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Chapter 1 – General Court Information

Rule 1.01 – General

These rules conform to the Ohio Rules of Civil Procedure and the Rules of Superintendence for the Courts of Ohio and provide for the efficient and expeditious management of business before the Common Pleas Court for Carroll County, Ohio, General Trial Division, ("Court") with due regard to local practices and requirements. These rules shall supersede all previous rules and amendments. However, these Local Rules are not meant to supersede the Rules of Superintendence for Common Pleas Courts established by the Supreme Court of Ohio or the Ohio Rules of Civil Procedure. Any previously ordered local rules of practice that conflict with the following rules shall be rendered void and of no force and effect.

Rule 1.02 – Hours of Court Sessions

The sessions of the Court generally shall be daily, Monday through Friday, from 8:00 a.m. to 4:00 p.m. The Court shall be in session at such other times and hours as the administrative judge or any judge shall prescribe to meet special situations or conditions.

Rule 1.03 – Addresses and Telephone Numbers

Courthouse:
119 South Lisbon Street, Suite 400
Carrollton, Ohio 44615
Telephone: 330-627-2450
Court facsimile: 330-627-0985
Internet Address: https://carrollcountyohio.us/agencies-and-departments/court

Clerk of Courts:
119 South Lisbon Street, Suite 401
Carrollton, Ohio 44615
Telephone: 330-627-4886
Facsimile: 330-627-6437
Internet Address: https://carrollcountyohio.us/agencies-and-departments/courts/clerk-of-courts/

Rule 1.04 – Court Security

All persons entering the Carroll County Courthouse, including elected officials, attorneys, law enforcement and security officers, must enter through the 2nd Street entrance and will be subject to security screening. Screenings will occur for each visit to the Carroll County Courthouse regardless of the purpose or the hour. Employees with keys may enter the building through alternate doors.

Rule 1.05 – Court Attire

All persons must dress in proper attire when entering a courtroom. No attorney, party or witness shall be permitted to appear in the courtroom or offer testimony while dressed in shorts or “tank tops.” Proper footwear must also be worn. No “flip flops”. It shall be the duty of counsel to advise the parties and witnesses of this rule prior to their appearance in court.

Rule 1.06 – Forms

The forms mentioned in the Local Rules can be obtained from the Court’s and the Clerk of Court’s website.

Chapter 2 – Pleadings and Motions

Rule 2.01 – Format

Every pleading, motion, brief or other papers filed in a cause, shall be identified by title and shall bear the name (written, typewritten or printed) of the individual attorney; the attorney registration number issued by the Supreme Court of Ohio; the firm, if any; office address, telephone number; facsimile number; and email address of counsel filing the same. If there is no counsel, the same applicable information is required of the party filing the document.

All pleadings, motions and other court filings shall be legibly typewritten or printed on one-sided letter (8 ½" x 11") paper and shall have a 2" top margin on the first page and subsequent pages shall have a 1" top margin. All original filings shall **not be bound by staples**. Service copies may be stapled.

The Clerk of Courts requires the original copy and one copy for the Judge of all pleadings. If service is requested to be performed by the Clerk of Courts, an adequate number of copies shall be provided to the Clerk of Courts. If additional copies are required for service, the Clerk will provide the necessary copies at $.25 per copy, which will be taken directly from the deposit.

Rule 2.02 – Case Designation Forms

Every initial, non-criminal filing shall be accompanied by a Case Designation Form, which can be obtained in the office of the Clerk of Courts and available online. (See Forms). It will be the obligation of the attorney or unrepresented party filing pleadings, to identify the appropriate alphabetic designation on a designation form upon filing with the Clerk of Courts.

All complaints, post decree motions filed in domestic relation matters or motions that reopen a domestic case, the form shall include the caption, related pending or closed cases, and indicate one of the case types provided on the form. The Clerk of Courts may refuse to accept for filing any case that does not conform to this rule.

If a case seeks to be designated as complex litigation under Rule 42 of the Rules of Superintendence for the Courts of Ohio, the Plaintiff attorney(s) shall notify the Clerk of Courts within 60 days of filing a Complaint and Defense attorney(s) shall notify the Clerk of Courts within 60 days of service.

Rule 2.03 – Names, Addresses, and Phone Numbers of Parties

The address of the parties shall be listed in the caption on all pleadings and motions. If a party's address changes while the case is pending, the party shall report the change to the Clerk of Courts by filing a written Notice of Change of Address.

All individuals who are not represented by legal counsel shall include their telephone number on all pleadings and motions filed with the Court.

Rule 2.04 – Attorney Registration Number

The attorney signature blocks of all pleadings, motions and filings shall include the attorney registration number assigned by the Supreme Court of Ohio.

Rule 2.05 - Notice of Appearance

In all case types, (other than initial filings) the attorneys shall file a Notice of Appearance. Notices must be filed with the Clerk of Court.

Rule 2.06 – Motion Requirements & Practice

All motions shall be accompanied by an affidavit stating the grounds for the motion and citing relevant authorities, and **Proposed Order for signature of the Court**. The motion, together with the affidavit, whether supporting or opposing a motion, shall not exceed 20 pages, exclusive of any supporting documents. If a party fails to provide an affidavit or exceeds the 20-page limit, the Court may overrule the motion without consideration.
Any motions in any case, parties shall file with the Clerk of Courts in duplicate. The Clerk or a Deputy Clerk shall give the file- stamped duplicate copy to the Court for the assignment of hearing (if needed) and for the statistical reporting.

Courtesy copies of all dispositive motions and responsive documents shall be sent to the courtroom upon filing.

All Notices of Dismissal shall be accompanied with an entry for signature of the Court.

(A) Domestic Relations Proceedings

1) Required in all new Domestic Relations filings (Divorce or Dissolution) shall provide the full name of the parties; the complete addresses; date of birth; list the six (6) month in state residency; and the 90 days in the county residency; and the date and location of the marriage on the Complaints/Petition/ and Decrees.
2) An attorney or unrepresented party filing a new domestic relations action may obtain from the Judicial Assistant a date and time for hearing on motions for temporary orders and file the notice of such with the original pleadings to be served. At the time of initial filings, the attorney or unrepresented party must first ascertain whether the hearing date requested conflicts with any other matter previously assigned.
3) Hearings on motions for temporary orders shall be **assigned no earlier than seven days** from the date of filing.

(B) Post Decree Filing Requirements
1) Deposit paid to the Clerk of Courts
2) Full name, address and contact information of all parties on the pleading.
3) The Clerk of Court are required to provide service on any post decree pleadings put on the Court's docket.
4) Pleadings that do not require the Clerk of Court to serve the party, must include a proof of service.
5) Any request for service shall contain the party to be served with a current address.
6) Agreed post decree change filings require a deposit; the Motion; Affidavit and Agreed Entry. If the agreed post decree filing involves children, additional forms are required (Affidavit of Income and Expenses of both parties; Parent Proceeding Affidavit; and the Health Insurance Affidavit).

Rule 2.07 – Service on Opposing Parties

Every pleading, motion, affidavit filed with the Court shall be served on all opposing counsel or upon all parties not represented by counsel**.**

If the case is being opened, reopened, or if claims are being made against additional parties, the Clerk of Courts shall serve all opposing parties. The party filing the pleading or motion that opens or reopens the Court file must request that the Clerk of Courts serve the document by filing a Request for Service. The Request for Service may be filed as a separate document or at the end of the pleading or motion. **Every Request for Service must state the full names and addresses of those to be served.**

All other documents shall be served by the party filing the document as provided in Civil Rule 5. The pleading or motion must contain a Proof of Service, which is a statement notifying the Court that the opposing counsel or unrepresented parties have been sent or given a copy of the document. **Every Proof of Service must state the full names and addresses of those served.**

No filing will be considered by the Court, without a correct Request for Service or Proof of Service.

Rule 2.08 – Methods of Service and Publication

If the case is newly filed, the Clerk of Courts will do the service the same as and pursuant to the Rules of Civil Procedure. When filing a new case, a Request or Instructions for Service must be provided.

A. **Certified Mail Service** is a method of delivery that requires proof of receipt. The Clerk will send one copy of all the documents/forms filed to the opposing party at the address provided for that person. If the service is not successful, the Clerk of Courts will send a notice in the mail that service has failed. Unless instructed otherwise in writing, the Clerk of Courts will not do anything further. If no further instructions are given, the case could be dismissed.

B. **Ordinary Mail Service** is when the court documents are mailed to a person's last known or declared address. A request for ordinary mail service asks the Clerk of Courts to serve the person by mailing the court document to an address provided by the party.

Ordinary mail can only be used after a failure of service by certified mail of either "refused" or "unclaimed"; otherwise, certified mail or personal service must be reattempted. When the Clerk of Court issues service by ordinary mail, a return receipt card will be placed in the file and dated so that a record is made of the mailing date.

C. Personal Service is delivery of the court documents to the individual to whom it is directed or to someone authorized to receive it on his/her behalf. The court documents will be hand-delivered to the opposing party by someone who is a process server or the sheriff's department.

D. **Publication:** When service of process is required upon a party whose residence is unknown, service shall be made by publication, pursuant to the Civil Rules of Procedure.

Parties requesting publication shall prepare the legal notice and pay a deposit of $500.00, to the clerk of courts; along with a Precipe for Service by Publication; specifying which legal publisher (The Free Press Standard); and the length of time for publication. Service by publication fees will be taxed as court costs, unless the requesting party instructs the clerk's office otherwise.

An affidavit of the party requesting service or that party's counsel shall be filed with the Court. The affidavit shall aver that service of summons cannot be made because the residence of the party to be served is unknown to the affiant, all of the efforts made on behalf of the party to ascertain the residence of the party to be served, and that the residence of the party to be served cannot be ascertained with reasonable diligence.

Upon the filing of the affidavit and the proposed legal notice, the clerk shall cause service of notice to be made by publication in the newspaper specified in the Precipe for Service. The publication shall contain the name and address of the court, the case number, the name of the first party on each side, and the name and last known address, if any, of the person or persons whose residence is unknown. The publication also shall contain a summary statement of the object of the pleading or other document seeking relief against a party whose residence is unknown, and a summary statement of the demand for relief, and shall notify the party to be served that such party is required to answer or respond either within twenty-eight days after the publication or at such other time after the publication that is set as the time to appear or within which to respond after service of such pleading or other document.

The publication shall be published at least once a week for six successive weeks unless publication for a lesser number of weeks is specifically provided by law. Service of process shall be deemed complete at the date of the last publication. After the last publication, the publisher or its agent shall file with the court an affidavit showing the fact of publication together with a copy of the notice of publication. The affidavit and copy of the notice shall constitute proof of service of process.

E. **Posting** – This service is when a legal notice is posted on a designated public place at the courthouse as well as in two different locations in the community. This notice will be posted for six weeks.

Posting is permitted under the following:

1. Filing for a divorce, annulment, or legal separation, and
2. An affidavit of indigency with your request which allowed you to file without paying a filing fee/court cost deposit. If you did not file such an affidavit or the Court made you pay a filing fee, you must do service by publication if you have no address for the other side.

Rule 2.09 – Filing Instructions for Out of State Subpoena

A Petition for the Issuance of Subpoena pursuant to R.C. 2319.09; Commission from the Court in the State the lawsuit is pending; the original, issued subpoena from a foreign state and three copies; a new original Ohio subpoena which is identical in content to the foreign state subpoena and three copies; and a proposed court order for a Carroll County Common Pleas Judge to sign, directing the Clerk of Courts to issue the subpoenas; a deposit made payable to the Carroll County Clerk of Court.

Rule 2.10 – Leave to Plead

By agreement of counsel, a party may be granted leave to move or plead provided the total extension of time does not exceed (28) days. Such consent shall be signed by all counsel and filed with the Clerk of Courts. Where an extension of time beyond (28) days is needed, the appropriate motion must be filed and upon proper showing of good cause, the extension may be granted by the Court.

Rule 2.11 – Amendments

No pleading or motion shall be amended by interlineation or obliteration. A party filing an amended pleading shall re-file the entire amended pleading. Upon filing of an amended pleading or motion, the original shall not be withdrawn from the Court file.

Rule 2.12 – Complaint on a Cognovit Note

Before presenting a Complaint on cognovit note to the Court, a party must file the Complaint with the Clerk of Courts so that the case can be initiated. After initiated, the complaint and related filings must be brought to the Court by Clerk of Court's.
The attorney confessing Judgment on behalf of the Defendant must be present and sign in the Judge's presence or acknowledge the attorney's signature in the Judge's presence. The original cognovit note must be presented so the Court can endorse the note indicating the Judgment.

Rule 2.13 – Conflict of Trial Dates and Continuances

All motions for continuance must be **in writing** and shall set forth the reason for the continuance. Unless the Court otherwise directs, a motion for continuance shall be heard after proper notice is given to opposing counsel. All motions for continuance shall set forth a detailed explanation along with any supporting documentation if applicable.

Conflicts (C.P. Sup. R. 7-B)

When a continuance is requested for the reason that counsel is scheduled to appear in another case assigned for hearing or trial on the same date in another court of this State (including federal courts), the case which was first assigned for trial or hearing shall have priority.

