PUTNAM COUNTY COURT OF COMMON PLEAS

IN THE MATTER OF:

RULES OF COURT OF THE PUTNAM COUNTY COMMON PLEAS COURT,

OTTAWA, OHIO

Effective

July 1, 2021

IN THE COURT OF COMMON PLEAS OF PUTNAM COUNTY, OHIO

IN THE MATTER OF AN AMENDMENT
TO LOCAL RULES OF COURT-RULE 2 – GENERAL PROCEDURES

IT IS HEREBY ORDERED that Rule 2 of the Local Rules of Court be and hereby amended, effective July 1, 2021, to read as follows:

Precipe for Order of Sale.....$520.00

All private foreclosures will be done online at https://www.sheriffoff.com/sheriff-sales/ The Clerk of Courts will collect an additional fee of $220.00 with all precipes filed on or after July 1, 2021 requesting the judicial sale of real property.

JUDGE KEITH H. SCHIERLOH

COMMON PLEAS COURT
KIMBERLY A. REDMAN, CLERK
PUTNAM COUNTY, OHIO
2021 APR 26 A 9:42

TABLE OF CONTENTS

RULE 1 - COURT SESSIONS 1
RULE 2 - GENERAL PROCEDURES 1
Security for costs
RULE 2A - SPECIAL PROJECT FUNDS 2
RULE 3 - CIVIL ACTIONS: PLEADINGS, MOTIONS, HEARINGS 3
Documents
Rule Day Extensions
Hearing and Submission of Motions
Summary Judgment Motions
RULE 3A - FACSIMILE FILINGS 4
RULE 4 - ENTRIES 6
RULE 5 - FILING OF DISCOVERY 6
RULE 6 - JURY COSTS 6
RULE 7 - FORECLOSURE ACTIONS 7
RULE 8 - PRE-TRIAL PROCEDURE 8
(A) Pre-trials
(B) Pre-trial Statements
RULE 9 - TRIAL BRIEFS 9
RULE 10A - SERVICE BY PUBLICATION 9
RULE 10B - PUBLICATION BY POSTING 9
RULE 11 - NOTICE OF REPRESENTATION 9
RULE 12 - CONTINUANCES 10
RULE 13 - CONFIRMATION OF SALE 10
RULE 15 - PARTITIONS 10
RULE 16 - DOMESTIC RELATIONS 11
TEMPORARY STANDARD ORDER FOR ALL DIVORCE CASES 12
RULE 17 - REQUEST FOR CONCILIATION 13
RULE 18 - NOTICE OF ADDRESS AND EMPLOYMENT 13
RULE 19 - FORMS 14

RULE 20 - USUAL MEDICAL EXPENSES 14
RULE 21 - SCHEDULE FOR SUPPORT ACTIONS 14
RULE 22 - CHILD SUPPORT ENFORCEMENT AGENCY 15
RULE 23 - ORDERS 15
RULE 24 - SUPPORT 16
RULE 25A - ROLE OF GUARDIAN AD LITEM 17
RULE 25B - MEDIATION 20
RULE 26 - CHANGE OF CUSTODY 21
RULE 27 - SUPPORT PAYMENTS 21
RULE 28 - VISITATION AND COMPANIONSHIP 22
RULE 29 - CONTEMPT 28
RULE 30 - CRIMINAL ACTIONS - ENTRIES 30
RULE 31 - CRIMINAL PRE-TRIALS 30
RULE 32 - PRE-SENTENCE INVESTIGATION 30
RULE 33 - PROBATION RULES 30
RULE 34 - WORK RELEASE PROGRAM 31
RULE 35 - ADMINISTRATIVE APPEALS 32
RULE 37 - CASE MANAGEMENT 33
Civil Cases
Domestic Relations Cases
Criminal Cases
RULE 38 - CONFLICT OF RULES 34
RULE 39 - 2.11 FEES FOR COMPUTER RESEARCH AND SERVICES 34
RULE 40 - JURY USE AND MANAGEMENT PLAN 35
RULE 41 - PARENTING CLASS 36
RULE 42 - SECURITY 36
RULE 43 - PROTECTION OF PERSONAL AND PRIVATE INFO..... 37
APPENDIX 38

RULE 1

COURT SESSIONS

In accordance with R.C. 2301.05, the annual term of Court is divided into three sessions of Court beginning January 1, May 1, and September 1 of each year.

RULE 2

GENERAL PROCEDURES

Security for Costs

No civil action or proceeding shall be accepted by the Clerk for filing unless the party or parties offering the same for filing shall have first deposited a sum to secure the payment of the costs that may accrue in such action or proceeding except as otherwise provided by law. Such advance deposit shall be in accordance with the following schedule:

A. Civil Petitions, Complaints $250.00
Divorce and Dissolution Complaint $300.00
In Domestic Relations Cases involving the allocation of parental rights and responsibilities including visitation, each party shall be **responsible for A-OK payment at time of class.**

Foreclosure.....$450.00

Precipe for Order of Sale.....$520.00
All private foreclosures will be done by the Putnam County Sheriff online at: https://www.sheriffoff.com/sheriff-sales The Clerk of Courts office will collect an additional fee of $220.00, for a total fee of $740.00, with all precipes filed on or after July 1, 2021 requesting the judicial sale of real property.

Counterclaims, Crossclaims or Third Party Claims..... $200.00

With service by publication, an additional ..... $ 25.00

B. Proceeding in aid of execution .....$ 100.00

C. After a case is concluded, upon motion being filed to reopen .....$ 125.00

Any Affidavit or notice concerning emancipation of a child to the Child Support Enforcement Agency and resulting in a Court order for the termination of support shall not require any deposit or fees.

Expungement proceedings $50.00

Cognovit Note.....$35.00

If a party files a poverty affidavit, this rule shall not apply and the clerk shall proceed as if the deposits were made.

D. Fourteen days prior to a jury trial an additional $300.00 is to be posted with the Clerk of Courts.

E. The per diem jail costs for purposes of reimbursement are $55.00 per day. Said costs are payable pursuant to the resolution of the Putnam County Board of County Commissioners under Ohio Revised Code Section 341.1

F. All defendants ordered to complete community service shall pay a fee of $50.00 per 100 hours of community service. The fee shall be collected as court costs and payable to the Putnam County Department of Human Services, Jobs Program.

G. Request for Guardian ad Litem shall include an $800 deposit for the appointment of an Attorney Guardian ad Litem or $400 for a request for a CASA Guardian ad Litem. The Court shall reserve the right to allocate final costs of the Guardian ad Litem at a later hearing.

H. No filings to re-open a case will be accepted unless all prior court costs or fees have been paid by the individual requesting to re-open the case, in addition to the deposit. An individual may make a request to the Court for permission otherwise to this rule.

RULE 2-A

SPECIAL PROJECT FUNDS

All funds collected pursuant to this rule shall be paid to the County Treasurer and maintained by the County Auditor in a separate account, to be disbursed, upon an order of the Court of Common Pleas and subject to appropriation by the Board of County Commissioners, to acquire and pay for special projects of the Court.

Pursuant to the authority of R.C. 2303.201(E)(1) it is determined that for the efficient operation of the Court, the fee of $50.00 shall be charged at the commencement of all civil, domestic relation, and criminal cases effective February 1, 2009.

RULE 3

CIVIL ACTIONS: PLEADINGS, MOTIONS, HEARINGS

Documents

All pleadings motions shall be legibly typewritten on 8 ½ x 11" paper or printed on paper securely bound at the top. The caption in every complaint shall state the name and address, if know, of each party. Each complaint shall also state in the caption the general nature of the action, e.g. action of divorce, dissolution, foreclosure, personal injury, contract, injunction, habeas corpus, declaratory judgment et al. Subsequent pleadings, motions, briefs, or other litigation documents shall set forth the case number, the name of the first party plaintiff and the first party defendant. The Clerk is authorized to refuse to accept for filing any document which does not comply with the above.

