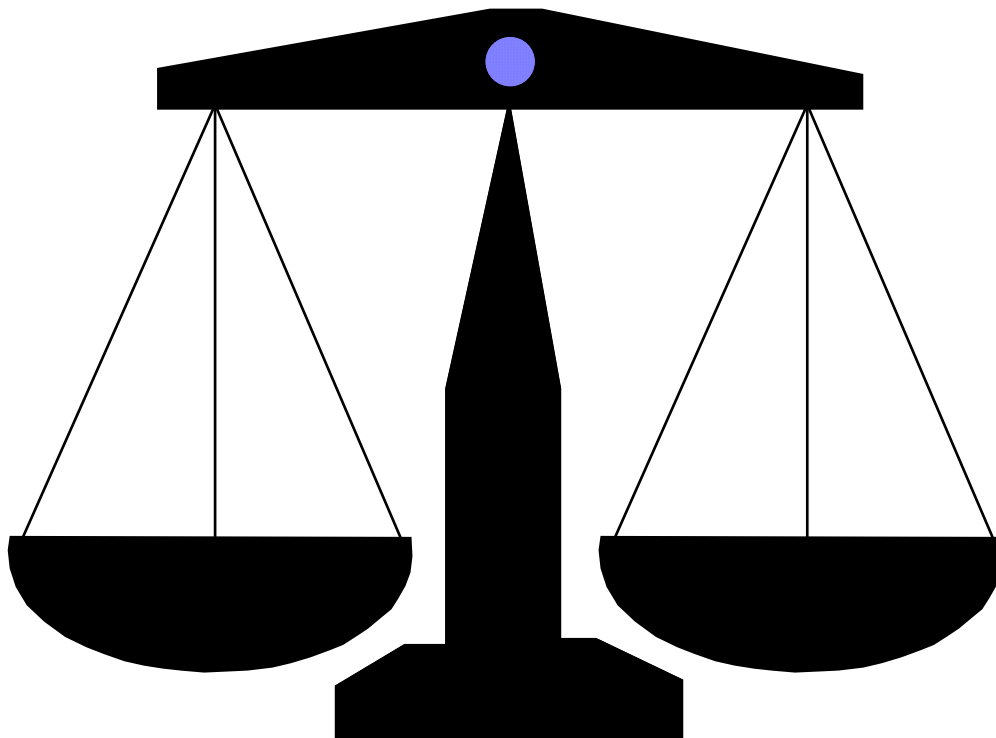


**RULES OF PRACTICE
OF THE GENERAL DIVISION OF THE
COMMON PLEAS COURT
OF WOOD COUNTY, OHIO**

**AS ADOPTED MAY 28, 1999
AND AS AMENDED THROUGH AUGUST 8, 2014**



A printable version of these rules appears online at
<http://www.co.wood.oh.us/lawlibrary/>

The General Division of the Common Pleas Court of Wood County, Ohio is comprised of:

Courtroom #1 Judge Robert C. Pollex

Location: Third Floor, Wood County Courthouse
Phone: 419-354-9210
Fax: 419-354-7626

Courtroom #2 Judge Reeve W. Kelsey

Location: Third Floor, Wood County Courthouse
Phone: 419-354-9220
Fax: 419-354-9223

Courtroom #3 Domestic Relations

Location: First Floor, Wood County Courthouse
Phone: 419-354-9290
Fax: 419-354-9291

Courtroom #4 Judge Alan R. Mayberry

Location: Fourth Floor, Wood County Office Building
Phone: 419-354-9600
Fax: 419-354-9612

RULES OF PRACTICE
GENERAL DIVISION OF THE
COMMON PLEAS COURT OF WOOD COUNTY, OHIO

TABLE OF CONTENTS

CHAPTER 1

PURPOSE, APPLICABILITY, AMENDMENTS AND DISTRIBUTION

<u>Rule</u>		<u>Page</u>
1.01	Purpose, Applicability, Amendments, Sanctions.....	1
1.02	Distribution of Local Rules.....	3
1.03	Incorporation of the Rules of Superintendence	4

CHAPTER 2

ADMINISTRATION OF THE COURT

<u>Rule</u>		<u>Page</u>
2.01	Presiding Judge and Administrative Judge.....	5
2.02	Conciliation Judge	6
2.03	Grand Jury Judge	7
2.04	Term and Hours of Court.....	8
2.05	Court Security	9
2.06	Weapons Prohibited.....	10

CHAPTER 3

FILING PROCEDURES

<u>Rule</u>		<u>Page</u>
3.01	Files and Filing Procedure	12
3.02	Electronic Filing and Facsimile Filing.....	15
3.03	Costs and Security for Costs	21
3.04	Electronic Return Receipts	26

CHAPTER 4
CIVIL CASE ADMINISTRATION

<u>Rule</u>	<u>Page</u>
4.01 Case Management.....	27
4.02 Assignment of Civil Cases to Judges.....	32
4.03 Review and Dismissal of Civil Cases.....	34
4.04 Motions.....	35
4.05 Orders and Judgments.....	37
4.06 Rule Days Not Fixed by Law.....	39
4.07 Discovery.....	40
4.08 Civil Pretrial.....	41
4.09 Notice of Hearings/Appearance of Counsel.....	43
4.10 Trial and Hearing Rules.....	44
4.11 Retention of Exhibits and Evidence.....	46
4.12 Videotape Depositions.....	48
4.13 Substitution and Withdrawal of Counsel/Entry of Appearance.....	49
4.14 Implied Notice of Clerk’s File.....	51
4.15 Magistrates in Civil Cases.....	52

CHAPTER 5
SPECIAL RULES FOR CRIMINAL CASES

<u>Rule</u>	<u>Page</u>
5.01 Grand Jury Proceedings.....	53
5.02 Assignment of Criminal Cases – Prosecutor’s Certification.....	55
5.03 Criminal Case Management Plan.....	58
5.04 Misdemeanor Cases.....	62
5.05 Discovery.....	63
5.06 Bail or Surety.....	64
5.07 Appointment of Probation Officers – Power to Arrest.....	67
5.08 Conditions of Probation or Community Control Sanctions.....	68
5.09 Violations of Conditions of Supervision.....	69
5.10 Work Release Program.....	70
5.11 Intensive Supervision Program.....	71
5.12 Reimbursement from Non-Indigent Offenders.....	72
5.13 Electronic Monitoring Program.....	73
5.14 Magistrates in Criminal Cases.....	74

CHAPTER 6
SPECIAL RULES FOR DOMESTIC RELATIONS CASES

<u>Rule</u>	<u>Page</u>
6.01 Commencing the Domestic Relations Case	75
6.02 Service by Posting in Indigent Cases	78
6.03 Hearings	79
6.04 Temporary Restraining Orders	83
6.05 Motion for Temporary Allocation of Parental Rights and responsibilities and Temporary Support	84
6.06 Motion for Exclusive Use of Premises	85
6.07 Domestic Violence and Stalking Actions	86
6.08 Reopening the Domestic Relations Case	87
6.09 Motion for Emergency Order.....	88
6.10 Motion to Show Cause Why a Party Should not be Held in Contempt of a Prior Court Order	89
6.11 Final Judgment Entries and Other Entries Involving Support	91
6.12 Guardians Ad Litem.....	93
6.13 Magistrates in Domestic Relations Cases	95
6.14 Transcripts for Domestic Relations Cases	96
6.15 Alternative Dispute Resolution.....	98
6.16 Shared Parenting	111
6.17 Standard Parenting Time Schedule.....	112
6.18 Exhibits for Domestic Relations Cases.....	113

CHAPTER 7
MISCELLANEOUS PROCEDURES

<u>Rule</u>	<u>Page</u>
7.01 Notary Public	114
7.02 Default Judgment	115
7.03 Cognovit Note.....	116
7.04 Guardian Ad Litem	117
7.05 Attorney Fees	118
7.06 Foreclosure, Quiet Title, Partition and Judicial Sale	119
7.07 Publicity	123
7.08 Broadcasting, Recording and Photographing During Court Sessions	124
7.09 Foreign Judgments	127
7.10 Out of State Subpoenas to be Served in Wood County	128
7.11 Summary Arbitration	129
7.12 Summary Jury Trial	136
7.13 Independent Lawyer Evaluation Program	139

7.14	Mediation in Civil Cases (Non-Domestic Relations)	142
7.15	Certification of Qualification for Employment.....	146
7.16	Court Records Management and Retention	150

CHAPTER 8
JURY USE AND MANAGEMENT

<u>Rule</u>	<u>Page</u>
8.01 Administration of the Jury Management Rules	151
8.02 Goals of the Jury Management Rules	152
8.03 Procedures for Obtaining Annual Jury List	153
8.04 Procedures for Summoning Jurors.....	154
8.05 Excuses and Deferrals from Jury Service	155
8.06 Voir Dire	156
8.07 Satisfaction of Jury Service Obligation	157
8.08 Prospective Juror Privacy	158

APPENDICES

Appendix A - Work Release Rules.....	A-1
Appendix B - Intensive Supervision Program Conditions	B-1
Appendix C - Conditions of Community Control	C-1
Appendix D - Recommended Special Sanctions	D-1
Appendix E - Electronic Monitoring Program Rules	E-1
Appendix F - Domestic Relations Schedule A.....	F-1
Appendix G - Domestic Relations Schedule B.....	G-1
Appendix H - Domestic Relations Parenting Affidavit Declaration	H-1
Appendix I - Domestic Relations Temporary Restraining Order.....	I-1
Appendix J - Case Designation Form.....	J-1
Appendix K - Domestic Relations Explanation of Medical Bills.....	K-1
Appendix L - Domestic Relations Separate Order for Health Insurance Coverage.	L-1
Appendix M - Domestic Relations Local Parenting Time Schedule.....	M-1
Appendix N - Domestic Relations Long Distance Parenting Schedule.....	N-1
Appendix O – Sample Facsimile Forms	O-1
Appendix P – Property Description Approval Form	P-1
Appendix Q – Real Estate Judicial Sale Purchaser Information Form.....	Q-1
Appendix R – Petition for Certificate of Qualification for Employment	R-1

Chapter 1

PURPOSE, APPLICABILITY, AMENDMENTS, AND DISTRIBUTION

RULE 1.01

PURPOSE AND APPLICABILITY OF THESE RULES AMENDMENTS, SANCTIONS, AND CITATION

A. The following Local Rules are adopted by the General Division of the Wood County Court of Common Pleas to provide the fair and expeditious administration of Civil and Criminal Justice. The provisions herein are to be construed and applied to eliminate delay, unnecessary expense and all other impediments to a just determination of civil and criminal cases.

B. The rules of practice of this Court for civil cases apply to all criminal and domestic relations proceedings, except where clearly inapplicable or otherwise provided.

C. These rules of Court shall apply in all proceedings in the General Division of the Wood County Common Pleas Court unless in a particular instance the judge finds justice is otherwise better served.

D. These rules may be amended upon the approval of a majority of the judges of the general division of the Court of Common Pleas.

E. Failure to comply with these rules may result in appropriate sanctions, including but not limited to, an award of attorney fees, costs, and dismissal of the action or granting of judgment.

