



Morgan County Clerk of Courts

Carma Johnson, Clerk

Morgan County Common Pleas Court

19 East Main Street

McConnelsville, OH 43756

740-962-4752 Fax 740-962-4522

carmajohnson@rocketmail.com

LOCAL RULES

**Common Pleas Court
Morgan County, Ohio**

**General Division
Domestic Relations Division
Criminal Division**



Morgan County Clerk of Courts

Carma Johnson, Clerk

Morgan County Common Pleas Court

19 East Main Street

McConnelsville, OH 43756

740-962-4752 Fax 740-962-4522

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Common Pleas Court Filing Fees/Deposits

(Effective January 1, 2014)

Civil Complaint (1 – 5 Defendants)*	\$180.00
Foreclosure Complaint (1 – 5 Defendants)*	330.00
Divorce/Dissolution (with minor children)	225.00
Divorce/Dissolution (with no minor children)	200.00
Answer/Cross Complaint or Counter-Claim	120.00
Post-Decree Motion	120.00
Publication Deposit	500.00
Jury Deposit	400.00
Order of Sale Deposit	150.00
Garnishment	120.00
Execution	120.00
Home Investigation	150.00
Expungement (plus costs)	50.00
Certified Copy	1.00
Prepare Certificate of Judgment	5.00
File Certificate of Judgment	33.00
Civil Release of Judgment	28.00
State of Ohio Release of Judgment	38.00

- For Civil and Foreclosure Complaints with more than 5 Defendants, add \$30.00 per Defendant for each Defendant after 5.

J.W.

LOCAL RULES OF THE COMMON PLEAS COURT
GENERAL AND DOMESTIC RELATIONS DIVISIONS,
MORGAN COUNTY, OHIO

FILED
MORGAN COUNTY, OHIO
CLERK OF COURT
'91 JUN 28 PM 2 20

Rule 1

These rules shall be known as the "Local Rules of the General and Domestic Relations Divisions of the Court of Common Pleas of Morgan County, Ohio," and shall be used in governing procedures within the General and Domestic Relations Divisions of the Court of Common Pleas of Morgan County, in addition to the Ohio Rules of Civil Procedure and the statutes as set forth in the Ohio Revised Code. These rules shall supplement and be inferior to the Ohio Rules of Civil Procedure and the statutory law of the State of Ohio.

Rule 2

These rules and any additional rules adopted hereafter supplant and supersede any existing rules of Court with which they are in conflict.

Rule 3

Caseflow Management Program:

General Division

A. Criminal Cases: Criminal cases shall be disposed of in the following manner:

1. Misdemeanors: An initial pre-trial conference shall be held 2 weeks after the arraignment in all criminal misdemeanor cases. The final pre-trial in all criminal misdemeanor cases will be held 2 weeks after the initial pre-trial. Trial will be held within 7 days after the final pre-trial hearing. The times set forth in this rule may be extended for good cause shown, but, in no event will criminal misdemeanor cases be tried at any time after 6 months from the

arraignment or at any time beyond the time specified in Sections 2945.71, 2945.72, and 2945.73 of the Ohio Revised Code. Continuances in criminal misdemeanor cases will be granted only upon good cause shown and only when the interest of justice requires. No continuance in any criminal case shall be granted unless the case is continued to a specified date.

2. Felonies: An initial pre-trial conference shall be held 2 weeks after the arraignment in all criminal felony cases. The final pre-trial in all criminal felony cases will be held 3 months from the date of the arraignment, and the matter shall be set for trial 1 week after the final pre-trial hearing. All parties are required to complete discovery between the initial pre-trial and the final pre-trial hearings. The times set forth in this rule may be extended for good cause shown, but, in no event will criminal felony cases be tried at any time beyond the times specified in Sections 2945.71, 2945.72, and 2945.73 of the Ohio Revised Code. Continuances in criminal felony cases will be granted only upon good cause shown and only when the interest of justice requires. No continuance in any criminal case shall be granted unless the case is continued to a specified date. The Morgan County Prosecuting Attorney shall be responsible for computing speedy trial times pursuant to the provisions of Section 2945.71, 2945.72, and 2945.73 of the Ohio Revised Code, and notifying the Court 1 month in advance of the expiration of time for speedy trial, pursuant to such Sections.

- B. Civil Cases: Civil cases shall be disposed of in the following manner:

1. Torts, Professional Torts, and Product Liability Cases: One month after the service of process, the filing of an answer, or entry of appearance of all parties, the Court shall set an initial pre-trial hearing. The parties will be prepared to discuss issues, schedule times for discovery

and depositions, and schedule a final pre-trial hearing. A final pre-trial hearing shall be held within 11 months of the date of the initial pre-trial hearing. At this hearing, the parties and their counsel will be present and will be prepared to discuss settlement. All issues concerning the matter before the Court will be framed at the final pre-trial hearing. One month after the final pre-trial hearing, a settlement conference will be held. At said conference, counsel and the parties shall appear. Counsel shall have authority to negotiate settlements of the pending matter at the settlement conference. A trial will be held 1 week after the settlement conference. No continuances shall be granted, except for good cause shown, and if the interest of justice so requires. No case will be continued unless it is continued to a specified date. In no event, will trials for torts, professional torts, or product liability cases take place more than 18 months from the date in which all parties are served or file answers.

2. Complex Litigation: One month after the service of process, the filing of an answer, or entry of appearance of all parties, the Court shall set an initial pre-trial hearing. The parties will be prepared to discuss issues, schedule times for discovery and depositions, and schedule a final pre-trial hearing. A final pre-trial hearing shall be held within 11 months of the date of the initial pre-trial hearing. At this hearing, the parties and their counsel will be present and will be prepared to discuss settlement. All issues concerning the matter before the Court will be framed at the final pre-trial hearing. One month after the final pre-trial hearing, a settlement conference will be held. At said conference, counsel and the parties shall appear. Counsel shall have authority to negotiate settlements of the pending matter at the settlement conference. A trial will be held 1 week after the settlement conference. No continuances shall be granted, except for good cause shown, and if the interest of justice

so requires. No case will be continued unless it is continued to a specified date. In no event will trials for complex litigation cases take place more than 30 months from the date in which all parties are served or file answers.

3. Administrative Appeals: One month after the filing of a case involving an administrative appeal, an initial pre-trial hearing will be held wherein the issues will be framed and time schedules for motions, briefing, and other matters will be determined. A final pre-trial hearing will be held two months after the initial pre-trial hearing will be held wherein all outstanding issues will be resolved. All hearings on administrative appeals will be held 1 week after the final pre-trial hearing.
4. Workers Compensation Cases, Foreclosures, and Other Civil Cases: Within 1 month after the service of process on all parties or the appearance of all parties, the Court will conduct an initial pre-trial hearing. At said hearing, discovery dates, motion dates, and other matters relevant to the case will be discussed and times set. A final pre-trial hearing shall be held 8 months after the initial pre-trial wherein all final issues will be framed and the matter prepared for trial. One week after the final pre-trial hearing, a settlement conference will be held wherein counsel and the parties shall appear and have authority for settlement. Settlement negotiations will be pursued at this hearing. A trial will be set 1 week after the settlement conference.

Domestic Relations

- C. Dissolution of Marriage Actions With or Without Children: All dissolution of marriage actions shall be heard on final hearing on the 5th Monday after said actions have been filed with the Clerk of Courts.
- D. Divorce and Termination of Marriage Cases With or Without Children: An initial pre-trial hearing

in all divorce or termination of marriage cases will be held 1 month after all parties have been served with process or have appeared by counsel. At said initial pre-trial hearing, issues will be discussed, discovery times will be established, and the date for a final pre-trial hearing will be set. A final pre-trial hearing will be held 6 months after the initial pre-trial hearing shall be held. This hearing will be attended by the parties and their counsel, and all outstanding issues will be framed for trial. A trial date will be set 2 weeks after the final pre-trial hearing.

- E. Child Support Enforcement and Modification: Within 6 weeks of the filing of a Motion for support enforcement or modification and the service of the adverse party thereon, the Court shall conduct a hearing to determine the issues. Prior to said hearing, the parties shall provide such financial and other data as is necessary to the Morgan County Child Support Enforcement Agency for the calculation of financial responsibilities of the parties pursuant to law. If the interest of justice so requires, the Court may continue the matter set for hearing for a period of 14 days to allow the parties to provide any additional information required by the Morgan County Child Support Enforcement Agency, or to allow calculations of support, pursuant to law. In no event shall support enforcement and modification matters be disposed of more than 2 months from the date of the appearance and service of process of all adverse parties.
- F. Change of Custody and Visitation Rights: Within 14 days of the filing of a Motion for custody, change of custody, or visitation rights and the service of process of said Motion upon the adverse party, the Court shall conduct an initial and final pre-trial hearing with the parties to determine the issues to be brought before the Court. After the initial and final pre-trial hearing, the Court shall schedule a hearing on the issues of custody, change of custody, or visitation rights within 6 weeks. No continuances shall be granted unless the Court determines that it is in the interest of justice

to continue this matter, but in no event will issues of custody, change of custody, or visitation rights be continued beyond 6 months after the filing of a Motion and the service of the adverse party therewith.

- G. URESAs Cases: All URESA cases will be disposed of within 3 months after the filing of a URESA complaint and the service of the adverse party with process.
- H. Domestic Violence and All Other Cases: An initial appearance or pre-trial hearing will be held within 14 days after the filing of a domestic violence complaint or any other domestic complaint. A trial on cases involving domestic violence or any other domestic matter will be held within 30 days of the initial appearance. Reasonable continuances may be granted, but in no event will cases of this nature be continued beyond 3 months from the date of their original filing.
- I. The Clerk shall maintain such computerized records or tickler files of all cases filed in the Common Pleas Court of Morgan County to insure that all cases are disposed of in accordance with the time frames established in this rule.

Rule 4

In all cases involving indigent persons where the Court has appointed counsel, it shall be the responsibility of the assigned counsel to submit to the Court for approval on approved forms counsel's bill for services, together with such affidavits of indigency as required by the Ohio Public Defender's Commission, within 14 days of the termination of the case. All assigned counsel bills submitted after 14 days, submitted without affidavits approved by the Ohio Public Defender's Commission, or submitted on improper forms may, in the discretion of the Court, be denied for payment, except for good cause shown. All bills submitted by appointed counsel shall be in accordance with the Assigned Counsel Fee Schedule approved by the Morgan County Bar Association and the Morgan County Board of County Commissioners as journalized in the journal of the Morgan County Board of County Commissioners.

These rules shall take effect and be in force from and after the 28th day of June, 1991.

A handwritten signature in cursive script, appearing to read "D. W. Favreau", written over a horizontal line.

D. W. FAVREAU, JUDGE

248/clh

FILED
MORGAN COUNTY
CLERK OF COURTS

FILED
MORGAN COUNTY
CLERK OF COURTS

ADDENDUM TO LOCAL RULES OF COMMON PLEAS COURT

'96 NOV 7 PM 1 06

'96 NOV 18 PM 1 03

FILED GENERAL, JUVENILE, AND PROBATE DIVISIONS
COMMON PLEAS COURT
JUVENILE DIVISION

MORGAN COUNTY, OHIO

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NOV 7 1996

Rule 3.1

D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

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NOV 1996
FILED
COMMON PLEAS COURT
JUVENILE DIVISION
D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

Pursuant to the provisions of Rules 38 and 39 of the Ohio Rules of Civil Procedure, the right to a trial by jury shall be preserved to the parties inviolate in civil cases.

Any party demanding a jury trial in a civil case shall, not later than two (2) weeks prior to the scheduled date of the trial, deposit with the Clerk of Courts the sum of Four Hundred Dollars (\$400.00) as a deposit to cover expenses of impaneling the jury. In any civil case where a jury has been demanded by any party and the deposit has not been paid two (2) weeks prior to trial by at least one party pursuant to this rule, the right to a jury trial shall be deemed to have been waived by all parties and said trial shall proceed as scheduled as a trial to the bench.

If any party, including a party who did not demand a jury trial, pays the jury deposit required by this rule, and all parties or their attorneys of record do not waive a jury trial in accordance with the provisions of Civil Rule 39(A) of the Ohio Rules of Civil Procedure, then the matter shall proceed to trial by a jury as scheduled.

These rules shall take effect and be in force from and after the 7th day of November, 1996. All local rules in conflict with this rule are hereby repealed.