Rule Day Extensions

Civil Rule 12 prescribing Rule Day for Pleadings will be enforced. Extensions of time will be granted only by written order of the Court.

Hearing and Submission of Motion

All motions shall be accompanied by a brief stating the grounds thereof and citing the authorities relied upon. The opposing counsel or party may file an answer brief by the fourteenth day after the day on which the motion was filed. The moving party may file a reply brief by the twenty-first day following the day on which such motion was filed. On the twenty-first calendar day after the motion was filed, the motion shall be deemed submitted to the Court. Oral arguments will be ordered only when requested by the parties or otherwise ordered by the Court.

Summary Judgment Motions

Unless otherwise ordered by the Court, motions for summary judgment shall be heard on briefs and other materials authorized by Civil Rule 56(C) without oral arguments thirty days after service of the Motions upon opposing party. If an adverse party also files a motion for summary judgment, the hearing date shall be extended to thirty days from the service upon the opposing party of the latter motion.

No motion shall be filed in any case after it has been set for pre-trial without leave of the trial judge first obtained, who may establish the times for filing of briefs and submission of the motion.

RULE 3-A

FACSIMILE FILINGS

The filing of pleadings and other papers may be made by electronic means. Any signature on electronically transmitted pleading or papers shall be considered that of the attorney or party it purports to be for all purposes. If it is established that the pleadings or papers were transmitted without authority, the Court Shall order the filing stricken.

Attorneys shall limit requests for facsimile transmission to filings of an emergency or time-critical nature. This facility is only to be used in appropriate circumstances. The Court reserves the right to revoke this privilege from any attorney who appears to be abusing the privilege as documented on the fax log maintained by the Clerk of Courts.

All pleadings, **except an original complaint,** or other papers may be filed with the Clerk by facsimile transmission subject to the following provisions:

(A) A fax document will be accepted as **original** and the signature accepted as original consistent with Civil Rule 5(E) **except in the filing of a new case**. The sending party must supply the Clerk with appropriate copies with **a notation of "Previously Faxed Document"** prescribed by these rules for service on parties within three business days from the date of the transmission. It shall **not** be the responsibility of the Clerk to make copies of the fax transmission for service on interested parties.

(B) The attorney must telephone the Clerk's Office if a praecipe of any nature is being faxed (Subpena, Service of Summons, Reissued Service, etc.).

(C) Documents must be no longer than ten pages.

(D) The Attorney must transmit the item to a phone number specified by the Clerk. Such time will ordinarily be within the normal business hours.

(E) The attorney must use a cover sheet when making transmissions and provide all required information. Fax transmissions without a cover sheet will not be accepted for filing. Papers for no more than one case can be transmitted with a given cover sheet.

(F) Any facsimile copy filed pursuant to this rule shall conform to the requirements of Civil Rules 10 and 11 in both form and substance, and shall be preceded in transmission by a cover page which includes the following information:

(1) Name and forwarding attorney;

(2) Address of forwarding attorney;
(3) Ohio Supreme Court registration number of attorney;

(4) Telephone number of attorney;

(5) Facsimile telephone number of attorney;

(6) Date and time of facsimile initiation; and

(7) Number of pages in document being forwarded.

(G) Court costs are three dollars ($3.00) per transmission, plus one dollar ($1.00) per page. All costs are on both incoming and outgoing documents.

RULE 4

ENTRIES

Unless the trial judge otherwise directs, counsel for the party in whose favor an order, decree, or judgment is rendered, shall within ten (10) days thereafter prepare the proper judgment entry, and submit it to the counsel for the adverse party, who shall approve or reject the same within five (5) days after the receipt thereof. The name of the counsel and of 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 Court for approval and if signed by him shall then be filed with the Clerk. If counsel are unable to agree upon the entry, it shall be submitted to the Court, who will direct what entry shall be made.

If counsel fail to present an entry within twenty (20) days after the order is decreed, or judgment is rendered, the judge may cause the proper entry to be prepared and filed without submission or notice to counsel or take such other action as may be appropriate under the circumstances.

Counsel shall promptly submit an entry of dismissal to the judge following settlement of any case. If counsel fail to present such an entry to the judge within twenty (20) days after representation to the Court that a case has been settled, the judge may order the case dismissed as for want of prosecution.

RULE 5

FILING OF DISCOVERY

Pursuant to Civil Rule 5(D), the Clerk shall accept for filing and service, Interrogatories, Request for Production of Documents, and Request for Admissions filed with the original Complaint. Thereafter, any party requesting discovery by Interrogatories, Request for Production of Documents, or Request for Admissions shall file with the Clerk as required by Civil Rule 26 through 37. The responding party shall then file with the Clerk and serve upon all parties his responses to the requested discovery.

RULE 6

JURY COSTS

Pursuant to R.C. 2335.28, the Clerk shall assess as costs all those expenses which are directly associated with the calling and serving of jurors in all civil cases unless otherwise ordered by the Court. Said expenses shall include, but not limited to jury view expenses, meals, lodging, and attendance fees.

RULE 7

FORECLOSURE ACTIONS

A deposit of one percent (1%) of the appraised value of the property will be deposited with the Putnam County Sheriff at the time of the sale of the property to be used for recording and conveyance fees and associated sheriff costs of recording.

The legal description of the property must be reviewed by the Putnam County Auditor's Office, tax map department. The property address, parcel number(s), and deed reference number(s) must be listed under the legal description. The completed form "Property Description Approval Form" (found in Appendix) along with the "stamped approved original legal description must be submitted to the Putnam County Clerk of Courts Office upon filing of the complaint to be attached to the Order of Sale.

The "Real Estate Purchaser Information Form" (found in appendix) is to be used to provide the new purchaser information which the Sheriff is required to obtain at a judicial sale of real estate. If not provided by the Plaintiff or their representative the officer conducting the sale will collect this information and file it with the sale return and other records in the Court of Common Pleas.

Conveyance forms are to be prepared by plaintiff's counsel. Conveyance fees are to be taken from the proceeds of sale. All real estate taxes are to be pro-rated and to be paid from the proceeds of sale to the date of confirmation.

The Court finds that for the efficient operation of the Foreclosure Processing Departments for a foreclosure special projects fund, (Clerk of Courts, Sheriff's Office/Civil Branch) additional funds are necessary to pay for special projects relating to the expedited and efficient operation of its Foreclosure Department (Clerk of Courts, Sheriff's Office/Civil Branch) for equipment, and personnel, etc. $200.00 of the Civil Foreclosure filing fee shall be collected and placed in an account separately identified from court costs and the general fund by the Clerk of Courts and shall be paid out only upon the order of the Court. The Clerk of Courts shall submit a quarterly report to the Court containing information on the total amount collected, the number of foreclosure cases filed, and the authorized expenditures from the fund.

Any party seeking judicial sale must file a preliminary judicial report within fourteen days after filing its complaint. §2329.191(B). Upon submitting a decree of foreclosure to the court, a party seeking judicial sale must also file a final judicial report. §2329.19(B). All judicial reports must be issued by a title insurance company, and must disclose the identify and address of all parties with an interest in the property to be foreclosed.

RULE 8

PRE-TRIAL PROCEDURE

(A) Pre-Trials

All cases triable to a jury, and all other cases at the request of counsel or in the discretion of the Court, shall be regularly assigned for pre-trial conference in accordance with the provisions of Rule 16 of the Ohio Rules of Civil Procedure. The parties shall be present unless excused by the Court.

Counsel who are to try the case will be present at the pre-trial conference with authority to discuss all phases of the case with authority to negotiate toward settlement of the case, enter into stipulations, and conduct good faith negotiations.

If, after notice, counsel for any party fails to appear at the pre-trial conference, the Court may dispose of the case as though counsel had failed to appear for trial.

(B) Pre-Trial Statement

At the Court's discretion, counsel shall file within five (5) days of a pre-trial submit a "Pre-Trial Statement" containing the following required data:

1. The counsel who will be trial counsel and who is fully authorized to act and negotiate on behalf of the party.

2. A statement of the issues involved and a statement in writing of all questions of law which it is expected will be involved in cases.