F. These rules shall be cited as "Local Rule X.XX."

RULE 1.02

DISTRIBUTION OF LOCAL RULES

Copies of the Local Rules shall be deposited with and available from the Wood County Law Library by personal pickup or mail, the Wood County Clerk of Courts by personal pickup, and the three offices of the Court of Common Pleas, General Division by personal pickup.

RULE 1.03

INCORPORATION OF THE RULES OF SUPERINTENDENCE

The Rules of Superintendence for the Courts of Ohio as promulgated from time to time and amended by the Ohio Supreme Court are hereby adopted as rules of this Court except as they may be modified or implemented herein

CHAPTER 2

ADMINISTRATION OF THE COURT

RULE 2.01

PRESIDING JUDGE AND ADMINISTRATIVE JUDGE

A. The position of Presiding Judge shall be elected by a majority vote of the judges of the Court of Common Pleas.

B. The position of Administrative Judge shall be elected by a majority vote of the judges of the General Division of the Court of Common Pleas.

C. A minimum of monthly meetings shall be scheduled by the Administrative Judge of the General Division to discuss and act upon administrative and procedural matters of the General Division.

D. Each judge shall have the responsibility for case management and docket control of cases assigned to that judge.

RULE 2.02

CONCILIATION JUDGE

It is determined that social conditions and the number of domestic relations cases render the conciliation procedures provided for in Revised Code Chapter 3117 necessary for proper consideration of such cases or to effectuate conciliation of marital controversies.

For the purpose of implementing R.C. 3117.02 and consideration of motions for conciliation under R.C. 3105.091, unless otherwise ordered, each judge shall serve as Conciliation Judge as follows:

Even numbered years

The Judge of Courtroom One shall serve as Conciliation Judge for Courtroom Two.

The Judge of Courtroom Two shall serve as Conciliation Judge for Courtroom Four.

The Judge of Courtroom Four shall serve as Conciliation Judge for Courtroom One.

Odd numbered years

The Judge of Courtroom One shall serve as Conciliation Judge for Courtroom Four.

The Judge of Courtroom Two shall serve as Conciliation Judge for Courtroom One.

The Judge of Courtroom Four shall serve as Conciliation Judge for Courtroom Two.

RULE 2.03

GRAND JURY JUDGE

The Administrative Judge, pursuant to Crim. R. 6, shall designate a judge of the General Division of the Court to serve as Grand Jury Judge. The assignment of the Grand Jury Judge shall be rotated among the judges, and each assignment shall be for a term of three or four months.

Each year the judges shall determine the term of each grand jury, three or four months.

It shall be the responsibility of the Grand Jury Judge to hear any matters involving a defendant bound over but not yet indicted.

RULE 2.04

TERM AND HOURS OF COURT

A. The term of Court for the General Division shall be a calendar year with the Court being in a continuous session commencing January 1st of each such calendar year.

B. Except for those days designated by law as legal holidays, normal Court hours shall be 8:30 a.m. - 4:30 p.m. Monday through Friday, subject to change at the discretion of each judge to meet special situations.

RULE 2.05

COURT SECURITY

A. Appropriate levels of security should exist in the Court to protect the integrity of Court procedures, protect the rights of individuals before it, deter those who would take violent action against the Court or litigants, sustain the proper decorum and dignity of the Court, and assure that Court facilities are secure for all those who visit and work there.

B. Pursuant to Rule 9 of the Rules of Superintendence for the Courts of Ohio:

1. The Court has appointed a local security advisory committee, consisting of one representative of each of the following groups: judges, law enforcement responsible for court security, commissioners, and other bar and community groups as deemed appropriate by the Court.

2. The Court has implemented a local security policy and procedure plan that has addressed the Ohio Court Security Standards adopted by the Supreme Court of Ohio on October 17, 1994.

C. The Court shall adopt a security operations manual, which manual shall set forth written directives for the purpose of ensuring security within the Court while maintaining accessibility to the community.

RULE 2.06

WEAPONS PROHIBITED

A. No person, with the exception of those persons listed in section B of this rule, may convey or attempt to convey, possess or have under his or her control a deadly weapon or dangerous ordnance in the Wood County Courthouse or in another building or structure in which a Wood County Courtroom is located. This prohibition includes those persons licensed to carry a concealed weapon pursuant to R.C. 2923.125 or 2923.1213.

B. The following persons are permitted to convey, possess or have under their control a deadly weapon or dangerous ordnance in the Wood County Courthouse or in another building or structure in which a Wood County Courtroom is located:

1. A judge or magistrate of a court of record in Ohio.
2. A peace officer who is authorized to carry a deadly weapon or dangerous ordnance, who possesses that weapon or ordnance as a requirement of that peace officer's individual duties, and who is acting within the scope of his or her duties at the time of possession or control.
3. A person who conveys, attempts to convey, possesses or has under his or her control a deadly weapon or dangerous ordnance that is to be used as evidence in a pending criminal or civil action or proceeding.
4. A bailiff of the court or court constable authorized to carry a firearm by R.C. 109.77 who possess or has under his or her control a firearm as a requirement of his or her duties and who is acting within the scope of his or her duties at the time of

possession.

5. A prosecutor appointed by a county prosecuting attorney, who is authorized to carry a deadly weapon or dangerous ordnance in the performance of his or her duties, who possesses or has under his or her control a deadly weapon or dangerous ordnance as a requirement of his or her duties, and who is acting within the scope of his or her duties at the time of possession or control.

C. This courthouse does not provide the service of securing handguns, except to authorized law enforcement personnel.

CHAPTER 3

FILING PROCEDURES

RULE 3.01

FILES AND FILING PROCEDURE

A. FORM OF FILINGS, UNLESS DIRECTED OTHERWISE BY A JUDGE:

1. In addition to the requirements of Civ.R. 10, all papers filed with the Clerk as pleadings, motions, applications, judgments and orders shall be on 8-1/2 by 11 inch white paper, typewritten, or printed in a neat and legible manner, securely fastened together and page numbered if consisting of more than a single sheet.

2. Each paper filed by each party shall designate on the first page thereof the parties, the case number, the name of the judge, the identification of the filing, the name, address, Ohio Supreme Court registration number, telephone number and fax number, if any, of the counsel filing the paper or; if there is no counsel, then the party filing the paper.

3. All papers shall have a blank space of at least two and one-half (2-1/2) inches at the top of the first page for file marks by the Clerk. If such a space is not provided, the Clerk shall recopy the first page of the filing so that it has a 2-1/2 inch top margin and charge \$5.00 to the filing party.

4. All pleadings, motions or other papers of a party represented by an attorney shall be signed by at least one attorney of record. A party who is not represented by an attorney shall sign the pleading, motion or other paper. The Clerk shall reject any unsigned filing.

B. JURY DEMAND

If a jury demand, pursuant to Rule 38 of the Ohio Civil Rules of Procedure, is endorsed upon a pleading, the caption of the pleading shall state, "Jury demand endorsed hereon." Failure to comply with Ohio Civil Rule 38 shall result in the case being tried to the Court and failure to include this statement on the caption shall be a waiver of jury trial, regardless of a demand for jury in the body of the pleading.

C. CASE DESIGNATION FORM

At the time a complaint is filed in a civil case or a domestic relations case, the Plaintiff or Plaintiff's counsel shall provide the Court with the classification of case as required by the Supreme Court of Ohio in addition to information on any previously filed cases, whether pending or terminated, which may be related to the case being filed. A case designation form will be provided by the Clerk of Courts for this purpose. If a party fails to file the case designation form pursuant to this rule, the Clerk may reject the filing and return the pleadings to the submitting party.

"A related civil case" is a prior or pending case that involves one or more of the same parties and which arises out of the same acts, incident, occurrence or transaction.

D. NUMBER OF COPIES TO BE FILED

Upon the filing of a complaint or any other pleading or motion for which the service of summons by the Clerk of Courts is required, sufficient copies shall be filed so that one copy thereof may be provided to each party and one additional copy of a pleading, motion or other filing shall be provided for the judge.

In all cases of aggravated murder where the indictment contains a specification permitting

the imposition of the death penalty, all filings with the Clerk of Courts shall contain one original and two copies.

E. FILE SHALL REMAIN IN CLERK'S OFFICE

All papers filed with the Clerk in any action or proceeding shall remain in the Clerk's office except when required by the Court. No case file shall be removed from the Clerk's office by any party or any attorney.

F. AMENDING A PLEADING OR MOTION

Pleadings and motions may be amended at such time and in a manner provided by Civ.R. 15. However, no pleading or motion shall be amended by interlineation or obliteration, except upon leave of court.

G. FILING VIDEO DEPOSITIONS

The filing of video deposition shall conform to Sup. R. 13, and in addition, a typed certified copy of the transcript and a list of objections shall be filed along with the video deposition. See also, Local Rule 4.12.

H. SIGNATURE LINE

All magistrate's decisions and all orders of the magistrates and judges shall have the name of the respective magistrate or judge printed or typed below their respective signature line.

Rule 3.02

ELECTRONIC FILING AND FACSIMILE FILING

The provisions of this local rule are adopted under Civ.R. 5(E), Crim.R. 12(B), and App.R. 13(A). All documents must abide by the Supreme Court of Ohio Superintendence Rules 44-47.

Pleadings and other papers may be filed with the Clerk of Courts by facsimile transmission to 419-354-9241 and by electronic transmission to clerkofcourts@co.wood.oh.us. All electronically filed documents must be submitted in either Adobe Portable Document Format (.pdf) or Microsoft Word 97-2003 format (.doc).

A. APPLICABILITY

1. These rules apply to civil, criminal, appellate, and domestic relations proceedings in the Wood County Common Pleas Court.
2. The following documents will not be accepted for electronic or fax filing:
 - Original complaint and accompanying paperwork for a new domestic or civil case action*
 - Cognovit promissory notes
 - Post decree motion*
 - Answer with cross complaint requiring service
 - Debtor's exam
 - Writ of possession
 - Garnishment
 - Order in Aid
 - Service by publication and/or praecipe for order of sale
 - Liens- neither filing nor releases
 - Registration of a notary
 - Evidentiary materials attached to motions that are not on 8.5" by 11" paper
 - Making and/or filing and/or releasing of a certificate of judgment
 - Request for execution by the Sheriff
 - Filing of an appeals action (can be received by facsimile or electronically if they are in forma pauperis)*
 - Filing of a motion/application for sealing or expungement of a criminal record
 - Any document required to be certified or authenticated
 - Any document in whole or part under seal
 - Written pleas of not guilty
 - Written pleas of not guilty by reason of insanity

- Any pleadings for filing that require a deposit for costs for witness fee
- Any document that requires the Clerk's office to provide service

*The Clerk's office will accept electronic or facsimile transmission of the indicated items if payment is submitted before filing through the Wood County Clerk of Courts website.

3. In order to preserve the confidentiality of all filings, documents, and reports, any document that may contain information covered by the Health Insurance Portability Accounting Act, will not be permitted to be filed with the Clerk of Courts by electronic or facsimile filing.

B. ORIGINAL FILING

1. A document filed electronically or by fax shall be accepted as the effective original filing. The person making an electronic or fax filing need not file any source document with the Clerk of Court but must, however, maintain in his or her records and have available for production on request by the Court, the source document filed electronically or by fax, with original signatures as otherwise required under the applicable rules, together with the source copy of the electronic or facsimile cover sheet used for the subject filing.
2. The source document filed electronically or by fax shall be maintained by the person making the filing until the case is closed and all opportunities for post judgment relief are exhausted.