Criminal cases have priority over civil cases.

No motion or request for a continuance due to a scheduling conflict will be considered by this Court unless a copy of the conflicting assignment is attached thereto, and shall contain or be accompanied by an entry approving it with provisions for the insertion of a new date.

Continuances (C.P. Sup. R. 7-A)

1) All continuances are matters within the sound discretion of this Court.
2) No party shall be granted a continuance of any hearing or trial without submitting to the Court a **written** motion of request therefore, with entry attached, stating therein the reason for the continuance**, endorsed in writing by the litigants or counsel**. This provision may be waived by the Court for good cause shown.
3) Motions for continuances, other than due to scheduling conflicts, the Court will be filed in writing within three days from the date of request and shall contain or be accompanied by an entry approving same with provisions for the insertion of a new date.

The Court will **not assign a new date or re-issue notices until the required motion is received.

To the extent possible, parties or counsel requesting continuances shall consult with adverse parties or opposing counsel for mutually acceptable new dates **prior** to requesting a continuance so that further conflicts can be minimized and a new date can be expedited.

Rule 2.14 – Motions to Consolidate

Consolidation may be appropriate if two or more cases involve a common question of law or fact.

A. Motions to Consolidate - In General

A motion to consolidate in a civil case, unless otherwise specified by this rule, shall be filed in the case that was filed last. If the motion is granted, the cases will be consolidated into the case that was filed first, and subsequent filings will only be permitted in that case.

B. Motions to Consolidate in Cases Involving Certificate of Judgment Liens

In civil cases involving certificates of judgment liens, a motion to consolidate shall be filed in the case that was filed first. If the motion is granted, all relevant cases will be consolidated into the case that was filed first, and subsequent filings will only be permitted in that case.

Rule 2.15 – Motions for Default Judgment

Motions for default judgment shall be accompanied by an original affidavit in support of the requested judgment. If the affidavit is insufficient, the Court may request additional evidence by affidavit or set the matter for hearing. At the hearing, the moving party shall be prepared to offer testimonial and documentary evidence in support of the claim; if the claim is for damages, the moving party shall present evidence in support of damages.

Rule 2.16 – Motions to Compel Discovery

Absent extraordinary circumstances, the last date for any party to seek the involvement of the Judge in the Discovery process by way of motion seeking a ruling, an order, sanctions, or other court action, shall be 30 days after the Discovery cutoff date.

Rule 2.17 – Preparation of Entries

Every non-oral motion filed with the Court shall be accompanied by a proposed judgment entry suitable for use if the motion is granted. A party opposing a motion shall provide the Court with a proposed judgment entry. All submitted entries must include a listing of all attorneys and unrepresented parties who are to receive a copy of the docketed entry from the Clerk of Courts.

Chapter 3 – Filing

Rule 3.01 – Filing Fees

No action or proceeding, except criminal filings, shall be accepted for filing by the Clerk of Courts unless a financial deposit is made to secure the payment of the court costs that may accrue in the action, except as otherwise provided by law.

The Schedule of Deposits for Security of Court Costs and Filing Fees have been updated and adopted effective February 24, 2020. The complete Schedule of Deposits and Fees are located under "Forms", attached as a separate form.

In cases transferred to the Common Pleas Court where the demand of the counterclaim exceeds the monetary jurisdiction of the Municipal Court, the counter claimant shall post the deposit for costs in a sum equal to the amount required if the case originated in this Court. Failure to pay the deposit may result in dismissal by the Court.

Upon any final judgment, the Clerk of Court is directed to apply the deposit(s) for costs in the case. The Clerk of Courts will assess the costs against the proper party, notify and bill such party.

Rule 3.02 – Copies of Pleadings and Motions

For all complaints, the Clerk of Courts requires the original be filed plus one copy for each party being served. For all motions, the Clerk of Courts requires the original be filed, one copy for scheduling purposes, and one copy for each party being served.

Rule 3.03 - Fax, e-mail and e-Filing:

1. **Fax filings are not accepted!**
2. **E-mail filings are not accepted effective June 15, 2022 (with the exception of Civil Domestic Violence or Civil Stalking Case**.
    a. E-mail filings are permitted on the Civil Domestic and Stalking cases but are limited to 20 total pages per filing.
    b. No filing that requires a deposit or service can be filed via email.
    c. If you file via e-mail, then you should not follow up by filing a hard copy in the mail. The e-mailed filing will be considered the original filing.
    d. All e-mail filings should be sent to carclerk@carrollcountyohio.us.

e. Filings are not considered officially filed until the clerk prints the document and time-stamps it.
f. The fee for all e-mail filings is pursuant to ORC 2302.20(Y) plus $.25 per page to print the document for the file and one for the court. These fees must be paid by the filing party, with the exception of the Ohio Attorney General's office, pursuant to ORC 109.19. The AG's office will not be taxed any costs, and their e-filing fees will be taxed as court costs, paid by the taxing party. Said e-filing fees must be paid in full by the e-filer within twenty-four (24) hours of submitting said e-filing document(s).

3. **Effective June 15, 2022 -** the e-Filing portal will be available. At this time, e-filing is optional.
4. **Application of Rules and Orders:**

   Unless otherwise modified by approved stipulation or Court order, these rules and all applicable Ohio Rules including Rule 5(E) of the Ohio Rules of Civil Procedure, Rule 12(B) of the Ohio Rules of Criminal Procedure, and the Rules of Superintendence which are fully incorporated by reference through this rule, shall apply to all electronically filed documents.

Any electronically submitted document must be signed by an attorney, admitted in good standing; and licensed to practice law in the State of Ohio either by e-signature (ex: /s/John Smith) – or an original signature in blue ink and submitted in PDF format. If a document is filed electronically by a pro se litigant, the document must be signed in blue ink and submitted as a PDF.

The signature on an electronically submitted document shall be considered that of the attorney or person representing themselves under Rule 11 of the Ohio Rules of Civil Procedure.

The Clerk shall charge the User normal filing fees and deposits, which will be collected through the User's credit card at the time the electronic submission is processed. Pursuant to §301.28(E) and (F) of the Ohio Revised Code, a surcharge for credit card use may be assessed. (The credit card company – Five-Point does add a surcharge, this fee is set by Five-Point and is not paid to the Clerk's Office this is their fee for using their service). Any document electronically submitted will not be filed until all required fees have been paid. The Clerk will not accept personal checks or other forms of payment for filing fees and deposits when e-filing – you MUST pay through the system with a credit card.

All persons who choose to file documents through the e-Filing Portal shall register and set up an account through the e-Filings portal. Registered users shall be responsible for maintaining the accuracy of their e-Filings portal account information and documents submitted through their e-Filing portal account.

No registered user of the e-Filing portal shall authorize or permit anyone to use the registered users e-Filing portal account except on behalf of the registered user, in which event the registered user shall be deemed to be the filer.

**The Clerk/Court will not maintain electronic billing or debit accounts for lawyers or law firms.

** Pro se litigants must abide by the same rules as registered attorneys.

5. **Definitions:**

a. **Accepted:** An Electronically filed documents that has been reviewed by the Clerk and a docket entry created.
b. **Case Management System (CMS):** The Clerk CMS manages the receipt, indexing, storage and retrieval of data associated with a case and performs actions on the data.
c. **Clerk:** The Clerk of Courts of Carroll County Common Pleas Court, General Division as defined by the Ohio Revised Code.
d. **Clerk Review:** An inspection of electronically filed documents by the Clerk for compliance with the Local Rules of Court, policies, procedures and practices made before accepting an electronically filed document and creating a docket entry.
e. **Court Electronic Record:** Any document the Court received in electronic form, records in the CMS and stores in its document management system. This included Court initiated Filings as well as pleadings, other documents and attachments created by the parties' counsel. It does not include physical exhibits brought into the courtroom for the Court or jury's edification that cannot be captured in electronic form.
f. **Court Initiated Filing:** Official Court documents entered into the docket or register of actions such as notices or orders.
g. **Documents Management System (DMS):** A DMS manages the receipt, indexing, storage and retrieval of electronic and non-electronic documents associated with a case.

h. **Electronic Filing (e-file):** The electronic transmission, acceptance and processing of a filing. A filing consists of data, one or more documents and images. This definition does not apply to facsimile or e-mail).
i. **Electronic service (e-service):** The electronic transmission of an original document to all case participants who are registered users of the Court's e-filing system via the e-filing system. Upon the completion of any transmission to the e-filing system, an electronic receipt shall be issued to the sender acknowledging receipt by the e-filing system.
j. **Original Document:** The filing made with the clerk in either electronic format or paper form, becoming the Court's official record.
k. **Pro Se Filer:** An individual proceeding "on one's own behalf" without representation by an attorney at law.
l. **Public Access Terminal:** A terminal located in the Clerk's office for use by the public during regular business hours. Users shall be charged for printed copies of documents per Local Rules.
m. **System Error:** When the Court's e-filing system is not operational.
    a. **If a submission is not received by the Clerk due to an error caused by the hardware or software of either the Clerk, the Court may, upon satisfactory proof, enter an order permitting the document to be filed Nunc Pro Tunc to the date it was submitted and should have been accepted.** Ultimately, it shall be the submitting party's responsibility to ensure all documents are properly received, docketed and served.

6. <u>Filing electronic documents through the e-filing Portal:</u>

(a) A case designation sheet must be filed with all new complaint filings.
(b) Filing of electronic documents shall be made by submitting the documents through the e-filing Portal. Confirmation of receipt by the e-file portal is only a confirmation of receipt of the document, not confirmation the document was accepted for filing.
(c) Any document submitted through the e-filing portal must have a 2" top margin on the first page and a 1.5" margin on all subsequent pages. The document will be refused if it does not meet this requirement. If the document does not have the 2" top margin, then the attorney's office shall prepare a "Notice of filing" and attach it to the front of the document being filed.
(d) Documents must be 8.5" by 11" paper; single sided; a 12-point regular font; and must be paginated sequentially.

(e) E-filed documents and total filings can be no larger than 100 pages. Any document or filing that is over 100 pages must be submitted either by mail or in person. The cost of printing said document for the file, shall be paid by the e-filer within twenty-four (24) hours after submitting said e-filed document.

(f) All documents submitted through the e-Filing Portal must be submitted as a Portable Document Format ("PDF") file. All motions must be accompanied by a proposed order (proposed order MUST reference the specific motion to which it applies; all orders that do not require the signatures of approving counsel, must be submitted as a Microsoft Word document. A judgment entry, decree, order or decision submitted electronically which also contains the signatures of approving counsel and/or one or more of the parties, <u>must only</u> be submitted as a PDF format with all signatures in blue-colored inking and "flattened" to protect the integrity of the document.

(g) Filing documents submitted through the e-Filing Portal does not alter any filing deadlines imposed by this Court. (Anything received after 4:00 p.m. will be reviewed the next business day).

(h) After review by the Clerk's Office, a separate communication that indicates whether the documents were accepted or rejected for filing will be sent to the e-mail address registered with the account of the person who submitted the documents through the e-Filing Portal.

(i) Documents that have been rejected are the sole responsibility of the Filer to correct the documents and resubmit. You will receive notification the document was rejected and the reason why it was rejected. The Clerk's office will not follow-up with the Filer regarding the rejected filing. If the Filer does not receive an acceptance or rejection notification with 24 hours (during business hours) after submitting their documents, it is the Filer's responsibility to reach out to the Clerk's office to make sure the submission was received.

(j) Upon successful completion of submission and acceptance by the Clerk, each electronically submitted document will receive a separate electronic time stamp. The electronic time stamp will include the date and time the Clerk accepted the user's entire electronic submission as well as the case number of the filing (if applicable).

(k) Even though you can submit documents 24/7 through the e-Filing Portal, documents are not considered filed until they have been accepted by the Clerk's office. The documents will be reviewed during regular business hours, Monday through Friday, between the hours of 8:00 a.m. and 4:00 p.m.

(l) The Clerk's office may reject documents that are not clearly legible or that fail to comply with the requirement of this rule.

(m) The following documents are excluded from e-filing:

   a. Garnishments;
   b. Bank Attachments;
   c. Any filings that are not sized 8.5 by 11 inches;
   d. Any documents required to be certified or authenticated;
   e. Any pleadings for filings that requires a deposit for costs for witness fees;
   f. Civil Protection (Domestic Violence, Stalking or Dating) pleadings.

(n) Original Signatures: All original documents that are <u>not e-filed</u> must have the attorney's signature or documents requiring an original signature, such as an affidavit or other notarized documents shall be e-filed in PDF format with the original signature.

   a. The filer shall maintain the signed document in the filer's records and have it available for productions upon request of the Court.
   b. The signed document shall be maintained until the case is closed and the time for appeal has expired or the appeals have been heard or denied and all opportunities for post judgment relief are exhausted.
   c. Attorney or Pro Hac Vice Registration Numbers issued by the Supreme Court must be included on all documents filed with the Court.
   d. All documents must contain:
      - Typed attorney name
      - Attorney registration number
      - Firm name
      - Identify the party they represent
      - Address
      - Telephone number
      - Fax number
      - E-mail address
   e. A judge's electronic signature has the same effect as a signature indorsed on a paper document.