3. All exhibits which are expected to be offered in evidence at the trial; an itemization of all special damages claimed; the names of all witnesses, both expert and non-expert and, expected to be called at the trial; whether or not a view will be requested; whether or not a jury trial if previously demanded, will not be waived, and if not, the number of jurors demanded, and whether the case is one where the issue of liability should be tried separately with a subsequent trial on the issue of damages if liability be found.

RULE 9

TRIAL BRIEFS

Preliminary to the trial of cases assigned for trial, counsel may within their discretion, or upon request of the judge, file trial briefs containing questions of law involved in the case. All trial briefs shall be furnished to opposing counsel.

RULE 10-A

SERVICE BY PUBLICATION

In any action where service is to be made by publication as authorized by Rule 4.4 ORCP, the attorney filing the necessary affidavit shall, at the time, furnish to the Clerk the form of notice of publication which is to be published. Such form shall comply with the requirements of the aforesaid Rule 4.4 ORCP.

RULE 10-B

PUBLICATION BY POSTING

A. Pursuant to the requirements of Civil Rule 4.4, this Court designates two (2) additional public places in the County, in addition to the Courthouse, where publication of service of process by "posting" shall be had, to-wit:

(1) Putnam County Council on Aging, 1425 East Fourth Street, Ottawa, Ohio 45875, or any other location to which it might relocate; and

(2) the Putnam County Department of Human Services, 1225 East Third Street, Ottawa, Ohio 45875, or any other location to which it might relocate.

B. The Clerk of this Court shall cause the requisite notice to be posted in a conspicuous place and manner in the above denominated places for the requisite six (6) consecutive weeks. Upon completion of posting for six (6) consecutive weeks, the Clerk shall remove the notice, complete the return of service, file the same and notify counsel as provided by law.

RULE 11

NOTICE OF REPRESENTATION

It shall be the duty of any attorney upon accepting representation of the defendant in any civil or criminal matter to immediately notify the Court of such representation, even though his appearance may not as yet have been entered in the case.

RULE 12

CONTINUANCES

In cases assigned for trial, application for continuance must be supported by evidence of good cause for continuance, and when such application is based upon the absence of a witness, it must be supported by evidence of reasonable diligence on the part of counsel. All such applications for continuances must be approved by the judge, and if a jury has been called, the expense of calling such jury will be borne by the party requesting the continuance.

RULE 13

CONFIRMATION OF SALE

No confirmation of any sale by the Sheriff or by any master commissioner or receiver appointed by the Court shall be entered within one (1) week from the Monday following such sale unless consented to by all parties involved in such suit.

In foreclosure cases wherein property was purchased by Petitioner, sufficient costs, as determined by the Clerk of Courts, shall be deposited with the Clerk of Courts before the Sheriff shall issue the deed thereon

The appraiser fees for real property and chattel property is Fifty Dollars ($50.00) for each appraiser.

In partition cases, no election to take, or the report of partition, shall be confirmed within one (1) week following the report of the commissioners therein, unless the other co-tenants consent thereto in writing..

RULE 15

PARTITIONS

In partition cases, the Court will allow at least 50% of the attorney's fee to plaintiff's attorney, and upon proper showing may allow up to 50% to an attorney or attorneys representing defendants.

Maximum counsel fees in partition cases shall be:

10% on the first $1,000.00;
6% on the next $4,000.00;
4% on the balance up to $10,000.00; and
2% on all over $10,000.00

and the minimum fee to be paid is $50.00 payable in all cases to plaintiff's counsel, except when the partition has been ordered on a cross-complaint in which case, the fee shall be divided equally between counsel for plaintiff and counsel for such cross-complainant.

When the commissioners do not divide the land, the plaintiff shall report its value to the Court, and when the land is divided by the commissioners, the fee above provided for shall be calculated upon the reasonable value, or if appraised, on the appraised value of said land.

Such fees shall be paid under this rule without further order.

RULE 16

DOMESTIC RELATIONS

A. In all dissolution of marriage actions where only one party is represented by counsel, it must be affirmatively stated in writing by the unrepresented party and filed with the Clerk that said party waives representation by counsel and is proceeding without advice of counsel.

1. With every request for temporary custody, support, or spousal support, the affidavit required by the Civil Rules shall contain:

    a. The names and addresses of the parents of the children involved.
    b. The names and present ages, date of birth, social security numbers, and school attended of each child for whom custody or support is sought.
    c. The amount of the wife's wages, salary or commission from employment and other sources; if known, and if not known, a statement to that effect.
    d. The amount of the husband's wages, salary or commission from employment and income from other sources; if known, and if not known, a statement to that effect.
    e. A statement of and child's day care costs.
    f. A statement of whether either party has a pension through their employer.

EX-PARTE ORDERS

A. Unless an emergency situation exists, as determined by the Court, based upon supporting affidavits pursuant to Rule 75 of the Ohio Rules of Civil Procedure, no ex-parte orders will issue.

B. Requests for Temporary Orders shall be set for hearing within fourteen (14) days of filing. One continuance of seven (7) days may be granted to either party for good cause shown. No further continuances shall be granted.

TEMPORARY STANDARD ORDER FOR ALL DIVORCE CASES

A. All parties to original domestic relations actions in the Putnam County Common Pleas Court are subject to the following orders from the date an action is filed or service of summons completed. This order shall be strictly complied with under penalty of contempt of Court.

1. Each party is hereby enjoined and restrained from causing or permitting the minor child(ren) of the parties to be removed from the jurisdiction of this Court, unless authorized in writing by this Court.

2. Each party is hereby enjoined and restrained from doing, attempting to do, or threatening to do any act of injuring, maltreating, vilifying, molesting, or harassing the adverse party or any of the child(ren) of the parties.

3. Each party is hereby enjoined and restrained from selling, encumbering, contracting to sell, removing from the jurisdiction of this Court, or otherwise disposing of any of the property belonging to either of the parties, except in the ordinary course of business or unless authorized in writing by the Court.

B. The attorney representing the plaintiff in any divorce action hereinafter filed in this Court shall furnish his/her client a copy of this rule, and the client, upon the filing of the complaint, shall be bound by the terms of this rule.

The Clerk of this Court shall attach a copy of this rule to the summons along with the complaint.

In every action hereinafter filed, the defendant shall be bound by the terms of said rule upon service of the same.

C. Any party may file a motion to modify or vacate this standing Order and will be given a speedy hearing.

RULE 17

REQUEST FOR CONCILIATION

1. Any party moving for conciliation pursuant to O.R.C. 3105.09.1 shall set forth the name of the conciliator and shall generally describe the conciliation procedures requested. In addition, thereto, said movant shall guarantee the costs of such conciliation procedure.

2. If such motion for conciliation prays for a conciliation procedure lasting more than thirty (30) days, such motion shall be set for oral hearing at the earliest possible time in order to determine the propriety thereof.

RULE 18

NOTICE OF ADDRESS AND EMPLOYMENT

All parties to a support order shall notify the Court of his or her current mailing address at the time of any issuance or modification of an order, and shall continue to keep the Court apprised of current addresses.

It is further ordered that the parties shall immediately notify the Court, in writing, of any change of employment, including self-employment. Such notification shall include a description of the nature of any new employment, and other information reasonably required by the Court, or any other information which may be deemed important for the purposes of child support.

In all cases where there are children involved, unless the Court specified otherwise, the Judgment Entry shall include the following provision:

> If the party having custody of the children herein shall move more than 75 miles from the seat of this county, fifteen days advance notice shall be given to the other party in the divorce case.

RULE 19

FORMS

A. In all domestic actions, original or being reopened upon motion where any issue involving minor children or alimony is involved, both parties are required to fill out and file an approved D-1 form.

B. In all domestic actions involving custody or visitation both parties shall file a D-2 form with the Court which is an affidavit designed to comply with O.R.C. 3109.27.

