue;
nor is (s)he able to give bond or any other security to cover said
costs as provided by law.

I understand that if the security for costs is waived, and it
is later determined that I was not entitled to such a waiver, I

will be required to pay the costs associated with this action. I further understand that I am subject to criminal prosecution for providing false financial information in connection with this indigency affidavit.

This affidavit is made in accordance with O.R.C.2323.31 and in conformity with an order of the Domestic Relations Division of the Common Pleas Court of Franklin County, Ohio. I hereby certify that the information provided herein is true to the best of my knowledge.

Affiant

Sworn to before me and subscribed in my presence this _____ day of _____, 19_____.

Notary Public

RULE 3 CASE MANAGEMENT

(A) PURPOSE

Pursuant to Rule 5(B)(1) of the Rules of Superintendence for the Courts of Ohio, this rule is promulgated to establish a domestic relations case management system which will provide for the prompt, fair, and timely disposal of all cases and motions before the court.

(B) STATUS CONFERENCE

The assigned magistrate shall conduct a status conference when a motion requesting temporary orders is filed in actions for divorce, legal separation, and annulment. The status conference shall be scheduled on the same date and time as the temporary orders hearing, and the party scheduling the temporary orders hearing shall give notice of the status conference to the opposing party. At the status conference the parties shall attempt to reach an amicable settlement of all issues in controversy, and in the event settlement is not possible, to expedite proceedings in the action. At the status conference attorneys and parties shall be prepared to:

1. Narrow the legal issues in controversy;
2. Agree to a voluntary partial or complete discovery schedule;
3. Select court appointed experts and/or Guardian ad Litem;
4. Advise the Court of the time needed to submit affidavits in support of temporary orders;
5. Determine whether a referral to Protective and Mediation Services is necessary for mediation or a home investigation.

After the status conference the magistrate may issue a status conference order or other scheduling order.

(C) PRE-TRIAL CONFERENCES

In all actions for divorce, annulment or legal separation either party, on the filing of a written request, shall have the right to have a pre-trial. Upon the filing of an answer, a Judge, in his/her discretion, may cause a pre-trial to be scheduled.

The time and date for the pre-trial shall be determined by the Assignment Commissioner who shall give notice of the pre-trial conference to counsel and pro se parties.

No later than seven days prior to each pre-trial, each party shall file and serve upon opposing counsel or pro se party, a completed, updated pretrial statement affidavit as promulgated by the Court. Failure to file and serve a completed

statement/affidavit may result in sanctions which shall be within the discretion of the Judge.

At the pre-trial, the Judge may issue pre-trial orders and may schedule the case for another pre-trial, a final status conference, or trial. If either counsel or pro se party believes pre-trial orders are necessary they shall prepare and submit a pre-trial order to the judge at the time of the pre-trial conference.

(D) ATTENDANCE AT STATUS OR PRE-TRIAL CONFERENCES

All counsel of record, including the Guardian ad Litem, and all parties except minor children, if within the jurisdiction of the Court, shall be present at any status or pre-trial conference, unless excused in advance by the Judge or Magistrate presiding over said conference. If a party is not within the jurisdiction of the court or has been excused by the court, that party shall provide his/her attorney with the telephone number at which (s)he may be reached during the conference. Counsel attending a conference must have complete authority to discuss and settle, if possible, all issues involved in the case, and to enter into stipulations regarding unresolved issues.

Failure of an attorney to be prepared for a status or pre-trial conference, and failure of a party or attorney to appear, or to cooperate in good faith in the conduct of the conference, may result in dismissal of the pleadings of the defaulting party and may subject said attorney or party to any sanctions provided in Ohio Rule of Civil Procedure 37(D), including an award of expenses and/or attorney fees to any party prejudiced by such conduct.

Any agreement reached shall be immediately reduced to writing, signed by both parties and their counsel and shall be filed with the Court and shall be binding on all parties in any subsequent hearing on the case.

(E) FINAL STATUS CONFERENCE

The final status conference shall be scheduled no less than seven days in advance of the trial. The time and date for the final status conference shall be determined by the Assignment Commissioner who shall give notice of the final status conference to counsel and pro se parties.

All attorneys of record including the Guardian ad Litem, and all parties except minor children, shall be present for the final status conference. At the final status conference attorneys and parties shall prepare written stipulations regarding all issues not in controversy and exchange trial notebooks. Each counsel shall submit a trial notebook to the court which shall be bound and contain:

1. Copies of all exhibits that party intends to introduce at court, complete with an index;

2. Copies of all joint exhibits the parties intend to introduce;
3. Copies of reports from all experts that party intends to call as a witness, including but not limited to valuations, appraisals, medical and psychological reports, and vocational evaluations;
4. A list of all witnesses that party intends to call to testify;
5. A spreadsheet identifying separate and marital assets and liabilities accompanied by a proposed distribution of said assets and liabilities; and
6. Proposed child support guideline worksheets, withholding orders and instructions for service;

At the final status conference all original exhibits shall be marked for trial but retained by counsel. Plaintiff's exhibits shall be marked with numbers and Defendant's exhibits shall be marked with letters.

(F) ASSIGNMENT AND SCHEDULING OF TRIALS AND MOTIONS

- (1) Cases will be assigned and scheduled in accordance with Local Rules 4, 19, and 25. It is the intent of the Court that cases are to be resolved within the time guidelines set forth by the Supreme Court of Ohio, which are as follows:

One Month	Domestic Violence
Nine Months	Modification of Parental Rights and Responsibilities Visitation Enforcement / Modification
Twelve Months	Terminations of Marriage Without Children Support Enforcement / Modification
Eighteen Months	Terminations of Marriage With Children

Unless otherwise determined by pre-trial order, discovery shall be completed no later than forty weeks after the filing of the complaint in cases involving termination of marriage.

To comply with 3113.21 (L) of the Ohio Revised Code all actions for support for a child or spouse shall be docketed and heard so that the time limits set forth in 3113.21 (L) of the Ohio Revised Code can be met and priority shall be given to such cases for this purpose.

- (2) Uncontested Hearings: Pursuant to Ohio Rule of Civil Procedure 75(J), no action for divorce, legal separation or annulment may be heard and decided until the expiration of 42 days after service of process. In all proceedings which are

uncontested due to the Defendant's failure to file an answer, Plaintiff shall submit a proposed judgment entry together with findings of fact if statutorily required to the Court at the time of trial.

(3) Dissolutions: Pursuant to O.R.C.3105.64, petitions for dissolution of marriage shall be scheduled for hearing not less than thirty days nor more than ninety days after the filing of the petition for dissolution of marriage.

(4) Motions: Motions for temporary orders shall proceed in accordance with Local Rule 13(A) and (B). All other motions shall proceed in accordance with Local Rule 13(C) and (D).

(5) Mediation: Mediation shall proceed as provided in Local Rule 22.

(G) CONTINUANCES OR ADVANCEMENT

All motions for continuance or advancement must be on a form promulgated by the court and must:

1. State the reason for the request, and if the request is being made due to a conflict with another case, contain the name, case number, type of case (civil or criminal), name of the Judge and county where the case is scheduled, and the date and time the case is assigned for trial. A copy of the scheduling notice should be attached to the request;
2. Contain the filing date of the case or pending motion;
3. State the number of times the case or motion has been continued;
4. Reflect the approval of opposing counsel or pro se party unless otherwise excused by the judge or magistrate. If the opposing counsel or pro se party does not consent to the continuance a conference shall be scheduled with the assigned judge or magistrate to resolve the continuance motion. **No case may be continued by agreement of counsel or the parties without permission of the assigned judge or magistrate.**

(H) FINDINGS OF FACT AND CONCLUSIONS OF LAW

A party requesting findings of fact and conclusions of law pursuant to Ohio Civil Rule 52, Ohio Civil Rule 53(E)(2) or Ohio Juvenile Rule 40(E)(2) shall serve a copy of the request on the opposing party and deliver a copy of the request to the judge or magistrate to whom the request is directed.

(I) WITHDRAWAL OF TRIAL ATTORNEY

An attorney requesting to withdraw from representation of a client shall file a motion to withdraw stating the reasons for withdrawal. The motion shall include the last current address of the client and certification that the following have occurred:

- a. notice has been given to the client advising the client of all orders and all upcoming assignment dates affecting the client;
- b. notice has been given to all counsel, or if unrepresented, to the parties.

The attorney shall serve the motion to withdraw from representation on the client and all parties or their counsel.

No attorney shall be permitted to withdraw from a case later than 20 days prior to hearing except for extraordinary circumstances. If a case is scheduled for hearing before a magistrate, the request to withdraw should be approved by the assigned magistrate prior to being submitted to the assigned judge.

(Amended, eff 7/1/85, eff 8/2/90, eff 7/1/93, 7/1/99)

IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO
DIVISION OF DOMESTIC RELATIONS

PLAINTIFF/PETITIONER

CASE NO. _____

vs.

JUDGE _____

MAGISTRATE _____

DEFENDANT/PETITIONER

MAGISTRATE'S STATUS CONFERENCE ORDER

Pursuant to Rule 3 of the Franklin County Court of Common Pleas, Division of Domestic Relations, the following parties appeared for a status conference on _____:
() Plaintiff () Defendant () Plaintiff's counsel () Defendant's counsel () Other _____

The Court issues the following Orders reflecting the status of this matter:

I. Temporary Orders

- A. _____ Temporary orders are not requested in this case.
- B. _____ The parties are in agreement regarding (some/all) Temporary Orders-see TO form.
- C. _____ Parties are not in agreement. It is hereby ORDERED that Affidavits, Supplemental Affidavits, and/or All necessary forms are due 7 days from the date of the status conference, unless otherwise ordered as follows: _____ days.