C. DEFINITIONS

As used in these rules, unless the context requires otherwise:

1. "Electronic filing" (e-filing) refers to the process of transmitting a source document electronically via the public Internet to the Clerk's office for the purpose of filing the document and refers, as indicated by the context, to the means of transmission or to a document so transmitted.
2. "Electronic mail" (e-mail) refers to the transmission and distribution of messages, information, documents, etc., from one computer terminal to another.
3. A "facsimile transmission" means the transmission of a source document by a facsimile machine that encodes a document into optical or electronic signals, transmits and reconstructs the signals to print a duplicate of the source document

at the receiving end.

4. A “facsimile machine” means a machine that can send and receive a facsimile transmission.
5. “Fax” is an abbreviation for “facsimile” and refers, as indicated by the context, to facsimile transmission or to a document so transmitted.

D. COVER PAGE

1. Any electronic or facsimile copy filed pursuant to this rule shall conform to the requirements of Civil Rules 10 and 11.
2. When submitting a document electronically, DO NOT include a cover page as the first page of the document. The first page of the electronic document will be file stamped. If a cover page is necessary, include the cover page as the last page of the document.
3. When filing by facsimile, the filing shall include a cover page which contains the following information (See appendix O-2 for sample cover page form):
 - (I) the name of the court;
 - (II) the caption of the case;
 - (III) the case number;
 - (IV) the assigned judge;
 - (V) the title of the document being filed (e.g. Defendant Jones’ Answer to Amended Complaint; Plaintiff Smith’s Response to Defendants’ Motion to Dismiss; Plaintiff Smith’s Notice of Filing Exhibit “G” to Plaintiff Smith’s Response to Defendants’ Motion to Dismiss);
 - (VI) the date of transmission;
 - (VII) the transmitting fax number;
 - (VIII) an indication of the number of pages included in the transmission, including the cover page;
 - (IX) if a judge or case number has not been assigned, state that fact on the cover page;
 - (X) the name, address, telephone number, fax number, Supreme Court registration number, if applicable, and e-mail address of the person filing the fax document if available; and
 - (XI) if applicable, a statement explaining how costs are being submitted.

4. If a document is sent by fax to the Clerk of Court without the cover page information listed above, the Clerk may, at its discretion:
 - (I) enter the document in the Case Docket and file the document; or
 - (II) deposit the document in a file of failed faxed documents with a notation of the reason for the failure; in this instance, the document *shall not* be considered filed with the Clerk of Courts.

The time of receipt of any document is the date and time imprinted on the document by the facsimile machine receiving the transmission.

The Clerk of Courts' e-mail and fax machine are available 24 hours per day 7 days per week.

5. The Clerk of Court is not required to send any form of notice to the sending party of a failed electronic or fax filing. However, if practicable, the Clerk of Court may inform the sending party of a failed electronic or fax filing.
6. If the attorney requires a file-stamped copy of an e-filed or fax-filed document, he or she can access the online docket through the Clerk of Court's attorney portal at <http://pub.clerkofcourt.co.wood.oh.us/eservices/home.page?prtlCd=ATTORNEY>. If the attorney has not accessed the portal previously, he or she must contact the Clerk of Courts to set up an account.

E. SIGNATURE

1. A party who wishes to file a signed source document by fax or electronically shall either:
 - (I) Fax or e-file a copy of the signed source document; or
 - (II) Fax or e-file a copy of the document without the signatures with the notation “/s/” followed by the name of the signing person where the signature appears in the signed source document.
2. A party who files a signed document by fax or electronically represents that the physically signed source document is in his/her possession or control.
3. The signature “/s/ (name)” on a fax filed or e-filed document is deemed to constitute a signature for the purposes of signature requirements imposed by the Ohio Rules of Superintendence, Rules of Criminal Procedure, Rules of Civil Procedure, and/or any

other law.

F. EXHIBITS

1. Each exhibit to an electronically or facsimile produced document that cannot be accurately transmitted via electronic or facsimile transmission for any reason must be replaced by an insert page describing the exhibit and why it is missing. Unless the court otherwise orders, the missing exhibit shall be filed with the court, as a separate document, no later than five (5) court days following the filing of the electronic or facsimile document. Failure to file the missing exhibits as required by this paragraph may result in the court striking the document and/or exhibit.
2. Any exhibit filed in this manner shall be attached to a cover sheet containing the caption of the case which sets forth the name of the court, title of the case, the case number, name of the judge and the title of the exhibit being filed (e.g., Plaintiff Smith's Notice of Filing Exhibit "G" to Plaintiff Smith's Response to Defendant's Motion to Dismiss), and shall be signed and served in conformance with the rules governing the signing and service of pleadings in this court. (See Appendix O-3 for sample exhibit cover sheet).

G. TIME OF FILING

1. Subject to the provisions of these rules, all documents sent by electronic or facsimile transmission and received by the Clerk shall be filed *upon approval* by the Clerk of Courts. If an electronic or facsimile copy is received by the Clerk after 4:30 P.M. on a regular business day or anytime on a weekend or holiday, the electronic or facsimile copy may be filed on the next regular business day by the Clerk.
2. Electronic filings may NOT be sent directly to the court employees' e-mail addresses, but may only be transmitted directly through the Clerk of Court's e-mail address.
3. Fax filings may NOT be sent directly to the court for filing, but may only be transmitted directly through the facsimile equipment operated by the Clerk of Courts.
4. The Clerk of Court may, but need not, acknowledge receipt of an electronic or facsimile transmission.
5. The risks of transmitting a document electronically or by fax to the Clerk of Courts shall be borne entirely by the sending party. Anyone using electronic or facsimile filing is urged to verify receipt of such filing by the Clerk of Court through whatever technological means are available.

H. FEES AND COSTS

1. The filing of pleadings, court orders or other papers subsequent to the original complaint not requiring a security deposit pursuant to Local Rule 3.03, may be filed with the Clerk by electronic or telephonic facsimile transmission. No document may be filed electronically or by facsimile that requires a filing fee shall be accepted by the Clerk for filing until court cost and fees have been paid. Court cost and fees may be paid to the Clerk by check, cash, money order, credit or debit card. Documents tendered to the Clerk without payment of court cost and fees, or which do not conform to applicable rules will not be filed.
2. No additional fee shall be assessed for incoming electronic or facsimile filings.

I. LENGTH AND SIZE OF DOCUMENT

1. Electronic filings shall not exceed 25 MB in size. Facsimile filings shall not exceed 25 pages in length. The filer shall not transmit service copies by facsimile. If the filing will exceed the allowed length or size, the filer must call the Clerk's office at 419-354-9280 for direction.

J. EFFECTIVE DATE

1. These provisions of the electronic and facsimile filing rule shall be effective August 8, 2014, and shall govern all proceedings in actions brought after they take effect and also further proceedings in pending actions, except to the extent that, in the opinion of the court, their application in a particular action pending on the effective date would not be feasible or would work an injustice, in which event, the former procedure applies.

RULE 3.03

COSTS AND SECURITY FOR COSTS

A. No motion to proceed In Forma Pauperis shall be granted by the Court unless there is attached thereto a statement by the attorney for the party executing such affidavit that he or she has not accepted and will not accept any attorney's fees in said cause until the costs are paid or secured to be paid.

B. Unless a motion to proceed In Forma Pauperis is filed and accepted by the Court or the Court waives deposit for costs or costs, the following amounts shall be deposited with the Clerk of Courts:

1. \$200 - Civil Suits, excluding Foreclosure actions and Domestic Relations actions (includes a special projects fee of \$50.00 per R.C. 2303.201(E)(1)).
2. \$300 - Divorces and Legal Separations
\$200 - Dissolutions
 - a. However the Court may determine at the first hearing the party most able to make the deposit; and upon Order of the Court, that party shall deposit an amount determined by the Court; and if the Court so orders, the Clerk shall refund the original deposit to the extent the combined deposit exceeds that required.
 - b. Failure by the party to deposit the amount ordered may result in the party being sanctioned including the striking of any pleading or the case proceeding as in default.
3. \$110 - Reopened Domestic Relations cases.
4. \$40 - Consent Judgment Entries for Domestic Relations cases. No consent entry will be accepted unless accompanied by a deposit.
5. \$40 - Filing of notice pursuant to provisions of Final Judgment or Statute.

6. \$75 - Qualified Domestic Relations Order for Domestic Relations cases. No order will be accepted unless accompanied by a deposit.
7. \$400 - Real Estate Foreclosure actions (includes a special projects fee of \$50.00 per R.C. 2303.201(E)(1)). An additional deposit of \$725 is required when the Praecipe for Order of Sale is filed.
8. \$100 - Motion to vacate, revive, or modify judgment. Proceedings in aid of execution deposit must include estimated fees for appraisers and related costs.
9. \$20 - Service of Summons or execution on each non-resident defendant when service by foreign sheriff is required.
10. \$500 - Additional for any civil or domestic relations case requiring service by publication.
11. \$180 - Notice of Appeal from tribunals, commissions or administrative agencies (includes a special projects fee of \$50.00 per R.C. 2303.201(E)(1)).
12. \$100 - Counterclaim, cross-complaint or third-party complaint.
13. \$50 - Judge or Jury View, per view. The deposit must be paid 30 days before trial or the Judge or Jury view is waived.
14. \$300 - Jury deposit. The deposit must be paid 30 days before trial or jury trial is waived.
15. \$175 - Expungement of criminal conviction.
16. \$75 – Petition for Certification of Qualification for Employment.
17. If a party is due a refund of deposit in any case, before making said refund, the Clerk of Courts may apply said refund to any court costs then owed by said party.

C. Unless a poverty affidavit is filed and accepted by the Court, the following amounts shall be paid to the Clerk of Courts:

1. \$150 - Writ of possession or execution.
2. \$35 - Judgment lien.
3. \$50 – Foreign Judgment

4. \$5 - Release of judgment lien.
5. \$40 - Release of tax lien.
6. \$.06 – Copy fee per page.
7. Facsimile documents
 - a. \$2 – Usage fee of \$2, plus \$1 per page, payable to the Clerk of Courts for transmitting from the Clerk's electronic facsimile machine.
 - b. The costs associated with facsimile transmissions shall be billed immediately to the party either transmitting or requesting receipt of facsimile copies.
 - c. If the attorney requires a file-stamped copy to be returned to him or her and has not provided a copy for this purpose or if the attorney has not provided a copy for the judge's file, the charge for making copies will be \$.06 per page. (See Local Rule 3.01(D)).
8. \$5 - for recopying the first page of a document so that the required top margin is preserved. (See Local Rule 3.01(A)(3)).

Unless otherwise ordered by the Court, payments received by the Clerk of Courts in a case where more than one financial obligation exists shall be applied in the following order:

1. To any order of restitution
2. To Court costs
3. To any order to reimburse Wood County for costs of appointed counsel, incarceration, community control sanction or any further financial sanction
4. To any fines

D. If a check or other negotiable instrument for deposit for costs is dishonored for any reason, the filing may be dismissed by the Court after 10 days notice is given to the filer for failure to pay the required security for costs.