C. In all dissolution of marriage actions a D-3 form shall be filed if appropriate.

RULE 20

REASONABLE AND ORDINARY UNINSURED MEDICAL EXPENSES

A. The amount of $100.00 per year per child shall be deemed reasonable and ordinary medical expenses of a minor child.

B Expenses remaining thereafter shall be deemed extraordinary and shall be allocated between the parties according to their support percentages as shown on the most recently filed child support worksheet or as determined by the Court. The year referred to herein is the calendar year, not the anniversary of the date of the order.

C. Medical expenses shall be defined as hospital, doctor visits, dental, orthodontic, laboratory testing, optical, optometric, pharmaceutical, psychiatric and psychological expenses reasonable and necessary under the circumstances. (This Rule as modified effective on all orders dated after January 1, 1998).

RULE 21

SCHEDULE FOR SUPPORT ACTIONS

All actions to establish a support requirement or to modify a previously issued support order shall be heard within 90 days after they are initially filed.

RULE 22

CHILD SUPPORT ENFORCEMENT AGENCY

1. All support payments ordered by the Court shall be paid through the Putnam County Child Support Enforcement Association. Thereafter, any direct payments made by an obligor to an obligee shall be considered gifts in any proceedings to enforce the support order.

2. All support orders submitted to the Court shall clearly state the support payments shall be made to the CSEA and shall set forth the appropriate fee to be paid. Orders failing to do so will be returned.

RULE 23

ORDERS

A. All judgment entries which initiate child support shall include or have attached thereto:

   1. The orders, as applicable, which are contained in Section 3113.21 of the Ohio Revised Code.

   2. If employed, the employer must enroll the child(ren) in the Obligor's health insurance benefit plan.

   3. The parties shall file a Child Support Guidelines Worksheet in all cases where custody is determined by the Court.

   4. An IV-D application completed by the Obligee. It shall be the responsibility of the attorney for the Obligee to insure that two (2) copies of the application are filed with the Court. The IV-D application forms are available from the CSEA or from the

Clerk of Courts.

5. Requirements contained in Section 3113.218 of the Ohio revised Code, including the provision that all support orders shall be in terms of a monthly order for the child(ren).

6. In all matters involving children, the requisite order regarding health insurance coverage shall be a part of the final Order of Divorce or Dissolution.

RULE 24

SUPPORT

Support payments shall be made in accordance with support schedules or as modified by the Court. Payments shall be due and payable the day after the issuance of said Order.

The accrual of support obligations shall be calculated according to one of the following:

1. The date specified in the Journal Entry
2. If no date specified in the Entry, the Hearing date is used.
3. If no Hearing date is stated, the Clerk of Courts file date is used.

Any person with custody and subject to a support order must notify the Court immediately of any reason for termination of the support order, including emancipation or change of custody.

RULE 25-A

THE ROLE OF THE GUARDIAN AD LITEM

1. The Guardian ad Litem's role is to be an advocate for the best interests of a minor child or children in a divorce case. This will require the Guardian ad Litem to establish a relationship with the child(ren) and to investigate the facts of the case as they relate to the child(ren). The Guardian ad Litem, as a party to the case, may present evidence in the Court proceedings and cross-examine any witness.

2. The Guardian ad Litem should attend all Court proceedings unless excused by the Court. The Guardian ad Litem may, and should, request to be excused from a proceeding in which their input will not be necessary. The Guardian ad Litem should not be required to be present while the parties are engaging in extended negotiation sessions or for proceedings not dealing with the child. The Guardian ad Litem may communicate directly with the Court. The Guardian ad Litem is to file a written report seven days prior hearing, copies are to be made available to counsel. The Guardian ad Litem may be called as a witness in the case and may be subject to discovery or cross-examination by the parties. The parties should refrain from asking, and the Guardian ad Litem should refrain from giving, an opinion prior to the review of all the facts in the case. The Guardian ad Litem may be required to give an oral opinion as to the child's best interests based upon the facts in the case. The Court will consider the Guardian ad Litem's opinion, but will make the final determination based upon all of the evidence presented in the case and pursuant to applicable Ohio law.

3. The duties of the Guardian ad Litem continue until the Guardian ad Litem is discharged by the Court. The Guardian ad Litem, as a party to the case, should be served with all pleadings, motions and other documents filed in the case. The Guardian ad Litem shall have access to all information relating to the case which is subject to discovery by the parties.

A. All applicants for Guardian ad Litem appointments will complete an application form available at the Domestic Relations Division of the Common Pleas Court.

B. All Guardians Ad Litem shall comply with Rule 48 of the Rules of Superintendence for the Courts of Ohio, including but not limited to, Guardian Ad Litem conduct, responsibilities, pre-service training and yearly documentation of continuing education.

C. All individuals on the Guardian Ad Litem appointment list will certify by January 15 of each year that they are either unaware of any circumstances that would disqualify them from serving as a Guardian Ad Litem or advise the Court of such circumstances.

D. Upon the motion of either party or at the discretion of the Court, the Court may order a Guardian Ad Litem and/or attorney appointed at any time the Court deems necessary and essential to protect the interest of the minor child(ren) of the parties or to represent an incompetent person. No motion for appointment of Guardian Ad

Litem shall be granted except by leave by Court once the matter has been set for trial.

E. The Guardian Ad Litem shall be selected and appointed solely by the Court. Appointment of a Guardian Ad Litem from the list of qualified candidates will not be on a rotating basis. In making appointments the Court will consider the complexity of the issues, the parties, counsel and children involved as well as the experience and demeanor of qualified candidates.

F. The Court will set forth the amount of initial deposit and the deadline for payment of the deposit in the Order Appointing Guardian Ad Litem. Failure to timely pay the deposit may result in the release of the Guardian Ad Litem and in such instance, the case will proceed without a Guardian Ad Litem

Upon application, and for good cause, the Court may waive the required court cost deposit when the appointment of a Guardian ad Litem is requested.

G. All parties and counsel will contact the Guardian Ad Litem within ten (10) days of the filing of the Order Appointing Guardian Ad Litem to provide information and releases required by the Guardian Ad Litem

H. Unless otherwise directed by the Court, the Guardian Ad Litem shall prepare a report and shall mail or hand deliver the report to the Court and counsel, or any party unrepresented by counsel, not less than seven (7) days in advance of the hearing date. While the Guardian Ad Litem report will be made available to parties and counsel, the report shall be considered confidential and in the best interest of the minor child shall not be filed with the Clerk of Courts. The Court shall consider the recommendation of the Guardian Ad Litem in determining the best interest of the child only when the report or a portion of the report has been admitted as an exhibit.

I. The final Judgment Entry shall contain a provision for the discharge of the Guardian Ad Litem at the conclusion of the matter for which the Guardian Ad Litem was appointed unless otherwise directed by the Court.

J. The Court will, in its discretion, apportion the final payment of fees between the parties and may order the payment of fees by income withholding.

K. The parties and counsel participating in any case where a Guardian Ad Litem has been appointed may present comments or complaints regarding the performance of the Guardian Ad Litem as follows:

1) Any comments or complaints regarding the performance of Guardian's Ad Litem shall be in writing and submitted directly to the Common Pleas Court, Domestic Relations Division.

2) Within five (5) days of receipt, the Court will provide a copy of the comments or complaints and a Court notice of the response date to the Guardian Ad Litem who is the subject of the comments or complaint.

3) The Guardian Ad Litem may respond in writing to the comments or complaints in conformance with the Court notice accompanying the comments or complaints. A copy of any response will be provided to the commenting or complaining party by the Court.

4) After receipt of all appropriate information, including any supplements or amendments requested by the Court, the Court will issue a disposition within thirty (30) days and notify the person making the comment or complaint and the Guardian Ad Litem of the disposition.

5) The nature of the comments or complaints and the disposition shall be maintained with the Guardian Ad Litem file in the Domestic Relations Division of Common Pleas Court.

