

## **DOMESTIC RULE 19 PHOTOGRAPHIC IDENTIFICATION**

All parties and persons seeking relief from this Court may be required to exhibit picture identification or other acceptable identification, and proof of a current address.

Effective 10/1/04

## **DOMESTIC 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 and past income and personal earnings. If either party seeks modification of a spousal support order or deviation from the amount of child support calculated pursuant to the basic child support schedule and applicable worksheet, each party shall include in their affidavit a list of their current and past itemized expenses, and if that party has remarried his / her spouse's current income. All information contained in the affidavit must be accurate. Any information that is estimated must be clearly identified. Blank spaces or "N/A" are unacceptable responses. Failure to timely submit an accurate affidavit may result in dismissal of the motion to modify.

If a party seeks to modify an alimony order entered in a divorce or dissolution on or after May 2, 1986, or a spousal support order entered in a divorce or dissolution on or after January 1, 1991, that party shall aver in his / her affidavit that the divorce decree or separation agreement incorporated into the divorce or dissolution decree, contains a provision specifically authorizing the court to modify the amount or terms of alimony or spousal support.

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 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; 10/1/04)

**DOMESTIC 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. 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, 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; 10/1/04)

**DOMESTIC RULE 25. Assignment of cases**

Upon the original filing of a case, the case shall be assigned by lot to a specific Judge and Magistrate of this Court. A case that is reactivated by motion shall be assigned to the original Judge and Magistrate unless the Administrative Judge determines that cases must be reassigned to balance caseloads between judges / magistrates, or if the original action was filed prior to January 1, 1991, the case shall be assigned in the same manner as an original filing.

In the event the same parties each file separate cases, the first case filed shall be assigned by lot to a specific judge and magistrate. The second case filed shall be assigned to the same judge and magistrate.

In any instance where a previously filed and dismissed case is refiled, that case shall be reassigned to the Judge and Magistrate originally assigned by lot to hear it; unless for good cause shown, that Judge or Magistrate is precluded from hearing the case. When a Judge or Magistrate 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 fifteen 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 or Magistrate to whom the case is assigned, or if he or she is unavailable, to the Duty Judge or Duty Magistrate.

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, or another Judge willing to hear the matter, except with permission of the Administrative Judge of this Court, a Judge may refer specific cases to a Magistrate if the case cannot be heard due to unavailability of docket time:

- 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) Final domestic violence hearings.

(Effective February 25, 1993; 10/1/04)

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

In a divorce, annulment, or legal separation action, where publication service 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, all branches of the Auto Title Department, and the main lobby of the Franklin County Courthouse.

(Effective July 1, 1991; Amended eff. 10/1/04)

**DOMESTIC 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. Local Rule 87 of the Franklin County Court of Common Pleas, General Division, governing the work release program, is adopted and incorporated by reference herein.

(Amended effective 7/1/93; 10/1/04)

### **RULE 33. SERVICE MEMBERS' CIVIL RELIEF ACT**

In any action commenced in this court against an unrepresented party who is a member of the military service, the court may appoint an attorney to represent that party pursuant to the Service Members' Civil Relief Act, and may assess and allocate the cost of said counsel as costs in the case. The court may stay the proceeding until such time as the party in the military service is available for trial. During the pendency, the party will be ordered to cooperate in all discovery procedures and to notify the court upon his / her return.

Effective 10/1/04

## **DOMESTIC 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 hac 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; Amended Eff. 10/1/04