II. Discovery Schedule

- A. Status of Depositions:

- B. The parties agree and it is hereby ORDERED that they shall exchange releases regarding _____ by (date) _____.

- C. The parties agree and it is hereby ORDERED that they shall produce the following items by (date) _____ without the necessity of a formal discovery request.

Items: _____

D. Experts

_____ Experts are not required. _____ Experts will be selected at a later date.

_____ Agreed Experts: _____

III. Parent / Child Issues

A. Local Rule 26 Parenting Seminar (does not apply if there are no minor children)
_____ Wife has attended _____ Husband has attended.

_____ Additional orders regarding the Parenting Seminar are not required.

_____ It is hereby ORDERED that any party who has not attended the Parenting Seminar shall attend no

later than 45 days from the date of the status conference.

B. Status of Mediation:

- _____ (See separate orders, if any.)
- C. Contested Issues
- () Parentage _____
 - () Possession Times _____
 - () Parent Work Schedule / Other Schedule Concerns _____
 - () Child Support _____
 - () Tax Deduction _____
 - () Medical Insurance _____
 - () Uncovered Medical Expenses (Ordinary & Extraordinary) _____
 - () Shared Parenting _____
 - () Motion / Proposed plan to be filed by _____ within _____ days
 - () Decision Making _____
 - () School Placement _____
 - () Extracurricular Activities _____
 - () Medical Treatment _____
 - () Religion _____
 - () Other (Specify) _____

D. Appointment of Guardian Ad Litem ()Yes ()No If yes, see GAL entry.

E. Necessity of family counseling ()Yes ()No
It is hereby ORDERED that the parties/child are to attend counseling with_____. Frequency of attendance and duration to be determined by the counselor. Allocation of Costs P _____ % D _____ %.

F. Psychological Evaluations, pursuant to R.C. 3109.04(C), shall be performed by: _____ by (date):_____ Allocation of Costs P _____ % D _____ %.

These costs are in the nature of child support and are non-

dischargeable in bankruptcy.

G. Necessity of investigation by Protective Services. ()Yes, separate magistrate's order filed ()No.

IV. Temporary Spousal Support Issues

A. Contested? ()Yes, _____
()No

B. Attorney's Fees/Expense Money contested? ()Yes,
_____ ()No

C. Division of Debt contested? ()Yes,
_____ ()No

V. Other issues:

() Pleading Revisions Required _____

() Grounds _____

() Property Division _____

() Other (Specify) _____

VI. Information Exchanged

The Magistrate finds that the _____ Plaintiff Defendant has
not properly completed:

Child Support Worksheet _____

TO Financial Affidavit _____

Rule 17 Financial Affidavit _____

Health Insurance Disclosure Affidavit _____

Custody Affidavit _____

Wage Withholding Notice _____

Instructions for Service _____

IV-D Application _____

Other _____

And ORDERS that party to file said form within 7 days of the date of
the status conference.

VII. Settlement

Pursuant to the parties' agreement, the Magistrate ORDERS the
parties to participate in the following settlement conferences
regarding temporary and/or final orders:

Date _____ Time _____ Location _____

_____ Date _____ Time _____

_____ Location _____
 Date _____ Time _____ Location _____

 Date _____ Time _____ Location _____

 Date _____ Time _____ Location _____

Both parties and their counsel shall attend the settlement conference(s).

VIII. The parties shall comply with the terms and deadlines set forth within this form as Orders. Failure to comply with these Orders may result in a finding of contempt by this Court and an order of attorney's fees and expenses against the non-complying party, or other sanctions including dismissal of their complaint, counterclaim, or motion pursuant to Ohio Civil Rule 41(B).

_____ APPROVED:	_____ MAGISTRATE
_____ Plaintiff's Attorney	_____ Plaintiff
_____ Defendant's Attorney	_____ Defendant

IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO
DIVISION OF DOMESTIC RELATIONS

PLAINTIFF

vs.

DEFENDANT

CASE NO. _____
JUDGE _____
MAGISTRATE _____

PRE-TRIAL STATEMENT/AFFIDAVIT
OF PLAINTIFF/DEFENDANT

I. GENERAL INFORMATION

- A. Age of the Parties:
Plaintiff-dob: _____ Defendant-
dob: _____ B. Date of Marriage: _____
Date of Separation: _____
- C. Minor Children: Names _____ DOB _____
Ages _____
- D. Current Residences: Plaintiff _____ Defendant _____
- E. Income: _____
Place of Employment: _____
Plaintiff _____ Defendant _____
- Gross Income From Current Employment: _____
Plaintiff _____ Defendant _____
- Other Income: Plaintiff _____ Defendant _____
- F. Extent of Education: _____
Plaintiff _____ Defendant _____
- G. (If child and/or spousal support is contested) Plaintiff/Defendant submits the attached budget. Be sure to include: housing, utilities, auto, food, day care, insurance, credit card debt, etc.

II. PLAINTIFF' S/DEFENDANT' S POSITION

A. Grounds:

B. Allocation of Parental Rights and Responsibilities:

1. Possession Times, Sole or Shared Parenting

2. Child Support

a. This party submits the attached child support worksheet.

b. (If applicable) This party believes that deviation from the worksheet amount is/is not appropriate in this case for the following reasons (including statutory factors):

c. Child Related Tax Issues (e.g. Dependency Exemptions)

3. Medical Insurance Coverage for Children

a. Will be carried by:

b. Uncovered ordinary expenses:

c. Uncovered extraordinary expenses:

d. Party entitled to reimbursement:

e. Marginal, out-of-pocket cost of medical insurance:

4. Other Contested Issues Related to Children:

C. **Division of Property/Debts**

1. Identify the duration of the marriage. State reasons if other than from the date of the marriage until the final hearing:

2. An equal division of marital property would be equitable/inequitable, for the following reasons:

3. A distributive award from spouse's separate property or income is/is not appropriate, for the following reasons:

The Plaintiff/Defendant certifies under oath that the following

<u>DESCRIPTION</u>	<u>FAIR MARKET VALUE</u>	<u>SEPARATE PROPERTY</u>	<u>SEPARATE PROPERTY</u>	<u>PROPOSED DIVISION OF MARITAL PROPERTY</u>	<u>PROPOSED DIVISION OF MARITAL PROPERTY</u>	<u>TRIAL EXHIBIT</u>
		<u>WIFE</u>	<u>HUSBAND</u>	<u>TO WIFE</u>	<u>TO HUSBAND</u>	
OTHER PROPERTY INTEREST						
Stocks:						
Company Name:						
Interest in Business:						
Business Name:						
Bonds: Type:						
Other:						
Other:						
Other:						
Other:						
TOTAL ASSETS:						
Mortgage (see real estate above)						
Student Loans (specify)						
INSTALLMENT LOANS						
Inst Name:						
Acct #						
Inst Name:						
Acct #						
Inst Name:						
Acct #						
Inst Name:						
Acct #						
SECURED LOANS						
Inst Name:						
Acct #						
State Collateral						
Inst Name:						
Acct #						
State Collateral						
CREDIT CARDS						
Inst Name:						
Acct #						
Inst Name:						
Acct #						
Inst Name:						
Acct #						
Inst Name:						
Acct #						
OTHER						
Inst Name:						
Acct#						
Type:						
Inst Name:						
Acct #						
Type:						
TOTAL LIABILITIES						
NET DISTRIBUTION						

D. **Spousal Support**

Payable by? _____

Monthly Amount? ____

Plaintiff/Defendant

Attorney

for

RULE 4. Assignment of cases for trial

All contested actions for divorce, legal separation or annulment shall be assigned for trial by the Assignment Commissioner in numerical order. Such cases shall not be assigned for trial in advance of their numerical order.

All uncontested actions for divorce, legal separation or annulment shall be assigned for trial by the Assignment Commissioner upon the request of the party or attorney for the party.

RULE 5. Hearing

No action for dissolution, divorce, annulment or legal separation may be heard until the parties have resided separate and apart for at least thirty days except in the discretion of the Judge to whom such case has been assigned this period of time may be waived.

RULE 6. Witnesses

Only one corroborating witness, who has personal knowledge of the facts, shall be required.

RULE 7. Investigations

Any party may request a social investigation concerning the best interests of any child or children in contested actions for dissolution, divorce, annulment or legal separation in which the parties have been approved for mediation pursuant to Rule 22 and the parties either elect not to attempt mediation or mediation is completed without resolution of the custody or visitation dispute. If ordered, the social investigation will be conducted by the Division of Protective Services and Investigations.