RULE 25-B

MEDIATION

Mediation is a process of resolving disputes by the agreement of the parties with the assistance of an objective and impartial third party. The mediator generally does not recommend a settlement, but rather facilitates negotiations and communications between the parties until a mutually acceptable settlement of their differences is obtained, or until an impasse is evident. The mediator will guide the discussions and help clarify the issues. Private caucuses may be held between the mediator and each party in an attempt to bring disputes closer together.

If the allocation of parental rights and responsibilities is an issue, then at any time after service of summons in an action for divorce, annulment, or legal separation, or at any time after filing of a post decree motion to modify the allocation of parental rights and responsibilities, the Court may order both parties to participate in mediation for a period of time not to exceed ninety (90) days. If the Court directs the parties to mediation, then all parties are required to participate in mediation on a good faith basis. The parties may agree to mediate issues other than the allocation of parental rights and responsibilities and related matters.

The cost of mediation shall be the initial subject of mediation, and shall be paid by the parties pursuant to their fee agreement with the mediator.

The mediator shall notify the Court upon the conclusion of mediation. Any agreement reached during mediation shall not be binding until reduced to writing and signed by the parties, 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.

RULE 26

CHANGE OF CUSTODY

1. Any motion requesting a change of custody shall contain a brief statement by the moving party setting forth the change requested and the reason therefore.

2. The opposing party shall, if represented by counsel, file a brief statement indicating his client's position regarding the change of custody.

3. If the parties can agree between themselves regarding the change of custody, a Judgment Entry to that effect shall be presented to the Court, and if approved, filed.

4. Both parties in a case of requested modification of custody must attend the AOK Program unless the parties have attended the program within a three (3) year period.

RULE 27

SUPPORT PAYMENTS

All payments of support for persons receiving public assistance shall be made by the Child Support Enforcement Agency to the Department of Human Services in question upon receipt of an assignment of payments to the Department of Human Services, without further order of the Court. Upon notification from the Department of Human Services that such person no longer receives public assistance, the Child support Enforcement Agency shall make the payments to the original obligee.

A support guideline worksheet must accompany any order for support including any deviation which results in no payment of support.

RULE 28

VISITATION AND COMPANIONSHIP

1. (a) The custodial parent shall take the necessary action with the school authorities of the schools in which the children are enrolled to:

    1. List the non-custodial parent as a parent of the children.

    2. To authorize the school to release to the non-custodial parent any and all information concerning the children.

    3. To insure that the non-custodial parent receives copies of any notices regarding the children.

The non-custodial parent shall have weekly parenting time from 5:30 P.M. to 8:30 P.M. (one evening per week). The beginning and ending times maybe varied to accommodate the work schedules of the parties, the schedule of the children and the appropriate bedtime for children during the school year. If the parties are unable to agree upon the date of the week for this time, Wednesday will be used unless otherwise ordered by the Court.

(b) The custodial parent shall promptly transmit to the non-custodial parent any information received concerning parent-teacher meetings, school club meeting, school programs, athletic schedules and any other school activities in which the children may be engaged or interested.

(c) The custodial parent shall promptly, after receipt of same, furnish to the non-custodial parent a photo copy of the child's grades or reports and copies of any reports concerning the child's status or progress.

(d) The custodial parent shall, when possible, arrange appointments for parent-teacher conferences at a time when the non-custodial parent can be present and whenever possible they shall be attended by both parents.

The Non –custodial parent shall have visitation each summer six (6) weeks in duration as agreed by the parties or, if the parties cannot agree, as ordered by the Court. Unless otherwise agreed by the parties, the six (6) weeks of summer visitation shall be in two (2) week increments with no weekend visitation for the other parent during the two (2) week periods for the entire summer.

(e)Unless otherwise agreed, the parent who is receiving the child shall be responsible for transportation for the minor child. For long distance visitation, the cost for long distance transportation shall be divided pursuant to the percentages stated on the most recent guideline worksheet.

(f) The parents, themselves, shall be responsible for the transportation of the minor children, an acceptable substitute shall provide transportation if the parent is unable to transport the child because of employment conflicts.

2. The custodial parent shall promptly inform the non-custodial parent of any illness of the children which shall require medical attention. Elective surgery shall only be performed after consultation with the non-custodial parent. Emergency surgery necessary for the preservation of life or to prevent a further serious injury or condition may be performed without consultation provided, however, if time permits, the non-custodial parent shall be consulted and in any event the non-custodial parent shall be informed as soon as same is possible.

3. Whenever "reasonable visitation" for a non-custodial parent appears in an entry, it shall be defined as providing at a minimum for:

   (a) visitation by the non-custodial parent on alternate week-ends from **Friday at 7:00 P.M. to Sunday at 7:00 P.M.** (The beginning and ending times may be varied to accommodate the work schedule of the parties).

   (b) Mother's Day the children shall be with the mother and Father's Day the children shall be with the father. In the event this provision requires the children to be with the custodial parent when it is the non-custodial parent on a day not falling within the non-custodial parents visitation weekend, said non-custodial parent shall **receive the children at 9:00 A.M.** on that day and shall **return them at 7:00 P.M.** on said day.

   (c) The parents shall have the children on Holidays as follows:

EVEN YEARS

MOTHER	**FATHER**
PRESIDENTS DAY Friday night to Monday night	**EASTER** Thursday night to Sunday night
MEMORIAL DAY Friday night to Monday night	**4TH OF JULY** Night before to morning after, except when the 4th falls on Friday, Saturday, Sunday, or Monday when the visitation shall commence on Friday night and continue to end of weekend or end of holiday, whichever is later.
LABOR DAY Friday night to Monday night	**THANKSGIVING DAY** Wednesday night to Sunday night

CHRISTMAS
December 23rd at 7:00 P.M. to Christmas Day until 2:00 P.M.

CHRISTMAS VACATION & NEW YEAR'S DAY
Christmas Day at 2:00 P.M. until the night of the end of New Year's Holiday.

ODD YEARS

The above schedule shall be reversed as to Mother and Father. Unless otherwise indicated said holiday visitation shall commence at the regular hour as set for the commencement of weekend visitation and shall end at the regular hour set for the ending of weekend visitation. Said holiday visitations shall have precedence over the regular visitation schedule but shall not otherwise modify it (for example, if the holiday granted in any particular year to a non-custodial parent falls between the regular weekend visitation, the non-custodial parent will have visitation three (3) weekends in a row at that particular time).

(d) The non-custodial parent shall have visitation each summer six (6) weeks in duration, as agreed by the parties or, if the parties can not agree, as ordered by the Court.

(e) Both parties shall be diligent in having the children ready and available at the appointed times and the transporting party shall be prompt in picking up and delivering the children provided, however, that the transporting parent for visitation shall have a grace period of fifteen (15) minutes for pick-up and delivery if both parties live within a distance of thirty (30) miles from each other. If the one-way distance to be traveled is in excess of thirty (30) miles, the grace period shall be thirty (30) minutes. In the event the visiting parent exceeds the grace period, the visitation for the weekend is forfeited unless prior notification and arrangements have been made and except in cases where the visiting parent lives in excess of thirty (30) miles away and suffers an unavoidable breakdown or delay en route and the visiting parent promptly notifies the custodial parent by phone of the delay. Repeated violation by either parent shall be cause for granting a modification of the custody order either by changing custody or curtailing visitation as the case may be.

4. The custodial parent shall encourage free communication between the non-custodial parent and shall not do anything to impede or restrict communications by phone or mail between the children and the non-custodial parent whether initiated by the children or the non-custodial parent. The mail between the children and parent shall be strictly confidential between them and that parent, and shall not be opened or read by the other parent. This rule applies equally to the non-custodial parent when the children are on extended visitation with the non-custodial parent.

5. Both parents shall refrain from criticizing the other parent in the presence of the children.

Neither parent shall make any statements or take any actions which interfere with the parent-child relationship of the other parent.