(o) **<u>Personal and Private Information in Documents filed with the Clerk:</u>**

   a. **Definition**: Personal and private information includes, but is not limited to social security numbers, financial account numbers, names of minors, information protected by law from public disclosure or other personal identification numbers.

b. **Exclusion:** The filer shall **not** include personal and private information in any document filed with the Court unless such inclusion is necessary and relevant to the case, unless it is filed as a separate document such as the Personal Identifiers Information Sheet, which is a secure document not subject to public record (Personal Identifiers Information Sheet is required in all domestic relations cases). This requirement extends to and includes exhibits or addenda attached to filings, such as preliminary and financial reports which itemize state liens that use social security numbers as case numbers or medical records.

c. **Financial Affidavits:** These documents are required in all Domestic Relations Cases and all cases which the party is requesting to file without a deposit – these documents will be filed in the case but will not be imaged for public view on the website.

d. **Redaction:** If personal and private information is necessary and must be included in a document, the filer must redact the personal and private information from the document in the following manner:

   i. For social security numbers, financial account numbers or other personal identification numbers all but the last four digits of the number shall be redacted.

   ii. For minors, only the child's initial shall be included. (full names can be listed on a personal identifier sheet)

   iii. For any other personal or private information, the information shall be replaced with "[REDACTED]".

e. **Responsible Party:** The filer is responsible and liable for redacting personal and private information. The Clerk does not review each document for compliance with this Rule.

(p) **Service of Initial Complaints:**

a. Upon electronically filing the Initial Complaints and Related Documents, third party complaint, intervening complaint or ay pleading that adds a new party, the filing party shall also file instructions for service (see Local Rule 2.07). The Clerk shall issue a summons and process in the designated method which is requested in the Instructions for Service as mentioned in Local Rule 2.07 and in accordance with Ohio Civil Rules of Procedure.

b. Once a party has entered an appearance in the case, the party must furnish his or her e-mail address and service thereafter should be made electronically when possible.

c. For all documents that require service by the Clerk, Instructions for Service must be filed as a separate document. The Clerk shall not accept Instructions for Service that does not designate the names and addresses of the parties to be served (See Local Rule 2.07). The Clerk shall produce paper copies of these initial pleading and charge a fee, as stated in the Clerk's fee schedule, for production of service copies which shall be taxed to the deposit of the Filer.

(q) **Criminal Cases:**

a. Subsequent criminal filings may be electronically submitted with the Clerk's office through the e-filing portal.

b. **With the exception of bonds, all bonds must be posted in person (cash or surety).**

(r) **Documents Filed Subsequent to Complaint:**

c. In Accordance with Civ. R. 5 and Crim. R. 49, unless the filer requests service by the Clerk and files the Instructions for Service, the filer, not the Clerk, shall be responsible for serving all documents filed subsequent to the original complaint on all parties or their attorneys.

i. E-SERVICE: The electronic service of subsequent pleadings, filings or other documents in e-file cases shall be considered as valid and effective service on all parties and shall have the same legal effect as an original paper document served under former rules. Pro se parties or attorneys who have not registered with the court's electronic filing system shall be served a paper copy by the filing party, not the court or clerk, in accordance with the applicable rules of civil procedure.

ii. CERTIFICATE OF SERVICE: A certificate of service on all parties entitled to service is still required with a party files a document electronically. The certificate must state the manner in which service was accomplished on each party so entitled. The certificate of service must contain the following language: "*I hereby certify that I served the (***insert what was served*) by process server, regular U.S. mail, commercial carrier, or electronic means (*whichever is applicable) *to the following"* (list each party who was served, the address the they were served, or e-mail address where they were served).

iii. The filer shall serve a paper copy of the document on all pro se parties that are not a registered user.

iv. Pursuant to Civ. R. 5(B)(3), if a local rule authorizes, a party may use the Court's transmission facilities to make service under Civ. R. 5(B)(f).

d. **Entries and Orders:**

i. After the order or entry has been signed and filed, the Clerk of Court shall serve on all pro se parties in accordance with Civ. R. 5 and Crim. R. 49 that are not a registered user and pursuant to Civ. R. 5 (B)(2)(f), if the person has an email on file.

e. **Certificate of Service:**

i. Proof of service of all documents required or permitted to be served shall be made in compliance with Civ R. 5(B)(3), Crim. R. 49(C), or Civ. R. 5 (B)(2)(f).

f. **Exceptions to E-filing (when necessary).**

i. Exhibits, attachments, or other documents that may not be comprehensibly viewed in a PDF reader application must be filed in their physical form with the Clerk.

ii. All Civil Protections Order pleadings (Domestic Violence, Stalking or Dating; Garnishments, Bank Attachments; any filings that are not sized 8.5 by 11 inches; any documents required to be certified or authenticated; any pleadings for filings that requires a deposit for costs for witness fees.

iii. Surety Bonds filed in criminal cases MUST be filed in paper form with the Clerk (who will scan and import them into the CMS system).

** IF THE CLERK'S E-FILING SYSTEM OR WEBSITE IS DOWN FOR ANY REASON, IT IS UP TO THE FILER TO MEET THE COURT'S DEADLINE DATES BY SUBMITTING THE FILING TO THE CLERK VIA MAIL OR IN PERSON – A SYSTEM ERROR DOES NOT GRANT THE FILER ADDITIONAL TIME – IT IS THE FILERS RESPONSIBILITY TO SEEK APPROPRIATE RELIEF FROM THE COURT.

(s) **Corrections of Docket Entries/Documents Filed in Error:**

a. Once filed, an electronically filed document becomes part of the docket.
b. The electronic filing system does not permit a User to make changes to any document or the docket once the transmission has been accepted by the Clerk.
c. If an electronically submitted document is filed in error, a User should not attempt to re-submit the document.
d. As soon as reasonably possible after an error has been discovered, the User should contact the Clerk with the case number and document number for which the correction or change is being requested.
e. If the Clerk has not accepted the electronically submitted document, the clerk can reject the submitted document and the Filer can then make the correction and resubmit.
f. If the electronically submitted document (submitted in error) has been accepted by the Clerk, (e.g., a document submitted on the wrong case), the Judge may order the document stricken.
g. The Clerk will not delete the docket text but will note in the docket the deletion or change, the reason for the deletion or change and that the user has been so notified (e.g., stricken from record per JE dated 01/01/2000)

(t) Subsequent Rules may be added from time to time – as this new e-filing process transpires.

Effective June 15, 2022 – all filings regardless of method of filling will be viewable on the online docket for viewing (with the exception of financial affidavits and/or any documents the Court orders "NOT FOR PUBLIC VIEW." It is up to the Filer, to file a motion and proposed order for the judge's signature of any documents they **do not want publicly viewed on the online docket**. The image will be viewable to the attorneys who are registered users and assigned to that case.

Non-Compliance

The Clerk reserves the right in its discretion to deny any person the use or continued use of the e-filing system, for reasons including that person's non-compliance with these rules or any other rule governing the use of the e-filing system, equipment incompatibility issues that are not corrected, or due to any misuse of the e-filing system.

Chapter 4 – Case Management/Scheduling

Rule 4.01 – Purpose

Pursuant to Rule 5(B)(1) of the Rules of Superintendence for the Courts of Ohio, this Court establishes the following rule system for case management. These rules, which may be amended and/or supplemented from time to time as deemed necessary, are intended to enable just and efficient resolutions of cases, to reduce delay in the consideration of cases by the Court, and to ensure the readiness of cases for pretrial, hearings, trial and/or other proceedings that are required by the Court.

Rule 4.02 – Assignment of Civil Cases

The assignment of cases shall be in accordance with the Rules of Superintendence for the Courts of Ohio. The management and control shall then be the responsibility of the Court and the Courts' staff.

Rule 4.03 – Trial Dates

All dates for trial shall be made by the Court or Court Administrator's office. The Order or Notice of date for trial shall be filed with the Clerk of Courts and mailed or delivered to all interested counsel and parties who are unrepresented.

Rule 4.04 – Oral Hearings

Motions will be scheduled for non-oral consideration unless a written request for an oral hearing is made by the party submitting or opposing the motion. All motions where oral argument has been requested, unless oral argument is otherwise dispensed with by the Court, shall be set for oral hearing by the Court. However, Objections and Motions to Set Aside will automatically be scheduled for oral hearing by the Court.

Rule 4.05 – Motions to Revive Dormant Judgment

Motions to revive a dormant judgment will be placed on the active docket after a notification has been filed with the Clerk of Court.

Rule 4.06 – Administrative Appeals

Administrative Appeal actions are reviewed for case management purposes in the month following filing, take precedence over all other civil actions, and are governed by the various provisions of the Administrative Appellate Procedure Act (R.C. 2506.01 et seq.) or the Administrative Procedure Act (R.C. 119.12).

Rule 4.07 – Jury Administration and Operation

Consistent with amended Civil Procedure, Sup. R. 9 (C), and in an effort to: a) improve the overall efficiency of jury operations, b) reduce the cost of the jury system, and c) decrease the burden that jury service often places upon those citizens called for jury service, this Court adopts, and incorporates by reference as fully as reproduced herein, the "Ohio Trial Jury use and Management Standards" adopted by the Ohio Supreme Court on August 16, 1993.

This Court will continue to draw new jury panels, grand and petit, for each new term of court from the annual jury list as compiled from voting registrations. The court reserves the right to supplement each such panel with additional jurors if the number of jury trials assigned for any given term indicates it necessary.

Chapter 5 – Court Records

Rule 5.01 – Court Files
Case files, both open and closed, shall not be removed from the office of the Clerk of Courts, unless written Court authorization has been given or if a file is being taken directly to or from the Court.

Case documents, as defined by Superintendent Rule 44, are public records. However, some documents submitted to the Court, or filed with the Court, are excluded from the definition of case documents under Superintendent Rule 44(C)(2).

Copies of case document can be obtained from the Clerk of Court's office for $.25 per page.
Court records that are not case documents, are not public records and may not be obtained from the Clerk of Courts.

Rule 5.02 – Hearing Records
The Court records all hearings digitally. Digital recordings are the official record. Digital recordings shall be maintained by the Court for three years from the date of the particular recording. Any interested party or non-party desiring to preserve the record beyond that period must make arrangements with the appropriate court personnel to have the record transcribed or designated for permanent storage.

Rule 5.03 – Electronic Copies of Court Recordings
Copies of recordings may be provided upon request made to the Court.

Rule 5.04 – Transcripts
Transcripts may be ordered by making a written request. The original request must be filed with the Clerk of Courts and a copy either hand-delivered or mailed directly to the Judge's office. All requests for transcripts must include the full case caption and case number including the date and time of the hearing. The compensation rates for preparing transcripts and copies are as follows:

Transcript fees set at six dollars per original page. Expedited transcript fees are set at eight per original page.

Fees for copies of original transcripts are set at four dollars per page.

Transcripts/depositions shall not be filed in the record or released to parties/counsel until payment in full has been received by the Court Transcriptionist.

The official record for purposes of appeal, remains the transcript as prepared by the official court transcriptionist.

Chapter 6 – Counsel Issues

Rule 6.01 – Appointed Counsel

A. Appointments and Qualifications

Appointment of either the Public Defender Office or a private attorney shall be made by the Court. When the Public Defender's Office cannot represent a particular defendant, the Court will appoint a private attorney. The Court maintains a list of private attorneys who wish to serve on the appointed counsel list.

The Court will conduct a periodic review to ensure an equitable distribution of appointments among the attorneys on the list. The selection of a private attorney will be from the alphabetic list, in order, unless there are special circumstances that dictate a different selection, e.g., prior appointment to represent a defendant in a municipal or county court proceeding involving the same or related matter, limitations related to jurisdiction, or felony level.

B. Affidavit of Indigency

Before counsel is appointed, the alleged indigent defendant must file a completed affidavit of indigency with the Clerk of Courts. No counsel who has received compensation or has been promised compensation from any source shall be appointed to represent that indigent defendant.

C. Compensation and Expenses

Requests for compensation for payment shall be made by completing the Ohio Public Defender forms and submitting them to the Court.

Rule 6.02 – Pro Hac Vice

Attorneys who wish to appear pro hac vice must comply with Gov. Bar R. XII regarding pro hac vice certification and familiarize themselves with these Local Rules.

Rule 6.03 – Withdrawal of Counsel

An attorney may not withdraw from representation without the permission of the Court. An attorney who desires to withdraw from representation of a party shall file a written motion and Order with the Court. An attorney is not deemed to have withdrawn from the representation until it is reflected in a judgment entry.

Chapter 7 – Discovery and Experts

Rule 7.01 – Notice of Filing Discovery

Requests for and responses to Discovery do not need to be filed in the Court's file. A "Notice of Filing" of such is sufficient to notify the Court that a party has requested or responded to discovery.