SO ORDERED.

Handwritten signature of D.W. Favreau
D.W. FAVREAU, JUDGE

FILED
NOV 13 1996
MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

FILED
MORGAN COUNTY
CLERK OF COURTS

FILED
MORGAN COUNTY
CLERK OF COURTS

LOCAL RULE 3.2

FILED

NOV 13 1996

MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

FILED
COMMON PLEAS COURT
JUVENILE DIVISION

'96 NOV 18 PM 1 04 Records of Proceedings
'96 NOV 7 PM 1 06 The Probate, Juvenile and Common Pleas Court
Domestic and General Divisions
Morgan County, Ohio

NOV 7 1996

D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

A. RECORDING DEVICES

1. All proceedings before the court wherein a record is made, shall be recorded by an audio electronic recording device on cassette tapes provided by the court. Audio electronic recording shall be the primary method of making a record.

2. Any party to a court proceeding may request, in writing, two (2) weeks prior to any hearing or trial, that the proceedings be recorded by an alternate method of recording such as a stenographer, video tape, or other method. Such alternate method of recording shall be at the expense of the party so requesting and shall be provided upon the payment of a deposit, in advance, to the Clerk in an amount sufficient to secure expenses.

3. In any proceedings where an alternate method of recording is used, audio electronic recording shall not be used.



B. APPEAL

1. A written record of proceedings in any case on appeal may be transcribed at the request of any party who shall be responsible for contracting for said transcription by a certified court reporter or other transcriber approved by the court.

2. Except in criminal cases involving indigent Defendants, payment for the cost of transcription shall be borne by the person requesting the transcript.

C. TRANSCRIPTS

Transcripts of proceedings of electronically recorded transcripts shall be filed with the Clerk of the trial court. Cassette tapes of proceedings shall be maintained for the Clerk by the Bailiff in a secure place until said tapes are ordered disposed of by the court.

FILED

NOV 13 1996

MARCIA J. MENDEL, CLERK
SUPREME COURT OF OHIO

D. INSPECTION OF ELECTRONICALLY
RECORDED TRANSCRIPTS OF PROCEEDINGS

1. Any person may view or hear the transcript of any proceeding in court by requesting a copy of it from the Bailiff as hereinafter set forth in Paragraph G.

2. A party to the proceeding may view or hear the proceeding that has been electronically recorded by contacting the Bailiff.

E. REFERENCE TO ELECTRONICALLY
RECORDED TRANSCRIPTS OF PROCEEDINGS

Reference to a particular portion of an electronically recorded transcript of proceeding shall be to the event, the number of the tape on which it was recorded and the elapse time of the tape on which it was recorded and the elapse time on the recorder counter reading.

F. EXPENSE OF ELECTRONICALLY
RECORDED TRANSCRIPTS OF PROCEEDINGS

The expense of copies of electronically recorded transcripts of proceedings or such portions as are deemed necessary by a party, shall be borne by the party requesting as provided by law.

G. REQUEST OF PROCEEDINGS

All electronically recorded proceedings are public record. Such public records may be obtained upon request in the following methods:

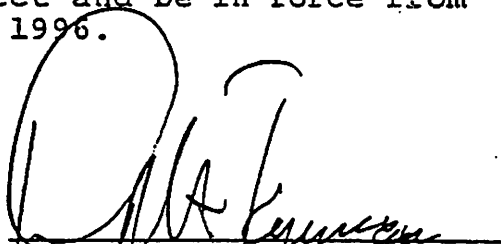
1. Parties to the Action. A party to the action or his attorney may, upon request to the Bailiff, listen to or view any electronically recorded proceeding. At the election of a party or his attorney, the court will provide a cassette tape of the proceeding requested as provided in Subparagraph 3 of this paragraph.

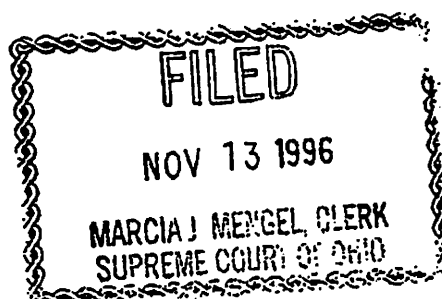
2. Non-parties. Non-parties to a case wishing to hear or view electronically recorded proceedings in the case may do so by requesting a copy of the proceeding from the Bailiff as set forth in Subparagraph 3 of this paragraph.

3. Copies of Proceedings. Any party or non-party requesting a copy of the proceeding will notify the Bailiff who shall forthwith reproduce a copy of the proceeding on an audio tape or video tape if said proceeding was recorded on video. The person requesting a copy of said proceeding must provide such tape or tapes as are necessary to duplicate the record to the Bailiff at his own expense. All tapes provided by any person requesting a copy of the proceeding must be the same length (30 min., 60 min., or 90 min.) as the original tape on which the record was made.

This Rule shall take effect and be in force from and after the 7th day of November, 1996.

SO ORDERED.


D.W. FAVREAU, JUDGE



FILED
MORGAN COUNTY
CLERK
'91 NOV 22 PM 2 35

ADDENDUM TO LOCAL RULES OF COMMON PLEAS COURT,
GENERAL AND DOMESTIC DIVISIONS,

MORGAN COUNTY, OHIO

[Handwritten Signature]

Rule 4.1

In cases of divorce, annulment, or legal separation, if Plaintiff is proceeding in forma pauperis, service by publication shall be made by posting pursuant to Rule 4.4(A)(2). Posting shall be on a public bulletin board in three (3) places: Office of the Clerk of Courts of Morgan County, Ohio; Office of the Sheriff of Morgan County, Ohio; and Office of the Mayor of the Village of McConnelsville, Ohio.

Rule 4.2

Pursuant to the provisions of §2313.08 of the Ohio Revised Code, the jury year in Morgan County, Ohio, shall begin on January 1 of each year and end on December 31 of each year. This designation of jury year, pursuant to §2313.08(A) of the Ohio Revised Code, shall remain in full force and effect until further order of the Court.

Rule 4.3

Pursuant to the provisions of §2313.24 of the Ohio Revised Code, the Court of Common Pleas of Morgan County, Ohio, shall have one term of court each calendar year, beginning on January 1 and ending on December 31. The number of jurors to be drawn each calendar year shall be specified by written order of the Court prior to the date specified by the Jury Commissioner for the drawing of jurors. Jurors in Morgan County, Ohio, a county of less than 100,000 population, shall be notified of their selection pursuant to law and shall be summoned for jury duty by the Court as they are required. This rule shall remain in full force and effect until changed by a subsequent order of the Court.

These rules shall take effect and be in force from and after the 22nd day of November, 1991.

[Handwritten Signature]
D. W. FAVREAU, JUDGE

FILED
MORGAN COUNTY
CLERK OF COURTS

'03 JAN 7 AM 9 47

FILED
COMMON PLEAS COURT
JUVENILE DIVISION

'03 JAN 7 AM 9 44

MORGAN COUNTY COMMON PLEAS COURT

D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

FILED
APR 03 2003
MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

LOCAL RULE 4.2(A)(2)

Pursuant to Rule 4.2(A)(2) of the Ohio Rules of Civil Procedure, this court orders that the following locations be designated for posting in accordance with said rule:

1. Morgan County Courthouse
2. Morgan County Sheriff's Office
3. Morgan County Riecker Building

These locations shall be used as posting for all divisions of this court in accordance with the aforementioned Civil Rule.

SO ORDERED.

D.W. FAVREAU, JUDGE

(A-389/29)

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JAN 2003
FILED
COMMON PLEAS
PROBATE DIVISION
D.W. FAVREAU
MORGAN COUNTY, OHIO

1987-1988

FILED
APR 13 1988
MARCO A. MARTEL, CLERK
SUPREME COURT OF OHIO

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FEDERAL BUREAU OF INVESTIGATION

FILED
MORGAN COUNTY
CLERK OF COURTS

34 DEC 19 8 AM 10 03
LOCAL RULES OF THE COMMON PLEAS COURT

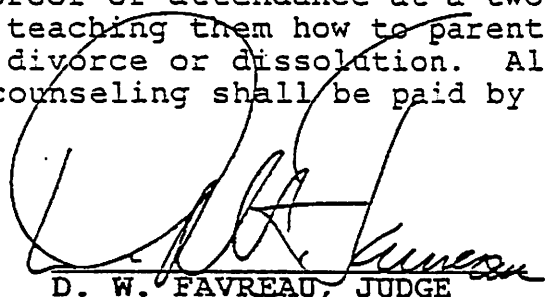
GENERAL AND DOMESTIC RELATIONS DIVISIONS,

MORGAN COUNTY, OHIO

RULE 5

DIVORCE COUNSELING

- A. Effective immediately for all actions filed on or after 15 November 94, no divorce or dissolution of marriage involving children shall be granted until the parties have filed with the Court, proof of attendance at a two (2) hour counseling session teaching them how to parent children during and after a divorce or dissolution. All costs associated with said counseling shall be paid by the parties equally.



D. W. FAVREAU, JUDGE

FILED
NOV 10 1994
MARCIA J. MENGEL, CLERK
SUPREME COURT OF OHIO

FILED
LOCAL RULES OF THE COMMON PLEAS COURT
 COMMON PLEAS COURT
 JUVENILE DIVISION
GENERAL AND DOMESTIC RELATIONS JUVENILE & PROBATE DIVISIONS.
 '98 DEC 8 PM 12 17
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MORGAN COUNTY, OHIO
 D.W. FAVREAU, JUDGE
 MORGAN COUNTY, OHIO

RULE 12.01
revised

Unless the Court otherwise directs, Counsel for the Party in whose favor an Order, Decree or Judgment is rendered, shall within five (5) business thereafter prepare the proper Journal Entry and submit it to Counsel for the adverse party who shall approve or reject the same within five (5) business days after the receipt thereof.

Upon failure of the adverse party to act upon the Entry in the specified time, its preparer may submit said Entry to the Court for approval with a notation as to when it was presented to the adverse party and that the adverse party has not signed the Journal Entry.

If Counsel are unable to agree upon the Entry their respective Entry shall be submitted to the trial Judge who will then direct what Entry shall be made.

RULE 12.02

If Counsel fails to present an Entry within the ten (10) business days after the Decree, Order or Judgment is rendered as specified in Rule 12.01. The trial Judge may cause the proper Entry to be prepared and filed without submission or notice to either Counsel or take such other action as may be appropriate under the circumstances including but not limited to directing the Clerk to refuse to allow the filing of any new pleadings in any case by either Counsel until the Judgment Entry described in paragraph 12.01 has been filed with the Clerk except in the emergency situation where a statue of limitations will expire or upon the express permission of the Judge.

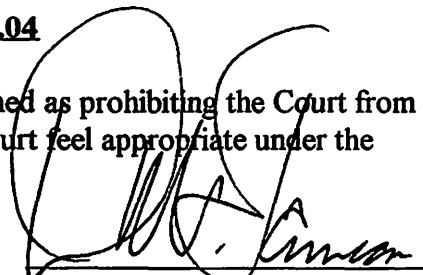
RULE 12.03

Counsel shall promptly submit an Entry of Dismissal to the Trial Judge following the settlement of any case. If Counsel fails to present such an Entry to the Trial Judge within ten (10) days after representing to the Court that a case has been settled the Trial Judge may order the case dismissed for want of prosecution.

RULE 12.04

Nothing contained in this rule shall be deemed as prohibiting the Court from taking any other action not enumerated herein that the Court feel appropriate under the circumstances.

FILED
 DEC 29 1998
 MARION J. WELLS, CLERK
 SUPREME COURT OF OHIO


 D. W. FAVREAU, JUDGE

A.G. P. 3.2

FILED
COMMON PLEAS COURT
JUVENILE DIVISION

FILED
MORGAN COUNTY
CLERK OF COURTS

'99 MAR 19 AM 8 29 COMMON PLEAS COURT
General Division, Domestic Relations Division
D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

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LOCAL RULE 98.1

Additional Court Costs



*542
Ally Bly*

A. Pursuant to the provisions of Section 2303.201(E) of the Revised Code, this court hereby assesses an additional court cost in the General Division, Domestic Relations Division, Juvenile Division and Probate Division of the Common Pleas Court of Morgan County, Ohio in the amount of Twenty Dollars (\$20.00) in addition to all other court costs currently being charged on the filing of each criminal cause, civil action or proceeding or judgment by confession.