(Amended, eff 1/14/94)

RULE 8. Magistrate hearings

Magistrates shall be appointed in accordance with Civil Rule 53, and shall have all powers conferred by said Rule. Magistrates hear the following matters:

A. PRE-DECREE MOTIONS

- (1) In actions for divorce, annulment, or legal separation, Magistrates shall hear all pre-decree motions for allowance of spousal support, child support, and custody pendente lite filed pursuant to Civil Rule 75(L).
- (2) In actions for divorce, annulment, or legal separation, and dissolution magistrates may hear all pre-decree motions except: Motions to determine indigence; motions to impound child support or spousal support; motions to join parties; motions for leave to amend the complaint; motions to extend time to answer or plead; motions to withdraw as counsel; motions to transfer to a private judge; motions to modify or vacate a temporary restraining order issued by a judge; motions to convert an action from a divorce to a dissolution or from a dissolution to a divorce; motions for summary judgment; and motions for temporary restraining orders unless no judge is available.

B. FINAL HEARINGS

Magistrates shall conduct final hearings in actions for divorce, annulment, legal separation, or dissolution, or a bifurcated portion of said hearing, upon order of reference from the judge assigned to the case.

C. POST-DECREE MOTIONS

Magistrates may hear all post-decree motions in actions for divorce, annulment, legal separation, or dissolution, whether the action originated in this court or was transferred to the Juvenile Branch of this court by a court of another state or county, except motions to reinstate dismissed motions. Motions filed pursuant to Civil Rule 59 or 60 shall be heard by the Judge or Magistrate who heard the matter originally or their successor.

D. CONTEMPT AND DISCOVERY MOTIONS

Contempt and discovery motions may be scheduled before a Judge or Magistrate.

E. CSEA HEARINGS

All CSEA hearings required under 3113.21 of the Ohio Revised Code, motions for relief from a judgment which was journalized by the Court without hearing following a FCCSEA administrative hearing, and objections to administrative parentage determinations filed pursuant to R.C.3111.22(D).

F. MATTERS FROM THE JUVENILE BRANCH

All complaints for custody filed in the Juvenile Branch of this court, including post-decree motions to modify the allocation of parental rights and responsibilities, and motions to allocate parental rights following determination of parentage.

G. OTHER MATTERS

All other matters referred by a judge.

(Amended, eff 1/1/87, eff. 7/1/95, 7/1/99)

RULE 9. Objections to decisions of magistrate

A decision of a Domestic Magistrate may be reviewed by the assigned Judge of this Court by filing an objection in accordance with Rule 53 of the Ohio Rules of Civil Procedure with the Clerk and giving notice to the opposing party or his attorney of the date on which the matter is to be heard or submitted for decision.

The objection should be accompanied by supporting memorandum. If a finding of fact or weight of the evidence is part or all of the basis for objection, a transcript of the testimony is necessary to support the objection to the Magistrate's decision and must be filed with the Court.

The request and deposit for said transcript shall be submitted to the proper court reporter within three (3) days after the filing of said objections. The cost of same shall be as the Court shall from time to time determine at a per page amount. At the time of ordering of a transcript, the ordering counsel or party shall arrange for payment to the proper official Court Reporter. An advance deposit shall be posted with the Court Reporter by the ordering counsel or party, with the balance due prior to delivery of a copy or the filing of an original with the Court.

All original transcripts shall be filed by the Official Court Reporter with the Clerk of Courts and shall thereby become part of the official record of the case. A copy will be provided to the ordering party, upon request, at a cost which shall be determined by the court.

Requests for transcripts for the benefit of indigent parties shall be submitted to the Court and supported by affidavit for authorization by the Court prior to the Court Reporter's commencement of the transcribing.

Failure to file a transcript when one is required by this Rule is a basis for dismissal of the objection.

Memoranda contra objections may be filed by any party within ten (10) days of the filing of said objections.

The reviewing Judge shall be the Judge assigned to the case or motion. The objecting party, upon filing the objections, shall obtain the information as to the assigned Judge, set the matter for hearing before that Judge and notify the other side of the hearing date.

(Amended, eff. 3/1/88; 7/1/90; amended, effective 7/1/93, amended eff. 7/1/95; amended eff. 7/1/99)

RULE 10. Petitions for dissolution

All petitions for dissolution shall be filed in triplicate if there are children involved under the age of 12; and in duplicate if there are not children involved under the age of 12.

RULE 11. PLEADINGS

All pleadings filed with the Court must contain the name of the Court, proper style of the case and number, the Judge and Magistrate to whom the case is assigned, and the Ohio Supreme Court registration number of the attorney filing the pleading. Further, all pleadings filed with the Court must be typed.

Due to technological changes in the Court's computerized docket management system, all motions, memoranda contra, and replies shall be titled in the following manner:

MOTION

MOTION OF (Plaintiff/Defendant) (Party Name)
(to/for) (type of motion)

MEMORANDUM CONTRA

MEMORANDUM CONTRA OF (Plaintiff/Defendant) (Party Name)
To (Plaintiff/Defendant) (Party Name)'s
MOTION (to/for) (type of motion) FILED (date of motion)

REPLY

REPLY MEMORANDUM OF (Plaintiff/Defendant) (Party Name)

Further, all Separation Agreements filed with the Court must be on a separate paper (not included in the body of the pleadings) and styled as Separation Agreement.

Upon the filing of an action for divorce, dissolution, legal separation, annulment, or any post-decree motion, except motions for continuance, the party so filing shall file a certificate stating whether the action has or has not been previously filed and dismissed or withdrawn. If the action was previously filed and dismissed or withdrawn, the party shall state the Judge or Magistrate to whom the case was assigned, and the case number of the previous case. If another motion is currently pending, the party shall state the Judge or Magistrate to whom the motion is assigned.

The Clerk of this Court may refuse to receive for filing any pleadings which do not conform to this rule.
(Amended, eff 1/1/90; 7/1/93; 7/1/95; 7/1/99)

CASE NAME _____

CASE NO. _____

CERTIFICATE

The complaint/petition/ post-decree motion filed herewith

_____ has

_____ has not

been previously filed and dismissed or withdrawn.

The complaint/petition that was previously dismissed or withdrawn was:

Case Number _____

Assigned to:

Judge _____

Magistrate _____

Another motion is currently pending in this case and assigned to:

Judge _____

Magistrate _____

I hereby certify that the information contained herein is correct to the best of my knowledge.

Attorney / Party

RULE 12. ENTRIES

Unless subject to the Uniform Judgment Entry form promulgated by the Supreme Court, or unless the Trial Judge otherwise directs, counsel for the party in whose favor an order, decree, or judgment is rendered, shall within five (5) days thereafter prepare the proper journal entry, and submit it to the counsel for the adverse party, who shall approve or reject the same within three (3) days after the receipt thereof. Name of the counsel, counsel's Ohio Supreme Court registration number, and the Trial Judge shall be typed or printed upon the entry. When the entry is approved by counsel, it shall be so endorsed and presented to the Judge who made the decision for approval and if signed by him or her shall then be filed with the Clerk. If counsel are unable to agree upon the entry, each counsel shall prepare his/her version. Counsel who prepared the initial entry shall forthwith notify the other counsel of when he intends to submit the entry to the Trial Judge, which entry shall be submitted within fourteen (14) days after the decision is rendered. The Trial Judge shall direct which entry shall be filed.

Due to technological changes in the Court's computerized docket management system, all entries shall state the reason for the entry, or relate the entry to the motion decided and the date of the decision. For example:

ENTRY SUSTAINING DEFENDANT SMITH'S
MOTION TO DISMISS FILED JUNE 1, 1994

(Amended, eff 8/1/87; 3/1/88; 7/1/95; 7/1/99)

RULE 13. MOTIONS

(A) Motions for temporary orders based on affidavits may contain multiple requests for relief. Motions for contempt may contain additional requests for attorney fees and reducing the arrearage to a judgment. All other motions shall contain a single request for relief and shall not contain multiple branches or alternative requests for relief, except that in addition to the single request for relief a motion may contain a request for appointment of a process server and/or attorney fees.

(B) Either party may submit financial and narrative affidavits in support of a motion for temporary orders. Narrative affidavits regarding the allocation of parental rights and responsibilities shall not exceed an aggregate of twenty-five pages, excluding exhibits. Affidavits may not be submitted as exhibits.

Once the court has issued temporary orders based upon the affidavits of the parties, either party may request an oral hearing pursuant to Ohio Civil Rule 75(M)(2). At the oral hearing to determine the temporary allocation of parental rights and responsibilities, the magistrate may limit the number and presentation of witnesses with the approval of the assigned judge.

(C) All requests for relief from judgment pursuant to Ohio Civil Rule 60(B), shall be made by motion and shall comply with Ohio Civil Rule 7(B). The motion shall be supported by relevant materials which demonstrate:

- (1) The party has a meritorious defense or claim to present if relief is granted;
- (2) The party is entitled to relief under one of the grounds stated in Civil Rule 60(B)(1) through (5); and
- (3) The timeliness of the motion.

The moving party shall file a memorandum of fact and law and may include affidavits, transcripts, depositions, answers to interrogatories, exhibits, and other relevant documentary materials. A copy of the motion and all materials filed in support of the motion for relief from judgment shall be served on the opposing party and a copy delivered to the Court's Bailiff.

The opposing party may file a brief or memorandum and supporting materials within twenty-one days after service of the motion. The opposing party shall serve a copy of the brief or memorandum and supporting materials on the moving party and shall deliver a copy to the Court's Bailiff.

Motions requesting relief from judgment which are based on lack of service or lack of jurisdiction, shall be scheduled for hearing. Motions requesting relief from judgment which do not involve lack of service or lack of jurisdiction will be reviewed by the court and scheduled for hearing if the materials submitted allege operative facts which, if proven, would warrant relief from judgment. All other motions for relief from judgment will be

determined without oral argument.