Rule 7.02 – Experts

For each person who is anticipated to be called as an expert at trial, a party shall provide written notice to the opposing party or counsel and file a copy with the Court, within a reasonable time after being identified, but not later than 45 days prior to the date set for Discovery cut-off, unless otherwise agreed between the parties. If the parties reach an agreement to extend the deadline to identify an expert, the parties must file a notice of such stipulation. The written notice shall contain the following information relating to the expert:

1. Name, address, and areas of expertise;
2. A copy of the curriculum vitae or resume; and
3. A general description of the areas of testimony expected to be covered by the expert at trial.

Failure to timely provide this information may, upon motion to the Court and for good cause shown, cause the Court to exclude the testimony of the expert at trial.

Rule 7.03 – Medical Examinations

Upon motion, the Court may order the cost of medical examinations and the expenses incurred to be paid by the party requesting the examination.

Chapter 8 – Trials and Hearings

Rule 8.01 – Proposed Jury Instructions

When written jury instructions are presented to the Court pursuant to Civil Rule 51, by a party or counsel, they shall be accompanied by a brief citation of the relevant legal authority, unless excused by the Court.

Proposed jury instructions shall be submitted one week before trial for all trials scheduled before the Judge.

Rule 8.02 – Argument and Interrogation of Witnesses

Except by permission of the Court, only one counsel for each party will be permitted to examine the same witness during the trial or hearing before the Court. In the final argument to the Court or jury, only one counsel on each side will be heard unless for special reasons the Court permits otherwise. The Court may set reasonable limits on the time for argument.

Rule 8.03 – Interpreters

The Court will use and pay for certified, provisionally qualified or language-skilled interpreters in all proceedings in which a party or witness is non-English speaking, deaf, or hard of hearing.

Interpreters shall be used in accordance with the Rules of Superintendence.

Any party, counsel for any party, or an attorney serving as Guardian ad Litem or in any other official capacity on any case who is aware that there is a need for interpretive services shall notify the Court at least 5 days prior to any hearing wherein an interpreter is required.

Chapter 9 – MEDIATION

Rule 9.01 – Mediation

A. Ohio Uniform Mediation Act
The Carroll County Common Pleas incorporates by reference the R.C. 2710 "Uniform Mediation Act" (UMA).

B. Cases Eligible for Mediation
The Carroll County Common Pleas Court has discretion to encourage parties to use mediation in any civil action filed in this court. A case may be submitted to mediation as provided in this rule. The Court may issue an order on its own motion, upon the motion of counsel, upon the request of a party, or upon referral by the Mediator.

(a) Exceptions. Mediation is prohibited in the following:
  - (I) As an alternative to the prosecution or adjudication of domestic violence;
  - (ii) In determining whether to grant, modify, or terminate a protection order;
  - (iii) In determining the terms and conditions of a protection order;
  - (iv) In determining the penalty for violation of a protection order.

(b) Nothing in this division shall prohibit the use of mediation in a subsequent divorce or custody case, even though that case may result in the termination of the provisions of a protection order; or in a juvenile court delinquency case, even though the case involves juvenile-perpetrated domestic violence.

C. Confidentiality
All mediation communications related to or made during the mediation process are subject to and governed by the Uniform Mediation Act. Mediation communications are confidential, and no one shall disclose any of these communications unless all parties and the mediator consent to disclosure. This Court may impose penalties for any improper disclosures made in violation of this rule. Disputes regarding confidentiality should first be addressed with the mediator or mediation department where possible. By participating in mediation, a nonparty participant, as defined by R.C. 2710.01(D), submits to the Court's jurisdiction to the extent necessary for enforcement of this rule. Any nonparty participant shall have the rights and duties under this Rule as are attributed to parties, except that no evidence privilege shall be expanded.

(a) Exceptions. All mediation communications are confidential with the following exceptions:
  - (I) Parties may share all mediation communications with their attorneys;
  - (ii) Certain threats of abuse or neglect of a child or an adult;

(iii) Statements made during the mediation process to plan or hide an ongoing crime;
(iv) Statements made during the mediation process that reveal a felony.

D. Referral to Resources
The Court will maintain information for the public, mediators, and other staff as appropriate. The information will include: 1) attorney referral contact information, 2) information regarding Children Services and 3) resource information for local domestic violence prevention, counseling, substance abuse and mental health services

E. Mediator Training and Education
A mediator shall meet the qualifications of and comply with all training requirements of Superintendent Rule 16.23 and adopted pursuant to Superintendent Rule 16.22 governing mediators and mediation.

F. Procedures
In accordance with all applicable provisions of this Rule, if a case is deemed appropriate by the court for mediation, mediation may be scheduled.

G. Party/Nonparty Participation
If counsel of any party to the mediation become aware of the identity of a person or entity whose consent is required to resolve the dispute, but has not yet been joined as a party in the pleadings, they shall promptly inform the mediator as well as the Court.

H. Termination
If the assigned mediator determines that further mediation efforts would be of no benefit to the parties, they shall inform all interested parties and the Court that the mediation is terminated using the procedure required by this Court.

I. Stay of Proceedings
Upon referral of a case to mediation, the court may elect to stay all filing deadlines for up to 60 days. The Clerk of Courts shall not accept any documents for filing while a case is in mediation, unless expressly permitted by these Rules or by Court Order.
Only the following documents may be filed while a mediation stay is in effect:

1. Motion to lift the mediation stay;
2. Response to a motion to lift mediation stay;
3. Motion or Stipulation to Dismiss the case;
4. Notice related to counsel

J. Continuances

It is the policy of this court to determine matters in a timely way. Continuances of scheduled mediations shall be granted only for good cause shown after a mutually acceptable future date has been determined.

K. Fees and Costs

The court may impose upon the party's fees and costs for mediation. If there is a fee for mediation, unless otherwise agreed by the parties, the mediation fees shall be shared equally.

L. Attendance; Sanctions

If any individual ordered by the court to attend mediation fails to attend mediation without good cause, the court may impose sanctions which may include, but are not limited to, the award of attorney's fees and other costs, contempt, or other appropriate sanctions at the discretion of the Court.

Chapter 10 – Domestic Relations

Rule 10.01 – Assignment of Domestic Cases

The assignment of cases shall be in accordance with the Rules of Superintendence for the Courts of Ohio.

Rule 10.02 – Waiver of Filing Fee and Court Cost Deposit

A party who is unable to prepay or give security for costs in domestic relations cases shall file a Petition for Waiver of Filing Fee and Court Cost Deposit and an Affidavit in Support of Petition for Waiver of Filing Fee. The Affidavit must be notarized. The Court will rule on the Petition. If the Petition is denied, a deposit shall be made in accordance with Court Order. The Clerk may refuse to file any new domestic relations case until such time as the filing fee is deposited or an order waiving the filing fee is signed by the Court.

Rule 10.03 – Trial and Other Event Dates

All hearing dates of cases set for trial shall be made by the Court. The order or notice of hearing for trial shall be mailed or delivered to all interested counsel and parties who are without counsel and filed with the Clerk of Courts. Discovery dates and any other necessary deadlines will be set by the Court.

Rule 10.04 – Motion Procedures/Scheduling

A. Motions for temporary orders shall be scheduled for hearing by the Court.
B. Motions to show cause will be set for an oral hearing, and all parties shall be prepared to present their case on the merits.
C. All other motions shall be set for a hearing. At the hearing, the parties shall be prepared to discuss the following: the merits of the motion, the need for an evidentiary hearing, mediation, or guardian ad litem, and any other issues.

Rule 10.05 – Failure to Answer

A divorce or legal separation case shall be deemed to be uncontested unless an answer, motion or stipulation for leave to plead is filed within 28 days after completion of service. When a case has been set for final hearing as an uncontested case, the defendant may not introduce evidence on his behalf except by leave of Court for good cause shown.

Rule 10.06 – Pre-trial Conference

A. Scheduling and Attendance

A pre-trial conference shall be held in all contested divorce cases. The pre-trial conference shall be scheduled in all cases when a complaint for legal separation, divorce or annulment is filed. All parties, except those joined for the sole purpose of being enjoined from releasing assets during the pendency of the case, and their counsel shall appear at the pre-trial.

Failure of any party or counsel to appear at the pre-trial conference may result in sanctions, including, but not limited to, payment of attorney fees to the adverse party. If neither the defendant nor his/her attorney appears at the pre-trial conference, the Court may hear evidence and decide the case on the pre-trial date. If neither the plaintiff nor his/her attorney appear at the pre-trial conference and no answer and/or counterclaim has been filed, the Court may dismiss the action.

B. Preparation for Pre-Trial Conference

All parties must be prepared to discuss the following matters at the pre-trial conference:

1. The witnesses, including expert witnesses, that each party expects to call at the final hearing;
2. The exhibits each party intends to introduce at the final hearing;
3. Contested facts;
4. Legal issues;
5. Any matters upon which the parties are willing to stipulate;
6. Trial time estimates; and
7. Whether any pending motions remain.

C. Pre-Trial Order

Following the pre-trial conference, if settlement has not been achieved, the Court will set the matter for trial and summarize the outcome of the pre-trial conference in an entry.

D. Status Conferences

The Court may schedule periodic status conferences to assure the progress of a case and assess readiness for trial.

Rule 10.07 – Objections and Motions to Set Aside

All objections and motions to set aside will be considered by the Court.

A party objecting to a factual finding shall file a written Praecipe with the Court, for preparation of the transcript or other good cause. Refer to Chapter 5 of the Local Rules for the Court's procedures regarding Court recordings, transcripts, cost, and copies of Court recordings.

If a transcript is unavailable because no recording of the proceedings was made or the recording is no longer available for transcription, the objecting party may prepare a statement of the evidence or proceedings from the best available means, including the objecting party's recollection. The statement shall be served on the other party within fourteen days after filing objections, and the other party may serve an objection or a proposed amendment to the statement on the objecting party within ten days after service of the statement.

If a party files timely objection prior to the date on which a transcript is prepared, each party may supplement **one** time after filing of the transcript without leave of Court.

Rule 10.08 – Divorce/Dissolution Filing and Motion Requirements

A. Filing Requirements

All filings for a legal separation, divorce, dissolution, or annulment, that concern minor child(ren) must be supported by a child custody affidavit, child support computation worksheet and the filing of an application for IV-D services with the Child Support Enforcement Agency. All actions for spousal or child support must be supported by a Financial Affidavit and a Private Health Insurance Affidavit.

The Court **may dismiss filings for a legal separation, divorce, dissolution or annulment with minor children** filed without an application for IV-D services with the Child Support Enforcement Agency.

B. Motion Requirements - Generally

All motions must comply with the rules set forth in Chapter 2.07 (B) of the Local Rules. The Court may dismiss any motions that do not comply with these provisions.

C. Affidavits and Other Required Forms

The following supporting documentation must be filed with certain motions:

1. Domestic relations motions that concern minor children must be supported by a Declaration Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) if the motion reopens the case.
2. All domestic relations motions that might affect a change in child support must be supported by a child support computation worksheet.
3. All motions concerning spousal or child support must be supported or opposed by a financial affidavit and a Private Health Insurance affidavit.
4. Motions for allocation of parental rights must be accompanied by an affidavit of the party filing the motion that contains facts sufficient to support the requested relief.

5. Child care costs must be supported by adequate proof of payments made.

D. Marriage Termination/Co-Parenting Education Class.

1. Attendance Requirements:
   All parties in cases involving minor children must complete a Parent Education Class. Each party is responsible to register himself/herself with the Ohio State University Extension Office (330-627-4310).
2. Completion of the Class:
   The Parent Education Class must be completed by all parties prior to the final hearing in the divorce, dissolution, annulment, or legal separation. Failure to meet this requirement by plaintiffs or petitioners will result in dismissal of the action without prejudice to re-filing. Failure of defendants to complete the class will result in contempt proceedings and appropriate sanctions after proper notice has been given. However, if a defendant fails to enter an appearance and does not contest the action, issuance of the final entry shall not be delayed if he or she fails to attend the class.
   The class fee is set by the class providers and must be paid by each party upon attendance.
   The Parent Education class is available on-line. However, prior approval by the Court must be granted to attend the on-line course, and will be granted for good cause only. Failure to meet this requirement shall delay the final hearing and/or dismissal of the action without prejudice.
3. Proof of Completion:
   Upon completion of the Marriage Termination/Parent Education Class, participants shall receive a certificate proving their attendance and payment, unless waived by the Court. Parties will be responsible for either filing the certificate with the Clerk of Courts or presenting the certificate to the Court at the final hearing.
4. Notice:
   The Clerk of Courts will provide to each attorney or party filing a domestic relations action an information sheet regarding the requirements of the Marriage Termination/Parent Education Class and the telephone number for pre-registration.

Forms are available from the Supreme Court of Ohio or the Clerk of Court's website.
All parties must update their financial affidavits if there are changes to their financial information.

Rule 10.09 – Notice of Intent to Relocate

If the residential parent of minor child(ren) intends to relocate to a residence other than that specified in the parenting time order or decree of this Court, the residential parent must file a Notice of Intent to Relocate in advance of the move in accordance with R.C. 3109.051(G). The Notice of Intent to Relocate must be filed at least 60 days in advance of the relocation or as soon as the residential parent is aware that relocation will occur.