B. All monies collected pursuant to this rule shall be paid into the County Treasurer for deposit into the General Special Projects Fund and shall not be disbursed except upon order of the court.

C. The Clerks of each division shall begin assessing this additional court costs on and after the 22nd day of March, 1999.

SO ORDERED.

[Handwritten signature]

D.W. FAVREAU, JUDGE

FILED
MORGAN COUNTY
CLERK OF COURTS
'96 AUG 6 PM 12 50

In Re: *Mrs. E. General* : IN THE COURT OF COMMON PLEAS
THE MATTER OF: : MORGAN COUNTY, OHIO
Standard Rules of :
Probation : JOURNAL ENTRY

(11) 0 PS 3555
It having come to the attention of the court that the Adult Parole Authority of the Department of Rehabilitation and Correction for the State of Ohio has modified its conditions of supervision rules in July of 1996, and the court having reviewed said modification and found it acceptable for the purpose of establishing rules of probation for probationers of the General Division of the Common Pleas Court of Morgan County, the court hereby makes the following orders:

1. IT IS HEREBY ORDERED, that the conditions of supervision as set forth in Department of Rehabilitation and Correction Form 3019, revised July of 1996 (DRC 3019 (Rev 7/96)), be and hereby are adopted by this court as standard conditions of probation supervision for all probationers from the General Division of the Common Pleas Court of Morgan County, Ohio. A copy of said form is appended hereby as Exhibit "A".

2. IT IS FURTHER ORDERED, that the Clerk of Courts of Morgan County, Ohio cause this Entry to be journalized in the records of the Office of the Clerk of Courts of Morgan County and that said Clerk further serve a copy of this Order on the Adult Probation and Parole Officer of Morgan County.

SO ORDERED.

D.W. Favreau
D.W. FAVREAU, JUDGE

*done
8-9-96*

FILED
MORGAN COUNTY
CLERK OF COURTS

'99 JUL 21 AM 8 16

IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO



In Re: :
THE MATTER OF: :
Standard Rules :
of Probation : JOURNAL ENTRY

It having come to the attention of the court that the Adult Parole Authority of the Department of Rehabilitation and Correction for the State of Ohio has modified its conditions of supervision rules in July of 1996 and in December of 1996, and the court having reviewed said modification and found it acceptable for the purpose of establishing rules of probation and community control for offenders of the General Division of the Common Pleas Court of Morgan County, the court hereby makes the following orders:

1. **IT IS HEREBY ORDERED**, that the conditions of supervision as set forth in the Department of Rehabilitation and Correction Form 3019, revised in December of 1996 [DRC 3019 (Revised 12/96)], be and hereby are adopted by this court as standard conditions of supervision for all offenders placed on probation or community control supervision from the General Division of Common Pleas Court of Morgan County, Ohio. A copy of said form is appended hereto as Exhibit "A" with additional standard special conditions approved and ordered by the court and set forth in Paragraph 15. The court further authorizes the supervising officer, in his discretion, to modify these orders or impose other special orders during the term of supervision that are necessary, in his opinion, to properly manage the offender.

2. For purposes of probation supervision and community control supervision, the words "probation" and "community control" shall be used interchangeably.

(A-70 ps 450)

IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO

SHIRLEY OWEN

THE STATE OF OHIO
vs.
SHIRLEY OWEN

Having come to the attention of the court that the Adult Parole Authority of the Department of Rehabilitation and Correction in the State of Ohio has notified its members of supervision that in July of 1966 and in December of 1966, and the court having reviewed said notification and found it desirable for the purpose of establishing rules of procedure and community control for members of the General Division of the Common Pleas Court of Morgan County, the court hereby makes the following order:

1. IT IS HEREBY ORDERED that the conditions of supervision as set forth in the Department of Rehabilitation and Correction Form 2007, revised in December of 1965 (DRC 1019 (revised 12-65)), be and hereby are adopted by the court as standard conditions of supervision for all offenders placed on probation or community control supervision from the General Division of Common Pleas Court of Morgan County, Ohio. A copy of said form is appended hereto as "Form A" with additional standard conditions approved and ordered by the court and set forth in paragraph 2. The court further authorizes the supervising officer in his discretion to modify these orders of course other special orders during the term of supervision that are necessary in his opinion to properly manage the offender.

2. For purpose of uniform supervision and community control supervision, the words "probation" and "community control" shall be used interchangeably.

3. **IT IS FURTHER ORDERED** that the Clerk of Courts of Morgan County, Ohio cause this Entry to be journalized in the records of the office of the Clerk of Courts of Morgan County, and that said Clerk further serve a copy of this Order on the adult probation, parole and community control officers of Morgan County, Ohio.

SO ORDERED.



D.W. FAVREAU, JUDGE

'02 SEP 3 PM 2 39

**IN THE COURT OF COMMON PLEAS
OF MORGAN COUNTY, OHIO**

IN THE MATTER OF:

**STANDARD CONDITIONS OF
COMMUNITY CONTROL/PROBATION/
POST RELEASE CONTROL**

JOURNAL ENTRY

This matter came before the Court this 3rd day of September, 2002, upon the oral motion of the Adult Parole/Probation Officer who established standard conditions of supervision for persons on community control/probation/post-release control. The Court being fully advised hereby adopts the following standard conditions of supervision for Morgan County effective forthwith. The Court orders that all previous conditions of supervision for probationers previously ordered by the Court shall remain in full force and effect until changed by the Court, or the Adult Probation Officer supervising the case.

IT IS SO ORDERED.

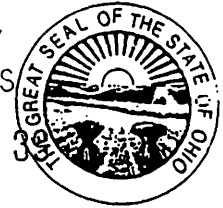


D. W. FAVREAU, JUDGE

(H-81 PG 18-H)

STATE OF OHIO
Department of Rehabilitation and Correction
Adult Parole Authority

FILED
MORGAN COUNTY
CLERK OF COURTS



CONDITIONS OF SUPERVISION

09 SEP 09 PM 2

In consideration of having been granted supervision on ___ / ___ / ___. I agree to report to my supervising officer according to the instructions I have received and the following conditions:

1. I will obey federal, state and local laws and ordinances, including Chapter 2923. of the Revised Code relating to conduct involving firearms and other deadly weapons, and all orders, rules and regulations of _____ County Common Pleas Court or the Department of Rehabilitation and Correction. I agree to conduct myself as a responsible law abiding citizen.
2. I will always keep my supervising officer informed of my residence and place of employment. I will obtain permission from my supervising officer before changing my residence or my employment. I understand that if I abscond supervision, I may be prosecuted for the crime of escape, under section 2921.34 of the Revised Code.
3. I will not leave the State of Ohio without written permission of the Adult Parole Authority.
4. I will not enter the grounds of any correctional facility nor attempt to visit any prisoner without the written permission of my supervising officer. I will not communicate with any prisoner in any manner without obtaining permission from my supervising officer.
5. I will follow all orders verbal or written given to me by my supervising officer or other authorized representatives of the Court or the Department of Rehabilitation and Correction.
6. I will not purchase, possess, own, use or have under my control, any firearms, ammunition, dangerous ordinance or weapons, including chemical agents, electronic devices used to immobilize, pyrotechnics and/or explosive devices.
7. I will not purchase, possess, use or have under my control any narcotic drug or other controlled substance or illegal drugs, including any instrument, device or other object used to administer drugs or to prepare them for administration, unless it is lawfully prescribed for me by a licensed physician. I agree to inform my supervising officer promptly of any such prescription and I agree to submit to drug testing if required by the Adult Parole Authority.
8. I will report any arrest, citation of a violation of the law, conviction or any other contact with a law enforcement officer to my supervising officer no later than the next business day. I will not enter into any agreement or other arrangement with any law enforcement agency which might place me in the position of violating any law or condition of my supervision, unless I have obtained permission in writing from the Adult Parole Authority, or from the Court.
9. I agree to a search, without warrant, of my person, my motor vehicle, or my place of residence by a supervising officer or other authorized representative of the Department of Rehabilitation and Correction at any time. *Notice: Pursuant to section 2967.131 of the Revised Code, Officers of the Adult Parole Authority may conduct warrantless searches of your person, your place of residence, your personal property, or any property which you have been given permission to use if they have reasonable grounds to believe that you are not abiding by the law or terms and conditions of your supervision.*
10. I agree to sign a release of confidential information from any public or private agency if requested to do so by a supervising officer.
11. I agree not to associate with persons having a criminal background and/or persons who may have gang affiliation, or who could influence me to engage in criminal activity, without the prior permission of my supervising officer.
12. I agree to comply with all financial obligations, including child support as ordered by any court and/or the Department of Rehabilitation and Correction.
13. I agree to give all information regarding my financial status to assist in determining my ability to pay specific financial obligations, to my supervising officer.

"A"

14. I agree to follow all rules and regulations of treatment facilities or programs of any type in which I am placed or ordered to attend while under the jurisdiction of the Court, and/or Department of Rehabilitation and Correction.

15. I agree to fully participate in, and successfully complete, the following indicated Sanctions/Special conditions:

FILED
MORGAN COUNTY
CLERK OF COURTS

'02 SEP 3 PM 2 39

[Handwritten Signature]

16. I agree and understand that if I am arrested in any other state or territory of the United States or in any foreign country, my signature as witnessed at the end of the page will be deemed to be a waiver of extradition and that no other formalities will be required for an authorized agent of the State of Ohio to bring about my return to this state.

Supervision Plan / Activities

CONTACT FREQUENCY

W- Weekly, M- Monthly, Q- Quarterly, S- Semi-Annually, R- Referral Only

Supervision Activity					
Office Visit	<input type="checkbox"/> W	<input type="checkbox"/> M	<input type="checkbox"/> Q	<input type="checkbox"/> S	<input type="checkbox"/> R
Instructions: _____					
Employment	<input type="checkbox"/> W	<input type="checkbox"/> M	<input type="checkbox"/> Q	<input type="checkbox"/> S	<input type="checkbox"/> R
Referral to: _____					
Education/Vocational Training	<input type="checkbox"/> W	<input type="checkbox"/> M	<input type="checkbox"/> Q	<input type="checkbox"/> S	<input type="checkbox"/> R
Referral to: _____					
Drug/Alcohol Counseling	<input type="checkbox"/> W	<input type="checkbox"/> M	<input type="checkbox"/> Q	<input type="checkbox"/> S	<input type="checkbox"/> R
Referral to: _____					
Mental Health Counseling	<input type="checkbox"/> W	<input type="checkbox"/> M	<input type="checkbox"/> Q	<input type="checkbox"/> S	<input type="checkbox"/> R
Referral to: _____					
Sex Offender Counseling	<input type="checkbox"/> W	<input type="checkbox"/> M	<input type="checkbox"/> Q	<input type="checkbox"/> S	<input type="checkbox"/> R
Referral to: _____					
Domestic Relationships/Violence Counseling	<input type="checkbox"/> W	<input type="checkbox"/> M	<input type="checkbox"/> Q	<input type="checkbox"/> S	<input type="checkbox"/> R
Referral to: _____					
Substance Abuse Testing (Urine Collection/Alcohol Breath Analysis)	<input type="checkbox"/> W	<input type="checkbox"/> M	<input type="checkbox"/> Q	<input type="checkbox"/> S	<input type="checkbox"/> R
Referral to: _____					
Other: _____	<input type="checkbox"/> W	<input type="checkbox"/> M	<input type="checkbox"/> Q	<input type="checkbox"/> S	<input type="checkbox"/> R
Referral to: _____					
Other: _____	<input type="checkbox"/> W	<input type="checkbox"/> M	<input type="checkbox"/> Q	<input type="checkbox"/> S	<input type="checkbox"/> R
Referral to: _____					

Financial Obligations

Type	Fees	Fines	Restitution	Court Costs	Child Support	Other
Amount						
Payment Frequency						
Completion Date						

I have read or had read to me the conditions of my _____. I fully understand these conditions and I agree to follow them. I understand that a violation of any of these conditions may result in the revocation of my _____ which may result in additional imposed sanctions, including imprisonment.

In addition, I understand that I must follow these conditions until notified by my supervising officer. By my signature I acknowledge that I have received a copy of these conditions of supervision. I further understand that I may request a meeting with my supervising officer or his/her supervisor if I feel any of the Conditions or instructions are causing problems. I shall make this request in writing if at all possible or file a formal grievance.