6. Whenever the entry shall incorporate these standard Rules for Custody and Visitation in the entry by reference, subparagraphs (a), (b), (c), (d), and (e) of paragraph three (3) shall be the visitation granted by the Court.

7.

a) Each parent shall provide their address and phone numbers at all times to the other parent. Non-residential parents shall be entitled to exercise reasonable telephone communications not less than twice weekly with each conversation lasting not longer than thirty (30) minutes per conversation.

b) The residential parent shall keep the non-residential parent advised of all parent/teacher meetings, school programs and scheduled regarding the minor children. Copies of grade cards shall be submitted to the non-residential parent on the weekend following the receipt of the grade cards.

The opposing parent shall be listed on any school or emergency form.

These are guidelines concerning custody and visitation and they will be changed or modified by the Court if it is shown that there is a need for such change.

LONG DISTANCE PARENTING PLAN AND COMPANIONSHIP CALENDAR
FOR PARENT S WHO LIVE MORE THAN 150 MILES APART

COMPANIONSHIP SHALL TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES CAN AGREE (these are the most important words).

THIS SHALL NOT NORMALLY BE LESS THAN:

OPTION 1. This option provides three round trips in the even-numbered years, and four round trips in the odd-numbered years, and depending on the lengths of school vacations, this schedule should provide the non-residential parent approximately 72-82 days each year to exercise parenting rights. Unless the parties agree to Option 2, or the Court orders Option 2, Option 1 is the Court Order. The non-residential must give the residential parent **thirty days notice in WRITING** to exercise the following:

Summer Vacation - June 15 through and including August 15 each year; and in the:

Even-Numbered Years:

Christmas Vacation:

a. School-aged child*:
First day of vacation to
December Dec. 26

b. Pre-schoolers**:
Dec. 18 through Dec. 26

Spring Vacation Break:

a. School-aged child*:
Sixth day of vacation through
last day of vacation

b. Pre-schoolers**:
Monday after Easter Sunday
through the following Sunday;

Odd-Numbered Years

Thanksgiving:

Wed., after school, Thanksgiving Day,
Fri., Sat., Sunday

Christmas Vacation:

a. School-aged child *:
December 26 to last day of school

b. Pre-schoolers **:
December 26 through January 2

Spring Vacation Break:

a. School-aged child:
First full day of vacation through
fifth day

b. Pre-schoolers **:
Sunday before Easter through Easter
Sunday

Option 2. This option provides a minimum of two round trips annually, and depending on the lengths of school vacations, this option should provide approximately 70-78 days per year for the non-residential parent to exercise parenting rights. The non-residential parent must give the residential parent **thirty days notice in WRITING**, to exercise the following:
Summer Vacation - June 15 through and including August 15 each year, and in the:

EVEN-NUMBERED YEARS

Christmas Vacation

a. School-aged children*:
first to last day of vacation

b. Pre-schoolers**:
December 18 through January 2

ODD-NUMBERED YEARS

Spring Vacation Break

a. School-aged children*:
First to last day of vacation

b. Preschoolers**:
Sunday before Easter through Easter

* - All school-aged and preschool-aged brothers and sisters of this parent's relationship with each other are included in the exercise of companionship rights, unless ordered otherwise.

** - For pre-schoolers who have no school-aged brothers and sisters of this parent's relationship with each other.

Additional Companionship Times:

a. Weekend: Third Friday at 7:00 P.M. through the following Sunday at 7:00 P.M. every month if travel time between homes is less than three (3) hours. **Advance notice must be given to the residential parent** of one (1) week to exercise this additional companionship time.

b. Father's Day to the father, and Mother's Day to the mother if there is **one (1) week advance notice** to exercise this additional companionship time.

c. If the non-residential parent travels to the community where the residential parent lives, and gives **two (2) days notice** of intent to exercise companionship, companionship must occur.

d. If the residential parent travels to the community where the non-residential parent lives, he or she must provide **two (2) days notice** and grant companionship rights to the other parent. **THE RESIDENTIAL PARENT SHALL PRESUME THAT THE OTHER PARENT SHALL EXERCISE THE OPTION AGREED TO OR ORDERED BY THE COURT, UNLESS TIMELY NOTICE IS NOT RECEIVED.**

RULE 29

CONTEMPT

Any finding in contempt on the part of an obligor in any support action may include an assessment of costs and reasonable attorney's fees and costs. Unless otherwise requested or deemed proper by the Court, fees of $150.00 may be awarded.

POST JUDGMENT RELIEF ACCOMPANIED BY CITATION FOR CONTEMPT

A. Since contempt actions are controlled by Chapter 2705 of the Ohio Revised Code, any motion requesting a citation in contempt shall:

1. Specifically state the basis for the contempt citation

2. Contain notice of hearing and after filing shall be submitted to the assignment commissioner for scheduling.

3. Include the following language:

FAILURE TO APPEAR MAY RESULT IN THE ISSUANCE OF AN ORDER OF ARREST AND IN THE ISSUANCE OF AN ORDER FOR THE PAYMENT OF SUPPORT BY WITHHOLDING AN AMOUNT FROM YOUR PERSONAL EARNINGS OR BY WITHHOLDING OR DEDUCTING AN AMOUNT FROM SOME OTHER ASSET YOU MAY OWN.

YOU HAVE THE RIGHT TO COUNSEL AND IF YOU BELIEVE YOU ARE INDIGENT YOU MAY APPLY FOR COURT APPOINTED COUNSEL WITHIN THREE (3) BUSINESS DAYS AFTER YOUR RECEIPT OF THIS SUMMONS.

THE COURT MAY REFUSE TO GRANT A CONTINUANCE AT THE TIME OF THE HEARING FOR THE PURPOSE OF YOUR OBTAINING COUNSEL, IF YOU FAIL TO MAKE A GOOD FAITH EFFORT TO RETAIN COUNSEL PRIOR OT THE HEARING

IF YOU ARE FOUND GUILTY OF CONTEMPT, THE COURT MAY IMPOSE ANY OF THE FOLLOWING PENALTIES: (Ohio Revised Code Section 2705.05(A)

(1) FOR A FIRST OFFENSE, A FINE OF NOT MORE THAN $250.00, A DEFINITE TERM

OF IMPRISONMENT OF NOT MORE THAN 30 DAYS IN JAIL, OR BOTH;

(2) FOR A SECOND OFFENSE, A FINE OF NOT MORE THAN $500.00, A DEFINITE TERM OF IMPRISONMENT OF NOT MORE THAN 60 DAYS IN JAIL, OR BOTH;

(3) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF NOT MORE THAN $1,000.00, A DEFINITE TERM OF IMPRISONMENT OF NOT MORE THAN 90 DAYS IN JAIL, OR BOTH.

B. Notice of such motion and of the hearing thereon shall be served upon the subject party pursuant to the rules of service of summons contained in Civ. R. 4 through Civ. R. 4.6, incl., and the responsibility for initiating such service shall be on the movant.

RULE 30

CRIMINAL ACTIONS - ENTRIES

The prosecuting attorney shall prepare the Judgment Entries in all criminal cases. He shall provide a copy to opposing counsel and shall evidence this fact by his certificate on the entry filed with the Court.

RULE 31

CRIMINAL PRE-TRIALS

Attendance by the prosecuting attorney or his assistant, defense counsel and defendant is mandatory without prior approval of the Court.

Motions to Convey Prisoners, not help on the underlining pending charge within Putnam County, is the responsibility of counsel for a party who is incarcerated, or who issues a subpoena for a witness who is incarcerated, to file a Motion to Convey with a Proposed Order to Convey to transport the person to the hearing.

A Motion to Convey must be filed at least two weeks prior to the hearing date is the party or witness is incarcerated outside of Putnam County.

RULE 32

PRE-SENTENCE INVESTIGATION

Every defendant ordered to undergo a pre-sentence investigation shall make immediate arrangements with the probation officer for an interview and shall provide any information and co-operation necessary for the prompt completion of said report.