The Clerk of Court shall mail a copy of the Notice of Intent to Relocate to the non-residential parent unless the residential parent files a motion objecting for reasons set forth in R.C. 3109.051(G), including alleged domestic violence or abuse of a child. If the residential parent objects to the Court sending a copy of the notice to the non-residential parent pursuant to R.C. 3109.051(G)(4), the Court shall schedule the matter for a hearing and give both parents notice of the date, time and location of the hearing.

Rule 10.10 – Child Support Enforcement Agency

All motions for modification of child support, spousal support, custody, visitation, contempt, or other domestic relation matters, shall refer to the prior order involved by date of its entry, and shall briefly state the express term(s) alleged to have been violated or subject to modification.

For purposes of R.C. 3109.05, whether in an original proceeding involving child support or a modification, counsel or unrepresented parties shall file support worksheets mandated by the Ohio Supreme Child Support Guidelines in accordance with R.C. 3113.215.

A. A processing charge of two percent shall be assessed to all support obligations (current or on arrearages).

B. Any payment of support made by the obligor to the recipient outside the Child Support Enforcement Agency (CSEA) (i.e. Direct payment) shall be deemed a "gift", and no credit may be given upon the obligor's support record. All support must be paid through the Child Support Enforcement Agency (CSEA), unless otherwise directed by the Court.

C. Procedures for the disposition of U.R.E.S.A. - U.I.F.S.A. – Interstate Actions:

1. Cases initiated in this Court:
   U.R.E.S.A./U.I.F.S.A cases filed in this Court by the Prosecuting Attorney for transmission to a foreign county or state jurisdiction shall be docketed as any other domestic relations action, but once the pleadings are forwarded by the Clerk of Court to the foreign jurisdiction, the Clerk of Court shall treat the case as inactive and as if closed. The Clerk of Court shall superintend the case as a Domestic Relations case filed and terminated the same date.

If, and when, further pleadings are filed in such cases by the Prosecuting Attorney, or foreign jurisdiction they shall be appropriately docketed by the Clerk of Court. When a final judgement entry or order for support is received from the foreign court, a copy shall be provided by the Clerk of Court to the Prosecuting Attorney and Child Support Enforcement Agency (CSEA) and the case will be treated as closed.

2. Cases received by this Court:
   U.R.E.S.A./U.I.F.S. A case filed in this Court from foreign jurisdictions shall be docketed as any other domestic relations action and shall be treated as an active case until otherwise specifically ordered by this Court. The Prosecuting Attorney shall be notified of the filing, and shall proceed according to law to obtain service, etc. A hearing date shall be obtained from the Court, and the case shall until dismissed or an order for support entered. The Clerk of Court shall treat the case as open.

Rule 10.11 – Guardian Ad Litem - General

A. The role of the Guardian ad Litem is to assist the Court in allocating parental rights and responsibilities, with the primary focus being the best interest of the child(ren). The Guardian ad Litem performs an investigation and advocates for the child(ren)'s best interest.

B. A Guardian ad Litem shall perform the following duties:

1. Interview each parent separately or state in the report why this is impractical or unnecessary.
2. Interview the child(ren) separately or state in the report why this is impractical or unnecessary.
3. Contact any mental health providers involved in the case and evaluate the necessity, if any, of psychological evaluations or counseling.
4. Contact the child(ren)'s school, child care providers, and health care providers, as appropriate.
5. Participate in all pre-trials and hearings as the Court directs.
6. File a final report and recommendations with the Court and serve all parties at least seven days before the final hearing unless otherwise ordered by the Court.
7. The GAL shall maintain the confidentiality of any records received pursuant to this order and will not disclose the same except to report to the court or as law permits.

8. A Guardian ad Litem shall testify if requested by the Court or subpoenaed in a case.

C. The appointment of the Guardian ad Litem includes the following:

1. A fee rate of $150.00 per hour for the Guardian ad Litem;
2. Instructions for an initial deposit of fees to the Guardian ad Litem;
3. A description of how fees are to be apportioned among the parties. (The Court will enforce payment of fees on a case-by-case basis including, but not limited to, the following factors: (a) An itemized fee statement submitted by the Guardian ad Litem; (b) Actual services performed by the Guardian ad Litem).
4. Permission to inspect and copy any records, including treatment for physical illness, mental illness, and/or drug abuse treatment relating to the child(ren) without the consent of the child(ren) or the child(ren)'s parent or legal guardian(s); and to discuss with the person providing the treatment or test(s) any and all matters pertinent to treatment and test results related to the child(ren);
5. The GAL shall have reasonable access to the child(ren) at school or in placement without obtaining the consent of the child(ren)'s parent(s) or guardian(s);
6. The GAL shall be given notice of all hearings and proceedings and shall be provided with a copy of all pleadings, notices, or other documents filed in this case. The GAL shall participate in any hearings or deposition(s) in this case that concern matters within the GAL's duties and scope of employment; and
7. This appointment shall remain in effect until discharged by order of the court.

D. The Guardian ad Litem's report shall be submitted to the Court as a confidential, non-public, court document and shall not be filed with the Clerk of Courts. The Guardian ad Litem shall distribute copies of the report to the attorneys for the parties, who shall review the report with their clients. If a party is not represented by counsel, the Guardian ad Litem shall review the report with the party. Parties shall not be given a copy of the report. The Guardian ad Litem shall not otherwise distribute the report without the Court's permission.

Rule 10.12 – Parenting Time/Standard Parenting Guidelines

The Court has created the following guidelines that may be used in domestic relations cases when parenting time is ordered.
These forms can be obtained from the Court's local rules under "Forms" and Clerk of Court's website.

Chapter 11 – Criminal

Rule 11.01 – Case Management/Assignment

The Clerk of Courts shall assign each defendant to a numbered case file. If the defendant has more than one case on a grand jury report, this will be numbered separately. One case may have more than one count.

If a defendant has a pending case, and an additional case is filed for the same defendant, the Clerk of Court shall create a new numbered case file for the new case.

Rule 11.02 – Bail and Recognizance

The purpose of bail is to ensure that the defendant appears at all stages of the criminal proceedings. Crim. R. 46 and R.C. 2937.22 (when applicable) will govern in all cases.

A. Conditions of Release

1. If the Court determines a defendant is to be released on the defendant's personal recognizance or an unsecured appearance bond, the release shall be effective upon the signature of the defendant and any other party determined by the Court.
   The defendant and sureties, if any, shall execute the bond before the Clerk or a Deputy Clerk of Courts and pay any additional state mandated fees to the Clerk of Courts. A deputy sheriff may witness the bond and collect any and all funds in lieu of the Clerk of Courts when a defendant is incarcerated and transmit the funds to the Clerk of Courts except when bail bonds are being established by a surety. The clerk of courts shall approve the sufficiency of any surety bail bond prior to any release per Crim. R. 46(J).
2. If the Court determines a person is to be released, the following shall be considered:
   a. If given a 10% feature the defendant shall be given the opportunity to post the 10% feature bond in the defendant's name. No additional surety is required.
   b. If given a 10% feature the defendant may have another person post a 10% feature bond provided that the person provides sufficient financial responsibility in the amount of the bond.
   c. In the absence of sufficient financial responsibility, the defendant may have a surety post the full amount of the bond in cash.
   d. The defendant or any surety may post a property bond with property located within the county with sufficient value, double the full amount of the bond. The defendant or surety is required to deliver the deed and proof of sufficient value, as required by the Clerk of Courts, including a certificate of title search as to the sufficiency of the property to meet the value of the bond.

e. The defendant may have a professional bail bondsman post surety in the full amount of the bond.

B. Forfeiture

If there is a breach of the conditions of the bond, the Court may declare a forfeiture of the bond. Any surety shall be given notice by ordinary mail at the address shown on the bond of a show cause hearing on a date determined by the Court pursuant to R.C. 2937.36. The surety shall produce the defendant, cash equal to the full amount of the bond or show cause why judgment should not be rendered at the hearing. If the bond is secured by property, the Clerk of Courts shall proceed as in execution for the sale of the property to satisfy the bond.

Rule 11.03 – Criminal Pretrial

All criminal cases shall be set for a pretrial conference following arraignment.

Rule 11.04 – Appointment and Withdrawal of Counsel

When a defendant is unable to retain counsel, the Judge shall appoint counsel to represent the defendant pursuant to Crim. R. 44. The appointment shall be reflected in a judgment entry.

An attorney may not withdraw from representation without the permission of the Court. An attorney who desires to withdraw from representation of the defendant shall file a written motion and order with the Court. An attorney is not deemed to have withdrawn from the representation until it is reflected in a judgment entry.

Chapter 12 – Miscellaneous

Rule 12.01 – Foreclosure, Quiet Title and Partition Actions

A. Filings

1. In Actions for the Marshaling and Foreclosure of Liens on Real Property
The plaintiff shall file a Preliminary Judicial Report with the Clerk of Courts within (14) days after the filing of the complaint, except in actions involving registered lands. The Preliminary Judicial Report must comply with the requirements found in R.C. 2329.191(B) and must be effective within (30) days prior to the filing of the complaint or other pleading requesting a judicial sale. In an action that demands the judicial sale of residential real estate consisting of more than four single-family units or commercial real estate, the party seeking judicial sale may file a commitment for an owner's fee policy of title insurance that complies with the requirements found in R.C. 2329.191(C) instead of a Preliminary Judicial Report.

Prior to submitting any order or judgment entry to the Court that would order the sale of the real estate, the party submitting the order or entry shall file a Final Judicial Report that updates the Preliminary Judicial Report and complies with the requirements found in R.C. 2329.191(B). The Final Judicial Report shall state that the report has been extended through the date of lis pendens found in R.C. 2703.26 and that no third party has acquired an interest since the date of the original report.

2. In Actions to Quiet Title and for Partition
The plaintiff shall file a Preliminary Judicial Report with the Clerk of Courts within fourteen (14) days after the filing of the complaint, except in actions involving registered lands.

Within forty-five (45) days after completion of service upon all parties, counsel for the plaintiff shall file a continuation of the previously filed Preliminary Judicial Report, stating that the report has been extended to the lis pendens date found in R.C. 2703.26 and that no third party has acquired an interest since the date of the original report.

In all of the above cases, the expense of procuring and updating the instrument of title shall be taxed as costs in the case. Where the evidence of title indicates that necessary parties have not been made defendants, the plaintiff shall add and serve such new parties.

Upon failure of the plaintiff to timely comply with the foregoing, any other interested party, upon notice to plaintiff, may file a motion with the Court seeking permission to file evidence of title.

B. Failure to Comply

Failure to comply with this Rule shall be grounds for dismissal of the case without notice.

C. Praecipe for Order of Sale

Any party filing a Praecipe for Order of Sale with the Clerk of Courts shall attach to it a completed "Carroll County Sheriff's Office Property Description Approval Form" that has been approved by the Carroll County Map Office and Carroll County Auditor's Office.

D. Notice of Sale

In any case, where the Court has ordered the sale of real estate, the Clerk of Courts shall mail a Notice of Issuing Order of Sale of Real Estate to all parties to the suit.

E. Fee Schedule

The expenses of title work required under this Rule include a base search fee not to exceed $200.00 and a premium on the Judicial Report issued, based on the fair market value of the property. In the case of a foreclosure, the premium on the Judicial Report will be based upon the final principal balance due on the first lien or such additional amount as may be allowed by the Court for each property involved. The costs shall be taxed as part of the costs in the case.

Unless the Court should direct otherwise, the attorneys for the parties for all services in a case of partition of real estate shall be allowed the following fees: On the appraised value of the real estate if partitioned, or on the gross proceeds of the sale if sold, 8% of the first $5,000.00, 6% on the next $10,000.00, and 2% on the balance, provided, however, that such fee shall not be less than $100.00. The fees shall be divided between counsel under R.C. 5307.25. All attorneys shall maintain detailed and accurate time records of services rendered on the case. This Rule shall also apply to proceedings for the sale of real estate by a fiduciary in the Court.

Rule 12.02 – Sheriff's Sales

The Carroll County Sheriff has posted the rules and policies governing advertising, deposits, location of sales, the timing of sale/purchase events, deed, etc. Sheriff sale forms are also available online with the Sheriff's website.

The party who filed the Precipe for Order of Sale shall file a Motion to Confirm Sale within seven (7) days after the return of the Order of Sale and submit to the Court a final proposed Confirmation of Sale Entry within ninety (90) days after the return of the Order of Sale. The proposed Confirmation of Sale Entry shall provide the amounts provided in R.C. 323.47(B)(1), including the amount of any assessments and taxes pro-rated to date of sale, and provide that these amounts be discharged out of the proceeds of the sale. The amount of pro-rated taxes and assessments shall be the same as the amounts on the Tax Verification Worksheet "Per Parcel," which shall be obtained from the sheriff. The proposed Confirmation of Sale Entry must also include court costs. In order to obtain the amount of court costs in a timely manner, the proposed Confirmation of Sale Entry must be emailed to the clerk of courts at carclerk@carrollcountyohio.us for calculation of court costs within seven days of the return of the Order of Sale.