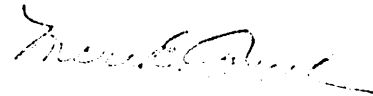
Witness:	Date:	Offender Signature:	Date:
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"B"

FILED
MORGAN COUNTY
CLERK OF COURTS

ADULT PAROLE AUTHORITY
Morgan County Common Pleas Court
Special Conditions

02 SEP 3 PM 2 39



- 17. I will not be present at any bar, drive thru or establishment that sells alcoholic beverages by the drink with out prior approval of your supervising officer.
- 18. I will not be present at any social gatherings of two or more people, where alcoholic beverages are being consumed or illegal drugs are present.
- 19. I will not purchase, sell or consume alcoholic beverages or illegal drugs.
- 20. The supervising officer may hereinafter impose other special conditions that are necessary, in his/her opinion, to properly supervise the offender.
- 21. I will not associate with any juvenile (individual under the age of 18) with out prior approval of the supervising officer.

Offender

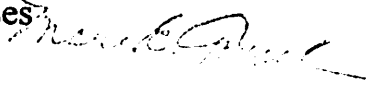
Date

Witness

Date

FILED
MORGAN COUNTY
CLERK OF COURTS

ADULT PAROLE AUTHORITY 02 SEP 3 PM 2 39
Morgan County Common Pleas Court
Special Conditions for Sex Offenses



- 22. I will inform all persons living at my reported address of my conviction.
- 23. I will not purchase, possess, own or use pornographic materials or other erotic materials.
- 24. I will not take photographs of juveniles with out the permission of the supervising officer.
- 25. I will not have any type of contact with the victim of my offense, offenses, with out prior permission of my supervising officer.
- 26. I will have no type of contact with juveniles (telephone, letters, electronic messages) with out the prior approval of the supervising officer.
- 27. I will not purchase, own, possess or use a computer that has inter/intra net capabilities with out the prior permission of the supervising officer.
- 28. I will attend, actively participate and successfully complete all counseling I am ordered to attend while under the supervision of the Adult Parole Authority.
- 29. I will not join, associate, communicate or participate, in any manner, with group, or groups, that promotes the illegal sexual acts with juveniles.
- 30. I will not own, use, or possess a cellular or mobile phone with out the prior approval of the supervising officer.

Offender

Date

Witness

Date

EFFECTIVE NOVEMBER 16, 1998

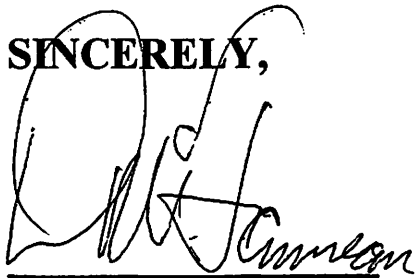
FILED
MORGAN COUNTY
COURT CLERK

NOV 17 AM 10 02

IF YOU HAVE FILED A DIVORCE OR DISSOLUTION WITH THE MORGAN COUNTY COURT OF COMMON PLEAS AND THE PARTIES HAVE CHILDREN, ALL PARTIES ARE REQUIRED TO ATTEND THE PARENTING CLASS HELD AT THE EXTENSION OFFICE WITH A COST OF \$10.00 PER PARTY. IF YOUR CLIENTS HAVE NOT ATTENDED THIS CLASS OR ONE FROM ANOTHER COUNTY, YOU MUST RESCHEDULE YOUR HEARING UNTIL THEY HAVE ATTENDED SOME CLASS.

PLEASE BE ADVISED THAT NO DIVORCE OR DISSOLUTION WILL BE GRANTED UNTIL THE PARTIES HAVE ATTENDED, PURSUANT TO THE LOCAL RULE OF COURT. RECENTLY, IN MOST OF THE CASES THAT COME FOR A HEARING, ONE OR BOTH PARTIES HAVE NOT ATTENDED CLASS. IT IS IMPERATIVE THAT THEY DO SO. IF YOU HAVE PROBLEMS, PLEASE CONTACT ME.

SINCERELY,



(A-6) PS 2/19

FILED
COMMON PLEAS COURT
JUVENILE DIVISION
DEC - 1 2006
D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

FILED
MORGAN COUNTY
CLERK OF COURTS
2006 DEC -1 AM 11:47

W. J. Gasser
**IN THE COURT OF COMMON PLEAS
GENERAL, DOMESTIC, JUVENILE AND PROBATE DIVISIONS
MORGAN COUNTY, OHIO**

In Re: :

The Matter of: : **JOURNAL ENTRY**

Court Costs :

FILED
DEC 2006
COMMON PLEAS COURT
PROBATE DIVISION
D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

WHEREAS, it has come to the attention of the court that civil cases with multiple parties are being filed in court and that the deposit required by the Clerk is insufficient to cover the costs for processing these cases; and

WHEREAS, it has come to the attention of the court that an inordinately large number of mortgage foreclosures are being filed and are consuming the time and funding of the Clerk's office; and

WHEREAS, it is necessary for funding for service of process and clerking of cases be paid by the parties utilizing the services of the court and not by the taxpayers of Morgan County, and

WHEREAS, the court is concerned that increasing costs and deposits to an excessive amount may make it impossible for citizens to file complaints and receive redress for their grievances in court; and

WHEREAS, the court in consideration of these facts, finds that it is necessary to change the fee structure of the court.

NOW THEREFORE, be it the order of the court as follows:

1. In all cases involving mortgage foreclosure actions, the Clerk of Courts shall charge an additional fee of One Hundred Fifty Dollars (\$150.00) per case in addition to regular fees charged for other cases to be applied to the budget of the Clerk for excess clerk expenses.

2. In all cases involving multiple parties, any person filing any complaint, counterclaim, third party complaint, or cross-claim, requiring service of process, shall pay an additional filing fee of Twenty Dollars (\$20.00) per party for each party in excess of five (5) parties to be served in that case. In the event that the aforesaid additional fee does not cover all costs required to be advanced by the Clerk, the Clerk shall require sufficient extra costs to cover fees for service of process.
3. In addition to the filing fee set forth in Paragraph 2 of this order, an additional court cost of Ten Dollars (\$10.00) per party shall be paid to the Clerk for each party to be served in excess of five parties in each case. This cost is non-refundable and shall be applied to the budget of the Clerk for excess court costs.
4. Any party ordering a transcript of proceedings in any case in any division of the court must deposit with the Clerk the sum of Three Dollars (\$3.00) per page for the number of pages estimated by the Clerk in said transcript prior to the court ordering said transcript to be prepared.

SO ORDERED.



D.W. FAVREAU, JUDGE

FILED
MORGAN COUNTY
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS
OF MORGAN COUNTY, OHIO
2008 OCT -6 PM 2:39
GENERAL, DOMESTIC, PROBATE, JUVENILE DIVISIONS

Therese J. Gissner

FILED
COMMON PLEAS COURT
JUVENILE DIVISION
OCT - 6 2008
D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

IN THE MATTER OF:

COURT COSTS

JOURNAL ENTRY

WHEREAS it has come to the attention of the Court that cases set for trial are being continued at the request of counsel at what the Court believes inordinate rate and

WHEREAS the office of the Clerk of Courts and the Deputy Clerks of Juvenile and Probate Court are severely understaffed and overworked because of the extremely heavy caseload which has increased approximately twenty percent over last year's case load and

WHEREAS, to offset the costs of operating the Courts because of the heavy case load the Court hereby makes the following orders:

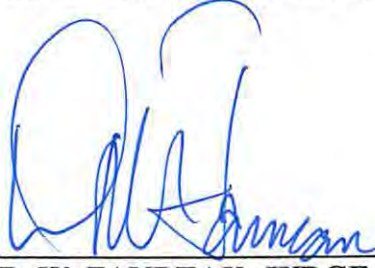
1. For all continuances filed in any division of the Common Pleas Court of Morgan County, there is hereby assessed an additional court cost of \$10.00 per continuance, said amount assessed to the party requesting said continuance and to be paid as costs at the conclusion of the case.
2. The County Commissioners of Morgan County are hereby ordered to budget and appropriate said funds to the appropriate division of Court monthly to be placed in a miscellaneous line item to be used by the Clerks of each division for the operation of each department.

12345678910111213141516171819202122232425262728293031
OCT 2008
FILED
COMMON PLEAS COURT
PROBATE DIVISION
D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

(A-101 pg 730)

3. The County Auditor is directed to establish such line items in the budget of the Clerk of Court of Common Pleas, Juvenile Court, and Probate Court budgets as are appropriate to effectuate this order.
4. This order will be effective for all cases continued on and after November 1, 2008.

IT IS SO ORDERED.



D. W. FAVREAU, JUDGE

Xc: Morgan County Commissioners
Morgan County Auditor
Clerk of Common Pleas Court
Clerk of Probate Court
Clerk of Juvenile Court
Members of the Morgan County Bar Association
All attorneys who practice before the Court

IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO

FILED
MORGAN COUNTY
CLERK OF COURTS

2009 JAN -5 AM 11:42

Carmel Halloway
Shirley J. Jison

In Re:

The Matter of Court Costs

JOURNAL ENTRY

WHEREAS, it has come to the attention of the court that changes in the foreclosure law of Ohio has been modified to require a preliminary and final judicial report in tax foreclosure cases; and

WHEREAS, these changes place an additional burden on the office of prosecuting attorney and recorder which should not be charged to the general tax paying populace.

NOW THEREFORE, be it the order of this court as follows:

1. In all cases involving tax foreclosure brought by the prosecuting attorney there shall be charged an additional fee of \$50.00 upon the filing of a preliminary judicial report by the prosecuting attorney and an additional \$25.00 upon the filing of a final judicial report by the prosecuting attorney. Said sums shall be payable directly to the prosecuting attorney for deposit in the delinquent tax collection fund maintained by the auditor for the benefit of the office of prosecuting attorney. In the event the preliminary and final judicial reports are prepared by someone other than the prosecuting attorney the actual cost thereof shall be billed as costs as provided by law.

2. In all cases involving tax foreclosure brought by the prosecuting attorney there shall be charged an additional fee of \$25.00 upon the filing of a preliminary judicial report by the prosecuting attorney. The additional \$25.00 fee shall be payable to the county recorder for deposit in the supplies account maintained by the county auditor for the benefit of the county recorder. Said fee is assessed to offset the costs of copies provided to the county prosecutor in preparation of judicial reports.

IT IS SO ORDERED

D. W. Favreau

D. W. Favreau, Judge

(A-102, p. 650)

IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO

FILED
MORGAN COUNTY
CLERK OF COURTS
2010 JAN 14 AM 9:38

In Re:

The Matter of Court Costs

Campbell

MOTION

Now comes the Morgan County Prosecuting Attorney who moves the Court to modify the Court cost Order previously issued herein. The Prosecuting Attorney is no longer required to file a judicial report. However, the Prosecuting Attorney still must research the title to property prior to the filing of tax collection matters. Therefore, the cost associated with tax collection remains the same.

The prior Order also provided for cost to be paid to the County Recorder to offset cost associated with copying records for the prosecutor. Those costs are currently being paid into the County General Fund and do not provide additional revenue for the Recorder as envisioned in the original Order. It therefore requested that a new Order be issued to allow the Auditor to set up a fund for the benefit of the Recorder separate from the general fund appropriation to the Recorder.

Respectfully submitted,

Mark J. Howdyshell
Mark J. Howdyshell (0051910)
Prosecuting Attorney

(A-105, P. 31)
531

IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO

MORGAN COUNTY
COURT OF COMMON PLEAS
2010 JAN 14 AM 9:38

In Re:

The Matter of Court Costs

Campbell

JOURNAL ENTRY

WHEREAS, it has come to the attention of the Court that the cost associated with the collection of delinquent taxes has placed a burden upon the Prosecuting Attorney, Treasurer and Recorder which cannot be sustained within the annual appropriation of each office; and

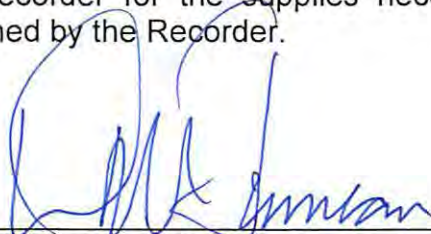
WHEREAS, these costs place an additional burden on the offices of the Prosecuting Attorney, Treasurer and Recorder which should not be charged to the general tax paying populace.