(D) Except for motions for relief from judgment filed pursuant to Civil Rule 60(B) which shall be scheduled for hearing by the court as provided in Local Rule 13(C), the attorney shall request a hearing date at the time of filing all motions, whether to be heard orally, on affidavit or memorandum only. A Judge or Magistrate may waive this Rule for good cause shown.

(Amended eff. 1/15/89, 3/11/94, 7/1/95; 2/9/98)

RULE 14. Broadcasting, televising, recording and photographing by news media

Broadcasting, televising, recording, and photographing by news media during courtroom sessions, including recesses between sessions, shall be permitted under the following conditions:

Administration

(1) Requests for permission to broadcast, televise, record or photograph in the courtroom shall be in writing to the Trial Judge or the Court of Domestic Relations as far in advance as reasonably practical, but in no event later than one (1) hour prior to the courtroom session to be broadcast or photographed unless otherwise permitted by the Trial Judge. Request forms may be obtained from the Trial Judge's office.

(2) The Trial Judge shall grant the request in writing consistent with Canon 3 of the Code of Judicial Conduct, Superintendence Rule 12, and this local rule. Written permission shall be made a part of the record of the proceeding.

Pooling

(3) Arrangements shall be made between or among media for "pooling" equipment and personnel authorized by this rule to cover the court sessions. Such arrangements are to be made outside the courtroom and without imposing on the Trial Judge or court personnel to mediate any dispute as to the appropriate media "pool" representative or equipment authorized to cover a particular session.

Equipment and Personnel

(4) Not more than one portable camera (television, video-tape or movie), operated by not more than one in-court camera person, shall be permitted without authorization of the Trial Judge.

(5) Not more than one still photographer, utilizing not more than two still cameras of professional quality with not more than two lenses for each camera, shall be permitted without authorization of the Trial Judge.

(6) Not more than one audio system for radio broadcast purposes shall be permitted without authorization of the Trial Judge.

(7) If audio arrangements cannot be reasonably made in advance, the Trial Judge may permit one audio portable tape recorder at the bench which will be activated prior to commencement of the courtroom session.

(8) Visible audio portable tape recorders may not be used by the news media without prior permission of the Trial Judge.

Light and Sound Criteria

(9) Only professional quality telephonic, photographic, and audio equipment which does not produce distracting sound or light shall be employed to cover courtroom sessions. No motor-driven still cameras shall be permitted.

(10) No artificial lighting device other than that normally used in the courtroom shall be employed. However, if the normal lighting in the courtroom can be improved without becoming obtrusive, the Trial Judge may permit modification.

(11) Audio pickup by microphone for all media purposes shall be accomplished from existing audio systems present in the courtroom. Microphones shall be located only at the Trial Judge's bench, witness stand and jury rail. Microphones shall be visible, secured, but unobtrusive. If no technically suitable audio system exists in the courtroom, microphones and related wiring essential for all media purposes shall be unobtrusive and located in places designated by this rule, or the Trial Judge, in advance of any session.

Location of Equipment and Personnel

(12) The television, broadcast and still camera operators shall position themselves in a location in the courtroom, either standing or sitting, and shall assume a fixed position within that area. Having established themselves in a shooting position, they shall act so as not to call attention to themselves through further movement. Sudden moves, pans, tilts or zooms by television or still camera operators are prohibited. Operators shall not be permitted to move about in order to obtain photographs or broadcasts of courtroom sessions, except to leave or enter the courtroom.

(13) Television cameras, microphones and taping equipment shall not be placed in, moved during, or removed from the courtroom except prior to commencement or after adjournment of the session (the Trial Judge has not gavelled the proceeding to order or adjournment), or during a recess. Neither television film magazines, rolls or lenses, still camera film, nor audio portable tape cassettes shall be changed within a courtroom except during recess.

Miscellaneous

(14) Proper courtroom decorum shall be maintained by all media pool participants.

(15) All media representatives shall be properly attired, in a manner that reflects positively upon the journalistic profession.

Limitations

(16) There shall be no audio pickup or broadcast of conferences conducted in a courtroom between counsel and clients, co-counsel, or the Trial Judge and counsel.

(17) The Trial Judge shall prohibit photographing or televising by any means victims of sexual assaults or undercover police officers. The Trial Judge shall retain discretion to limit or prohibit photographing or televising of any juror, victim, witness or counsel of his work product, upon objection.

Revocation of Permission

(18) Upon the failure of any media representative to comply with the conditions prescribed by the Trial Judge, the Rules of Superintendence of the Supreme Court, or this Rule, the Trial Judge may revoke the permission to broadcast, photograph or record the trial or hearing.

Effective July 1, 1984; Amended eff. 7/1/99

RULE 15. GUARDIAN AD LITEM

In order to superintend the best interest of minor children/incompetents in any action over which this Court has jurisdiction, the Court may appoint a Guardian ad Litem upon its own motion or the motion of either party. Said appointment shall be made by the required entry attached hereto and incorporated herein.

Counsel for the party requesting the Guardian ad Litem shall be required to notify the assignment commissioner of said appointment. The Assignment Commissioner and all counsel shall notify the Guardian ad Litem of all proceedings. It shall be the responsibility of counsel in the case to copy the Guardian ad Litem with all pleadings, notices of hearings and depositions, entries and any other necessary documents. Any additional expense incurred by the Guardian as a result of counsel's failure to notify, including the costs of transcripts, shall be charged to the party(ies) responsible for such failure.

The Court will appoint a Guardian ad Litem from a list of eligible attorneys or the Franklin County CASA Program. The list of eligible attorneys will be maintained by the Domestic Administrative Magistrate.

In order to be eligible, attorneys shall attend a three-hour training program concentrating solely on the duties of a Guardian ad Litem. Attending an Ohio approved Continuing Legal Education course on the subject of Guardians ad Litem or viewing a video of such shall automatically qualify for eligibility. Other equivalent training may be approved by the Domestic Administrative Magistrate. Upon completion, a letter verifying completion and requesting placement on the list shall be sent to the Domestic Administrative Magistrate. In sending this letter requesting placement on the Guardian ad Litem appointment list, the attorney is indicating a commitment to the acceptance of an appointment on a pro bono basis at least once a year. Implementation of the above training requirement shall be effective after the first offering of a Guardian ad Litem training.

If any party has filed an affidavit of indigency, the court may, in its discretion, not require that party to pay an initial deposit.

The Guardian ad Litem shall represent the best interest of the minor child(ren) until discharged by the court. At the conclusion of the litigation, the Attorney/Guardian ad Litem shall prepare an entry withdrawing as the Guardian ad Litem and dismissing the child(ren) as parties.

The Guardian ad Litem has a duty to notify the Court and counsel if the child's wishes are in opposition to the Guardian's recommendation.

When an Attorney/Guardian ad Litem requires fee arrangements

inconsistent with those set forth in the required entry, he/she shall so notify the Court prior to accepting an appointment.

No later than seven (7) days after final hearing in the matter on which the Guardian ad Litem has been appointed, the Attorney/Guardian ad Litem shall submit an affidavit of fees to the Court. If approved by the Court, said fees shall be made a part of the final entry. Nothing herein shall delay the filing of said entries, and they shall be filed in accordance with the Rules of the Supreme Court as to Civil Procedure and Superintendence.

In order to protect the fee for the services of the Attorney/Guardian ad Litem, the Court may require additional deposits, and shall have the discretion to issue a lump sum Judgment against the party or parties for the attorney fees due and owing at the time of the final adjudication.

DUTIES OF THE GUARDIAN AD LITEM

Upon appointment, the Attorney/Guardian ad Litem in every case shall perform certain basic duties, identified below. The feasibility of some of the duties will depend upon the age(s) of the children and the specific circumstances of each case. Therefore, it is within the discretion of the Guardian ad Litem to tailor each to the facts of the individual case.

- a. Interview the children and observe each parent with the child(ren);
- b. Review pleadings and consult with each attorney as to position and issues;
- c. Investigate all significant persons and interview independently;
- d. Obtain records e.g., school, criminal, medical, psychological, child protective agency;
- e. Perform home visits (this may be combined with the interview process);
- f. Evaluate the necessity, if any, of psychological evaluations or counseling; and file a motion requesting the same;
- g. Communicate with the Protective Services worker;
- h. Attend all depositions concerning the best interest of the child(ren)/incompetent.

POWERS

The powers of the Attorney/Guardian ad Litem shall be wide-ranging, including but not limited to, the right to file motions and to review all confidential records involving the child(ren) by request, through deposition, and by subpoena.

REPORTS AND COURT APPEARANCES

The Guardian ad Litem may prepare and file written reports detailing observations and recommendations on both an interim basis and at the conclusion of hearing, but in all cases shall be present at all hearings pertaining to the children. The Attorney/Guardian ad Litem may subpoena and examine independent witnesses.

FEES AND COSTS

All filing fees and court costs are waived as to Guardians ad Litem.

IN THE COURT OF COMMON PLEAS OF FRANKLIN COUNTY, OHIO
DIVISION OF DOMESTIC RELATIONS AND JUVENILE BRANCH

PLAINTIFF/PETITIONER

CASE NO. _____

v.