The Court will not confirm any sheriff's sale until the party ordering the sale has filed a certificate of service of notice of the sale stating that the notice of the sale has been sent to all parties who have appeared in the action, by ordinary mail to their last known address, or their attorney of record. The Court will also not confirm any sheriff's sale unless all other notice requirements in R.C. 2329.26 have been complied with and the purchaser has submitted the contact information required by R.C. 2329.271.
Within seven (7) days of the filing of the Confirmation of Sale Entry by the Court, the party who filed the Order of Sale shall prepare a deed to the purchaser. The deed shall conform to the requirements of R.C. 2329.36 and shall be delivered to the Sheriff's Office for signature by the Sheriff. The sheriff's office shall record the deed with the county recorder within fourteen (14) business days of the date the purchaser pays the balance due on the purchase price. The sheriff's office charges a fee to cover the actual costs of recording the deed. If registered land is sold, the procedure found in R.C. 5309.64 shall apply.
If a purchaser fails to pay the balance due on the purchase price within thirty (30) days after the date of the filing of the Confirmation of Sale Entry, the purchaser may be deemed to be in contempt of Court. Upon a finding of contempt, the Court may proceed in accordance with R.C. Chapter 2705.

A Writ of Possession for the Purchaser (Habere Facias) cannot be filed until all court costs and taxes have been paid and the deed recorded.

Rule 12.03 – Receivership

When a receiver is appointed by the Court, the Court will, whenever appropriate, appoint a receiver agreed upon by all parties. An attorney of record in a case shall not act as attorney for the appointed receiver, unless all parties agree or the Court directs otherwise. Within a time period specified by the Court after being appointed, the receiver shall file a report to the Court, submitting the inventory and appraisal, including an account of receipts and expenditures to date. A receiver shall file reports of receipts and disbursements with supporting documentation of the receiver's actions and transactions within three months after the date of appointment or at such other times as the Court may direct. A receiver's compensation and the compensation of the receiver's attorney will be set by the Court as allowed by statute. Failure to file any report after the report is due or ordered shall be grounds for removal without notice and without compensation. Any person removed as receiver shall be ineligible for any subsequent appointment.

RULE 12.04 – Application of Deposit and Outstanding Court Costs

If the property is sold at a Sheriff's sale, unless otherwise ordered by the Court, costs shall be paid from the proceeds of the sale and the security deposit shall be reimbursed to the depositor upon journalization of the confirmation entry.
Unless the Court directs otherwise, if the property is not sold at a Sheriff's sale, the security deposit shall be applied to any accrued costs. Any excess security deposit remaining shall be reimbursed to the depositor upon journalization of an entry terminating or cancelling a Sheriff's sale. Any balance due, shall be billed to the Plaintiff/Plaintiff's counsel and shall be paid in full within thirty (30) days of journalization.

Any case in which a bankruptcy notice is filed, the Clerk shall apply all deposits to the outstanding costs and bill the Plaintiff/Plaintiff's counsel upon journalization of the entry rendering the case inactive. Upon the completion of the bankruptcy matter, the Plaintiff's counsel shall pay the filing fee deposit; file a Motion to Reactive the case; and a Judgment Entry/Order for the Court's approval. Upon written request by the appropriate party, the Clerk of Court may apply any paid fees to the case, back to the appropriate party.

RULE 12.05 – Termination or Dismissal of a Case

All entries, orders, or notices terminating or dismissing any case shall designate the party(ies) responsible for the payment of costs. If the party(ies) is/are not designated,

the security deposit shall be applied toward the payment of costs received by the Clerk of Court.
Any excess cost shall be billed to the party whom initiated the action. Any excess deposit(s) shall be reimbursed to the depositor upon journalization of the dismissal entry.
No extraordinary items shall be taxed as costs unless pre-approved in writing by all parties/attorneys, or ordered by the Court.

RULE 12.06 – Reporting to Law Enforcement & Compliance Plan

A. The court has a duty to ensure complete, accurate, and timely submission of information into the state's computerized criminal history repository at the Bureau of Criminal Investigation (BCI), the Ohio Law Enforcement Automated Data System (LEADS), and other law enforcement databases.

B. The Court, in collaboration with the clerk of court, law enforcement agencies, and any other applicable justice system partners, will develop a Reporting to Law Enforcement & Compliance Plan.

C. The Reporting to Law Enforcement & Compliance Plan will identify procedures and timelines for:

1. Obtaining and reporting fingerprints as prescribed by the Revised Code and Supreme Court of Ohio rules, including R.C. 109.57(A)(2), 109.60(A), 2923.14, 2929.44(B), and 2945.402(E)(1), Sup.R. 95(C) and Crim.R. 9(A);
2. Reporting information regarding protection orders as prescribed by the Revised Code and Supreme Court rules, including R.C. 2903.213, 2903.214, and 2919.26, and Sup.R. 10(A);
3. Reporting information to the Ohio Department of Public Safety's Bureau of Motor Vehicles as prescribed by R.C. 4510.03, 4513.37, and 5502.10 and Supreme Court rules;
4. Maintaining complete and accurate records in accordance with 18 U.S.C. 922(g), the Revised Code, including R.C. 2923.13, and Supreme Court rules in the event of an audit by the Federal Bureau of Investigation, BCI, or state or local auditors; and
5. Reporting sealed and expunged records to BCI, LEADS, and other law enforcement databases pursuant to the Revised Code, including R.C. Ch. 2953 and R.C. 2903.214 and 2930.171.

D. The Court will review the Reporting to Law Enforcement & Compliance Plan every three years from its adoption date.

Chapter 13 – Record Retention

RULE 13.01 – Record Retention

A. Applicability.

1. This rule and Sup. R. 26.01 to 26.05 are intended to provide minimum standards for the maintenance, preservation, and destruction of records within the courts and to authorize alternative electronic methods and techniques. Implementation of this rule and Sup. R. 26.01 to 26.05 is a judicial, governmental function.
2. This rule and Sup. R. 26.01 to 26.05 shall be interpreted to allow for technological enhancements that improve the efficiency of the courts and simplify the maintenance, preservation, and destruction of court records.

B. Definitions. As used in this rule and Superintendent Rule 26.01 to 26.05:

1. "Administrative record" means a record not related to cases of a court that documents the administrative, fiscal, personnel, or management functions of the court.
2. "Case file" means the compendium of original documents filed in an action or proceeding in a court, including the pleadings, motions, orders, and judgments of the court on a case-by-case basis.
3. "Index" means a reference record used to locate journal, docket, and case file records.
4. "Journal" means a verbatim record of every order or judgment of a court.
5. "OHS" means the Ohio Historical Society, State Archives Division.
6. "Record" means any document, device, or item, regardless of physical form or characteristic, created or received by or coming under the jurisdiction of a court that serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the court.

C. Combined records.

Notwithstanding any other provision of the law, a court may combine indexes, dockets, journals, and case files provided that the combination contains the components of indexes, dockets, journals, and case files as defined in this Rule and Superintendent Rule 26.01 to 26.05. A court may replace any paper bound books with an electronic medium or microfilm in accordance with this rule.

RULE 13.02 – Allowable record media

A. A court may create, maintain, record, copy, or preserve a record on traditional paper media, electronic media, including text or digital images, or microfilm, including computer output to microfilm.

B. A court may create, maintain, record, copy, or preserve a record using any nationally accepted records and information management process, including photography, microfilm, and electronic data processing, as an alternative to paper. The process may be used in regard to the original or a copy of a record if the process produces an accurate record or copy and the process complies with American National Standards Institute ("ANSI") standards and guidelines or, in the event that ANSI standards cease to exist, other nationally accepted records and information management process standards.

1. If a court creates, maintains, records, copies, or preserves a record using a records and information management process in accordance with division (D)(2) of this Rule and the record is required to be retained in accordance with the schedules set forth in Superintendent Rule 26.01 to 26.05, the court shall cause a back-up copy of the record to be made at periodic and reasonable times to ensure the security and continued availability of the information. If Superintendent Rule 26.01 to 26.05 require the record to be retained permanently, the back-up copy shall be stored in a different building than the record it secures.

2. Records shall be maintained in conveniently accessible and secure facilities, and provisions shall be made for inspecting and copying any public records in accordance with applicable statutes and rules. Machines and equipment necessary to allow inspection and copying of public records, including public records that are created, maintained, recorded, copied, or preserved by an alternative records and information management process in accordance with division (D)(2) of this Rule, shall be provided.

3. In accordance with applicable law and purchasing requirements, a court may acquire equipment, computer software, and related supplies and services for records and information management processes authorized by division (D)(2) of this Rule.

4. Paper media may be destroyed after it is converted to other approved media in accordance with division (D) of this rule.

RULE 13.03 – Destruction of Records

A. Subject to the notification and transfer requirements of divisions (E)(2) and (3) of this Rule, a record and any back-up copy of a record produced in accordance with division (D)(2) of this Rule may be destroyed after the record and its back-up copy have been retained for the applicable retention period set forth in Sup. R. 26.01 to 26.05.

B. If Sup. R. 26.01 to 26.05 set forth a retention period greater than ten years for a record, or if a record was created prior to 1960, the court shall notify the OHS in writing of the court's intention to destroy the record at least sixty days prior to the destruction of the record.

C. After submitting a written notice in accordance with division (E)(2) of this rule, the court shall, upon request of the OHS, cause the record described in the notice to be transferred to the OHS, or to an institution or agency that meets the criteria of the OHS, in the media and format designated by the OHS.

RULE 13.04 – Exhibits, Depositions, and Transcripts

A. At the conclusion of litigation, including times for direct appeal, a court or custodian of exhibits, depositions, or transcripts may destroy exhibits, depositions, and transcripts if all of the following conditions are satisfied:

1. The court notifies the party that tendered the exhibits, depositions, or transcripts in writing that the party may retrieve the exhibits, depositions, or transcripts within 60 days from the date of the written notification;

2. The written notification required in division (F)(1) of this Rule informs the party that tendered the exhibits, depositions, or transcripts that the exhibits, depositions, or transcripts will be destroyed if not retrieved within 60 days of the notification;

3. The written notification required in division (F)(1) of this rule informs the party that tendered the exhibits, depositions, or transcripts of the location for retrieval of the exhibits, depositions, or transcripts;

4. The party that tendered the exhibits, depositions, or transcripts does not retrieve the exhibits, depositions, or transcripts within 60 days from the date of the written notification required in division (F)(1) of this rule.

RULE 13.05 – Local Rule

By local rule, a Court may establish retention schedules for any records not listed in Sup. R. 26.01 to 26.05 and may extend, but not limit, the retention schedule for any record listed in Sup. R. 26.01 to 26.05. Any record that is not listed in Sup. R. 26.01 to 26.05 but is listed in a general retention schedule established pursuant to section 149.331

of the Revised Code may be retained for the period of time set by the general retention schedule and then destroyed.

RULE 13.06 – Extension

Extension of retention period for individual case files. A court may order the retention period for an individual case file extended beyond the period specified in Sup. R. 26.02 to 26.05 for the case file.

Chapter 30 – SPECIALIZED DOCKET

Rule 30.01 - Specialized Docket - JAGUAR Court

I. General purpose
The Carroll County Common Pleas Judicial Accountability Guiding and Upholding Addiction Recovery (JAGUAR) Court is a specialized docket designed in accordance with the Ohio Supreme Court Rules and with the Specialized Docket Standards. This docket is a drug court program with individuals charged with a felony offense of the fourth and fifth degree (other charges may be looked at on a case-by-case basis). This program supports those in the program through recovery from substance addiction and integrate them into society by setting standards as follows: compliance with a treatment program, education/GED goals, and search for employment. This program allows a collaborative team to work with an individual toward a common goal using intensive case management.

Rule 30.02 - Eligibility

A. The Carroll County Common Pleas Court has developed the following eligibility requirements for acceptance into this program:

1. Individual must be a resident of/or near Carroll County;
2. Individual must be aged 18 years or older;
3. Individual must be charged with a felony of the fourth or fifth degree, any other degree of charge can be looked at on a case-by-case basis;
4. Individual must have a diagnosis as having a chemical dependency;
5. Individual must be willing to comply with the treatment standards and goals.

B. Disqualifying factors:

1. Individual is charged with a violent offense or has a history of violent criminal acts;
2. Individual is charged with a sex-related offense or has a history of sex-related criminal acts;
3. Individual is charged with a weapons offense or has a history of weapons-related criminal acts;
4. Individual is charged with an aggravated drug trafficking offense or has a history of aggravated drug trafficking offenses.

Rule 30.03 - Referral Process

Any person, including judges, probation/parole officers, defense attorneys, and prosecutors may refer an individual to the JAGUAR Court Program by contacting the program coordinator for further assessment. These referrals can be made at any stage of the court process, to include intervention in lieu, post plea, sentencing, while currently under court supervision/community control, or as a result of a community control violation.