E. If at any time the deposit for costs becomes insufficient in any case, the Clerk shall require of the appropriate parties an additional deposit in an amount sufficient to secure the reasonably anticipated additional costs.

F. When a judgment entry orders payment of costs by a party who has a deposit with the Clerk, the costs shall be deducted from that party's deposit, if sufficient, and any balance shall be returned to the depositor. If, however, the deposit is insufficient or that party has no deposit, then the amount still due shall be billed to that party. If there is a failure to pay within sixty (60) days from the Clerk's cost statement by the party so ordered, the Clerk shall deduct the costs from any deposit held in that case.

G. If notice of voluntary dismissal is filed by a plaintiff or an appellant, the dismissal shall be at the cost of the dismissing party, unless otherwise ordered.

H. When an entry terminating a pending matter does not specify who is to pay the court costs, the Clerk shall:

1. In civil proceedings initiated by the Wood County Child Support Enforcement Agency, assess the costs to the Wood County Child Support Enforcement Agency IV-D contract.
2. In all other civil proceedings, deduct the costs equally from any deposits held and refund the remainder. If the deposits are insufficient to satisfy the court costs, the Clerk shall then assess the excess costs to the parties equally unless otherwise ordered. If there are no deposits, the Clerk shall assess the costs to the Plaintiff/Movant/Initiator.

I. The commission charged by the Clerk of Courts pursuant to R.C. 2303.20(V) shall be paid by the party paying or depositing money at the time of payment or deposit with the clerk unless otherwise ordered by the Court.

J. At the termination of any case, the Clerk shall not bill any party for costs less than \$5.00. The Clerk shall not refund any balance remaining from a deposit that is \$5.00 or less, unless a written request for the refund is made within 14 days after the termination of the case.

K. Arrangements for the payment of the costs of transcripts shall be made with the Court Reporter at the time the transcript is ordered.

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RULE 3.04

ELECTRONIC RETURN RECEIPTS

The Clerk of Courts is authorized to use electronic return receipts from the United States Postal Service for certified mail service. Electronic proof of service for certified or express mail sent by the Court shall be deemed in compliance with the service requirements of the Civil Rules. The use of electronic return receipts is not mandatory.

CHAPTER 4

CIVIL CASE ADMINISTRATION

RULE 4.01

CASE MANAGEMENT

A. CASE TERMINATION SCHEDULE

While there may be exceptions due to the peculiarities of a given case, it is the intent of the Court that cases of the following classification be terminated within the time frame set forth from the date of filing:

Habeas Corpus	60 days
Foreclosure.....	150 days
Administrative Appeals	180 days
Forcible Entry and Detainer	120 days
Declaratory Judgment	210 days
Injunction	180 days
Other Civil	240 days
Worker's Compensation.....	240 days
Personal Injury	360 days
Product Liability	360 days
Professional Torts	360 days
Other Torts	360 days
Complex Litigation.....	720 days

B. INCOMPLETE SERVICE

1. If service is not completed or service by publication is not commenced on all parties within 60 days after filing of the complaint, counsel for plaintiff will be directed to complete service or the matter may be dismissed against unserved defendants.
2. If 30 days after this notice is served service has not been obtained nor effort made to attempt service, then, unless the Court determines for good cause otherwise, the action may be dismissed with regard to unserved defendants.

C. SCHEDULING ORDER

Within 70 days after filing of complaint, an order including but not limited to a scheduling order will be prepared and filed by the Court setting the trial date, pretrial dates, timing of discovery, filing of motions, timing of Alternative Resolution Procedure, and preparation of the joint pretrial statement.

D. JOINT PRETRIAL STATEMENT

1. The pretrial order may provide for the filing of a joint pretrial statement. If a joint pretrial statement is required, then it shall be as follows:
 - a. Counsel shall prepare a joint pretrial statement which shall be delivered by the initiating party's counsel to the Court no later than one week prior to final pretrial conference.
 - b. The joint pretrial statement shall not be filed with the Clerk.
2. The joint pretrial statement shall contain the following:
 - a. A concise statement of the general claims and defenses of the parties;
 - b. Those facts established by admissions in the pleadings, admissions by discovery and stipulations by counsel;
 - c. The contested issues of fact;
 - d. The contested issues of law, together with counsels' respective positions with regard to the applicable law, with citations of authority for counsel's position;
 - e. The names and addresses of all witnesses, together with a brief statement of the subject matter and general import of each witness's expected testimony;
 - f. The names, addresses and qualifications of the expert witnesses expected to testify, together with a brief statement of each expert witness's expected testimony;
 - g. A list of exhibits each counsel intends to offer into evidence marked as follows:
 - (1) Joint exhibits with Roman numerals;

- (2) Plaintiff's exhibits with Arabic numerals;
 - (3) Defendant's exhibits with letters;
 - (4) Third-party exhibits identified as such.
- h. Motions in limine not already filed;
 - i. An itemization of all special damages being requested;
 - j. Each counsel's expected time of trial needed to present its side of the case;
 - k. The status of settlement negotiations including most recent specific demands and offers;
 - l. Requested jury instructions (other than boilerplate);
 - m. Certification that copies of all exhibits to be introduced have been provided to opposing counsel.
- 3. The deadline for filing of the joint pretrial statement is firm and may be extended only by leave of Court for good cause shown.
 - 4. Failure to submit the joint pretrial statement in a timely manner may result in the imposition of appropriate sanctions, including exclusion of testimony or exhibits, denial of claims, directed verdicts, dismissal of the case or contempt of court.
 - 5. It is recognized that preparation of the joint pretrial statement shall require considerable time and cooperation between counsel. To ensure completion the first named plaintiff shall initiate a joint pretrial draft two weeks prior to the due date. If such plaintiff has been dismissed or fails to initiate, first named defendant shall initiate. It is therefore suggested that discussion and preliminary drafting be commenced at least a couple of weeks before its due date. Filing of an incomplete joint pretrial statement supplemented with later amendments thereto will not be considered compliance with this Rule.

E. DISMISSAL UPON SETTLEMENT

Upon report of settlement of case, the Court may at any time thereafter file an entry of dismissal and may assess costs, and/or may instruct counsel to prepare and present a termination entry for approval within 28 days.

F. CONTINUANCES

All applications for the continuance of any scheduled event must be in writing, and if the event to be continued is a trial, the application must be signed by counsel and his or her client.

1. No event will be continued without contemporaneously reassigning a fixed date.
2. All applications for continuances shall be submitted to the Court at least 14 days prior to the scheduled date for the event sought to be continued, absent emergency or cause deemed sufficient by the Court.
3. All applications shall set forth the reason for the request, the time and date of the current assignment, and a new date within 60 days which has been approved by the Court and opposing counsel, in the event the Court grants the application for continuance.
4. If the reason is another case scheduled on the same date in another Court, the application shall include the name of the Court and assigned judge (with phone number), case caption, the date and time of the conflicting case and the date that the conflicting case was assigned for trial.

G. JURY VIEW

Except as provided by law a jury view shall be requested at least 30 days before trial unless otherwise ordered. (See Local Rule 3.03(B)(13))

H. REFERRAL TO SUMMARY ARBITRATION

The Court may at any time order any case to be heard and decided by summary arbitration pursuant to Local Rule 7.11.

I. REFERRAL TO MANDATORY MEDIATION

The Court may order any case to mediation if it determines that the just and fair disposition of the case may be served.

J. REFERRAL TO SUMMARY JURY TRIAL

The Court may order a case to be heard by summary jury trial pursuant to Local Rule 7.12.

K. INDEPENDENT LAWYER EVALUATION

The Court may order a case to the independent lawyer evaluation program pursuant to Local Rule 7.13.

RULE 4.02

ASSIGNMENT OF CIVIL CASES TO JUDGES

A. The Clerk shall use a system of random assignment of all civil and domestic relations cases whereby the cases shall be distributed equally among the judges over a fixed number of cases.

B. All civil and domestic relations cases shall be assigned by lot pursuant to Local Rule 4.02(A), unless there is a prior related case. A related civil case is a prior or pending case that involves one or more of the same parties and which arises out of the same acts, incident, occurrence or transaction. If there is or has been a related case, the Clerk shall assign the case to the Courtroom that handled or is handling the related case or that may have considered a pre-case filing matter in the case to be assigned. A related case to a domestic relations or domestic violence filing includes any prior or pending domestic violence or domestic relations case in which the petitioner to the new filing is or was a party.

C. If a case that has been assigned by random assignment is transferred for good cause by the Administrative Judge after the original assignment of the case, the receiving and administrative judge shall transfer the next case assigned to the receiving judge, in the same Civil or Domestic Relations classification, to the transferring judge.

D. If there is a motion to consolidate cases due to commonality of issues and/or parties, the Court may consolidate the cases into the first filed case. Any filings thereafter filed bearing the caption of a case which has been consolidated into an earlier case shall be filed by the

Clerk in the earlier case. Upon the consolidation of cases, the Clerk shall also consolidate any deposits and costs.

E. All matters, orders or judgments shall be considered by the assigned judge unless said judge is unavailable and prompt consideration is required, in which case, another Common Pleas judge may consider and rule on said matter. Orders may be submitted for signature to another judge if the assigned judge is not available or as otherwise authorized by a filed Judgment Entry.

RULE 4.03

REVIEW AND DISMISSAL OF CIVIL CASES

A. Each Judge shall quarterly review or cause to be reviewed all cases assigned to the respective court.

B. Cases which have been on the docket for six months without any proceedings or activity taken therein shall be dismissed for lack of prosecution after notice to counsel of record or parties, unless good cause is shown to the contrary.

RULE 4.04

MOTIONS

A. Each motion must be submitted by separate pleading with representations of fact to support the motion and a memorandum of law containing citations to authority in support of the motion.

B. If the motion is one to continue a matter, to vacate a hearing or trial, or a similar motion where citations are not necessary, the memorandum must contain representations of fact verified by the attorney or an affidavit in support of the motion. (See also Local Rule 4.01(F)).

C. All motions must be accompanied by a separate proposed Order.

D. The following motions may be considered ex parte:

1. Confirmation of sale (granted immediately if approved by all parties, otherwise, granted 5 days after sale);
2. Amend a pleading;
3. File a third party complaint;
4. Withdraw as attorney of record (as set forth in Local Rule 4.13);
5. Enlarge time to move or plead;
6. Vacate a trial or hearing date;
7. Substitute parties;
8. Compel discovery;
9. Reconsider;
10. Dismiss by stipulation;

11. Temporary restraining order (for domestic relation cases, see Local Rule 6.04);
12. To intervene;
13. For leave to answer or otherwise plead;
14. Motion in limine;
15. Motions for admission Pro Hac Vice;
16. Any other motion, for good cause shown.

E. For all motions not specified in (D) above, opposing counsel shall serve any desired response within 14 days after service of the initiating filing unless otherwise ordered.

F. Motions for summary judgment shall be deemed submitted twenty-eight days after the motion is filed. Unless required by other Rule or requested by counsel, all other motions shall be considered submitted upon the written motion, affidavits, and memoranda. If counsel requests a hearing, it must be endorsed upon the motion and included in the caption.

