

May 23, 2017

MEMBERS OF THE JUVENILE BAR:

These are the new Portage County Juvenile Court Rules effective June 1, 2017. Rules 1 – 38 should be read carefully. Some Rules are new or modifications of old procedures.

You should pay special attention to the following local rules:

Rule 3	Rule 3 states all service will be by certified mail unless a party includes instructions otherwise.
Rule 20	Rule 20 states contempt/show cause shall be by personal service if monetary or incarceration is sought as a sanction.
Rule 3:07 – 3:10	Publication is more stringent (see specifically Rule 3:08 new requirements of affidavit)
Rule 4	Rule 4 provides a rule on courtroom decorum. See 4:06 – cell phone See 4:08 – time of hearing See 4:09 – professionalism
Rule 8	Rule 8 list court records and classification of records that may be available to counsel.
Rule 11	Rule 11 states agreed or proposed entries must be received by the Court within 14 days.
Rule 12	Rule 12 states Motion to Set Aside Magistrate’s Order must be filed in 10 days and provides details on how to be in compliance.
Rule 13	Rule 13 addresses Magistrate’s Decision filed in 14 days and provides details of compliance.
Rule 14	Rule 14 addresses Motions; regarding detailed affidavit, continuances and duties of counsel in motions for continuance.
Rule 17	Rule 17 addresses Guardian Ad-litem in private cases; new details for compliance.
Rule 18	Rule 18 addresses standard parenting time **NEW <u>requirement</u> of parenting class effective October 1, 2017. (See Rule 29.08)

Rule 19	Rule 19 states motions to convey prisoners must be filed 14 days prior to hearing where a prisoner is a witness or 7 days prior if prisoner is a party.
Rule 20	Rule 20 addresses contempt. <u>ALL NEW</u> <ul style="list-style-type: none"> ▪ Affidavit facts in detail ▪ Order to show cause with Rule 20.05 waivers ▪ Must designate civil or criminal contempt ▪ Child support and contempt have specific requirements ▪ Notice of potential penalties ▪ Personal service requirements
Rule 25	Rule 25 regarding assigned counsel and guardian ad-litem appointment should be read thoroughly. Rule 35 states requirements to be appointed counsel or GAL, which includes compliance with Rule 48 of Rules of Superintendence; yearly verification of qualification compliance pursuant to Ohio Public Defender; and 6 hours CLE per biannual reporting for delinquency or dependent, abuse or neglected cases.
Rule 26	Rule 26 addresses GAL reports and the specific formalities and content required.
Rule 28	Rule 28 states specific procedures for parentage and child support cases.
Rule 29	Rule 29 states specific procedures for custody or allocation of parental rights and responsibilities and/or companionship actions. Rule 29:08 Mandatory parenting/mediation classes is effective October 1, 2017
Rule 30	Rule 30 pertains to specific procedures for <u>In Camera Interviews</u> .
Rule 31	Rule 31 addresses requirements for Ex Parte Orders and specific language requirements on Ex Parte or Emergency Orders.
Rule 32	Rule 32 pertains to sealing and expungement of juvenile delinquency records.
Rule 33	Rule 33 states the Court will <u>NOT</u> , without judicial approval, issue subpoenas for pre-trial conferences, Rule 21 conferences or status hearings.
Rule 35	Rule 35 states the requirements to be assigned counsel or GAL.
Rule 36	Rule 36 states change of address of a party or attorney must be filed within 7 days.
Rule 37	Rule 37 addresses use of experts and time frame for notification of Court and opposing parties of use expert witness.
Rule 38	Rule 38 addresses confirmation of witness availability; what counsel must do and time frames to ensure witness is available for evidentiary hearing. <u>Read Carefully.</u> <u>Appendix A – F read carefully</u>