The circumstance that an individual may meet the criteria for the program, does not mean they have the automatic right to begin the program, the Judge would use their own discretion for the final admittance into the Carroll County JAGUAR Court Program.

Rule 30-04 - Assessment

A. Once a referral is made to the Carroll County JAGUAR Court Program, the program coordinator/liaison will make the initial review and gather further information using an interview and structured questionnaire to see if the applicant meets criteria. All chemical dependency, mental health, and other programming assessments include available information to add to the accuracy of the assessment. The diagnostic assessment is conducted by an individual with the appropriate licensure. The Judge will either approve or disapprove the individual's admittance in to the Carroll County JAGUAR Court Program.

B. Case Assignment into the Carroll County JAGUAR Court Program

   Once the individual is accepted into the program via the Judge, if not already completed, they will sign all applicable releases of information allowing coordination of care amongst providers and the court. The individual will be placed immediately under reporting supervision to monitor compliance within the program. The individual is placed in the appropriate treatment services and programs as soon as possible (detox, residential, intensive outpatient, individual counseling, etc.)

Rule 30-05 - Case Management

A. Services for treatment will be made available to the individual based on the Carroll County JAGUAR Court Program Policies and Procedures, and also based on that participant's individualized needs. Treatment team for the Carroll County JAGUAR Court will meet once a week Thursday at 3:00pm.

B. The Carroll County JAGUAR Court Program is divided into four phases. As the participant progresses through the four phases, they are expected to follow the phase guidelines and completion criteria, remain abstinent from all mood-altering chemicals, show respect and honesty, attend all scheduled counseling appointment, attend self-help group meetings, and be subject to random, observed urine screens.

C. The program coordinator/liaison and treatment providers will work closely together in monitoring the participant's progress through the program. During the early phases of the program, the treatment team will meet with the participant weekly, but after the individual excels through the program, these visits will become less frequent.

Rule 30.06 - Termination from the Carroll County JAGUAR Court Program

Termination from the Carroll County JAGUAR Court Program, either due to an inability to participate or noncompliance with the program guidelines, will have an end result of a court order reflecting the termination and a transferring of the case back to the regular docket.

Rule 30.07 - Completion of the Carroll County JAGUAR Court Program

To successfully complete the Carroll County JAGUAR Court Program, the individual must have completed all requirements of the four phases, be in good standing with payment of fines and costs, and be approved for program graduation by the Judge. At the graduation ceremony, held during a regularly scheduled review hearing, the participant is awarded a certificate of completion, and given a copy of the judgment entry showing their successful completion of the Carroll County JAGUAR Court Program.

Domestic Relations Case Designation Form

______________________________ :	Case Number: ____________________
Address: ______________________________ :	
______________________________	
Plaintiff/Petitioner :	Judge: ____________________
vs.	
______________________________ :	
Address: ______________________________ :	
______________________________ :	
Defendant(s)/Petitioner/Respondent	

Has this case been previously filed and dismissed? Check one: □ Yes □ No

If yes, list case number and judge: ______________________________

List all open or closed case(s), involving your children, including case number and judge: (for example, a Juvenile Court case regarding custody and/or support). ______________________________

Please indicate which category:

□ A. **Termination of Marriage w/children** (Divorce)

□ B. **Termination of Marriage w/o children** (Divorce)

□ C. **Dissolution of Marriage w/children**

□ D. **Dissolution of Marriage w/o children**

□ E. **Change of Custody**

□ F. **Visitation/Parenting Time Enforcement or Modification**

□ G. **Support Enforcement/ Modification or Establishment for Married Parents**

□ H. **Domestic Violence**

□ I. **U.I.F.S.A.**

□ J. **Parentage/Paternity filings by CSEA or Other**

□ K. **Other** (i.e., Post Decree Property/ QDRO Issues)

Mediation: Is this case appropriate for mediation? Check one: □ Yes □ No

Non-attorney/unrepresented litigant:	**Attorney:**
Party Name (if not represented by an attorney)	Attorney of Record
Signature	Signature
Address	Attorney Registration Number
Address (continued)	Firm Name
	Firm address
Phone Number	Firm Phone Number
Email Address	Attorney Email Address

Civil Case Designation Form

______________________________		
Address: ______________________	:	Case Number: ______________
______________________________	:	
Plaintiff(s),	:	
vs.	:	Judge: ______________________
______________________________	:	
Address: ______________________	:	
______________________________	:	
Defendant(s).	:	

Has this case been previously filed and dismissed? Check one: ☐ Yes ☐ No
If yes, list case number and judge: ____________________________________
List all related pending case(s), including case number and judge: ____________________

Please indicate which category and subcategory, if applicable.

☐ A. **Professional Tort**
- ☐ Medical Malpractice
- ☐ Legal Malpractice
- ☐ Other Malpractice

☐ B. **Product Liability**

☐ C. **Other Tort**
- ☐ Personal Injury
- ☐ Personal Injury – Auto
- ☐ Consumer Protection
- ☐ ____________________

☐ D. **Workers Compensation**

☐ E. **Foreclosure**
- ☐ Residential
- ☐ Residential - Rental
- ☐ Business/Commercial

☐ F. **Administrative Appeal**

☐ G. **Complex Litigation**
Classification Requested

☐ H. **Other Civil**
- ☐ Appropriation
- ☐ Contract
- ☐ Debt Collection
- ☐ Stalking
- ☐ Consumer Protection
- ☐ ____________________

☐ I. **Criminal**

Mediation: Is this case appropriate for mediation?
Check one: ☐ Yes ☐ No

Non-attorney/pro se litigant:	**Attorney:**
Party Name (if not represented by an attorney)	Attorney of Record
Signature	Signature
Address	Attorney Registration Number
Address (continued)	Firm Name
Home Telephone	Firm Address
Cell Phone	Firm Phone Number
Email Address	Attorney Email Address

Civil Case Designation Form

Name: Click or tap here to enter text. :
Address: Click or tap here to enter text. :
Click or tap here to enter text. :
Plaintiff(s), :
vs. : Case Number:

Name: Click or tap here to enter text. :
Address: Click or tap here to enter text. : Judge: Choose an item.
Click or tap here to enter text. :
Defendant(s). :

Has this case been previously filed and dismissed? Check one: ☐ Yes ☐ No

If yes, list case number and judge: Click or tap here to enter text.
List all related pending case(s), including case number and judge: Click or tap here to enter text.

Please indicate which category and subcategory, if applicable.

☐ A. **Professional Tort**
- ☐ Medical Malpractice
- ☐ Legal Malpractice
- ☐ Other Malpractice

☐ B. **Product Liability**

☐ C. **Other Tort**
- ☐ Personal Injury
- ☐ Personal Injury – Auto
- ☐ Consumer Protection
- ☐ Click or tap here to enter text.

☐ D. **Workers Compensation**

☐ E. **Foreclosure**
- ☐ Residential
- ☐ Residential - Rental
- ☐ Business/Commercial

☐ F. **Administrative Appeal**

☐ G. **Complex Litigation**
Classification Requested

☐ H. **Other Civil**
- ☐ Appropriation
- ☐ Contract
- ☐ Debt Collection
- ☐ Stalking
- ☐ Consumer Protection
- ☐ Click or tap here to enter text.

☐ I. **Criminal**

Mediation: Is this case appropriate for mediation?
Check one: ☐ Yes ☐ No

Non-attorney/pro se litigant:

Click or tap here to enter text.
Party Name (if not represented by an attorney)
Click or tap here to enter text.
Signature
Click or tap here to enter text.
Address
Click or tap here to enter text.
Address (continued)
Click or tap here to enter text.
Home Telephone
Click or tap here to enter text.
Cell Phone
Click or tap here to enter text.
Email Address

Attorney:

Click or tap here to enter text.
Attorney of Record
Click or tap here to enter text.
Signature
Click or tap here to enter text.
Attorney Registration Number
Click or tap here to enter text.
Firm Name
Click or tap here to enter text.
Firm Address
Click or tap here to enter text.
Firm Phone Number
Click or tap here to enter text.
Attorney Email Address

CARROLL COUNTY COMMON PLEAS COURT SCHEDULE OF DEPOSITS FOR SECURITY OF COURT COSTS AND FILING FEES

CIVIL ACTIONS	
Administrative Appeal	$350.00
Workers' Comp Appeal	$350.00
Civil Complaint Over 10 service addresses, additional $20.00 per address	$350.00
All Civil Complaint/Counter/Cross-Complaints, 3rd party Complaints, Intervening Complaints	$350.00
Amended Civil Complaints/Counter/Cross-Complaints, 3rd party Complaints, Intervening Complaints	$350.00
Deposit for Re-Openings Civil/Foreclosure Cases to Amend Final Entry	$100.00
CQE (Certificate of Qualification for Employment)	$175.00
Application for Relief from Weapons Disability (Pursuant to ORC 2923.14)	$250.00
Foreign Judgment Filing Fee	$150.00
Out of State Subpoena	$100.00
Writ of Executions/Possession	$150.00
Garnishments/Bank Attachments/Debtor's Exams (* $100.00 per each bank attachment filed + $1.00 made payable to the bank)	$100.00
Jury Demand (all parties that file a jury demand must pay the deposit)	$250.00
Satisfaction of Judgments	$5.00
Court of Claims	$50.00

Service by Publication Deposit	$500.00
FORECLOSURES	
Foreclosure, Quiet Title & Partition Complaints *Over 10 service addresses, additional $20.00 per address	$500.00
Cross Claim/Counterclaim/3rd Party Complaints/Amended Complaints	$350.00
Praecipe for Order of Sale/Alias Order of Sale	$500.00
Fee for online sheriff's sales (per listing)	$500.00
DOMESTIC RELATION CASES	
Divorces and Dissolutions (with or with children)	$350.00
Counterclaims in Divorces (with or without children)	$350.00
Annulments and Legal Separations	$350.00
Register Foreign Support Order	$250.00
Qualified Domestic Relations Order (each)	$65.00
Post Decree Motions and Counter Motions	$150.00
Post Decree Motions with Agreed Judgment Entry	$100.00
Motion for Intent to Relocate	$42.00
CRIMINAL CASES	
Application for Expungement/Sealing of Record	$100.00
Application for Expungement/Sealing of Record of a dismissed/non-conviction case	$100.00

CERTIFICATE OF JUDGMENT & TAX LIENS	
Filing Certificate of Judgment Lien (other courts)	$40.00
Prepare & File Certificate of Judgment Lien (our court)	$48.00
Release or Partial Release of Certificate of Judgment Lien	$8.00
Prepare Certificate of Judgment Lien to Transfer	$8.00
Release of State Tax Lien	$48.00
MISCELLANEOUS FILING FEES	
7TH District Court of Appeals & Cross Appeals	$150.00
Petition for Court Ordered Title (Motion, Affidavit and Proposed Order)	$75.00
Standing Process Server (Motion, Affidavit & Proposed Order)	$50.00
Copies (per rules of court)	$.25 per page
e-mail/e-filings Transmissions (taxed to filer/paid in advance)	$2.00 for electronical transmission plus $1.00 per page of the transmission
Authentication/Certificate of Record	$5.00
Certified Copy of Document	$1.00 per certification

Approved 2-5-2026

Carroll County, Ohio, Court of Common Pleas
General Trial Division
Standard Parenting Order
and Rules Governing Companionship Time

Based upon the Court's consideration of the best interests of the child(ren), as set forth in the Judgment Entry which incorporates this document, the parents shall comply with the following Standard Parenting Order and Rules Governing Companionship Time. See each category based on the age of the child(ren).