NOW THEREFORE, be it the order of this court as follows:

1. In all cases involving tax foreclosure wherein the County is represented by the Prosecuting Attorney there shall be charged an additional fee of \$75.00 upon the filing of a tax foreclosure or collection suit or the filing of a counter/cross claim to foreclose or collect delinquent taxes. Said sums shall be payable directly to the prosecuting attorney for deposit in the delinquent tax collection fund maintained by the auditor for the benefit of the offices of the Prosecuting Attorney and Treasurer.

2. In all cases involving tax foreclosure wherein the County is represented by the Prosecuting Attorney there shall be charged an additional fee of \$25.00 upon the filing of a tax foreclosure or collection suit or the filing of a counter/cross claim to foreclose or collect delinquent taxes. The additional \$25.00 fee shall be payable to the County Recorder for deposit in the a separate fund established by the County Auditor. Said fund shall be separate from the general appropriation to the Recorder and shall be used by the Recorder for the supplies necessary to produce copies of public records maintained by the Recorder.

IT IS SO ORDERED


D. W. Favreau, Judge

(A-105, P. 32)
532

FILED
MORGAN COUNTY
CLERK OF COURTS

2011 AUG -1 PM 12:34

Carmel Helmut Johnson

IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO
GENERAL DIVISION

IN RE:

ORDER OF SALE DEPOSIT

JOURNAL ENTRY



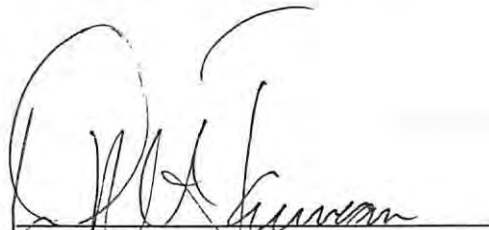
WHEREAS, it has come to the attention of the Court that an inordinately large number of mortgage foreclosures are being filed; and

WHEREAS, it has further come to the attention of the Court that many of these mortgage foreclosures are stayed for various reasons, leaving court costs remaining unpaid for an extended period of time.

NOW THEREFORE, be it the Order of this Court as follows: In all mortgage foreclosure cases, Plaintiff's attorney shall deposit with the Clerk of Courts a deposit of \$150.00 with the Praecept for Order of Sale. Said deposit shall be held by the Clerk and paid directly to the appraisers when the Land Appraisal forms are filed by the appraisers and County Sheriff.

In the event the real estate is not appraised, the Clerk shall apply the \$150.00 deposit to any outstanding court costs associated with said mortgage foreclosure and refund to Plaintiff's attorney any overages.

IT IS SO ORDERED.


D. W. Favreau, Judge

(A-110, P. 640)

DELIVERED
TO THE
TOWN OF CHANDLER
CHANDLER, ARIZONA

IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO
GENERAL AND DOMESTIC DIVISIONS

FILED
MORGAN COUNTY
CLERK OF COURTS
2012 JUN 29 AM 10:56

Carmen DeLuca Johnson

IN RE:

PUBLICATION DEPOSITS

JOURNAL ENTRY

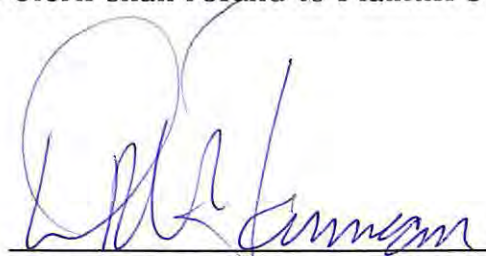
WHEREAS, it has come to the attention of the Court that an increasing number of civil and domestic cases are being filed which require publication; and

WHEREAS, it has further come to the attention of the Court that many of these cases are open on the Court's docket for extended periods of time, leaving publication costs unpaid until the conclusion of the case.

NOW THEREFORE, be it the Order of this Court as follows: In all civil and domestic cases requiring publication, Plaintiff's attorney shall deposit with the Clerk of Courts the amount of \$500.00. Said deposit shall be held by the Clerk and paid directly to the appropriate newspaper when the Proof of Publication is filed with the Court.

In the event that the publication does not occur, or in the event the deposit exceeds the actual cost of the publication, the Clerk shall apply the deposit, or the balance of the deposit remaining, to any outstanding court costs associated with said case. The Clerk shall refund to Plaintiff's attorney any remaining overages.

IT IS SO ORDERED.


D.W. FAVREAU, JUDGE

IN THE COURT OF COMMON PLEAS
OF MORGAN COUNTY, OHIO

FILED
MORGAN COUNTY
CLERK OF COURTS
2013 MAR 20 AM 11:51

Campa Johnson

IN THE MATTER OF:

STANDARD CONDITIONS OF
COMMUNITY CONTROL, PROBATION
AND/OR POST RELEASE CONTROL

JOURNAL ENTRY

The Court, on its own Motion, after review of the current standard conditions of supervision for persons on community control, probation, and/or post release control, hereby adopts the following standard conditions of supervision for Morgan County, effective forthwith. The Court further Orders that all previous conditions of supervision for probationers previously ordered by the Court shall remain in full force and effect until changed by the Court or the Adult Parole Authority.

IT IS SO ORDERED.



D. W. FAVREAU, JUDGE

(A-116 Pg 755)

MORGAN COUNTY
COURT OF COMMON PLEAS

Conditions of Supervision

In consideration of having been granted supervision on _____, I agree to follow these rules and understand a violation of any of these rules may result in the revocation of my supervision.

1. I will obey federal, state and local laws and ordinances. I will conduct myself as a responsible law abiding citizen.
2. I will always keep my supervising officer informed of my residence and place of employment. I will obtain permission from my supervising officer before changing my residence. I will obtain permission prior to any leave from my approved residence. I will report any change of employment by the next business day.
3. I will not leave the State of Ohio without written permission of my supervising officer.
4. I will not enter the grounds of any correctional facility without written permission of my supervising officer. I will not communicate with any inmate confined in a correctional facility unless I have written permission from my supervising officer.
5. I will follow all orders, verbal or written, given to me by my supervising officer or other authorized representative of the Court or the Adult Parole Authority. I understand the supervising officer may impose other sanctions or special conditions that are deemed necessary for rehabilitative or punitive purposes. I understand these may be ordered without hearing by the Court.
6. I will not purchase, possess, own, use or have under my control, any firearms, ammunition, dangerous ordinance or weapons including but not limited to chemical agents, electronic devices used to immobilize, explosive devices or compounds and hunting implements.
7. I will not purchase, possess, use or have under my control any drug of abuse, synthetic compound of abuse, instruments used to manufacture, prepare for use or delivery of said drug s or compounds. I will report any prescription upon receipt from qualified physician by the next business day. I will provide medications in the original container to the supervising officer upon request. I will not possess any prescription drug that is not in its original container and prescribed to me. I will administer prescription drugs only as directed by the qualified physician.
8. I will report any contact with any law enforcement agency to the supervising officer by the next business day. I will report arrest, citation or contact with any court to the supervising officer by the next business day. I will not participate in any investigation as an informant without permission of the Court.
9. Pursuant to section 2967.131 of the Revised Code, I understand that I am subject to warrantless search by the supervising officer or other authorized representatives of the Department of Rehabilitation and Correction of my person, my motor vehicle, place of residence, electronic devices or any property which I have permission to use.

10. I agree not to associate with persons having a criminal record, having gang affiliation, persons who could have negative influence on me or are likely to be engaged in criminal activity without written permission of the supervising officer.
11. I will comply with all financial obligations ordered by the Court, including child support. I will adhere to strict payment plan of monthly payments to the Clerk of Courts.
12. I will follow all rules, regulations and recommendations of treatment facilities or programs of any type in which I am placed or ordered to attend.
13. I will not be present without permission of the supervising officer at any bar, drive thru or establishment that sells alcoholic beverages by the drink.
14. I will not be present without permission of the supervising officer at any social gathering, of two or more people, where drugs and/or alcoholic beverages are present or being consumed.
15. I will not possess or consume alcoholic beverages or illegal drugs or possess prescription drugs of another.
16. I will not associate with individuals under the age of 18 that are not immediate family members without permission of the supervising officer.
17. I understand that if my supervision is transferred to another location, in state or out of state, I will notify the supervising officer in Morgan County prior to my return, regardless of the reason of my return or duration of my visit.
18. I will comply with all additional special conditions imposed by the Court as hereinafter set forth:

I understand the period of supervision is an order of the Court. I further understand I am only released from supervision by order of the Court. I understand I will be supervised at a level of supervision deemed appropriate by the Court and/or a validated risk instrument selected by DRC. I will participate in programming or interventions to address very high, high or moderate risk domains.

My signature will be deemed to be a waiver of extradition and I will not cause any action to prevent or delay my return to Morgan County.

Offender	Date	Witness	Date

NOTICE

_____ I acknowledge that the Morgan County Common Pleas Court has ordered that as a condition of supervision, and without regard to my level of supervision as determined by my DRC risk assessment, I must report in person to my supervising officer at least once per month or as my supervising officer deems it appropriate or I have not followed my terms of supervision.

_____ I have been informed that the Court has instructed my supervising officer to strictly enforce the provisions of my supervision which prohibit the illegal use of drugs and the possession of drug paraphernalia. I acknowledge that the Court has ordered that I am subject to monthly random drug and alcohol testing or more often if my supervising officer deems it appropriate or I have not followed my terms of supervision. The sample may be collected during my monthly in person report, at my home, at my workplace, or any other location where I may be found at any time of the day or night.

_____ I have been informed that in addition to the notice of warrantless searches contained herein, the Court has ordered that as a condition of supervision my supervising officer is to conduct unannounced visits to my home and or workplace.

_____ I have been informed that my conditions of supervision are an order of the Morgan County Common Pleas Court and, regardless of the location of my residence or the office of my supervising officer; I remain under the jurisdiction of that Court and these conditions of supervision. I further understand that these conditions cannot be modified or changed without express written permission of that Court. I understand that a violation of any of these conditions may result in the revocation of my supervision which may result in additional imposed sanctions, including imprisonment.

Offender

Date

Witness

Date

FILED
COMMON PLEAS COURT
JUVENILE DIVISION
JAN 01 2014
J.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO
(GENERAL DIVISION, DOMESTIC RELATIONS DIVISION,
JUVENILE DIVISION, AND PROBATE DIVISION)

FILED
JAN - 1 2014
CARMA JOHNSON
MORGAN COUNTY
CLERK, COMMON PLEAS CT.

FILED
COMMON PLEAS COURT
PROBATE DIVISION
JAN - 1 2014
D.W. FAVREAU, JUDGE
MORGAN COUNTY, OHIO

IN RE:

Addendum to Local Rule 98.1 - Additional Court Costs

JOURNAL ENTRY


On March 19, 1999, a Local Rule was filed in the General Division, Domestic Relations Division, Juvenile Division, and Probate Division of the Common Pleas Court of Morgan County, Ohio, adding a Twenty Dollar (\$20.00) additional filing fee on actions in said divisions. Said fee was to be collected and paid into the County Treasury for deposit into the General Special Projects Fund.

It has come to the attention of the Court, that for the efficient operation of the Court, further additional funds are necessary to acquire and pay for special projects of the Court.

Pursuant to the provisions of Section 2303.201(E) of the Revised Code, this Court hereby **ORDERS**, in conjunction with the above fee, an additional fee of Twenty Dollars (\$20.00) be assessed on all criminal causes, civil actions or proceedings, or judgments by confession, for a total of Forty Dollars (\$40.00) per case to be deposited into the General Special Projects Fund of the County Treasury. Said funds shall not be disbursed except upon order of the Court.

The Clerks of each division shall begin assessing this additional court cost, effective January 1, 2014.

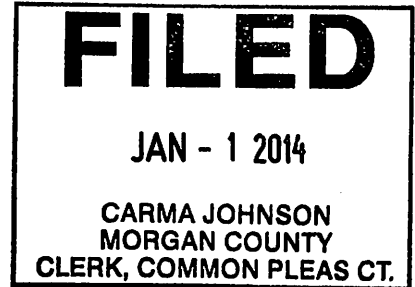
IT IS SO ORDERED.