JUDGE

DEFENDANT/PETITIONER

MAGISTRATE

ENTRY / MAGISTRATE'S ORDER APPOINTING GUARDIAN AD LITEM

Pursuant to Rule 15 of the Franklin County Rules of the Court of Common Pleas, Domestic Relations Division / Rule 27 of the Juvenile Branch, it appearing to the Court that the best interest of minor(s) and/or incompetent(s) would be served and protected by making (him, her, them) party(ies) defendant in this action and by appointing a Guardian ad Litem to act in (his, her, their) best interest.

It is therefore ORDERED and ADJUDGED that _____ be designated party(ies) defendant and that _____ be appointed Guardian ad Litem.

It is further ORDERED and ADJUDGED that:

- () Plaintiff shall deposit the sum of _____ and/or Defendant shall deposit the sum of _____ into the trust account of the Guardian ad Litem no later than _____. Said total deposit shall be at least \$800.00 unless agreed upon otherwise by the Guardian ad Litem.

Additional sums may be ordered and apportioned to the respective parties upon the Court's own Motion or Motion of the Guardian ad Litem, who may submit to the Court a request for an additional deposit, or a monthly affidavit of fees for approval and an order regarding payment of said deposit/fees. Said request shall be served on the parties, or their counsel if they are represented, and if there is no objection, an order regarding payments of said deposit/fees may be issued after seven days.

The Court retains jurisdiction to reallocate the above costs along with all costs of the proceedings, at the conclusion of the case.

- () The Guardian ad Litem position is filled by an attorney on the Court list on a pro bono basis, both parties

being indigent, and having filed proper affidavits.

Should either party no longer qualify for indigency status during the pendency of the matter, fees may be requested by the Guardian ad Litem and assessed at the discretion of the Court.

It is further ORDERED and ADJUDGED that:

1. Upon presentation of a copy of this order to any agency, hospital, organization, school, person, or office including but not limited to the Clerk of Court, human services agencies, public children services agencies, private child placing agencies, pediatricians, psychiatrists, other physicians, psychologists, counselors, or law enforcement agencies, the Guardian ad Litem shall be permitted to inspect and copy any records relating to the child(ren) without the consent of the child(ren) or parent; to discuss all matters pertinent to treatment and findings related to the child(ren).
2. The Guardian ad Litem assigned to this cause shall maintain any information received from any such source as confidential and will not disclose the same except to report to the Court or as the law permits.
3. The Guardian ad Litem shall be given notice of and shall appear at all hearings or proceedings scheduled in this cause and assure proper representation of the child(ren)'s best interest at said hearing.
4. The Guardian ad Litem fees are in the nature of child support for the purposes of dischargeability in bankruptcy.
5. The next hearing date is scheduled/continued to _____.

JUDGE / MAGISTRATE

cc:

Counsel for Plaintiff
Attorney code

Counsel for Defendant
Attorney Code

Guardian ad Litem
Attorney code

Assignment commissioner

(Amended eff. 7/1/95)

RULE 16. Termination of inactive cases

An inactive case is a case which has been on the docket for six months and which (1) has not been tried, (2) is not awaiting trial assignment, and (3) is not stayed by order of the Judge to whom the case is assigned. Inactive cases shall be set for hearing to be tried or dismissed after written notice to counsel of record for failure to proceed, unless good cause is shown to the contrary.

RULE 17. Financial disclosure affidavit required at time of filing

Upon the filing of an action for dissolution, divorce, legal separation, or an answer or counterclaim thereto, each spouse so filing, in addition to any other affidavits, shall file an affidavit listing all income, assets and liabilities of the parties, whether jointly or separately held, together with any other relevant information concerning such listing that is within their knowledge.

Such affidavits may be supplemented by further affidavits any time up to 15 days prior to the date set for hearing.

The affidavits filed pursuant to this Rule shall be on the Form authorized by the Court, the standard domestic relations form promulgated in proposed Rule of Superintendence 80, or in a format consistent therewith.

(Effective 1/1/86; amended, eff 1/15/89; 7/1/99)

**IN THE COMMON PLEAS COURT OF FRANKLIN COUNTY, OHIO
DIVISION OF DOMESTIC RELATIONS**

CASE NO. _____

SOCIAL SECURITY # _____

PLAINTIFF / PETITIONER

OF _____ VS.
(Date)

ASSETS & LIABILITIES AS

SOCIAL SECURITY # _____

DEFENDANT / PETITIONER

Instructions: You must disclose all information requested herein pursuant to Court Rule 17 of the Franklin County Common Pleas Court, Division of Domestic Relations. List all assets, liabilities, income sources and retirement accounts separately. Also list the value of all assets and whether the assets or liabilities are jointly or individually held. This may be supplemented with additional information on attached sheets.

ASSETS:

Cash: _____

Government Bonds: _____

Checking Accounts: _____

Liabilities: _____

Accounts / Notes: _____

Receivable: _____

Stocks, Bonds, Securities: _____

Life Insurance Cash Values: _____

Payable: _____

Real Estate: _____

Insurance: _____

Automobiles: _____

Other Assets (itemize): _____

Income: _____

Gross Income from Employment: _____

CONTINGENT LIABILITIES:

Notes / Accounts Payable: _____

Guarantor: _____

Other Contingent _____

LIABILITIES:

Notes Payable: _____

Accounts _____

Loans on Life _____

Taxes: _____

Mortgages: _____

Debts:

Individual Name: _____

weekly monthly annually

Joint Names:

Other Income (itemize): _____

Retirement Accounts, Pensions, 401K Accounts, etc:

Husband: _____ Vested: yes no

Wife: _____ Vested: yes no

Plaintiff / Defendant / Petitioner
Sworn to and subscribed by the Plaintiff / Defendant /
Petitioner before me this _____ day of _____
_____, 20____.

Public

Notary

RULE 18. Required language

All Divorce Decrees, Dissolution Decrees, Legal Separation Decrees and any other order which contains an order of support for children or a spouse shall contain the following notice which shall be in boldfaced type and in all capital letters:

EACH PARTY TO THIS SUPPORT ORDER MUST NOTIFY THE CHILD SUPPORT ENFORCEMENT AGENCY IN WRITING OF HIS OR HER CURRENT MAILING ADDRESS, CURRENT RESIDENCE ADDRESS, CURRENT RESIDENCE TELEPHONE NUMBER, CURRENT DRIVER'S LICENSE NUMBER, AND OF ANY CHANGES IN THAT INFORMATION. EACH PARTY MUST NOTIFY THE AGENCY OF ALL CHANGES UNTIL FURTHER NOTICE FROM THE COURT. IF YOU ARE THE OBLIGOR UNDER A CHILD SUPPORT ORDER AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS YOU MAY BE FINED UP TO \$50 FOR A FIRST OFFENSE, \$100 FOR A SECOND OFFENSE, AND \$500 FOR EACH SUBSEQUENT OFFENSE. IF YOU ARE AN OBLIGOR OR OBLIGEE UNDER ANY SUPPORT ORDER AND YOU WILLFULLY FAIL TO MAKE THE REQUIRED NOTIFICATIONS YOU MAY BE FOUND IN CONTEMPT OF COURT AND BE SUBJECTED TO FINES UP TO \$1000 AND IMPRISONMENT FOR NOT MORE THAN 90 DAYS.

IF YOU ARE AN OBLIGOR AND YOU FAIL TO MAKE THE REQUIRED NOTIFICATIONS YOU MAY NOT RECEIVE NOTICE OF THE FOLLOWING ENFORCEMENT ACTIONS AGAINST YOU: IMPOSITION OF LIENS AGAINST YOUR PROPERTY; LOSS OF YOUR PROFESSIONAL OR OCCUPATIONAL LICENSE, DRIVER'S LICENSE, OR RECREATIONAL LICENSE; WITHHOLDING FROM YOUR INCOME; ACCESS RESTRICTION AND DEDUCTION FROM YOUR ACCOUNTS IN FINANCIAL INSTITUTIONS; AND ANY OTHER ACTION PERMITTED BY LAW TO OBTAIN MONEY FROM YOU TO SATISFY YOUR SUPPORT OBLIGATION.

Additionally, if there is support for children involved, the following notices shall be included in the order:

The residential parent or the person who otherwise has custody of a child for whom a support order is issued is also ordered to immediately notify, and the obligor under a support order may notify, the Franklin County Child Support Enforcement Agency of any reason for which the support order should terminate, including but not limited to, the child's attainment of the age of majority if the child no longer attends an accredited high school on a full-time basis and the support order does not provide for the duty of support to continue past the age of majority; the child ceasing to attend such a high school on a full-time basis after attaining the age of majority, if the support order does not provide for the duty of support to continue past the age of majority; or the death, marriage, emancipation, enlistment in the armed services, deportation, or change of legal or physical custody of the child.

A WILLFUL FAILURE TO NOTIFY THE FRANKLIN COUNTY CHILD SUPPORT ENFORCEMENT AGENCY AS REQUIRED BY DIVISION (G)(4) OF SECTION 3113.21 OF THE OHIO REVISED CODE IS CONTEMPT OF COURT.

All child support and spousal support orders shall contain the following provision:

All child support and spousal support under this order shall be withheld or deducted from the income or assets of the obligor pursuant to a withholding or deduction notice or appropriate court order issued in accordance with section 3113.21 of the Revised Code or a withdrawal directive issued pursuant to section 3113.214 of the Revised Code and shall be forwarded to the obligee in accordance with sections 3113.21 to 3113.213 of the Revised Code.