G. Any motion to file an amended pleading shall have a copy of the proposed amended pleading attached thereto.

RULE 4.05

ORDERS AND JUDGMENTS

A. The court shall transmit, or direct the Clerk of Courts to transmit, copies of judgment entries or other orders to all counsel and unrepresented parties and represented parties if so ordered.

B. Copies of a Judgment Entry, or an Order prepared by counsel, shall be in sufficient quantity so the Clerk of Courts may distribute one to each trial counsel and unrepresented parties.

1. Judgment entries and orders of dismissal by compromise prepared by counsel shall be approved by all counsel of record, and submitted to the Court within twenty-eight (28) days after notice to the Court of settlement or as otherwise agreed by the Court.
2. Failure to submit the appropriate Judgment entry or order by counsel may result in the Court preparing and filing a dismissal or taking other appropriate action.
3. Any counsel who has been assigned the preparation of an entry or order shall provide a copy of the submitting cover letter to the court.
4. If counsel to whom the entry or order has been sent does not object, then he/she shall sign the entry and return it to the preparing counsel. If counsel does not agree with the submitted entry or order, he/she shall prepare and submit to the original preparing counsel an entry with proposed modification and a copy of the responding cover letter to the court.
5. If no response is made to original preparing counsel within fourteen (14) days, preparing counsel shall submit the entry or order to the court with the following certification:

“I HEREBY CERTIFY THAT THE FOREGOING ENTRY OR ORDER WAS (MAILED, DELIVERED, OR FAXED) TO _____, COUNSEL FOR PLAINTIFF/DEFENDANT, ON THE ____ DAY OF _____, 20__ AND HAS NOT BEEN RETURNED, REVISED NOR OBJECTED TO.”

6. If counsel cannot agree on an entry or order within twenty-eight (28) days of original submission then copies of both the original and response order or entry drafts shall be submitted to the court and the court may make its own entry.

C. The court shall include the vehicle identification number (VIN) in every order directing the issuance of title to a motor vehicle.

D. All final appealable orders will be delivered to counsel and unrepresented parties and represented parties if so ordered by the Clerk by regular U.S. mail within three days of journalization. If counsel desires the Clerk to provide an additional copy in their mailbox in the Clerk's office, counsel will submit an additional copy to those required in Local Rule 3.01(D) noting thereon the special delivery requested.

RULE 4.06

RULE DAYS NOT FIXED BY LAW

In all cases where the time for the filing and service of a notice or pleading is not otherwise fixed by law or applicable rule, a response to a pleading, motion, amended pleading, or other paper, shall be filed and served on or before the 14th day after the date of service of the pleading, motion, or other paper, requiring the response. Any reply to said response shall be filed and served on or before the seventh day after the date of service of the response.

Rule 4.07

DISCOVERY

A. Counsel shall participate in timely pretrial discovery in order to limit the issues in controversy.

B. The report and all relevant documents of an expert witness shall be provided opposing counsel at least ten days prior to the taking of said expert's deposition.

RULE 4.08
CIVIL PRETRIAL

A. At any civil pretrial conference set by the Court, counsel shall be prepared to discuss the following:

1. Pleadings
2. Jurisdiction
3. Venue
4. Pending motions
5. Itemization of expenses and special damages
6. Possibility of settlement
7. Dates for completion of discovery and trial, unless prior order has determined such
8. Simplification of issues
9. Additional deposits as security for costs, including jury fees
10. Alternate dispute resolution

B. At the final pretrial conference, counsel may be directed to submit to the Court all written stipulations of fact and anything required by Local Rule 4.01(D) that had not been earlier submitted.

C. At the conclusion of the pretrial conference an order will be prepared reciting the action taken and controlling the subsequent course of the action. The Court may advise those parties present of the matters dealt with in the pretrial conference, on or off the record.

D. Settlement pretrial conferences shall be attended by all parties, insurance adjusters, and their attorneys. The Court may order all parties, insurance adjusters and their attorneys to be present for preliminary pretrial conferences, except scheduled telephone pretrial conferences. All counsel shall be authorized and prepared to enter into such stipulations and agreements as may be appropriate. Any additional persons necessary to enter into agreements shall be present or immediately available to the conference.

E. Failure of counsel or a party, if not represented, to appear at any scheduled pretrial conference or otherwise fail to comply with the pretrial order, may result in dismissal, default, or the imposition of sanctions as the Court may decide.

RULE 4.09

NOTICE OF HEARINGS/APPEARANCE OF COUNSEL

A. Unless oral notice is provided by the Court at a prior proceeding, the Court shall send written notice of all hearing dates to counsel and unrepresented parties and represented parties if so ordered. Notice to counsel shall be at the address on pleadings or the mailbox in the Clerk of Courts office. Notice to parties shall be mailed to the address on the pleadings or the Clerk's record of return of service.

B. When a party is dismissed or withdrawal or substitution of counsel is ordered, said party and/or counsel shall be shown as dismissed on the Clerk's computerized records.

RULE 4.10

TRIAL AND HEARING RULES

A. Plaintiff shall occupy the table nearest the jury box and Defendant shall occupy the other table.

B. Only one counsel for each adverse party will be permitted to speak on any interlocutory matter, or upon any question arising in the trial or proceeding, and but one counsel for each adverse party will be permitted to examine or cross-examine the same witness. Exceptions by leave of court only.

C. All counsel and parties shall remain seated except when addressing the Court, Jury or a witness. A witness shall not be approached except when examined regarding an exhibit or as otherwise permitted by the Court.

D. Only one person may speak at a time.

E. Counsel shall provide the names and addresses of all witnesses for the court reporter in writing in advance of their testimony together with spelling of any anticipated unusual or technical terms.

F. The party requiring special presentation equipment shall be responsible for providing the equipment for trial and the cost thereof.

G. Except for court security or police officers present for security purposes, no personal communication equipment, i.e. pager, cellular phone, etc. shall be activated or used in the courtrooms.

H. Counsel and parties are expected to appear timely in all matters. Late appearances may be expected to generate financial sanctions reflective of extent of delay and number of those affected.

Rule 4.11

RETENTION OF EXHIBITS AND EVIDENCE

A. The Official Court Reporter shall receive and hold all exhibits proffered and/or admitted into evidence during trial in any case. Exhibits marked and/or used but not offered shall remain with the Court Reporter for purpose of any appeal. The exhibits shall be secured until release is consented to, court ordered, or the documents and list of exhibits are filed with the Clerk of Courts as part of the transcript of an appeal.

B. All evidence received pursuant to A shall be held until the appeal time has expired. Evidence shall then be returned to the party submitting it unless otherwise disposed of pursuant to Court order. Persons receiving such evidence must sign a receipt.

C. Evidence held by a law enforcement agency shall be controlled by R.C. 2981.01, et seq.

D. Exhibits that were not offered as evidence shall be returned by the court reporter to the owner at the end of the trial. The owner of these exhibits shall execute a receipt for exhibits returned, but no court order shall be required.

E. After all appeal time has expired the Clerk of Courts may dispose of any exhibits, depositions or transcripts remaining in the Clerk's office. The Clerk, after notice to the parties or their attorneys, shall dispose of these items unless application is made for their return within sixty (60) days of the date of the notice.

F. Exhibits in the custody of the Official Court Reporter and/or the Clerk of Courts may be returned to the offering party six (6) months after the expiration of the appeal process by signing a receipt which indicates the exhibits to be returned. If said exhibits are not obtained within six (6) months of the expiration of the appeal process, after notice to the parties or their attorneys, the exhibits may be destroyed, except exhibits from criminal cases, which will be turned over to the Wood County Prosecuting Attorney's office.

G. Records in the custody of the Clerk of Courts and the shorthand notes of the Official Court Reporter may be destroyed ten (10) years after a case is concluded and after compliance with Section 149.40 of the Ohio Revised Code, except the following:

1. Murder and Aggravated Murder cases which shall be maintained permanently.
2. Case files of matters which resulted in a final judgment determining title or interest in real estate which shall be retained permanently.

RULE 4.12

VIDEOTAPE DEPOSITIONS

The taking of and filing of video depositions shall conform to Sup.R. 13 and the following rules:

A. Objections must be made after the question or answer. Counsel should state the basis for the objection on the record and may read citations into the record.

B. Any party filing a video deposition, which contains objections, shall file the video deposition at least ten days before trial. Within seven days of the filing of a video deposition either party may file a "Request for Hearing on Objections" prior to trial. Upon the court's ruling on the objections, then the Court may order an edited copy be prepared.

C. The original and any edited version of the videotape shall be filed with the Clerk of Courts with each tape clearly identified.

D. With the court's approval videotape depositions may be made available for inspection or viewing after filing and prior to use at trial. Upon court order, the officer before whom the video was made may use such videotape for purposes of making a copy for a party.

E. The party filing the video deposition other than a VHS video is responsible for checking with the Court to see if the necessary equipment is available.

F. The costs of trial depositions may be taxed as costs.

RULE 4.13

SUBSTITUTION AND WITHDRAWAL OF COUNSEL/ENTRY OF APPEARANCE

A. Any attorney filing a Complaint, Answer, Motion or Entry of Appearance shall be regarded by the Court as being the trial attorney and as having responsibility for the case until substitution of counsel or motion to withdraw is received and approved by the Court.

B. Substitution of counsel may be approved only upon entry of appearance by succeeding counsel or upon submission of the following to the Court:

1. A certification from the attorney transferring the case stating:
 - a. New counsel has been retained and the name of newly retained counsel.
 - b. That the newly retained counsel or the client has received the transferring attorney's entire file on the case, or that the client or the retained counsel has been given express written notice of where and when the entire file may be obtained.
 - c. That a written notice containing all court dates and deadlines has been given to the newly retained counsel or to the client who wished to proceed pro se.
2. A proposed entry of substitution.
3. Counsel accepting the substitution shall, upon acceptance, file with the Court a notice of substitution of counsel.

C. Generally withdrawal of counsel may be permitted only after reasonable effort to obtain substitution has failed. Withdrawal of counsel may be approved only upon compliance with the terms set forth in Rule 1.16 of the Rules of Professional Conduct and upon submission of the following to the Court:

1. A certification from the attorney seeking to withdraw from the case stating:
 - a. The reason for the need to withdraw.

- b. That the client has received the withdrawing attorney's entire file on the case, or that the client has been given express written notice of where and when the entire file may be obtained.
 - c. That a written notice containing all court dates and deadlines has been given to the client.
 - d. That the attorney has given the client an explanation of the case and the consequences of this action; including notice to the client that if they fail to appear personally, or through counsel, at any scheduled event in their case, the Court will probably enter a default judgment against the client.
2. A proposed entry.

RULE 4.14

IMPLIED NOTICE OF ALL MATTERS CONTAINED IN THE CLERK'S FILE

A. All counsel or unrepresented parties shall be considered to have notice of all the filings in the Clerk's file.

B. This rule does not excuse a party from serving copies of filings to all appropriate parties, and the Court shall consider sanctions if copies are not properly served to all parties.

RULE 4.15

MAGISTRATES IN CIVIL CASES

The Court may by order of reference assign a magistrate to a case or motion or for a specified period of time pursuant to terms and limitations of Civ.R. 53.