JUDGE D. W. FAVREAU

FILED
JAN 24 2014
CLERK OF COURT
SUPREME COURT OF OHIO

A-119 Pg 578

IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO
GENERAL AND DOMESTIC DIVISIONS



IN RE:

ADDITIONAL COURT COSTS

JOURNAL ENTRY

WHEREAS, it has come to the attention of the Court that an increasing number of criminal, civil, and domestic relations cases are being filed; and

WHEREAS, pursuant to Section 2303.201 of the Revised Code, the Court may elect to increase certain court costs for the efficient operation of the Court.

NOW THEREFORE, be it the Order of this Court as follows: In each criminal, civil, and domestic relations case, the Clerk of Courts shall increase the Legal Research Fee from the current fee of Three Dollars (\$3.00) to Six Dollars (\$6.00). In addition, the Clerk of Courts shall increase the Computerization/Tech Fee from the current fee of Ten Dollars (\$10.00) to Twenty Dollars (\$20.00) per case. These additional funds are required to make technological advances and/or computerize the office of the Clerk, and to insure the efficient operation of the Court. These funds shall be paid to the County Treasury and shall not be disbursed except upon order of the Court.

The Clerk of Courts shall begin assessing these additional court costs, effective January 1, 2014.

FURTHER, it has come to the attention of the Court, that due to the additional Affidavits approved by the Supreme Court of Ohio for domestic relations cases, the current filing fee/deposits required by this Court are no longer adequate, leaving court costs remaining unpaid for an extended period of time.

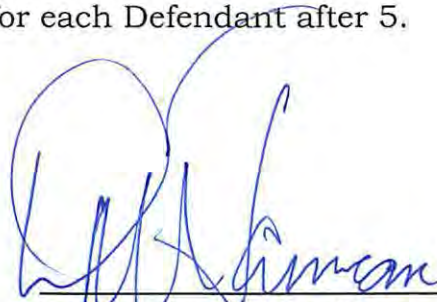
(A-119 109 579)

NOW THEREFORE, be it the Order of this Court that the following filing fees/deposits are to be collected by the Clerk of Courts, effective January 1, 2014:

Civil Complaint (1 – 5 Defendants)*	\$180.00
Foreclosure Complaint (1 – 5 Defendants)*	330.00
Divorce/Dissolution (with minor children)	225.00
Divorce/Dissolution (with no minor children)	200.00
Answer/Cross Complaint or Counter-Claim	120.00
Post-Decree Motion	120.00
Publication Deposit	500.00
Jury Deposit	400.00
Order of Sale Deposit	150.00
Garnishment	120.00
Execution	120.00
Home Investigation	150.00
Expungement (plus costs)	50.00
Certified Copy	1.00
Prepare Certificate of Judgment	5.00
File Certificate of Judgment	33.00
Civil Release of Judgment	28.00
State of Ohio Release of Judgment	38.00

- For Civil and Foreclosure Complaints with more than 5 Defendants, add \$30.00 per Defendant for each Defendant after 5.

IT IS SO ORDERED.



JUDGE D. W. FAVREAU

FILED
MORGAN COUNTY
CLERK OF COURTS

2014 MAR 20 PM 12:09

Carmy Johnson

NOTICE

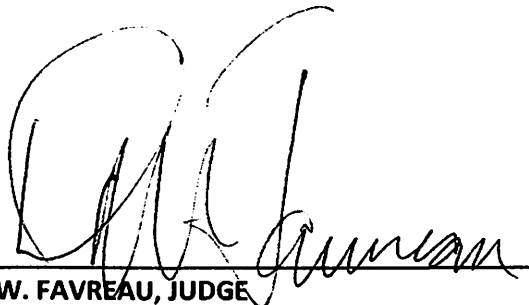
IN ALL DIVORCES AND DISSOLUTIONS WITH CHILDREN, THE COURT REQUIRES THAT THE PARENTS SIGN UP FOR AND ATTEND THE TWO-HOUR SEMINAR ON HELPING CHILDREN COPE WITH DIVORCE.

NO DIVORCE OR DISSOLUTION WITH CHILDREN WILL BE GRANTED UNTIL THE PARENTS HAVE ATTENDED THIS SEMINAR.

ARRANGEMENTS FOR TAKING THE SEMINAR CAN BE MADE WITH PAMELA MONTGOMERY, 740-962-4854 OR BY CONTACTING AGENCIES THAT GIVE THESE SEMINARS IN ANOTHER COUNTY.

THE COURT REQUIRES THAT A CERTIFICATE OF ATTENDANCE BE FILED WITH THE CLERK OF COURTS IN EACH CASE FILE PRIOR TO THE HEARING.

BY ORDER OF THE COURT:


D. W. FAVREAU, JUDGE

**IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO**

In the Matter of

:

**Standard Local Visitation Guidelines
For Domestic and Juvenile Divisions**

:

**Within a 100 mile radius of
Morgan County**

JOURNAL ENTRY

Pursuant to the provisions of Revised Code 3109.051(F)2, the following standard visitation guidelines are hereby adopted for all cases involving visitation orders in the Morgan County Common Pleas Court, Domestic Division and Juvenile Division. These standard visitation guidelines shall constitute visitation orders in each domestic relations case involving minor children, unless the parties agree in writing to a specific visitation schedule different from these guidelines and said schedule is approved by the Court, or unless a party requests a deviation from these guidelines and can show the Court good cause for the deviation. All visitation by grandparents and other persons shall be set by a separate order of the Court, in addition to the visitation times ordered herein and in consideration of the best interests of the children.

Standard Local Visitation Guidelines

1. For purposes of this Order, the words "child" or "children" shall be considered in either the singular or the plural form, depending upon whether there are one or more children involved in the specific case and as the context requires.
2. The children and the residential parent shall not be required to await visitation from the non-residential parent for more than thirty (30) minutes, from the beginning of visitation time.

Any non-residential parent who is more than thirty (30) minutes late for visitation shall forfeit any weekend or holiday visitation period for which he or she is more than thirty (30) minutes late. This provision shall not apply to summer visitation. The non-residential parent is required to give the residential parent at least twenty-four (24) hour notice prior to visitation, if the non-residential parent cannot exercise his or her visitation rights as scheduled, except for emergencies, in which case, notice shall be given as soon as reasonably practicable under the circumstances.

Weekend Visitation:

3. The non-residential parent shall have visitation with the minor children of the parties on alternate weekends, from Friday at 6:00pm until Sunday at 6:00pm. In addition, both parents are strongly encouraged to provide the children with at least one (1) weekday visitation with the non-residential parent each week, taking into consideration with parents' work schedules, the children's school schedules, and the distance between the parents' homes.

Holiday Visitation:

4. For purposes of visitation, there shall be twelve (12) holiday visitation periods. Those periods of visitation shall be divided equally between the parents. Said holiday visitations are as follows:

1. New Year's Day: 6:00pm on December 31st to 8:00pm on January 1st.
2. Martin Luther King Day: 6:00pm the day before to 8:00pm on the holiday
3. Presidents' Day: 6:00pm the day before to 8:00pm on the holiday
4. Easter: 6:00pm the day before to 8:00pm on the holiday
5. Memorial Day: 6:00pm the day before to 8:00pm on the holiday
6. Fourth of July: 6:00pm on July 3rd to 8:00pm on July 4th
7. Labor Day: 6:00pm on the day before to 8:00pm on the holiday
8. Columbus Day: 6:00pm on the day before to 8:00pm on the holiday
9. Veterans' Day: 6:00pm on the day before to 8:00pm on the holiday
10. Thanksgiving: 6:00pm on the day before to 8:00pm on the holiday
11. Christmas Eve: 6:00pm on December 23rd to 10:00pm on December 24th.
12. Christmas Day: 10:00pm on December 24th to 8:00pm on December 26th.

5. For purposes of holiday visitation, the non-residential parent shall visit with the children on all odd-numbered holidays as set forth above in the odd-numbered years (i.e. 2003), and the

non-residential parent shall visit with the children on all even-numbered holidays as set forth above in even-numbered years (i.e. 2004). Holiday visitation shall take precedence over weekend visitation.

6. The children of the parties shall spend Mother's Day and the mother's birthday with their mother each year. The children of the parties shall spend Father's Day and the father's birthday with their father each year. Visitation will commence at 9:00am and terminate at 6:00pm on said days, unless the children are in school, whereupon visitation shall commence after school and continue until 6:00pm. In the event that Mother's Day and father's birthday or Father's Day and the mother's birthday fall on the same day, Mother's Day visitation and Father's Day visitation shall take precedence, and birthday visitation privileges shall be lost.

7. Each child shall celebrate his or her birthday in the home of the residential parent in odd-numbered years, and in the home of the non-residential parent in the even-numbered years. Birthday visitation shall be from 9:00am to 6:00pm. In the event the child is in school, visitation shall commence immediately after school, with the visiting parent entitled to pick the child up from school, and shall end at 8:00pm. If birthday visitation conflicts with alternate weekend visitation or holiday visitation, the birthday visitation schedule shall take precedence.

Summer Visitation:

8. The non-residential parent shall have a two (2) week, uninterrupted period of visitation each summer, structured so that the non-residential parent shall have the opportunity to take the children on vacation. The residential parent shall also have an uninterrupted visitation schedule with the children of the parties for a two (2) week period each summer. Consequently, summer visitation shall take precedence over weekend visitation by either the residential or the non-residential parent. Summer visitation shall also take precedence over birthday visitation, and Mother's Day and Father's Day visitation.

9. It is the intention of the Court that both parents cooperate in designing summer visitation schedules that are mutually agreed upon by both parents. The Court desires the parents to amicably resolve visitation dates and times. In the event that the parties cannot amicably

schedule summer visitation with their minor children, the Court directs that summer visitation for the non-residential parent shall commence on the 7th day of July each year at 9:00am and terminate fourteen (14) days thereafter at 6:00pm, and that summer visitation for the residential parent shall commence at 9:00am on August 1st each year and terminate fourteen (14) days thereafter at 6:00pm. The number of days of visitation shall be computed by excluding the first day and including the last day. In the event that the non-residential parent does not appear for summer visitation when scheduled, the non-residential parent must notify the residential parent within twenty-four (24) hours of the exact time that he or she intends to conduct visitation. In the event that the non-residential parent does not make arrangements with the residential parent within twenty-four (24) hours of the scheduled commencement of summer visitation, the non-residential parent's summer visitation shall be forfeited.

10. In the event that the non-residential parent's weekend or holiday visitation time is cancelled because of the illness of any child, then the non-residential parent's weekend visitation for the child shall be had by the non-residential parent on the next weekend and all cancelled holiday visitation shall be made up to the non-residential parent within two (2) weeks.

11. The non-residential parent shall be responsible for transporting the minor children of the parties to and from visitation, and shall pay the costs associated therewith. Should either party move more than twenty-five (25) miles from Morgan County, the parent that moved shall bear all transportation costs.

12. The minor children of the parties shall be picked up for visitation by the non-residential parent. In the event that work schedules or other circumstances exist which preclude the non-residential parent from picking up the children for visitation, the children may be picked up by the non-residential parent's spouse, a grandparent, or some other responsible adult. It is the intention of the Court that the non-residential parent visit with the minor children of the parties during scheduled visitation and that the visitation be quality-time between the non-residential parent and the children. Consequently, the non-residential parent shall not leave the children for extended periods during visitation with third parties, but rather the non-residential parent shall be available at all times practicable to visit with the children.

13. The residential parent shall send with the children on visitation, clothing appropriate to the season and sufficient in quantity to last the entire visitation period. The residential parent shall also send, if applicable, sufficient baby bottles and toys as are necessary for use by the minor children of the parties during visitation. At the conclusion of visitation, the non-residential parent shall return ALL CLOTHING, TOYS, AND BOTTLES, or replacements for them if any have been lost or destroyed, to the residential parent.

14. In the event that the non-residential parent has purchased clothing for the minor children during the visitation, said clothing will also be returned to the residential parent at the conclusion of visitation. After summer visitation, the non-residential parent shall be responsible for cleaning and laundering all of the minor children's clothing prior to returning said clothing to the residential parent.

15. The residential parent shall be responsible for sending with the minor children of the parties sufficient medication, either prescription or non-prescription, for the entire visitation period, if said medication has been prescribed or is being given upon the advise of a physician. The residential parent shall also furnish to the non-residential parent written instructions concerning the administration of the medication to the minor children of the parties, together with the name, address, and telephone number of the physician.