All such decrees and orders shall also contain language requiring the notices required by this rule to be sent to the Franklin County Child Support Enforcement Agency, 373 S. High Street, Columbus, Ohio 43215.

This Court has promulgated forms to meet the requirements of the Ohio Revised Code and United States Code regarding entries and notices which must accompany any order for support. Complainants and/or movants for child support orders shall complete and submit proposed worksheets, child support orders, notices and instructions for service as required by Section 3113.21 prior to adjournment of the hearing wherein an order for support is entered.

(Effective 1/1/87; amended, eff 8/1/87; 3/1/88; 7/1/90; 7/1/93; 2/9/98; 7/1/99)

RULE 19. REPEALED

RULE 20. Support payments through Franklin County Child Support Enforcement Agency Application for IV-D Services

To comply with the mandates of the Ohio Revised Code all support orders issued after the effective date of these Rules shall be made through the Franklin County Child Support Enforcement Agency, Attention: Disbursements, P.O. Box 182710, Columbus, Ohio 43218-2710 and this Rule shall act as a Court Order if such language is not specifically in any decree or judgment entry of this Court.

Whenever a support order is issued or modified the obligee shall complete and file with the Court, prior to the adjournment of the hearing, an Application for IV-D Services.

Whenever a support order is issued or modified a copy of the entry shall be provided by counsel to the Clerk of Courts Office at the time of filing to be forwarded to the Franklin County Child Support Enforcement Agency.

(Effective 1/1/87; amended, eff 3/1/88/ 7/1/90; amended,7/1/93, 6/16/94, 7/1/99)

RULE 21. Child support worksheets

A. Dissolution of marriage and Uncontested divorces

Child support worksheets, as prescribed by the Ohio Revised Code, shall be filed with any petition for dissolution of marriage or any request for assignment of an uncontested divorce hearing in which there are minor or otherwise unemancipated children who are issue of the marriage. If the child support provided for in the separation agreement filed with the petition for dissolution or the proposed judgment entry decree of divorce deviates from the child support guidelines, the proposed judgment entry **or** decree of dissolution shall contain or have attached, findings of fact sufficient to substantiate the deviation. General recitals that the deviation is fair or equitable, or words of similar import, shall not be sufficient to substantiate the deviation.

B. Contested divorces

Child support worksheets, as prescribed by the Ohio Revised Code, shall be filed jointly by the parties on or before the date of pretrial of any contested divorce, if assigned for pretrial, or on or before the date of hearing, in any case in which there are minor or otherwise unemancipated children who are issue of the marriage. If the parties are unable to agree on the proper completion of the worksheets, each shall file a proposed worksheet at the time set forth in this rule.

C. Temporary Child Support, Motions to Modify Child Support and All Other Actions in Which Child Support is an Issue

Proposed child support worksheets shall be filed by each party at or prior to the hearing before the magistrate of motions for temporary child support along with other affidavits, memoranda or documents in support of or in opposition to the motions. For post decree motions, and in all other actions in which child support is an issue, whether in the Domestic or Juvenile Branches, the worksheets and other verification shall be filed on or before the date of the hearing before the magistrate.

(Effective 10/1/87; Amended, eff 7/1/90; 7/1/99)

RULE 22. MEDIATION

After service of summons in an action for divorce, annulment, legal separation, or at any time after the filing of a post-decree motion to modify the allocation of parental rights and responsibilities, when it is determined that the parties have not reached an agreement regarding the allocation of parental rights and responsibilities, the court may order the parties to participate in mediation assessment. Mediation Assessment and Referral Services (MARS) will also accept direct referrals from counsel and parties wishing to mediate without litigation pending.

If Mediation Assessment and Referral Services determines that the case qualifies for mediation, the Court may permit and encourage both parties to participate in mediation with a court accredited mediator for a period of time not to exceed ninety (90) days. If the parties agree to mediate, the court will stay the proceedings, and mediation sessions may be convened from time to time until all issues are resolved in a manner mutually acceptable to the parties or until the mediator determines continued efforts would not be productive. The Court may order parties to participate in or return to mediation at any time.

The parties may agree to mediate issues other than the allocation of parental rights and responsibilities, provided that the parties obtain the approval of their respective counsel prior to entering into a final agreement. The costs of mediation shall be the initial subject of the mediation, and shall be paid by the parties pursuant to their fee agreement with the mediator.

The mediator shall notify Mediation Assessment and Referral Services 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. Statements made during mediation shall be considered compromise negotiations and not admissible as evidence pursuant to Evidence Rule 408. 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.

MARS shall conduct an exit interview with the parties in person, in writing, or by telephone, and shall request the court to release the mediation stay.

To be accredited by the Franklin County Court of Common Pleas, Division of Domestic Relations and Juvenile Branch, a mediator should possess the following qualifications:

- 1) Completion of at least 12 hours of basic mediation training and 40 hours of specialized family/divorce mediation training.
- 2) Adherence to the ethical guidelines as set by the

Academy of Family Mediators.

3) An undergraduate degree* and at least two years of professional experience with families. "Professional experience with families" includes counseling, casework, mediation, legal representation in family law matters, or equivalent experience as is satisfactory to the court.

*The undergraduate degree requirement may be waived by the court upon consideration of well-documented equivalent educational experience.

4) Eligibility for membership in a professional association.

5) Maintenance of appropriate liability insurance specifically covering the activities of the individual as a mediator.

6) Adherence to the ethical standards of the mediator's profession.

7) A commitment to continuing education.

8) Awareness of the factors affecting the propriety of mediation in particular cases.

9) Substantial divorce mediation experience, or completion of a supervised domestic mediation apprenticeship.

(Effective 9/1/89; Amended eff. 7/1/95; 7/1/99)

RULE 23. CHILD SUPPORT AND SPOUSAL SUPPORT MODIFICATIONS

Upon the filing of a motion requesting modification of an existing child support or spousal support order based upon a change of financial circumstances, each party shall file an affidavit setting forth their current income and itemized expenses. If a party has remarried he shall also set forth his spouse's current income.

The affidavit of the moving party shall accompany the motion when filed. The affidavit of the responding party shall be filed and served on the opposing party or his counsel not less than fourteen days prior to hearing. The affidavits filed pursuant to this rule shall be on the form authorized by the Court or in a format consistent therewith.

(Effective 1/1/90, Amended eff 7/1/95)

RULE 24. Health Insurance Disclosure Affidavit

In any petition for Dissolution of a Marriage or complaint for Divorce or Legal Separation involving minor children, any complaint for custody, support, paternity, or motion for the establishment or modification of support or motion for health insurance coverage, or answer or counterclaim thereto, the pleading shall be accompanied by a completed Child Support Enforcement Agency Health Insurance Disclosure Affidavit, on a form prescribed by the Court or the standard domestic relations form promulgated in proposed Rule of Superintendence 80. In any petition for custody and support in a domestic violence case, a completed Child Support Enforcement Agency Health Insurance Disclosure Affidavit, on a form prescribed by the Court or the standard domestic relations form promulgated in proposed Rule of Superintendence 80, shall be completed and filed by petitioner as soon as possible after service on respondent, but in any event no later than final hearing on the petition.

(Effective 7/1/90; Amended eff. 7/1/99)

RULE 25. Assignment of cases

Upon the original filing of a case, the case shall be assigned by lot to a specific Judge of this Court. A case that is reactivated by motion shall be assigned to the original Judge unless the original action was filed prior to January 1, 1991, then it shall be assigned in the same manner as an original filing.

In any instance where a previously filed and dismissed case is refiled, that case shall be reassigned to the Judge originally assigned by lot to hear it; unless for good cause shown, that Judge is precluded from hearing the case. When a Judge leaves the Court his or her cases will be assigned to his or her successor. To allow for other responsibilities, assignments to the Administrative Judge shall be reduced by ten percent.

Once assigned to a case, the assigned Judge becomes primarily responsible for the determination of every issue and proceeding in the case until its termination. All preliminary matters, including requests for continuances, must be submitted for disposition to the Judge to whom the case is assigned, or if he or she is unavailable, to the Duty Judge.

None of the above language shall be construed to limit the reference of cases to Magistrates pursuant to Civil Rule 53 or Local Rule 8. Notwithstanding those rules, the following matters shall be docketed for and heard only by the assigned Judge except with permission of the Administrative Judge of this Court or in his or her absence the Presiding Judge of the Common Pleas Court, a Judge may refer specific cases to a Magistrate if the case can not be heard due to unavailability of docket time and must be heard that day:

- a) Final hearings for divorce and dissolution, and motions directly related to such final hearings on the merits.
- b) Motions for a new trial or to vacate and set aside any matter heard and decided by a Judge.
- c) All parentage proceedings tried to a Jury.

(Effective February 25, 1993)

RULE 26. Seminar for Separating Parents

All parents in divorce, legal separation, or dissolution actions in which there are any minor children shall attend an educational seminar for separating parents sponsored by the court within 45 days before or after the filing of the action or service of process. No action shall proceed to final hearing until there has been compliance with this rule; provided, however, that non-compliance by a parent who enters no appearance and does not contest the action shall not delay the final hearing. This requirement may be waived by the court for good cause shown.