I. Standard Parenting Order

A. Infant – 6 months

For infants younger than 6 months of age, Parent 1 is the parent designated as the residential parent by an order of the Court. Parent 2 is the non-residential parent and may spend time with the infant three days per week for two-hour visits, which will occur at a location agreed upon between the parties. If the parents cannot agree as to the days and times, the following schedule shall be followed:

<table>
<tr><th>Sunday</th><th>Monday</th><th>Tuesday</th><th>Wednesday</th><th>Thursday</th><th>Friday</th><th>Saturday</th></tr>
<tr><td>Parent 1</td><td rowspan="3">Parent 1</td><td>Parent 1</td><td rowspan="3">Parent 1</td><td>Parent 1</td><td rowspan="3">Parent 1</td><td rowspan="3">Parent 1</td></tr>
<tr><td>Parent 2 2:00pm to 4:00pm</td><td>Parent 2 6:00PM to 8:00PM</td><td>Parent 2 6:00PM to 8:00PM</td></tr>
<tr><td>Parent 1</td><td>Parent 1</td><td>Parent 1</td></tr>
</table>

B. Infant: 6 months – Age 3

Beginning at 6 months of age, Parent 1 is the parent designated as the residential parent by an order of the Court. Parent 2 is the non-residential parent and may spend at a minimum two mid-week visits and alternating weekends, Saturday morning to Sunday evening. If the parents cannot agree as to the days and times, the following schedule shall be followed:

<table>
<tr><th>Week</th><th>Sunday</th><th>Monday</th><th>Tuesday</th><th>Wednesday</th><th>Thursday</th><th>Friday</th><th>Saturday</th></tr>
<tr><td rowspan="2">#1</td><td rowspan="2">Parent 1</td><td rowspan="2">Parent 1</td><td>Parent 1</td><td rowspan="2">Parent 1</td><td>Parent 1</td><td rowspan="2">Parent 1</td><td>Parent 1</td></tr>
<tr><td>Parent 2 5:30PM To</td><td>Parent 2 5:30PM to 8:30PM</td><td>Parent 2 10:00AM</td></tr>
</table>

			8:30PM Parent 1		Parent 1		
#2	Parent 2 Parent 1 6:00PM	Parent 1	Parent 1 Parent 2 5:30PM to 8:30PM Parent 1	Parent 1	Parent 1 Parent 2 5:30PM to 8:30PM Parent 1	Parent 1	Parent 1
#3	Parent 1	Parent 1	Parent 1 Parent 2 5:30PM to 8:30PM Parent 1	Parent 1	Parent 1 Parent 2 5:30PM to 8:30PM Parent 1	Parent 1	Parent 1 Parent 2 10:00AM
#4	Parent 2 Parent 1 6:00PM	Parent 1	Parent 1 Parent 2 5:30PM to 8:30PM Parent 1	Parent 1	Parent 1 Parent 2 5:30PM to 8:30PM Parent 1	Parent 1	Parent 1

C. Children: Age 3 to 13

Beginning at the age of 3, the parents shall share equal parenting time, unless there are clearly defined special circumstances that would prevent them from doing so. Each parent is considered the residential parent when the child is with them, unless the court order states otherwise. If the parents cannot agree, the following schedule shall be followed:

Week	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
#1	Parent 1	Parent 1	Parent 1 Parent 2 6:00PM	Parent 2	Parent 2	Parent 2	Parent 2

#2	**Parent 2** **Parent 1 6:00PM**	**Parent 1**	**Parent 1** **Parent 2 6:00PM**	**Parent 2**	**Parent 2** **Parent 1 6:00PM**	**Parent 1**	**Parent 1**
#3	**Parent 1**	**Parent 1**	**Parent 1** **Parent 2 6:00PM**	**Parent 2**	**Parent 2**	**Parent 2**	**Parent 2**
#4	**Parent 2** **Parent 1 6:00PM**	**Parent 1**	**Parent 1** **Parent 2 6:00PM**	**Parent 2**	**Parent 2** **Parent 1 6:00PM**	**Parent 1**	**Parent 1**

D. Teenager: Age 14 to 18

Parents shall continue to follow the established schedule, but make reasonable accommodation for the teenager's participation in academic, athletic, extracurricular and social activities or employment. As a result, the teenager may spend less than equal time with one parent. However, the teenager must spend at least ten waking hours per week with each parent.

E. Conflicting Schedules Due to Ages of Children

If parents have children who fit into two or more parenting time schedules, the parents shall agree on which schedule to follow or present the issue to the Court by motion for a determination.

F. Summer Schedule

During summer break from school, parents shall follow the standard parenting schedule. Each parent is responsible for any daycare, babysitting or supervision expenses during the exercise of their extended summer companionship, unless parents have already arranged, and agreed upon, daycare, babysitting, or supervisory providers. Any parent taking a vacation with the child(ren) shall do so during their week of companionship. Any summer school necessary for the child(ren) to pass to the next grade, or as recommended by the appropriate school official, must be attended, and official notice of such requirement must be shared between the parents. In the event a parent elects to exercise their companionship time during summer school, they shall be responsible to make sure that the child(ren) attends summer school as necessary.

G. Spring Break and Winter Break

Parents shall continue to follow their established schedule, and no changes are needed unless a parent is taking a vacation with the child(ren).

H. Vacation

Absent special circumstances, starting at the age of 2, each parent is entitled to two 7-day periods of uninterrupted vacation time with the child(ren) each year. This vacation time can occur in the summer or spring break for school-aged children, or at any time for younger children. The parent wishing to take vacation time with the child(ren) must notify the other parent at least 60 days before the proposed vacation dates. This vacation time shall not interfere with school schedules.

For any vacation travel, each parent must provide the other parent with information about the destination, times of arrival and departure, and method of travel.

In case of a conflict in schedules, Parent 1's choice shall prevail in even numbered years, and Parent 2's choice shall prevail in odd-numbered years. Vacations shall not conflict with the holiday schedule. Vacations take precedence over the normal weekly schedule but not holidays or days of special meaning.

I. Days of Special Meaning

Child's Birthday: The child's birthday shall be spent with the parent who has regularly scheduled parenting time on that day.

Mother's Day and Father's Day: Unless otherwise specifically agreed upon or ordered by the Court, Mother's Day shall always be spent with the mother, and Father's Day shall always be spent with the father. Unless the parties agree otherwise, the time shall be from 9:00AM to 8:00PM. The children shall spend the rest of the weekend with the parent who would otherwise be entitled to companionship that weekend under these rules.

Other: Parents are strongly encouraged to agree on division of time concerning other days of special meaning that are important to their individual families.

Mother's Day and Father's Day shall take precedence and priority over the standard schedule and vacations.

J. Holiday Parenting Time

Parents are encouraged to modify holiday companionship by agreement to reflect the customs and traditions of their family.

Holiday	Even-Numbered Years	Odd-Numbered Years	Times
Easter	Parent 1	Parent 2	8:30AM to 7:00PM
Thanksgiving	Parent 2	Parent 1	9:00AM Thursday to 9:00AM Friday
Christmas Eve	Parent 2	Parent 1	6:00PM on 12/23 to 9:00PM on 12/24
Christmas Day	Parent 1	Parent 2	9:00 PM on 12/24 to 9:00AM on 12/26

The holiday schedule takes precedence over the normal weekly schedule and vacations.

II. Rules Governing Companionship Time

Parents are encouraged to work together to establish rules and guidelines that make the companionship beneficial for both parents and the children. Unless otherwise agreed upon between the parents, the following Rules Governing Companionship Time shall apply:

A. Exchanges and Transportation

Unless otherwise agreed or ordered by the Court, the parent beginning his or her parenting time shall be responsible for taking the children to the exchange location and shall not be required to wait longer than 30 minutes for the other parent to appear.

Both parents shall, to the best of their ability, prepare the child(ren) physically and emotionally for all companionship contact.

Any person transporting the child(ren) for companionship periods established under these rules must possess a valid driver's license, and all child(ren) shall be properly restrained in the manner required by law during such transport.

B. Illness

The parents are expected to follow the parenting time schedule despite any illness of a child, unless both parents agree that this would not be medically advisable. Medications and instructions for special care shall travel with the child. A child who is confined to bed rest pursuant to a doctor's instructions is presumed too ill for parenting time exchanges to take place. Any parenting time that is missed due to the illness of a child shall be made up the following week or as the parties may mutually agree.

C. Telephone/Email contact/other phone or computer communication (snapchat, texting, etc.)

The Children may initiate communication with their parents as frequently as they wish. However, Parents may initiate communicate with the child(ren) during the other parent's scheduled parenting time, at least once a week, but no later than 8:00PM or as otherwise agreed.

Each parent shall encourage free communication between the child(ren) and the other parent, and shall not do anything to impede or restrict that communication.

D. Cooperation

Each parent shall refrain from voicing criticism of the other parent, either in or out of the presence of the child(ren), and shall further do everything in their power to encourage others to refrain from similar conduct. Companionship time shall not be used by either parent to check on the other parent. Neither parent shall interrogate the child(ren) during or following the companionship time as a means to gather information regarding the other parent or activities of the other parent.

E. Use of Alcohol or Drugs

During their parenting time, neither parent shall consume alcohol to excess or use illegal drugs.

F. Consistency

Both parents shall strive for consistency and agreement in all matters regarding the child(ren), including disciplinary matters.

G. School Issues

Each parent must provide time for the child(ren) to study and complete homework assignments, papers or other school-assigned projects, even if the completion of this work interferes with the parent's plans with the child(ren).

H. Exchange of School & Extracurricular Activity Information

Both parents shall timely give to the other parent copies in their possession of grade reports, disciplinary notices and/or communications, including information regarding school pictures. Each parent is responsible to set up his or her own online access to school records and information, if available.

Scheduled periods of parenting time shall not be delayed or denied because a child has other scheduled activities (with friends, work, lessons, sports, etc.). It is the responsibility of the parents to discuss activities important to the child(ren) in advance, including time, dates, cost, and transportation needs, so that the child(ren) are not deprived of activities and maintaining friendships. The parent who has the child(ren) during the time of scheduled activities is responsible for transportation, attendance, and/or other arrangements.

CARROLL COUNTY COMMON PLEAS COURT
GENERAL DIVISION
LONG-DISTANCE PARENTING ORDERS AND INCIDENTAL RULES

A. The following shall be applicable in the cases where parents reside more than 100 miles (one-way) from each other, unless the parents otherwise agree.

B. The non-residential/non-custodial parent shall be afforded eight weeks of companionship with the child(ren) during the traditional summer school vacation months of June, July and August. For a child(ren) age (15) and older, this companionship time shall be expected to take place as set forth herein, taking into account the wishes and needs of the child(ren), the child(ren)'s work schedule, and the child(ren)'s involvement in school, summer or other extra-curricular activities.

1. These visits may occur in blocks of time of four weeks. The non-residential/noncustodial parent shall provide advance notice of intent to exercise this companionship of not less than (60) days. The non-residential/non-custodial parent's choice of vacation has priority over the residential/custodial parent's choice, unless the residential/custodial parent's vacation is an annual mandatory shutdown of the place of employment, or unless the residential/custodial parent is required by an employer to give more than (60) days' notice of intent to take a vacation and the nonresidential/non-custodial parent has no similar requirement. Likewise, the residential/custodial parent must give the other parent not less than (60) days advance notice of vacations or special plans for the child(ren) to avoid planning conflicts.
2. Summer School necessary for the child(ren) to pass to the next grade, or as recommended by the appropriate school official, must be attended and official notice of such requirement shall be given to the non-residential/non-custodial parent. In the event the non-residential/non-custodial parent elects to exercise their companionship time during summer school, they shall be responsible to make sure that the child(ren) attends summer school as necessary.
3. Each parent must provide the other parent with destination, times of arrival and departure, method of travel, together with emergency telephone or contact numbers, if any extended vacation companionship will be taken away from that parent's residence.

C. The non-residential/non-custodial parent shall be responsible for picking up the child(ren) or otherwise arranging transportation, and paying for the same, at the commencement of companionship. The residential/custodial parent shall be responsible for picking up the child(ren) or otherwise arranging transportation, and paying for the same, at the conclusion of companionship. The parties, if using airlines for said transportation, are encouraged to work together and obtain a round-trip ticket and split the costs.

D. The non-residential/non-custodial parent shall be entitled to one additional week during the Christmas holiday and one additional week during the Easter break. Christmas companionship shall commence December 26 through January 1. Easter companionship shall be arranged by the non-residential/non-custodial parent at least (30) days in advance and may include Easter day during odd-numbered years.

E. The non-residential/non-custodial parent shall be entitled to telephone contact in addition to the above companionship rights, with the child(ren) at least twice per week at the nonresidential/non-custodial parent's cost. During such time that the non-residential/noncustodial parent is exercising extended vacation companionship as set forth at Paragraph B (1) above, the residential/custodial parent shall be entitled to similar telephone contact with the child(ren) at least twice per week at the expense of the residential/custodial parent. The Children may initiate communication with their parents as frequently as they wish.

F. These Orders will be modified by the Court if there is good cause shown for such change.

G. Each of the parties shall abide by these Orders in the best interest of the child(ren). Failure of either party to abide by these orders could result in contempt of court sanctions. This includes the Orders that require the residential/custodial parent to take the child(ren) for visitation on the ordered days.

H. Companionship rights granted shall be exercised; companionship not taken is waived. However, companionship not taken on because of actions of the residential/custodial parent is not waived, but accrues and shall be granted within (30) days.

I. The residential/custodial parent shall, to the best of their ability prepare the child(ren) physically and emotionally for all companionship contact.

J. Each parent shall refrain from voicing criticism of the other parent, either in or out of the presence of the child(ren), and shall further do everything in their power to encourage others to refrain from similar conduct.

K. Companionship time shall not be used by either parent to check on the other parent. Neither parent shall interrogate the child(ren) during or following the companionship time as a means to gather information regarding the other parent or activities regarding the other parent.

L. Neither parent shall consume alcohol to excess or use illegal drugs while in the presence of the child(ren).

M. Both parents shall strive for consistency and agreement in all matters regarding the child(ren), including disciplinary matters.

N. The residential/custodial parent shall furnish to the non-residential/non-custodial parent copies of all grade reports, disciplinary notices and/or communications, and information regarding school pictures within seven days of the receipt of such information, or in a timely manner.

O. Any person transporting a child(ren) for companionship periods established under these rules must possess a valid driver's license, and all child(ren) shall be properly restrained in the manner required by law during such transport.