16. The residential parent shall immediately notify the non-residential parent when any child suffers from any illness, disease, or injury that requires treatment by a physician, hospital, or any health care provider. The non-residential parent will immediately notify the residential parent when any child, during any visitation period, suffers any illness, injury, or contracts any disease that requires treatment by a physician, hospital, or any health care provider.

17. Both the residential and the non-residential parent shall appraise the other of their current home and work addresses and of their current home and work telephone numbers. Both the residential and the non-residential parent shall further advise each other of any changes thereto forthwith, unless a specific order of the Court exists prohibiting either or both parents from having such information.

18. Both of the parents are ordered to communicate directly with each other concerning matters regarding visitation. Neither parent shall use the children or any other household member to carry messages concerning visitation to the other, except in the case of emergency.

19. Neither the residential parent nor the non-residential parent shall discuss the other with the minor children of the parties in a derogatory manner, nor shall either the residential or the non-residential parent make derogatory statements about the other to any third party in the presence of the minor children of the parties.

Change of Residence:

20. Pursuant to law, if the residential parent intends to move his or her residence, the residential parent PRIOR TO MOVING, MUST DO ALL OF THE FOLLOWING:

1. File a written notice of the intention to move with the Clerk of Courts of Morgan County, Ohio, 19 East Main Street, McConnelsville, Oh 43756, containing the following information:
 - a. the case number under which the original visitation order was issued.
 - b. the residential parent's name, old address, and new address
 - c. the non-residential parent's name and present address.
 - d. payment to the Clerk of the Court in which the decree is filed the sum of five dollars (\$5.00) to cover the costs of copying, docketing, and mailing the notice (Upon receipt of this notice, the Clerk of Courts shall file, make a copy of said notice, and mail it to the non-residential parent. The Clerk shall note "Proof of Mailing" showing the date of the mailing on the notice filed in the Court file.)
2. If the residential parent intends to remove his or her residence from the State of, Ohio, the residential parent, pursuant to law, shall not remove the children's residence from the State of Ohio without first obtaining a modified visitation order from the Court.

Access to Records:

21. Subject to Sections 2301.35(G)(2) and 3319.321(F) of the Revised Code, the non-residential parent shall be entitled to access to any record relating to the minor children of the parties, including, but not limited to, school records and medical, dental, and optical records, under the same terms and conditions that access is provided to the residential parent.
22. **Notice to Keepers of Records:** Knowingly failing to comply with this Order or with Section 3109.151(E) of the Revised Code is contempt of court.
23. Pursuant to Section 5104.011 of the Revised Code, the non-residential parent shall have access to any child day care center attended by the minor children of the parties under the same terms and conditions that access is provided to the residential parent. Further, subject to the provisions of Sections 3319.321(F) of the Revised Code, the non-residential parent shall have access to any student activity involving the minor children of the parties under the same terms and conditions that access is provided to the residential parent.
24. **Notice to School Officials and Employees:** Knowingly failing to comply with this Order or with Section 3109.15(J) of the Revised Code is contempt of court.
25. It is the intention of the Court that visitation for the minor children of the parties shall be a pleasurable experience for the minor children. It is the duty of both parents to take whatever action is necessary to make visitation a pleasurable experience. The Court fully expects that both parents will do whatever is necessary to accomplish this goal. The Court further expects that both parents shall put aside any differences that they may have personally with each other concerning their children and comport themselves as adults. The Court will take a very dim view of any parent who attempts to utilize the minor children of the parties to hurt the other parent or cause the other parent problems with the minor children of the parties.

ORDER

It is, therefore, ORDERED, ADJUDGED, AND DECREED that, in accordance with the provisions of Section 3109.051(F)(2) of the Revised Code, this visitation schedule is the ordered visitation schedule in each case in the Common Pleas Court, Domestic Division and Juvenile Division, involving the minor children of the parties, unless the parties agree to a different visitation schedule and that schedule is approved by the Court upon the showing of good cause for deviation from this schedule, or unless the Court, due to unique circumstances of the case, orders otherwise. This Order shall be known as the "STANDARD ORDER FOR LOCAL VISITATION" in the Common Pleas Court, Domestic Division and Juvenile Division, and shall be in full force and effect until further Order of this Court. Standard orders of visitation for areas in excess of a one hundred (100) mile radius of Morgan County shall be promulgated by separate Order. This Entry shall take effect and be in force from and after the 2ND day of May, 1991.

IT IS SO ORDERED.


D.W. FAVREAU, JUDGE

10'03/ trw

**IN THE COURT OF COMMON PLEAS
MORGAN COUNTY, OHIO**

In the Matter of

:

**Standard Distance Visitation Guidelines :
For Domestic and Juvenile Divisions**

**In Excess of a 100 mile radius of
Morgan County**

JOURNAL ENTRY

Pursuant to the provisions of Revised Code 3109.051(F)(2), the following standard visitation guidelines are hereby adopted for all cases involving visitation orders in the Morgan County Common Pleas Court, Domestic Division and Juvenile Division. These standard visitation guidelines shall constitute visitation orders in each domestic relations case involving minor children, unless the parties agree in writing to a specific visitation schedule different from these guidelines and said schedule is approved by the Court, or unless a party requests a deviation from these guidelines and can show the Court good cause for the deviation. All visitation by grandparents and other persons, if permitted, shall be set by a separate order of the Court, in addition to the visitation times ordered herein and in consideration of the best interests of the children. This Order is applicable to visitation rights when one or both parents live a distance greater than one hundred (100) miles from Morgan County, Ohio. However, if both parties, who live greater than one hundred (100) miles from Morgan County, Ohio, live less than one hundred (100) miles from each other, the Standard Order for Local Visitation shall apply in that instance.

Standard Distance Visitation Guidelines

1. For purposes of the Order, the words "child" or "children" shall be considered in either the singular or the plural form, depending upon whether there are one or more children involved in the specific case and as the context requires.

2. The children and the residential parent shall not be required to await visitation from the non-residential parent for more than thirty (30) minutes, from the beginning of visitation time. Any non-residential parent who is more than thirty (30) minutes late for visitation shall forfeit any weekend or holiday visitation period for which he or she is more than thirty (30) minutes late. This provision shall not apply to summer visitation. The non-residential parent is required to give the residential parent at least twenty-four (24) hours notice prior to visitation, if the non-residential parent cannot exercise his or her visitation rights as scheduled, except for emergencies, in which case, notice shall be given as soon as is reasonably practicable under the circumstances.

Weekend Visitation:

3. There shall be no ordered weekend visitation. Weekend visitation is encouraged by the Court in the same manner as described in Paragraph 3 of the Standard Order for Local Visitation, if the distances involved permit its use.

Holiday Visitation:

4. There shall be no ordered visitation for holiday visitation, except that holiday visitation is encouraged by the Court in the same manner as described in Paragraph 4 of the Standard Order for Local Visitation. If the parties, because of the distances involved, cannot pursue holiday visitation as set forth in Paragraph 4 of the Standard Order for Local Visitation, then the non-residential parent shall have visitation rights on Christmas from December 26th, at 12:00 noon until January 1st at 12:00 noon.

Summer Visitation:

5. The non-residential parent shall have a six (6) week, uninterrupted period of visitation each summer.

6. It is the intention of the Court that both parents cooperate in designing summer visitation schedules that are mutually agreed upon by both parents. The Court desires the parents to amicably resolve visitation dates and times for summer visitation. In the event that the parties

cannot amicably schedule summer visitation with their minor children, the Court directs that summer visitation for the non-residential parent shall commence at 8:00 am on the first Saturday after the 15th of June each year and shall continue for six (6) weeks until Sunday at 6:00 pm each year. In the event that the non-residential parent does not appear for summer visitation when scheduled, the non-residential parent must notify the residential parent within twenty-four (24) hours of the exact time that he or she will conduct visitation, except in emergency situations when such notice shall be given as soon as practicable. In the event that the non-residential parent does not make arrangements with the residential parent within twenty-four (24) hours of the scheduled commencement of summer visitation, the non-residential parent's summer visitation rights shall be forfeited, except in emergency situations.

7. The minor children of the parties shall be picked up for visitation by the non-residential parent. In the event that work schedules or other circumstances exist which preclude the non-residential parent from picking up the minor children of the parties for visitation, the children may be picked up by the non-residential parent's spouse, a grandparent, or some other responsible adult. It is the intention of the Court that the non-residential parent visit with the minor children of the parties during scheduled visitation and that the visitation be quality time between the non-residential parent and the children. Consequently, the non-residential parent shall not leave the children for extended periods during visitation with third parties, but rather the non-residential parent shall be available at all times practicable to visit with the children.

8. The residential parent shall send with the children on visitation, clothing appropriate to the season and sufficient in quantity to last the entire visitation period. The residential parent shall also send, if applicable, sufficient baby bottles and toys as are necessary for use by the minor children of the parties during visitation. At the conclusion of visitation, the non-residential parent shall return ALL CLOTHING, TOYS, AND BOTTLES, or replacements for them if any have been lost or destroyed, to the residential parent.

9. In the event that the non-residential parent has purchased clothing for the minor children during the visitation, said clothing will also be returned to the residential parent at the conclusion of the visitation. After summer visitation, the non-residential parent shall be responsible for

cleaning and laundering all of the minor children's clothing prior to returning said clothing to the residential parent after visitation.

10. The residential parent shall be responsible for sending with the minor children of the parties sufficient medication, either prescription or non-prescription, for the entire visitation period, if said medication has been prescribed or is being given upon the advise of a physician. The residential parent shall also furnish to the non-residential parent written instructions concerning the administration of the medication to the minor children of the parties, together with the name, address, and telephone number of the physician.

11. The residential parent shall immediately notify the non-residential parent when any child suffers from any illness, disease, or injury that requires treatment by a physician, hospital, or any health care provider. The non-residential parent shall immediately notify the residential parent when any child, during any visitation period, suffers any illness, injury, or contracts any disease that requires treatment by a physician, hospital, or any health care provider.

12. Both the residential and the non-residential parent shall appraise the other of their current home and work addresses and of their current home and work telephone numbers. Both the residential and the non-residential parent shall further advise each other of any changes thereto forthwith, unless a specific order of the Court exists prohibiting either or both parents from having such information.

13. Both of the parents are ordered to communicate directly with each other concerning matters regarding visitation. Neither parent shall use the children or any other household member to carry messages concerning visitation to the other, except in the case of emergency.

14. Neither the residential parent nor the non-residential parent shall discuss the other with the minor children of the parties in a derogatory manner, nor shall either the residential or the non-residential parent make derogatory statements about the other to any third party in the presence of the minor children of the parties.

Change of Residence:

15. Pursuant to law, if the residential parent intends to move his or her residence, the residential parent, PRIOR TO MOVING, MUST DO ALL OF THE FOLLOWING:

1. File a written notice of the intention to move with the Clerk of Courts of Morgan County, Ohio, 19 East Main Street, McConnelsville, Oh 43756, containing the following information:
 - A. the case number under which the original visitation order was issued
 - B. the residential parent's name, old address, and new address
 - C. the non-residential parent's name and present address
 - D. pay to the Clerk of the Court in which the decree is filed the sum of five dollars (\$5.00) to cover the costs of copying, docketing, and mailing the notice (Upon receipt of this notice, the Clerk of Courts shall file the original written notice in the case file, make a copy of said notice, and mail it to the non-residential parent. The Clerk shall not "Proof of Mailing" showing the date of the mailing on the notice filed in the Court file.
2. If the residential parent intends to remove his or her residence from the State of Ohio, the residential parent, pursuant to law, shall not remove the children's residence from the Sate of Ohio without first obtaining a modified visitation order from the Court.

Access to Records:

16. Subject to Sections 2301.35(G)(2) and 3319.321(F) of the Revised Code, the non-residential parent shall be entitled to access to any record relating to the minor children of the parties, including, but not limited to, school records and medical, dental, and optical records, under the same terms and conditions that access is provided to the residential parent.

17. **Notice to Keepers of Records:** Knowingly failing to comply with this Order or with Section 3107.151(H) of the Revised Code is contempt of court.

18. Pursuant to Section 5104.011 of the Revised Code, the non-residential parent shall have access to any child day care center attended by the minor children of the parties under the same

terms and conditions that access is provided to the residential parent. Further, subject to the provisions of Section 3319.321(F) of the Revised Code, the non-residential parent shall have access to any student activity involving the minor children of the parties under the same terms and conditions that access is provided to the residential parent.