CHAPTER 5

SPECIAL RULES FOR CRIMINAL CASES

RULE 5.01

GRAND JURY PROCEEDINGS

A. The management and administration of all Grand Jury activities shall be performed by the Grand Jury Judge. The Grand Jury Judge shall:

1. Appoint the Grand Jury Foreperson.
2. Charge the Grand Jury at the beginning of its service.
3. Rule on all matters relative to Grand Jury that require an Order or Judgment Entry.
4. Respond to inquiries by the Grand Jury or its Foreperson.

B. If an indictment is not found by the Grand Jury against an accused, such fact shall be reported to the court pursuant to R.C. 2939.23 and Crim.R. 6. Due to the secretive nature of grand jury proceedings, a finding by the grand jury of a No Bill shall be filed with the Clerk except on request of the accused; provided however, in the event of a bind over pursuant to Crim.R. 5(B), then a subsequent grand jury No Bill shall be filed.

C. The proceedings of the Grand Jury of Wood County, Ohio shall be recorded pursuant to these rules:

1. All recordings shall be made by a tape recorder and tapes to be provided by the Court and paid for from the Court budget.
2. The recorder shall be operated by and under the direct control of the Foreperson of the Grand Jury or a designated member of the Grand Jury or Court Reporter.
3. All statements and introductory comments of the prosecutor throughout the proceeding shall be recorded.

4. The testimony of all witnesses shall be recorded.
5. The deliberations of the Grand Jury after each case has been submitted shall not be recorded.
6. Upon completion of the day's proceedings, each tape shall be placed in an envelope, sealed, marked and indexed as to its contents and delivered to the court reporter of the Grand Jury Judge.
7. The Court Reporter for the Grand Jury Judge shall store the tapes in a secure place until after all rights to appeal have expired or two years, whichever is greater, after which the tapes may be erased and reused.
8. Upon request of the Court or the Prosecutor, the Court Reporter shall deliver to the Court or the Prosecutor to assist him or her in the performance of their duties any tape recording in the original envelope for review consistent with and in conformity to Crim.R. 6(E). The court reporter shall mark on the envelope the time and date of the release and the name of the individual to whom it was released. The recording shall be returned to the court reporter no later than the next working day and the court reporter shall mark on the envelope the time and date of such return.

No copies of any such tapes shall be made except by order of the Court. Any tapes released to the Court or to the Prosecuting Attorney shall be listened to only by the Judge or Prosecuting Attorney or staff attorneys.

9. Except upon motion and after a finding of a particularized need, there shall be no disclosure of tapes or transcripts thereof to defendant or defense counsel. If the Court finds a particularized need and the defendant is not indigent, the defendant will bear the cost of the original and the prosecutor's copy will be paid from the Court transcript fund and then taxed as costs of the case. If the defendant is indigent, both the original and the copy will be paid from the transcript fund of the Court and recovered as costs.

D. Nothing in this order shall restrict the authority of the Prosecuting Attorney at any time, upon reasonable notice, to request the presence of a shorthand reporter pursuant to R.C. 2939.11 at the cost of the Prosecuting Attorney.

E. Unless otherwise directed by the Grand Jury Judge, all sessions of the grand jury will be held in the jury assembly room, third floor of the courthouse.

RULE 5.02

ASSIGNMENT OF CRIMINAL CASES - PROSECUTOR'S CERTIFICATION

A. Pursuant to Rule of Superintendence 36(B), this court shall use the “individual assignment system” in the assignment of criminal cases.

B. Upon the filing of an indictment, bill of information or bind-over order, the clerk of courts shall, except as provided in B1, 2, 3 and 4 below, assign the criminal case, by lot, to a judge in the General Division, who becomes primarily responsible for the determination of every issue and proceeding in the case until its termination.

1. When a new case is brought against a criminal defendant against whom there is a pending criminal case in this court, the new case shall be assigned to the same judge to whom the pending criminal case is assigned. Pending criminal cases include: cases that have been filed with the clerk of courts but have not yet proceeded to trial, cases that have been tried and the defendant found guilty of at least one count for which the defendant has not yet been sentenced, cases where a defendant has entered a guilty or no contest plea but has not yet been sentenced, cases where there are pending motions that are not moot and over which this court has jurisdiction to rule and cases where there is an active arrest warrant issued by this court. “This court” means the Wood County Court of Common Pleas.

2. When a new case is brought against a criminal defendant who is serving a sentence that was imposed by this court or who is on probation or community control through this court, the new case shall be assigned to the same judge who sentenced the defendant or placed the defendant on probation or community control.

3. In instances where cases involving co-defendants are filed with the clerk of courts and none of the co-defendants has a pending case in this court or is serving a sentence imposed by this court or is on probation or community control through this court, the first of these cases to be filed with the clerk of courts shall be assigned to a judge by lot and the co-defendants' cases shall also be assigned to that judge. In instances where cases involving co-defendants are filed with the clerk on the same day and more than one of the co-defendants has a pending case in this court or is serving a sentence imposed by this court or is on probation or community control through this court then the cases shall be assigned to the judge to whom the first-filed of the pending cases or cases wherein a defendant is serving a sentence imposed by this court or is on probation or community control through this court, was assigned. A co-defendant includes any person against whom charges have been brought in this court that are alleged to have arisen from the same act, failure to act, event, occurrence, chain of events, transaction, series of transactions, enterprise, activity or pattern of activity as any other person against whom charges have been brought in this court, whether or not the charges against any co-defendant have been dismissed.

4. When a case is filed, which has previously been dismissed, the case shall be assigned to the same judge to whom the case was previously assigned. When a case has been filed but dismissed, any subsequent cases involving co-defendants of the defendant whose case was dismissed shall be assigned to the judge to whom the dismissed case had been assigned.

5. When a case is filed against a defendant who has previously been a defendant in this court but who has no pending case in this court and is not serving a sentence imposed by this court and is not on probation or community control through this court, then the case shall be assigned by lot, unless another provision in this rule, including the provisions regarding co-defendants, requires the case to be assigned to a specific judge.

C. At the time of the filing of an indictment, bill of information or bind-over order, the prosecuting attorney shall file a certification, described below, with the clerk of courts. The term “prosecuting attorney” includes assistant prosecuting attorneys. The prosecuting attorney’s certification shall affirm that all available records have been searched and that to the best of the prosecuting attorney’s knowledge, the certification shall indicate:

1. Whether the case is being brought against a defendant against whom there is a “pending criminal case” (defined in B1 above) in this court. If so, the prosecuting attorney shall list each pending case number and the judge to whom the pending case or cases are assigned.

2. Whether the case is being brought against a defendant who is serving a sentence that was imposed by this court or is on probation or community control through this court. If so, the prosecutor shall list the case number or numbers and the judge who sentenced the defendant or who placed the defendant on probation or community control.

3. Whether the case involves a “co-defendant” (defined in B3 above). If so, the prosecuting attorney shall list the names of all co-defendants.

4. Whether the case has previously been dismissed. If so, the prosecuting attorney shall note the judge that the previous case was assigned to.

5. Whether the Office of the Wood County Prosecuting Attorney had any contact with the matter prior to January 1, 2003.

D. Whenever the administrative judge transfers a case, for good cause, from one judge to another, the next criminal case which is assigned by lot to the receiving judge, shall be re-assigned, by the administrative judge, to the transferring judge.

RULE 5.03

CRIMINAL CASE MANAGEMENT PLAN, INITIAL APPEARANCE, SCHEDULING, SPEEDY TRIAL, EX PARTE HEARINGS

A. NOTIFICATION OF PERSON INCARCERATED

The Sheriff shall promptly notify the Prosecutor, the Public Defender and the assigned judge or the Grand Jury Judge of any person held in jail:

1. 10 days after bind over from Municipal Court; or
2. Upon arrest.

B. ARRAIGNMENT SCHEDULE

1. Each judge shall normally hold regularly scheduled arraignments at least twice monthly.
2. Upon a case being assigned, arraignment will be set for the next regular arraignment day and continued only upon motion of Defendant or of the State for good cause shown.

C. APPOINTING COUNSEL

1. If defendant appears without counsel at initial appearance and the Court determines defendant is indigent, then, unless defendant waives representation by counsel, counsel will be appointed for the defendant without unnecessary delay.
2. A list of counsel available for appointment shall be prepared by the Court and updated on an annual basis.
3. At the time of sentencing, appointed counsel shall be prepared to submit in and out of court time dedicated to the case.

D. SCHEDULING UPON PLEA

1. Upon accepting a plea of guilty or no contest the Court will normally set sentencing within two weeks unless a presentence investigation and report is ordered, in which case sentencing will normally be set within eight weeks.

2. Upon receiving a plea of not guilty, the Court will set the matter for pretrial conference, normally within three weeks. At the pretrial conference the Court will set or reaffirm dates for trial, motions, completion of discovery, hearing on motions and any further pretrial conference.

E. FAILURE TO APPEAR

If at any stage in the proceedings the defendant fails to appear as ordered, the Court may issue a warrant for the arrest of the defendant. Upon issuance of a warrant an Order may be filed setting forth that defendant is unavailable for trial and removing the case from the active docket.

F. CONTINUANCES

All applications for the continuance of any scheduled event must comply with Rule 41 of the Rules of Superintendence for the Courts of Ohio and shall set forth the reason for the request. If the reason is another case scheduled on the same date in another court, the application shall include the name of the court and assigned judge (with phone number), case caption, and the date that the conflicting event was assigned.

G. RESPONSE TO MOTIONS

Any motion not decided ex parte by the court or not set for hearing shall be responded to within 14 days after the motion was filed, or as otherwise ordered by the Court, unless the response time is otherwise fixed by Supreme Court Rule or law.

H. NOTIFICATION OF ARREST DATE

The arresting law enforcement agency shall provide to the Prosecutor the arrest date; and the Prosecutor shall notify the Court of the arrest date at or before arraignment.

I. NOTIFICATION OF SPEEDY TRIAL DATE

At the initial pretrial conference, the prosecutor will advise the Court of all dates, periods of incarceration and all other matters required to establish a speedy trial date. A trial date shall be set by the Court upon consultation with counsel for the State and the defendant. The prosecutor shall promptly notify the Court if the trial date would be beyond the limits of R.C. 2945.71.

J. CRIMINAL CASE TIME LIMITS UPON BIND OVER

In accordance with Sup.R. 39, when an accused has been bound over to grand jury and no final action is taken by the grand jury within 60 days after the date of the bind over, the Court or the Administrative Judge thereof shall dismiss the charge unless for good cause shown the prosecuting attorney is granted a continuance for a definite period. Costs of such dismissal shall be assessed to the state.

K. PLEA DOCUMENTS

Once a defendant has agreed to enter a guilty, no contest or Alford plea to a charge, the prosecutor shall deliver appropriate plea documents to defendant's counsel not later than three (3) working days prior to the scheduled court appearance for entering the plea. Defendant shall be prepared to execute said document in court at the time of the scheduled hearing.

L. PROCEDURE FOR EX PARTE PROCEEDINGS

The following procedure shall be used in the event a defendant desires to make an ex parte request for funding:

1. Counsel for the defendant or the defendant will file the motion under seal directly with the Court. The Court shall then note the date and time of the filing of the motion and keep a separate ex parte proceedings file. The court will determine at the end of the proceedings whether to enter the ex parte file into the record of this case for appellate review, either under seal or otherwise.