Completed pre-sentence investigations shall be made available to defense counsel and the prosecutor for examination at the Court. Reports are not to leave the vicinity of the Court nor are photocopies of the reports to be made. Any final summary or recommendation by the probation officer to the Court shall not be made available to the parties or otherwise disclosed.

RULE 33

PROBATION RULES

Unless otherwise ordered by the Court, the following conditions of probation shall apply in all cases when the Defendant is placed on probation:

1. The probationer shall refrain from violation of any law (federal, state, and local). He shall get in touch immediately with his probation officer if arrested or questioned by a law-enforcement

officer.

2. The probationer shall associate and communicate only with law-abiding persons and maintain reasonable hours.

3. The probationer shall work regularly at a lawful occupation and support his legal dependents, if any, to the best of his ability. When out of work, he shall notify his probation officer at once.

4. The probationer shall not leave the state without permission of the probation officer.

5. The probationer shall secure advance approval from the probation officer, in writing, if at any time he wishes to:

a. Purchase a motor vehicle.
b. Incur debts whether by borrowing money or installment buying.
c. Take on additional responsibilities, such as marrying.
d. Change employment or place of residence.
e. Leave the state.

6. The probationer shall follow the probation officer's instructions and advice.

7. The probationer shall not operate a motor vehicle unless he has liability insurance which has been approved by his probation officer.

8. The probationer shall not possess, use, sell, distribute or have under his control any narcotic drugs, barbiturates, marijuana, paregoric, or extracts containing them in any form or instruments for administering them except on prescription of a licensed physician.

RULE 34

WORK RELEASE PROGRAM

WHEREAS, Section 5147.28 et seq. of the Revised Code of Ohio provides for the establishment of a prisoner work-release program, which said program is first to be established with the agreement of all Courts in the County and,

WHEREAS, the officials of all Courts in Putnam County together with those persons and officials connected with the administration and with the working of such program having heretofore met and agreed upon and approved a program which they feel to be feasible under the provisions of such statutes and provided in such cases, Now Therefore,

BE IT ORDERED, ADJUDGED AND DECREED that a prisoner work-release program be and the same is established and adopted for all Courts of Putnam County, Ohio, in order that the Courts of this county may permit a prisoner confined in jail in Putnam County, Ohio, to have employment so that he/she can continue to provide support for his or her children and other dependants; and, for restitution, payment of other bills and expenses.

Such prisoner work-release program shall be administered and subject to the rules, terms and conditions, which said rules may be complemented, amended or changed by Judgment Entry of this Court, as seen in the Appendix.

RULE 35
ADMINISTRATIVE APPEALS

A. Statutory Time Limit

Where the time for filing bills of exceptions, assignments of errors and briefs is fixed by statute or rule of the Ohio Supreme Court, they shall be filed within such time or extension thereof as may be granted in writing by the judge to whom the case is assigned after notice to opposing counsel or party. Upon the expiration of such time as extended, the case will be considered as submitted on the briefs, unless oral argument is requested in writing and granted by such judge. When granted, such oral argument shall not exceed fifteen (15) minutes per side unless extended by the judge.

B. Time Limits

Where the time for filing is not fixed by statute or rule of the Ohio Supreme Court, the Appellant shall file a brief within twenty (20) days after the filing of the transcript of the record; the Appellee shall file his brief within ten (10) days after the filing of the brief of the Appellant and any reply brief shall be filed within five (5) days after the filing of the Appellee's brief. Extensions of time may be granted by entry by the judge to whom the case is assigned.

In all cases, in which demand or request to the agency by the Appellant is prerequisite to the preparation of filing of the transcript of the record by the agency, such demand or request shall be filed by the Appellant with the agency at the time of filing the notice of appeal, unless otherwise provided by law, or Rule of the Ohio Supreme Court.

Upon the expiration of the time for filing of the last brief, the case will be considered as submitted upon the briefs unless oral argument is requested in writing and granted by the judge to whom the case is assigned or is required by law. Such argument shall not exceed fifteen (15) minutes per side unless extended by such judge.

C. Chapters 2506 and 119 Applicability

The applicable procedures of paragraphs A and B above shall apply to all appeals, including those under Chapter 2506 of the Revised Code and Chapter 119 of the Revised Code. Under those chapters or any other provision of law, including appeals from the Industrial Commission, if the offering of additional evidence or a trial date de novo is granted or required by law, the case shall be deemed ready for trial at the discretion of the trial judge.

D. Briefs

Failure of Appellant to file his bill of exceptions, assignments of error, his brief or demand for a transcript of the record within the time required shall be cause for dismissal of the appeal for want of prosecution or other disposition of the case at the discretion of the judge to whom the case is assigned.

RULE 37

CASE MANAGEMENT

Pursuant to Rule 9 of the Rules of Superintendence for the Court of Common Pleas and for the purpose of insuring the readiness of cases for pre-trial and trial, and maintaining and improving the timely disposition of cases, the Court hereby adopts the following Rule of Court for case management.

I. CIVIL CASES (EXCEPTING DOMESTIC RELATIONS CASES)

A. Within thirty (30 days of the filing of the initial responsive pleading, (answer, motion to dismiss, etc.) or default by all of the defendants in civil cases, excepting domestic relations cases, the Assignment Commissioner shall issue an assignment notice to all counsel of record assigning the case for initial pre-trial and case management conference within ninety (90) days of the issuance of the assignment notice.

B. At the time of the initial pre-trial and case management conference, the Court shall discuss the issues of the case with counsel and shall, after consultation with counsel, establish a schedule for all necessary further proceedings in the case, including but not limited to: the joinder of additional parties, the amendment of pleadings, the completion of discovery, the disclosure of expert witnesses, the filing of motions for summary judgment, the filing of briefs, the filing of jury instructions, final pre-trial conference, and trial. The schedule for further proceedings established by the Court shall not be varied from except by order of the Court and for good cause shown.

II. DOMESTIC RELATIONS CASES

A. DIVORCES AND LEGAL SEPARATIONS:

Within ninety (90) days of the completion of service upon the defendant, the Assignment Commissioner shall assign all divorce cases and legal separation cases for final hearing within ninety (90) days of the issuance of the assignment notice.

B. DISSOLUTIONS:

All dissolution cases shall be assigned for final hearing by the Assignment Commissioner within (90) days of filing.

C. POST JUDGMENT MOTIONS:

All post judgment motions in domestic relations cases shall be assigned for hearing by the Assignment Commissioner within sixty (60) days of filing.

III. CRIMINAL CASES

A. All criminal cases shall be assigned for arraignment within thirty (30) days of filing of the indictment or bill of information.

B. At the time of arraignment in all criminal cases, the Court shall establish a schedule for all necessary further proceedings in the case, including but not limited to: the completion of discovery, the filing of pre-trial motions, pre-trial conferences, and trial. The schedule for further proceedings established by the Court shall not be varied from except by order of the Court and for good cause shown.

RULE 38

CONFLICT OF RULES

The rules set forth herein are designed as local rules under Rule 83 of the Ohio Rules of Civil Procedure, and in case of conflict herein, the Ohio Rules of Civil Procedure take precedence.

RULE 39

2.11 FEES FOR COMPUTER RESEARCH AND SERVICES

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

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

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

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

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 to the Court of procuring and

maintaining computer systems for the office of the Clerk of the Court of Common Pleas.

RULE 40

PUTNAM COUNTY COMMON PLEAS JURY USE AND MANAGEMENT PLAN

Ask the court for a copy of this rule.

RULE 41

PARENTING CLASS

All parents involved in new, pending and post-decree domestic relations cases, including requests for modifications of custody and contempt actions involving the issue of custody and visitation shall be required to attend an additional parenting class, unless such a parenting class has been completed within three (3) years in the Putnam County Common Pleas Court, Division of Domestic Relations, which involve the allocation of parental rights and responsibilities for the care of minor children shall be required to attend one parenting class.