19. **Notice to School Officials and Employees:** Knowingly failing to comply with this Order or with Section 3109.151(J) of the Revised Code is contempt of court.

20. It is the intention of the Court that visitation for the minor children of the parties shall be a pleasurable experience for the minor children. It is the duty of both parents to take whatever action is necessary to make visitation a pleasurable experience. The Court fully expects that both parents will do whatever is necessary to accomplish this goal. The Court further expects that both parents shall put aside any differences that they may have personally with each other concerning their children and comport themselves as adults. The Court will take a very dim view of any parent who attempts to utilize the minor children of the parties to hurt the other parent or cause the other parent problems with the minor children of the parties.

ORDER

It is, therefore, ORDERED, ADJUDGED, AND DECREED that, in accordance with the provisions of Section 3109.051(F)(2) of the Revised Code, this visitation schedule is the ordered visitation schedule in each case in the Common Pleas Court, Domestic Division and Juvenile Division, involving the minor children of the parties, unless the parties agree to a different visitation schedule and that schedule is approved by the Court upon the showing of good cause for deviation from this schedule, or unless the Court, due to unique circumstances of the case, orders otherwise. This Order shall be known as the "STANDARD ORDER FOR DISTANT VISITATION" in the Common Pleas Court, Domestic Division and Juvenile Division, and shall be in full force and effect until further Order of this Court. Standard orders of visitation for parents who live less than a one hundred (100) mile radius of Morgan County have been established and journalized by the Court. The Standard Order for Local Visitation shall apply in all cases where the parties live less than a one hundred (100) mile radius of Morgan County and in situations where both parties live in excess of one hundred (100) miles from Morgan County, but live within one hundred (100) miles of each other. This Entry shall take effect and be in force from and after the 14TH day of MAY, 1991.

IT IS SO ORDERED.


D.W. FAVREAU, JUDGE

10'03/trw



Morgan County Clerk of Courts

Carma Johnson, Clerk

Morgan County Common Pleas Court

19 East Main Street

McConnelsville, OH 43756

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FILED
MORGAN COUNTY
CLERK OF COURTS

2015 MAR 23 PM 3:35

Carma Johnson

March 23, 2015

Morgan County Bar Association Members:

Pursuant to Senate Bill 177, passed by the 130th Ohio General Assembly, my office is required to collect a NEW \$26 fee on all new Domestic Relations cases, including divorce, dissolution, legal separation, and foreign support, effective March 23, 2015. (This Bill also requires a NEW \$15 filing fee on new custody, visitation, and parentage actions filed in Juvenile Court. Please refer to ORC 2303.201(C) for further information.)

You and your clients will see the new cost listed on the cost bill as "Public Defender" for \$25.74 and "Clerk's Fees" for \$0.26. Previously, only civil actions were required to collect for the Public Defender Fund. The filing fees/deposits for these actions will not be affected by this increase.

Sincerely,

Carma Johnson

Carma Johnson
Clerk of Courts

Attachment

NEW FILING FEES IMPLEMENTATION 2015



Ohio Clerk of Courts Association Meeting
February 19, 2015

130th General Assembly, SB 177
Domestic Relations filing fee surcharges;
Custody, visitation, parentage filing fee
surcharges (juvenile division)
Takes effect - 3/23/15



Ohio Revised Code Section 2303.201

Additional Fees

(Court of Common Pleas)

Effective 3/23/2015



Domestic Relations

- \$26 for each new civil action or proceeding
With the exception of domestic violence

Juvenile

- \$15 for each new custody, visitation and
parentage action

Am. Sub. S.B. 177

Summary

Bill permits the Court to issue CPO's to protect "companion animals" owned or possessed by the Party intended to be protected.

Importance to the Clerks:

Mandates additional fees be collected in civil cases and paid to the Treasurer to provide financial assistance to the legal aid societies: specifically, the Bill deletes "exclusionary language" from ORC 2303.201 (C);

The language removed is: "... This provision does not apply

to proceedings concerning annulments, dissolutions of marriage, divorces, legal separations, spousal support, marital property or separate distribution, support or other domestic relation matters, ..."

This language had excluded the above actions from the collection of the \$26.00 fee; having deleted the exclusionary language, the collection of the fee is now applicable to the above actions.

Effective date: March 23,2015

2303.201 [Effective 3/23/2015] Computerizing court or paying cost of computerized legal research.

(A)

(1) The court of common pleas of any county may determine that for the efficient operation of the court additional funds are required to computerize the court, to make available computerized legal research services, or to do both. Upon making a determination that additional funds are required for either or both of those purposes, the court shall authorize and direct the clerk of the court of common pleas to charge one additional fee, not to exceed six dollars, on the filing of each cause of action or appeal under divisions (A), (Q), and (U) of section 2303.20 of the Revised Code.

(2) All fees collected under division (A)(1) of this section shall be paid to the county treasurer. The treasurer shall place the funds from the fees in a separate fund to be disbursed either upon an order of the court, subject to an appropriation by the board of county commissioners, or upon an order of the court, subject to the court making an annual report available to the public listing the use of all such funds, in an amount not greater than the actual cost to the court of procuring and maintaining computerization of the court, computerized legal research services, or both.

(3) If the court determines that the funds in the fund described in division (A)(2) of this section are more than sufficient to satisfy the purpose for which the additional fee described in division (A)(1) of this section was imposed, the court may declare a surplus in the fund and, subject to an appropriation by the board of county commissioners, expend those surplus funds, or upon an order of the court, subject to the court making an annual report available to the public listing the use of all such funds, expend those surplus funds, for other appropriate technological expenses of the court.

(B)

(1) The court of common pleas of any county may determine that, for the efficient operation of the court, additional funds are required to make technological advances in or to computerize the office of the clerk of the court of common pleas and, upon that determination, authorize and direct the clerk of the court of common pleas to charge an additional fee, not to exceed twenty dollars, on the filing of each cause of action or appeal, on the filing, docketing, and endorsing of each certificate of judgment, or on the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment under divisions (A), (P), (Q), (T), and (U) of section 2303.20 of the Revised Code and not to exceed one dollar each for the services described in divisions (B), (C), (D), (F), (H), and (L) of section 2303.20 of the Revised Code. Subject to division (B)(2) of this section, all moneys collected under division (B)(1) of this section shall be paid to the county treasurer to be disbursed, upon an order of the court of common pleas and subject to appropriation by the board of county commissioners, in an amount no greater than the actual cost to the court of procuring and maintaining technology and computer systems for the office of the clerk of the court of common pleas.

(2) If the court of common pleas of a county makes the determination described in division (B)(1) of this section, the board of county commissioners of that county may issue one or more general obligation bonds for the purpose of procuring and maintaining the technology and computer systems for the office of the clerk of the court of common pleas. In addition to the purposes stated in division (B)(1) of this section for which the moneys collected under that division may be expended, the moneys additionally may be expended to pay debt charges on and financing costs related to any general

obligation bonds issued pursuant to division (B)(2) of this section as they become due. General obligation bonds issued pursuant to division (B)(2) of this section are Chapter 133. securities.

(C) The court of common pleas shall collect the sum of twenty-six dollars as additional filing fees in each new civil action or proceeding for the charitable public purpose of providing financial assistance to legal aid societies that operate within the state and to support the office of the state public defender. This division does not apply to a juvenile division of a court of common pleas, except that an additional filing fee of fifteen dollars shall apply to custody, visitation, and parentage actions; to a probate division of a court of common pleas, except that the additional filing fees shall apply to name change, guardianship, adoption, and decedents' estate proceedings; or to an execution on a judgment, proceeding in aid of execution, or other post-judgment proceeding arising out of a civil action. The filing fees required to be collected under this division shall be in addition to any other filing fees imposed in the action or proceeding and shall be collected at the time of the filing of the action or proceeding. The court shall not waive the payment of the additional filing fees in a new civil action or proceeding unless the court waives the advanced payment of all filing fees in the action or proceeding. All such moneys collected during a month except for an amount equal to up to one per cent of those moneys retained to cover administrative costs shall be transmitted on or before the twentieth day of the following month by the clerk of the court to the treasurer of state in a manner prescribed by the treasurer of state or by the Ohio legal assistance foundation. The treasurer of state shall deposit four per cent of the funds collected under this division to the credit of the civil case filing fee fund established under section 120.07 of the Revised Code and ninety-six per cent of the funds collected under this division to the credit of the legal aid fund established under section 120.52 of the Revised Code.

The court may retain up to one per cent of the moneys it collects under this division to cover administrative costs, including the hiring of any additional personnel necessary to implement this division. If the court fails to transmit to the treasurer of state the moneys the court collects under this division in a manner prescribed by the treasurer of state or by the Ohio legal assistance foundation, the court shall forfeit the moneys the court retains under this division to cover administrative costs, including the hiring of any additional personnel necessary to implement this division, and shall transmit to the treasurer of state all moneys collected under this division, including the forfeited amount retained for administrative costs, for deposit in the legal aid fund.

(D) On and after the thirtieth day after December 9, 1994, the court of common pleas shall collect the sum of thirty-two dollars as additional filing fees in each new action or proceeding for annulment, divorce, or dissolution of marriage for the purpose of funding shelters for victims of domestic violence pursuant to sections 3113.35 to 3113.39 of the Revised Code. The filing fees required to be collected under this division shall be in addition to any other filing fees imposed in the action or proceeding and shall be collected at the time of the filing of the action or proceeding. The court shall not waive the payment of the additional filing fees in a new action or proceeding for annulment, divorce, or dissolution of marriage unless the court waives the advanced payment of all filing fees in the action or proceeding. On or before the twentieth day of each month, all moneys collected during the immediately preceding month pursuant to this division shall be deposited by the clerk of the court into the county treasury in the special fund used for deposit of additional marriage license fees as described in section 3113.34 of the Revised Code. Upon their deposit into the fund, the moneys shall be retained in the fund and expended only as described in section 3113.34 of the Revised Code.

(E)

(1) The court of common pleas may determine that, for the efficient operation of the court, additional funds are necessary to acquire and pay for special projects of the court, including, but not limited to, the acquisition of additional facilities or the rehabilitation of existing facilities, the acquisition of equipment, the hiring and training of staff, community service programs, mediation or dispute resolution services, the employment of magistrates, the training and education of judges, acting judges, and magistrates, and other related services. Upon that determination, the court by rule may charge a fee, in addition to all other court costs, on the filing of each criminal cause, civil action or proceeding, or judgment by confession.

If the court of common pleas offers or requires a special program or additional services in cases of a specific type, the court by rule may assess an additional charge in a case of that type, over and above court costs, to cover the special program or service. The court shall adjust the special assessment periodically, but not retroactively, so that the amount assessed in those cases does not exceed the actual cost of providing the service or program.

All moneys collected under division (E) of this section shall be paid to the county treasurer for deposit into either a general special projects fund or a fund established for a specific special project. Moneys from a fund of that nature shall be disbursed upon an order of the court, subject to an appropriation by the board of county commissioners, in an amount no greater than the actual cost to the court of a project. If a specific fund is terminated because of the discontinuance of a program or service established under division (E) of this section, the court may order, subject to an appropriation by the board of county commissioners, that moneys remaining in the fund be transferred to an account established under this division for a similar purpose.

(2) As used in division (E) of this section:

(a) "Criminal cause" means a charge alleging the violation of a statute or ordinance, or subsection of a statute or ordinance, that requires a separate finding of fact or a separate plea before disposition and of which the defendant may be found guilty, whether filed as part of a multiple charge on a single summons, citation, or complaint or as a separate charge on a single summons, citation, or complaint. "Criminal cause" does not include separate violations of the same statute or ordinance, or subsection of the same statute or ordinance, unless each charge is filed on a separate summons, citation, or complaint.

(b) "Civil action or proceeding" means any civil litigation that must be determined by judgment entry.

Amended by 130th General Assembly File No. TBD, SB 177, §1, eff. 3/23/2015.

Amended by 130th General Assembly File No. 25, HB 59, §101.01, eff. 9/29/2013.

Amended by 129th General Assembly File No. 176, HB 197, §1, eff. 3/22/2013.

Amended by 129th General Assembly File No. 28, HB 153, §101.01, eff. 9/29/2011.

Amended by 128th General Assembly File No. 9, HB 1, §101.01, eff. 10/16/2009.

Effective Date: 09-05-2001; 10-01-2005

Note: This section is set out twice. See also § 2303.201 , effective until 3/23/2015.