2. The court may set the ex parte motion for a hearing. At the hearing, the defendant and his or her counsel shall be present. The defendant, directly or through counsel, may argue in favor of the motion and offer evidence and testimony for consideration by the court. The Court's decision is under seal and will be provided to defendant and defendant's counsel only.
3. The motion, the transcript of the proceedings, evidence submitted by the defendant, and the orders of the Court shall be sealed and held by the Court.

RULE 5.04

MISDEMEANOR CASES

A. The Common Pleas Court's primary Criminal law duty is to handle felony cases. Consistent therewith the Court will only administer misdemeanors that are charged against a defendant concurrently with a felony charge pending in this Court.

B. All indictments or information charging only misdemeanors shall be transferred to or refiled in the Court from which bind-over to the grand jury was made or to the Court of record of the jurisdiction in which venue appears.

C. If there is a reduction from a felony to a misdemeanor, the case should proceed to be refiled by the Prosecutor in the Court from which bind-over to the grand jury was made or to the Court of record of the jurisdiction in which venue is proper, at the Court's discretion.

RULE 5.05

DISCOVERY

A. Discovery and Bills of Particulars provided to opposing counsel shall not be filed with the Clerk of Courts but a copy shall be provided to the trial judge upon request.

B. Police reports and other witness statements supplied shall not be used for cross-examination of any witness unless same is properly qualified under Rule 16 of the Ohio Rules of Criminal Procedure and Rule 613 of the Ohio Rules of Evidence.

C. Counsel for prosecution and defense shall receipt all discovery received.

D. All discovery will be on a continuing basis.

E. If at any time during the course of the proceedings it is brought to the attention of the Court that the Prosecutor or defense counsel has failed to comply with this rule or an order issued pursuant to this rule, the Court may grant a continuance, prohibit the introduction as evidence of the material not disclosed, or enter such other order as it deems just under the circumstances including Contempt of Court.

F. The report of an expert witness shall be provided opposing counsel at least ten days prior to the taking of said expert's deposition.

RULE 5.06

BAIL OR SURETY

A. BOND HEARINGS

1. Bond hearings will be held for incarcerated defendants at the Court's earliest feasible time. Upon notification to the Court an incarcerated defendant shall be brought before the Court for bond hearing without unnecessary delay. If a Judge has not been assigned to the Defendant's case, the Grand Jury Judge may set bond, pursuant to Local Rule 2.03.
2. At the Defendant's first appearance in court, the defendant may be referred to the Adult Probation Department for an interview and preparation of a pretrial release report. Bond is subject to review by the Court upon receiving said report from the Adult Probation Department and at any time for good cause.

B. ATTORNEY PROVIDING BOND

No attorney-at-law or other officer of this Court shall be a surety on any undertaking in this Court.

C. REGISTRATION OF SURETY BAIL BOND AGENTS

1. Any person wishing to file a bond in a Wood County Common Pleas Court case must register with the Clerk of Courts by filing a copy of the agent's surety bail bond license, a copy of the agent's driver's license or state identification card, and a certified copy of the surety bail bond agent's appointment by power of attorney from each insurer that the surety bail bond agent represents.
2. An agent must be registered prior to filing any bond, and must renew his or her registration biennially. An agent's registration must be renewed by the first day of August of each odd-numbered year.
3. The Clerk of Courts shall not accept a bond from any person not registered or whose registration has expired.
4. A list of all registered surety bail bond agents is available at the Clerk of Courts' office and the Wood County Justice Center.

D. BIND OVER

When a criminal defendant is bound over to the Grand Jury, except in the case of property bonds, the Clerk is directed to accept the bond established by the Municipal Court until modified by Court Order.

E. BOND TERMS

1. All bonds shall secure any costs assessed and shall carry the following conditions:
 - a. The Defendant shall timely appear at all scheduled court appearances and obey all court orders and directives.
 - b. The Defendant shall keep in contact with counsel, and comply with all directives of counsel.
 - c. The Defendant must maintain a current address and phone number with defense counsel, the Clerk of Courts, and if so ordered by the Court, with the Adult Probation Department. Any change of address or phone number must be reported to the above parties by the next business day after the change.
 - d. Defendant's travel is restricted to the state of Ohio and the state of Defendant's residence.
 - e. The Defendant shall not be charged with nor commit any serious traffic or criminal offenses.
2. The Court may provide that the Defendant is not to possess any weapon or dangerous ordnance.
3. The Court may require the Defendant to execute an unsecured personal bond in an amount fixed by the Court. The Court may provide that the Defendant appear in person or call the Wood County Probation Department on a schedule established by the Court and the Defendant must remain by a telephone upon being so directed by the Probation Department so that the Probation Department may call back and verify the telephone the Defendant is using.

F. PROPERTY BONDS

1. The Clerk shall not accept a property bond in lieu of cash for any bail requirement without approval from the Judge setting the bond.

2. If real estate is to be accepted in lieu of cash the following requirements, unless specifically otherwise authorized, must be met before the Clerk may consider such a bond:
 - a. The unencumbered value (equity) in the property must equal two times the bond amount;
 - b. The property must be located in Wood County, Ohio;
 - c. The Defendant must submit a statement of owners and lienholders or other title work of similar content; and
 - d. The Defendant must submit an appraisal from the Wood County Auditor's office that supports the stated unencumbered value.

3. If the unencumbered value is not apparent from the face of the tax appraisal less the face of the statement of lienholders, the proponent must submit statements from the lienholders verifying the balances due which if subtracted from the appraised value would yield the necessary equity for the bond.

RULE 5.07

APPOINTMENT OF PROBATION OFFICERS - POWER TO ARREST

A. The direct responsibility to employ and supervise probation officers is with the Director of Adult Probation. The judges of the Court of Common Pleas General Division shall approve all such appointments, first, by indicating approval of the candidate to the director, and secondly, upon the acceptance of employment by the candidate, administer an oath of office to be taken by the candidate which shall precede the candidate becoming an employee of the Court of Common Pleas.

B. Upon receiving evidence of a probation violation, the probation officer has the power under the laws of this state to arrest the probationer. To assist and facilitate the safe discharge of this duty, the probation officer called upon to effect an arrest of a probationer may request that a law enforcement officer with jurisdiction at the probationer's location accompany the probation officer for the purpose of protecting the safety of the probation officer during the arrest process and facilitating the return of the probationer to jail. Such law enforcement officer shall provide the assistance requested.

RULE 5.08

CONDITIONS OF PROBATION OR COMMUNITY CONTROL SANCTIONS

A. General conditions of supervision shall be adopted by the Court from time to time for the Adult Probation Department. The most recently journalized edition of these conditions shall control all probationers. A copy of the most recent general conditions of probation is attached as Appendix C.

B. In addition to the general conditions of supervision, the Court may establish special conditions applicable to individual offenders.

C. These conditions of supervision are to be observed by each person placed under the supervision of the Wood County Adult Probation Department and a written statement of the general conditions as well as special conditions of probation shall be furnished to each person on probation or under the supervision or in the custody of the Wood County Adult Probation Department. Also, each person shall be further informed in writing that a violation of any rule or condition of supervision may result in the revocation of the probation or community control sanction.

RULE 5.09

VIOLATIONS OF CONDITIONS OF SUPERVISION (PROBATION OR COMMUNITY CONTROL SANCTIONS)

A. When it is necessary or desirable, a hearing on violation of conditions, for the Adult Probation Department to utilize an expert to prove the results of a drug test of the offender or for other purposes the following rules will apply:

1. The Court shall not permit any continuance of a scheduled probation violation hearing where an expert is to be presented in support of the action unless good cause is shown.

2. Should the Court find good cause for a continuance of a probation violation hearing, the expert called to testify shall be sworn and give his/her testimony so that the expert shall not be required to attend the continued hearing.

B. Testimony of any witness at probation violation hearings may be presented by deposition taken pursuant to Crim. R. 15.

RULE 5.10

WORK RELEASE PROGRAM

Rules governing the work release program shall from time to time be promulgated by the Court of Common Pleas of Wood County, General Division, for the Adult Probation Department.

It may be a condition of admission to the work release program that the sentenced party pays all or a portion of the per diem costs (room and board) of confinement at a rate established by the Court, not to exceed actual costs.

The Court may place an offender in the work release program for the sole purpose of participating in the work industry program of the NorthWest Community Correction Center.

RULE 5.11

INTENSIVE SUPERVISION PROGRAM

The Court has established an Intensive Supervision Program (ISP) as a part of the Wood County Adult Probation Department.

The ISP has been established with funding from the Ohio Department of Rehabilitation and Correction under R.C. 5149.30 through 5149.37 and shall comply with any statutory requirements.

All ISP participants must comply with all requirements of the program as are established by the Court. The rules governing the ISP as adopted or amended are attached as Appendix B to these rules.

RULE 5.12

REIMBURSEMENT FROM NON-INDIGENT OFFENDERS

Upon sentencing an offender who is not indigent, the Court may order the offender to reimburse Wood County for all or part of the per diem costs of incarceration, work release, community control sanction, public defender, electronic home monitoring, and/or supervision by the probation department at a rate established by the Court, not to exceed actual cost.

RULE 5.13

ELECTRONIC MONITORING PROGRAM

Rules governing the electronic monitoring program shall from time to time be promulgated by the Court of Common Pleas of Wood County, General Division, for the Adult Probation Department.

It may be a condition of admission to the electronic monitoring program that the sentenced party pays all or a portion of the per diem costs of home confinement.

RULE 5.14

MAGISTRATES IN CRIMINAL CASES

A. Notwithstanding any contrary provision in the criminal rules and subject to the limitations that the Judge may establish, a magistrate may be assigned to preside over the following proceedings:

1. Arraignments conducted pursuant to Crim. R. 10.
2. Pretrial conferences.
3. Proceedings to establish bail.

B. Under no circumstance shall a magistrate make a determination of guilt or innocence or recommend or impose a sentence.

CHAPTER 6

SPECIAL RULES FOR DOMESTIC RELATIONS CASES

Rule 6.01

COMMENCING THE DOMESTIC RELATIONS CASE

A. FILING THE COMPLAINT IN DIVORCE, LEGAL SEPARATION, AND PETITION IN DISSOLUTION.

1. The caption of all complaints and petitions shall include the full names, prior surnames, aliases and addresses, as well as the attorneys' email addresses. The completed personal identifier sheet shall accompany the pleadings and this sheet will not be part of the public record.
2. As prescribed from time to time, the financial disclosure statements as prescribed by the Court shall be attached to every complaint in divorce, spousal support, legal separation and petition in dissolution. The defendant or respondent shall file a disclosure statement within twenty-eight (28) days of service. Schedules A and B may be found in appendices F and G. The Uniform Ohio Domestic Relations Forms adopted by the Supreme Court of Ohio may be used in lieu of schedules A and B.
3. Petitions for dissolution of marriage will only be accepted by the Clerk of Courts if at least one of the petitioners has been a resident of Wood County for at least ninety days preceding the filing of the petition.
4. A Waiver of Attorney affidavit for an unrepresented petitioner in a dissolution shall be attached to the petition for dissolution.
5. A Waiver of Service of Process on the parties shall be filed with a petition of dissolution.
6. Any pleading tendered for filing that does not comply with this rule and Local Rule 3.01(A) shall not be accepted for filing by the Clerk and shall be returned immediately to the tendering party, and if accepted for filing, may be dismissed.
7. In a case involving children, a Health Insurance affidavit and a UCCJEA affidavit, as set forth in appendix H, must be attached to the pleadings. The parties to the action shall attend the parenting seminar within forty-five (45) days of the filing of the complaint or petition and prior to the final hearing. An application for benefits under Title IV-D of the Social Security Act shall be received by the Wood County

Child Support Enforcement Agency prior to the issuance of any child support order.