After the filing of a complaint for divorce or a petition for dissolution of marriage in which minor children are involved and before said action will proceed to final hearing, every party seeking the allocation of parental rights and responsibilities for the care of minor children, and both parties seeking a dissolution, shall attend one session of parenting class sponsored by the Common Pleas Court of Putnam County, Ohio, Division of Domestic Relations.

Before any motion for a change of allocation of parental rights and responsibilities, including visitation, will be set for final hearing, every party seeking any allocation of such parental rights and responsibilities shall attend the above referred to parenting class if they have not done so within the last three years immediately prior to the filing of such motion. A certificate of attendance will be filed in the case file for each participant after each class. Attendance is not required on a modification of custody when all parties have consented to the change in custody.

The fee for attendance at said parenting class shall be thirty dollars ($30.00) per person. The fee shall be paid by cash or check at the time of attendance directly to the AOK provider.

The classes will be held on the second Thursday of every other month (February, April, June, August, October, December) at 6:30 P.M. at the Putnam County Courthouse, Ottawa, Ohio. Sessions will start promptly at 6:30 P.M.

Any litigant failing to complete the session within sixty days of the filing of the original pleading will not be eligible to receive any allocation of parental rights or responsibilities. In the event that no party to the action completes the session within said sixty day period, the action will be dismissed for want of prosecution.

RULE 42

SECURITY

Court retains copy.

RULE 43

PROTECTION OF PERSONAL AND PRIVATE INFORMATION IN COURT RECORDS

Pursuant to Rule 45 of the Rules of Superintendence for the Courts of Ohio, effective July 1, 2009, the following information is defined as personal and private and is to be omitted from all case documents submitted to the court or filed with the Clerk of Courts:

A. Social Security numbers, except for the last four digits;
B. Financial account numbers, including but not limited to debit card, charge card and credit card numbers;
C. Employer and employee identification numbers;
D. Juvenile's name in an abuse, neglect, or dependency case, except for the juvenile's initials or a generic abbreviation such as "CV" for "child victim";
E. Any other information deemed personal and private by any federal or state statute, regulation, executive order, or court ruling.

It is the responsibility of the filing party and counsel to remove personal and private information from a document filed with the Clerk of Courts office. The responsibility of the filing party and counsel to remove personal and private information extend to and includes exhibits or addenda attached to filings, such as preliminary and final judicial reports which itemize state tax liens that use social security numbers, or medical records.

The Clerk of Courts and deputy clerks shall have no responsibility for the removal of any personal and private information filed in a public document in the Putnam County Clerk of Courts office.

Personal and private information must be submitted on a separate form which will be deemed by the Court as non-public record. The Clerk of Courts will provide a standard form for use by all parties. The information will be kept in a separate envelope within the case file marked "Confidential".

Journal entries that necessarily include personal and private information must be submitted to the Clerk of Courts office as follows: a copy that includes the personal and private information for placement in the non-public envelope and a copy with the personal and private information redacted for placement in the public file. The copy not containing the personal and private information (for the public file) will have the notation "personal and private information redacted" at all places in the document where such information was removed. The court will sign both journal entries.

The Clerk of Courts will not remove any personal and private information from a file stamped document including records or transcripts transmitted to this court from another court, without a court order to do so. Any personal and private information in documents filed prior to July 1, 2009 is considered public. Any personal and private information in records or transcripts transmitted to this court from another court is considered public. A party or an attorney in a case, or any other person whose personal and private information is contained in a public record of this court may petition the court for the removal of personal and private information. If the request is granted, the personal and private information will be removed from the file-stamped document and placed in a separate envelope and deemed a non-public record. A redacted copy of the document will be placed in the public case file.

APPENDIX

Filing Fees and Cost

Work Release Rules and Regulations

Work Release Agreement

Affidavits in Support of Domestic Relations cases are found on the Supreme Court website: www.supremecourt.ohio.gov

IN THE COURT OF COMMON PLEAS OF PUTNAM COUNTY, OHIO

WORK RELEASE RULES AND REGULATIONS

1. Upon the approval of the sentencing Judge in Putnam County, Ohio, any prisoner sentenced to a county jail shall be permitted to participate in a work-release program.

2. The Putnam County Sheriff shall be appointed to serve as the administrator of the work-release program as set forth herein, such position being necessary and proper, pursuant to Section 5147.28 et seq. Of the Ohio Revised Code and shall be designated as Work-Release Administrator.

3. The Work-Release Administrator shall collect $20.00 per day for each day worked.

4. Any prisoner in the Putnam County Jail, who has been sentenced to a jail term, which sentence is not a non-suspendable sentence, may be eligible for the work-release program, under the following terms and conditions:

   (a) Any prisoner under the work-release program shall be permitted to leave the jail thirty (30) minutes before the time he is required to report to his job and said prisoner shall report back to the jail within thirty (30) minutes after the completion of his or her work for that day, subject to Court Order in each particular case concerning distance to and from work and subject to the necessity of obtaining meals both before, after, and during said employment.

   (b) Each prisoner on the work-release program shall provide his or her own transportation to and from his or her employment.

   (c) A prisoner shall not be permitted to work any voluntary overtime hours without prior Court approval.

   (d) Any prisoner on the work-release program who fails to abide by the rules and regulations of such program shall be discontinued on such program and remanded to the County Jail until a hearing is had on such violation and said prisoner shall not be reinstated except by the sentencing Court.

   (e) Any prisoner who desires to become eligible to participate in the Putnam County work-release program shall subscribe to a separate and independent Work-Release Agreement, such agreement to read as follows:

WORK-RELEASE AGREEMENT

I _____ being in the custody of the sheriff of Putnam County under sentence of a Court of Putnam County, agree to abide by the following rules and regulations in order to become eligible to participate in the work-release program.

1. The prisoner agrees and understands that he or she is to go directly to his place of employment and return directly therefrom without exception at the end of the working day, subject to the Order of the Court.

2. The prisoner agrees to furnish and provide his or her own transportation to and from the Putnam County Jail subject to the approval of the Sheriff.

3. The prisoner agrees that he or she will under no circumstances drink alcoholic beverages or consume any controlled substances during the period of his or her participation in the work-release program.

4. The prisoner will not leave his place of employment for any purpose other than to return to the Putnam County Jail, subject to the Order of the Court.

5. The prisoner understands and agrees that he will make an accurate record of the time he or she enters and departs from the Putnam County Jail.

6. The prisoner agrees that the total cost for the work-release program of $20.00 per day must be paid up before the prisoner is discharged. The Sheriff's department is to notify the Court of any work-release violations. Any time the work-release program is violated by the prisoner, such as not reporting for work, not having the proper papers signed by a supervisor for overtime work, or not having the $20.00 daily fee paid by Monday of the following week, the work-release program may be terminated by the Court.

7. The prisoner agrees to hold the County of Putnam, the Sheriff, as Work-Release Administrator, and any of the County employees harmless for any injuries or damages which the prisoner might suffer while outside of the Putnam County jail and while participating in the work-release program.

8. The prisoner understands and agrees that while outside the jail, he or she will not visit with family or friends or call on the telephone.

9. The prisoner understands and agrees that while outside the jail, he or she will not send or receive mail.

10. The prisoner understands and agrees that he or she will not carry mail or packages into or out of the jail without the specific approval of the Sheriff or one of his officers.

11. The prisoner understands that if he or she escapes or walks off the job, he may be charged with escape.
12. The prisoner shall furnish an employment schedule prior to being released for work purposes.

13. I hereby release any and all confidential reports that may be made by counsel that may visit me, this report to be made a part of the Sheriff's report.

14. Weekly payment of work-release is due each Friday. If not paid by Monday, inmate may not return to work.

15. While on work-release the prisoner will be tested for alcohol and/or drug consumption each time he or she returns to the jail. The prisoner will be charged $0.50 per test payable on Friday with work-release money.

I have read and agree to all of the above terms and conditions, and I have received a copy thereof for my own records.

Date _____ _____
Prisoner

_____
Witness

_____
Administrator of Work Release

_____
Witness