Each parent shall be responsible for registering at least one week prior to the seminar to be attended.

An informational brochure shall be included by the Clerk of Courts with service of process in each action for divorce or legal separation in which there are any minor children, and a copy shall be provided to counsel for delivery to the plaintiff. Counsel shall prepare and file an appropriate precipe with the Clerk of Courts. Counsel filing dissolution of marriage actions shall provide a copy of the brochure to both parents to the action.

Seminar attendance may also be required by order of the court in connection with motions for post-decree relief concerning the allocation of parental rights and responsibilities.

(Effective May 13, 1991; amended, effective 7/1/93)

**RULE 27. MODEL VISITATION/PARENTING TIME SCHEDULE
FRANKLIN COUNTY COMMON PLEAS COURT
DOMESTIC AND JUVENILE DIVISIONS**

FOR PARENTS TRAVELING UNDER 90 MILES ONE WAY:

This schedule is merely a guideline for parenting time. It is the parties' responsibility to tailor this schedule as necessary to meet the best interests of their children and their situation before the schedule becomes a court order.

Liberal visitation/parenting time arrangements are encouraged, as contact with both parents is important to the children. Specific items in the Journal Entry take precedence over this schedule. Changes or modifications can be made by the Court if need for such is shown. This schedule does not affect support payments.

Activities you engage in with your children, skills you teach them, or friends you help them make will make their time with you more rewarding. Additionally, regardless of how much time each parent spends with the children, there are many opportunities to be involved in their lives, such as participation and attendance at their school, sporting and extracurricular activities.

VISITATION/PARENTING TIME BETWEEN THE CHILDREN AND THE NON-RESIDENTIAL PARENT SHALL TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE, BUT WILL NOT BE LESS THAN:

1. Weekends: Alternate weekends from Friday at 6:00 p.m. until Sunday at 6:00 p.m. This alternating weekend schedule shall not change, even when interrupted by holiday and birthday, summer and/or vacation visitation/parenting time. (See Section 5a below)
2. Weekdays: One weekday evening per week from 5:00 p.m. to 8:00 p.m. which shall be Wednesday unless otherwise agreed and designated herein as

3. Extracurricular Activities: Regardless of where the children are living, their participation in existing and renewed extracurricular activities, school related or otherwise, shall continue uninterrupted. The parent with whom they are residing at the time of the activity shall provide the transportation to these activities. Notice of all extracurricular activities, school related, or otherwise, in which the children participate, schedules of all extracurricular activities (handwritten, if no formal schedule is provided by the activity) and the name of the activity leader (including address and telephone number if reasonably available) shall be exchanged between the parents.

4. Pre-School Age: Unless otherwise agreed, pre-school age children follow the same schedule of school age children in the school district where they live regardless of whether or not other school age children live in the family. Frequent contact with both parents each week is recommended for very young children.
5. Holidays (includes birthdays): In odd-numbered years, mother has Spring Break, Memorial Day, Labor Day, and the first half of Winter Break. In odd-numbered years, father has Martin Luther King's Day, Fourth of July, Thanksgiving, and the second half of Winter Break. In the even-numbered years, the schedules are reversed.

- a. In the event of a conflict between regular visitation/parenting time and holiday visitation/parenting time, holiday visitation/parenting time prevails. The alternating weekend visitation/parenting time continues, however, as if the holiday had not intervened. This means that one parent may have the children three weekends in a row. This process equalizes itself over the course of time for each parent.

For any holiday falling on a Monday or Friday, if the weekend immediately preceding or following the holiday visitation/parenting time is spent with the same parent, there is no need for that parent to return the children that evening and then pick them up the next morning. For a holiday falling on a Friday, visitation/parenting time commences Friday a.m. and continues to Sunday evening; or for a holiday falling on a Monday, visitation/parenting time commences Friday evening and continues to Monday evening.

- b. Mother's Day and Father's Day and, the parent's birthdays only when they fall on a Saturday or Sunday, are to be spent with the appropriate parent. These are as agreed or 10:00 a.m. to 7:00 p.m. These do not have to be made up.
- c. Other days of special meaning, such as Religious Holidays, etc., (i.e., New Year's Eve and Day, Kwanzaa, Passover, Easter, Rosh Hashanah, Christmas Eve, Christmas Day) should be decided together, as follows:

- d. Hours for parents who can not agree are as follows: Martin Luther King Day (9:00 a.m. to 7:00 p.m.); Spring Break (6:00 p.m. on the day school is out to 7:00 p.m. the day before school recommences; Memorial Day and Labor Day (6:00 p.m. Friday to 6:00 p.m. Monday); July

4th (9:00 a.m. to 9:00 a.m. the next day); ;
Thanksgiving (6:00 p.m. Wednesday to 6:00 p.m. Sunday);
Winter Break (first half commences at 6:00 p.m. the
last day of school before Winter Break begins, until
December 25 at 1:00 p.m.; second half commences at
1:00 p.m. December 25 until 6:00 p.m. the day before
school recommences).

- e. 48-hour notice should be given by the parent with whom the holiday is being spent for any arrangements for out of town travel on the holidays or of a change in pick-up/return times.
 - f. The children's birthdays should be alternated per child, between the parents and on an annual basis. Hours for parents who cannot agree are 4:00 p.m. to 8:00 p.m. Brothers and sisters attend the birthday event. These do not have to be made up.
6. Summer: In odd numbered years, Mother shall have visitation/parenting time with the children the first half of the summer, and Father shall have visitation/parenting time with the children the second half of summer. This schedule reverses in even numbered years. The summer school vacation commences the day after the children are out of school and continues until seven (7) days before school begins. Each parent's time is calculated by taking the number of intervening weeks (full and/or partial) and dividing in half.
- Weekday and alternating weekend visitation/parenting time shall be exercised by the parent who is not exercising his/her half of the summer.
7. Vacations: Each parent may arrange an uninterrupted vacation of not more than two (2) weeks with the children. Each parent shall schedule this vacation during his/her half of the summer. A general itinerary of the vacation shall be provided for the other parent, including dates, locations, addresses, and telephone numbers. Holiday and birthday celebrations with either parent shall not be missed, requiring scheduling of the vacation around these events or that the missed occasion be made up. Alternate weekend visitation/parenting time with the other parent is missed during vacation, and there is no requirement that it be made up.
8. Telephone Access:
- a. Children can call either parent as often as they wish, at reasonable times, so long as the call is collect, if it is a long distance call.
 - b. In addition, the non-possessory parent shall be entitled to telephone communication with the children not less than three times per week for not less than 15 minutes

per call.

- C. Possessory parent shall not interfere with or stop the telephone communication.

9. Transportation: The parties shall divide the transportation equally. The parent who is exercising visitation/parenting time shall pick up the children. Unless otherwise ordered by the court or agreed by the parents, drop off/pick up shall be at the parents' respective homes.

10. Moving: Upon either parent learning that he/she will be moving, he/she shall immediately notify the other parent except in those circumstances wherein notice is not required by R.C. 3109.051(G), and provide the other parent with the moving date, new residence address and telephone number, and such other pertinent information necessary to effectuate a smooth move for the children. The parents shall attempt, in good faith, to renegotiate an appropriate and beneficial new visitation/parenting time schedule.

11. Waiting: Neither parent shall be more than 30 minutes late picking up the children. If the non-residential parent has not arrived to pick up the children within the 30 minute period, visitation/parenting time is forfeited and shall not be made up.

12. Cancellation: The non-residential parent should give 24 hour notice to cancel. The time canceled by the non-residential parent is forfeited.

13. Illness: If a child is ill, the residential parent should give 24 hour notice, if possible, so appropriate plans can be made. However, if any visitation/parenting time, weekend, holiday/birthday, or vacation is missed due to non-emergency and/or critical illness, then any missed visitation/parenting time shall be made up as provided in paragraph 14.

14. Make-Up Visitation/Parenting time: Any make-up visitation/parenting time required by this schedule shall occur the first weekend of the other parent immediately following the missed visitation/parenting time and shall continue during the other parent's weekends until made up in full, including partial weekends.

15. Current Address and Telephone Number: Except as provided in the court order, each parent shall keep the other informed of his/her current address and telephone number at all times.

Emergency Contact: Both parents shall at all times, regardless of whether the children are with him/her, provide the other parent with a telephone number for contact in the event of an emergency.

16. Car Seat: For any and all children required by law to ride in a car seat, the parents shall transfer the car seat with the child as visitation/parenting time exchanges occur.
17. Clothing: The parents shall cooperate in the exchange of the children's clothing prior to and following visitation/parenting time.

**MODEL VISITATION SCHEDULE
FRANKLIN COUNTY COMMON PLEAS COURT
DOMESTIC AND JUVENILE DIVISIONS**

FOR PARENTS TRAVELING OVER 90 MILES ONE WAY

This schedule is merely a guideline for parenting time. It is the parties' responsibility to tailor this schedule as necessary to meet the best interests of their children and their situation before the schedule becomes a court order.

Liberal visitation/parenting time arrangements are encouraged, as contact with both parents is important to the children. Specific items in the Journal Entry take precedence over this schedule. Changes or modifications can be made by the Court if need for such is shown. This schedule does not affect support payments.

Activities you engage in with your children, skills you teach them, or friends you help them make will make their time with you more rewarding. Additionally, regardless of how much time each parent spends with the children, there are many opportunities to be involved in their lives, such as participation and attendance at their school, sporting and extracurricular activities.

VISITATION/PARENTING TIME BETWEEN THE CHILDREN AND THE NON-RESIDENTIAL PARENT SHALL TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE, BUT WILL NOT BE LESS THAN:

1. Pre-School Age: Unless otherwise agreed, pre-School age children shall follow the same schedule as school age children in the school district where they live, whether or not a school age child resides in the family. Frequent contact with both parents is recommended for very young children.
2. Winter Break: Winter Break will be divided in half and alternated annually, by half, between the parents.
3. Spring Break: The non-residential parent shall be entitled to the entire school vacation (the day school is out to the day before school recommences) in odd-numbered years.
4. Summer: Each parent shall be entitled to one half of the

school summer vacation. Summer school necessary for the child(ren) to pass to the next grade must be attended. The residential parent shall notify the non-residential parent by March 15 of when the summer vacation begins and ends. The non-residential parent must notify the residential parent as to their intentions by April 15.

a. If the parties cannot agree which half of the summer they prefer, in the even-numbered years, the first half of the summer shall be spent at the home of the non-residential parent, and in the odd-numbered years, the second half.

b. A general itinerary should be provided either parent if more than 2 days will be spent away from either home when the children are in that parent's care.

5. Vacations: Each parent may arrange an uninterrupted vacation of not more than two weeks with the children. If this includes a trip away from home a general itinerary of the vacation shall be provided for the other parent, including dates, locations, addresses, and telephone numbers.

6. Additional Visitation/Parenting time:

a. Weekend: A once-a-month, weekend visit to the non-residential parent's home shall be permitted if the child's traveling time does not exceed THREE AND ONE HALF HOURS, one way. The residential parent must be notified at least one week in advance. THE NONRESIDENTIAL PARENT SHALL PROVIDE THE TRANSPORTATION FOR WEEKEND VISITATION/PARENTING TIME.

b. Father's Day and Mother's Day should always be spent with the appropriate parent.

c. The non-residential parent shall notify the residential parent as least two days in advance of any time the non-residential parent will be in the area and wants visitation/parenting time. Absent extraordinary circumstances, this visitation/parenting time shall occur.

d. The residential parent shall notify the non-residential parent at least two days in advance when the residential parent and child(ren) will be in the area of the non-residential parent, and visitation/parenting time must be allowed.

7. Telephone Access:

a. Children can call either parent as often as they wish, at reasonable times, so long as the call is collect if it is a long distance call.

- b. In addition, the non-possessory parent shall be entitled to telephone communication with the children not less than three times per week for not less than 15 minutes per call.
- c. Possessory parent shall not interfere with or stop telephone communication.
8. Transportation: Responsibility for transportation costs should be decided in advance and a plan written into an Order of the Court. The costs of transportation, in the appropriate case, may be a basis for deviation from the child support schedule. Parties shall also decide and provide in the plan where the child(ren) shall be picked up and dropped off.
9. Moving: Upon either parent learning or determining, whichever first occurs, that he/she will be moving, he/she will immediately notify the other parent and provide the other parent with the moving date, new residence address and telephone number, and such other pertinent information necessary to effectuate a smooth move for the children. The parents shall attempt, in good faith, to renegotiate an appropriate and beneficial new visitation/parenting time schedule.
10. Current Address and Telephone Number: Except as provided in the court order, each parent shall keep the other informed of his/her current address and telephone number at all times.
- Emergency Contact: Both parents shall at all times, regardless of whether the children are with him/her, provide the other parent with a telephone number for contact in the event of an emergency.
11. Car Seat: For any and all children required by law to ride in a car seat, the parents shall transfer the car seat with the child as visitation/parenting time exchanges occur.
12. Clothing: The parents shall cooperate in the exchange of the children's clothing prior to and following visitation/parenting time.

(Effective July 1, 1991; amended, effective 7/1/93; 7/1/99)

RULE 28. Service of Process in a divorce, annulment, or legal separation.

In a divorce, annulment, or legal separation action, where service of process is perfected in accordance with Ohio Rule of Civil Procedure 4.4 (A) (2), the Clerk shall cause notices to be posted in a conspicuous place in the Franklin County Hall of Justice, the Franklin County Administration Building, the Auto Title Department, and the main lobby of the Franklin County Courthouse.

(Effective July 1, 1991)

RULE 29. REPEALED

Rule 30. Work Release Program

The Franklin County Domestic Relations Court will participate in the Franklin County Work Release Program as administered and operated by the Franklin County Court of Common Pleas, General Division.

The work release program is established to afford the Court a community based and community oriented rehabilitative alternative to incarceration for those convicted criminal offenders who pose no substantial threat to the community but who need minimum custody in order for treatment efforts to be effective.

The work release program is a residential community center for rehabilitation for those offenders who have been granted the privilege of work release. The program center operates in a similar fashion as a traditional jail, but rather than housing offenders in jail itself, the offenders are housed in a community setting.

The Court, with the consent of the offender, may sentence individuals to the work release program as a condition of intensive or standard probation.

All staff of the work release program are appointed employees of the Franklin County Court of Common Pleas, General Division. The Domestic Relations Court will comply with all regulations prepared, utilized, and deemed necessary for the operation of the program by the program director, and approved by the Judges of the Franklin County Court of Common Pleas, General Division.

The program director may order, with the consent of the Trial Judge, Administrative Judge of the Domestic Relations Court, or the Administrative Judge of the General Division of the Franklin County Court of Common Pleas, removal of any resident from the program for infractions of the work release rules and regulations.

Before admittance to the work release program, the offender shall agree to and sign a Participation Agreement. The Agreement shall detail the rules, regulations and procedures by which the offender must abide while in the program. Any resident who is removed from the program shall be returned to jail, or authorized correction agency, to serve the balance of their sentence.

Any resident participating in the work release program is required to pay a per diem as determined by the Court, under R.C. Section 5147.29, for reimbursement to the county for the cost of boarding and the direct cost of administering such program.

All funds received by the program from the offender are to be handled in accordance with R.C. Section 5147.29 and generally accepted accounting principles.

(Amended effective 7/1/93)

RULE 31. FORMS

The court shall from time to time promulgate standard forms for use in domestic actions. When parties are required by local court rule to use forms authorized by the court, they may submit a form which is identical in content, but not appearance, to the form promulgated by the court, and shall include therein a certificate verifying the content of such form.

Effective 7/1/95

RULE 32 SECURITY

Pursuant to the Rule 9 of the Rules of Superintendence for Ohio Courts, the Court has implemented a local Security Policy and Procedure Plan which addresses the Ohio Court Security Standards adopted by the Supreme Court of Ohio on October 17, 1994.

All persons entering the Court shall pass through a magnetometer and have all packages large enough to conceal a weapon or dangerous ordnance pass through an x-ray machine. No weapons or other instrument, ordnance or device which may cause bodily harm will be permitted into Court, except that law enforcement officers acting within the scope of their employment as a witness or on official business shall be allowed to carry their official side arm. Law enforcement officers appearing for their own case will not be allowed to carry a weapon or dangerous ordnance into Court.

The Court has appointed a Local Court Security Advisory Committee consisting of:
A Domestic Relations Court Judge, the Court Director, the Deputy Director for Courthouse Operations, the Court Constable/Facility Manager, the Deputy Director for Detention Services, the County Administrator (or designee), the Director of Public Facilities Management (or designee), and the Sheriff's Chief Deputy for Court Services.

Effective July 1, 1995; Amended Eff. 7/1/99

RULE 33. RESERVED

RULE 34. APPEALS FROM MAGISTRATE'S ORDERS

Magistrates may issue orders as provided by Ohio Civil Rule 53. Parties may appeal a magistrate's order by filing a motion to set aside the order, which shall be heard by a Judge. Parties shall not file a motion to set aside temporary orders issued pursuant to Ohio Civil Rule 75(M) prior to the Magistrate conducting an oral hearing pursuant to Ohio Civil Rule 75(M)(2).

RULE 35 ADMISSION OF OUT-OF-STATE ATTORNEYS

An attorney not licensed to practice law in the state of Ohio, but who is duly licensed to practice law in any other state or the District of Columbia, may, in the discretion of the Trial Judge, be permitted to represent a party or parties in any litigation pending or to be filed in this county after completion of all of the following conditions:

(A) File a written oath substantially in compliance with Rule I, Section 8A of the Rules for the Government of the Bar;

(B) Certify in writing that he or she has familiarized himself or herself with local Court rules and will familiarize himself or herself with the appropriate Civil, Juvenile, or Criminal Rules, the Rules of Evidence, and the Code of Professional Responsibility;

(C) Be sponsored in writing by an attorney licensed to practice law in the state of Ohio. The motion made by the licensed attorney shall certify such out-of-state counsel's compliance with this rule and the Rules for the Government of the Bar;

(D) The sponsoring attorney shall submit with the motion and certification an entry authorizing the approval of the motion; and

(E) The sponsoring attorney, or any other attorney licensed to practice law in the state of Ohio, shall be co-counsel with the attorney admitted pro hoc vice.

The continuance of any scheduled trial or hearing date shall not be permitted solely because of the unavailability or inconvenience of the out-of-state counsel.

Effective 2/9/98