8. Upon the filing of an action for divorce or legal separation, a mutual temporary restraining order shall be issued as set forth in appendix I. The Clerk shall include a copy of the temporary restraining order with the summons and petition served on defendant and shall mail a copy of the temporary restraining order to the plaintiff by ordinary mail.
9. A case designation form must be provided. (See appendix J)
10. Notice of hearings shall be sent to attorneys by email.

B. REPRESENTING THE DEFENDANT OR RESPONDENT

An attorney shall file an Entry of Appearance immediately after being retained by a party so that the court can provide all notices to the attorney and the opposing party can serve any subsequent pleadings upon the attorney.

C. MANDATORY DISCLOSURE

Within forty (40) days of the filing of an answer, each party shall disclose to the other all of the following:

- The identity of all pensions, profit sharing, and retirement benefits including IRAs and the most recent summary.
- All COBRA benefits to which the other party may be entitled.
- Copies of all real estate deeds and vehicle titles and any appraisals.
- Copies of the last three years income tax returns.
- Documentary proof of current income from all sources.
- Copies of the most recent statements on all bank accounts, life insurance policies, mortgages, credit card accounts and other debts.
- The identity of any safety deposit box.

Failure to comply with this rule may result in sanction under Civil Rule 37, including a contempt citation, dismissal of claims, and restrictions upon the submission of evidence.

RULE 6.02

SERVICE BY POSTING IN INDIGENT CASES

Notices posted pursuant to Civ.R. 4.4(A)(2) for service by publication for a plaintiff who is proceeding in forma pauperis will be posted in the Wood County Courthouse; Wood County Office Building; lobby of the United States Post Office in the Federal Building, Bowling Green, Ohio; and in the lobby of the United States Post Office in Perrysburg, Ohio. Alternatively, the posting may be made on the Wood County Clerk of Courts Website for six successive weeks.

Before service by publication can be made, an affidavit pursuant to Civ.R. 4.4 shall be filed and shall include the defendant's last known address and efforts made to contact the defendant.

RULE 6.03

HEARINGS

A. MOTIONS

1. The hearing on the Motion for Temporary Relief shall be scheduled within fourteen (14) days after service.
2. One continuance of seven (7) days may be granted to each party for good cause shown. No further continuances shall be granted.
3. If at the time set for hearing the opposing party does not appear and the court finds that the moving party made a good faith attempt to give notice of the hearing as required by this Rule, then, whether there has been actual notice, the court may proceed with the hearing, taking evidence under oath, or by affidavit, and may grant temporary relief as provided by Civ.R. 75(N)(1).
 - a. The testimony under oath shall have the same effect as the filing of affidavits required by Civ.R. 75(N)(2).
 - b. The opposing party may then file counter affidavits and a motion requesting an oral hearing to modify such temporary orders as provided by Civ.R. 75(N)(2).

B. ATTORNEY FEES

1. How made
 - a. A request for attorney fees and expenses to prosecute an action shall be included in the body of the motion or other pleading that gives rise to the request for fees.
 - b. A request for attorney fees and expenses to the opposing party shall be by motion filed at least fourteen (14) days prior to the hearing.
 - c. No oral motion for fees shall be entertained unless good cause is shown why the provisions of this rule could not be complied with.

2. Evidence Supporting Motion

At the time of the hearing on the motion that gives rise to the request for fees, the party seeking such fees shall present:

- a. An itemized statement describing the services rendered, the time for such services, and the requested hourly rate for in-court time and out-of-court time;
 - b. Testimony as to whether the case was complicated by any or all of the following:
 - i. New or difficult issues of law;
 - ii. Difficulty in ascertaining or valuing the parties' assets;
 - iii. Problems with completing discovery;
 - iv. Any other factor necessitating extra time being spent on the case.
 - c. Testimony regarding the attorney's years in practice and experience in domestic relations cases;
 - d. Evidence of the parties' respective income and expenses, if not otherwise disclosed during the proceedings; and
 - e. Evidence of the other party's attorney fees.
3. Absent evidence as outlined above, \$600 shall be considered a reasonable amount, unless otherwise determined by the court.
 4. Expert testimony is not required to prove reasonableness of attorney fees.

C. PRETRIAL CONFERENCE

1. The court, on its own motion or on the request of a party, may order an initial pretrial conference not later than 45 days from service of summons on any case.
2. The purpose of the pretrial conference shall be to achieve an amicable settlement of the controversy and, in the event settlement is not possible, to expedite trial of the action. At the time of the pretrial conference, counsel shall be prepared to:
 - a. Narrow the legal issues in controversy;

- b. Admit to facts not in dispute;
 - c. Stipulate to the authenticity of documents and other exhibits to be introduced at trial;
 - d. Exchange medical reports, psychological reports and hospital records;
 - e. Exchange reports of expert witnesses expected to be called at trial and any reports or appraisals;
 - f. Give the names of all witnesses whom they intend to call and state the general nature of their testimony;
 - g. Discuss the possibility of ADR; and
 - h. Confirm that parties have attended the parenting seminar.
3. The parties and counsel shall be present at the pretrial unless a written Motion to Excuse Attendance has been filed and granted prior to the pretrial conference. Parties may participate fully in the pretrial conference.
 4. Failure of the parties or counsel to appear, cooperate, or to be prepared to negotiate may result in sanctions as appropriate.
 5. Following the pretrial conference the court may issue a pretrial order requiring the defendant and plaintiff to file certain information with the court or to perform certain actions.
 6. The Court may require counsel, by written order, to submit a joint pretrial statement to the Court not later than ten days prior to scheduled final hearing.

D. MOTIONS FOR CONTINUANCE

Once a case is assigned for a hearing or trial, it may be continued only by leave granted by the court for good cause shown and upon written request fourteen (14) days in advance. Consent of counsel and/or the parties does not constitute good cause.

No motion for continuance shall be considered unless the moving party states that opposing counsel consents to the continuance or the reason that no consent has been received.

Parties must also consent to the request to continue. The reason for the continuance and the number of previous continuances must be stated.

E. IN CAMERA INTERVIEWS

All interviews with children shall be conducted in camera in accordance with R.C. 3109.04.

The court may permit counsel and the guardian ad litem to be present.

The transcript of the interview shall be sealed and preserved for appellate review and neither party shall be permitted to obtain a copy.

F. PSYCHOLOGICAL EVALUATIONS

1. A motion for psychological evaluation shall be made as soon as possible and no later than 60 days after the pending action is filed.
2. If a motion for a psychological evaluation is made, the court will allocate the costs of the evaluation at the time of appointing an evaluator.
3. If either party fails to pay his/her share of the costs, (s)he may be found in contempt and be subject to sanctions, including the dismissal of the motion for allocation of parental rights.
4. The psychologist's report shall be made available to the attorneys and the guardian ad litem at the Court. It is not to be copied or released to the parties without court approval.

G. TRIALS

1. Two weeks prior to the final hearing or motion hearing, each party or counsel shall notify the opposing party of the name of any witness expected to testify.
2. Exhibits for the hearing shall be exchanged at least one week prior to the hearing pursuant to Local Rule 6.18.

RULE 6.04

TEMPORARY RESTRAINING ORDERS

A. RESTRAINING ORDERS

The person to be restrained must be a party to the action. The court places a temporary restraining order into effect immediately upon the filing of a complaint for divorce or legal separation.

B. POST DECREE RESTRAINING ORDERS

Post decree restraining orders may be granted for good cause shown only if a motion is pending and the assets or activities to be restrained are directly related to the pending motion.

C. DISSOLVING ORDER

A party against whom an ex parte restraining order has been granted may file a motion, supported by an affidavit, requesting that such order be dissolved. A motion to dissolve an ex parte restraining order shall be set for hearing, as if it were a motion for temporary relief under the Local Rules, and in compliance with Rule 53 and Rule 75 of the Ohio Rules of Civil Procedure.

RULE 6.05

MOTIONS FOR TEMPORARY ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES AND TEMPORARY SUPPORT

A. COHABITATION OF THE PARTIES

In cases where the parties continue to reside together at the time of a hearing on a motion for temporary allocation of parental rights and responsibilities or temporary support, the matter shall be treated as a motion to determine and fix the payment of specific ongoing expenses, and no temporary allocation of parental rights and responsibilities or support order shall generally issue so long as the parties continue to reside together.

B. TEMPORARY SUPPORT ORDERS

1. All persons seeking child support shall apply to the Wood County Child Support Enforcement Agency for Title IV-D case services not later than the date of the hearing. No support order shall issue until the application has been received by the Wood County Child Support Enforcement Agency.
2. A temporary support order shall generally be a Magistrate's Order pursuant to Civil Rule 53.
3. Either party may file a motion to modify a temporary support order based on a substantial change in circumstances of either party or the child since the date of the prior order.
4. All consent temporary support orders shall be approved by the magistrate before the hearing is terminated.

RULE 6.06

MOTION FOR EXCLUSIVE USE OF PREMISES

A. CONTENTS OF MOTION

A motion for the exclusive use of the marital premises shall specifically state the factual basis for the motion and shall be supported by an affidavit of the moving party supporting such facts.

B. DISPOSITION

A motion for the exclusive use of the marital premises generally is not granted except in cases involving domestic violence per Local Rule 6.07.

RULE 6.07

DOMESTIC VIOLENCE AND STALKING ACTIONS

An action for a civil protection order under either the civil Domestic Violence statute, R.C. 3113.31, et seq., or the Civil Stalking Protection Order statute, R.C. 2903.214, shall be initiated by filing a petition with the Clerk of Courts who shall assign such case a separate domestic violence or stalking number. If the petitioner and respondent are parties to a pending or prior domestic relations action or other domestic violence stalking action, the case shall be assigned to the courtroom assigned any such pending or prior matter (See Local Rule 4.02).

Unless otherwise directed by the judge or magistrate, a civil protection ex-parte hearing shall be heard by a magistrate the same day as the petition is filed, so long as the petition is filed by 3:00 p.m.

RULE 6.08

REOPENING THE DOMESTIC RELATIONS CASE

MOTION FOR MODIFICATION OF PRIOR ORDERS.

A. All motions to modify a prior order, either contested or by consent of all parties, must state:

1. The date of the prior order;
2. The exact language of the prior order sought to be modified;
3. Complete and accurate statement of the reasons or basis for change;
4. The specific modification requested;
5. The name and addresses of the plaintiff and defendant;
6. The name, addresses and dates of birth of the children involved;
7. Any pertinent financial information, including court prescribed financial disclosure schedules for modification;
8. If the parties have previously agreed to a shared parenting plan, a statement that they have participated in mediation but were unable to reach an agreement.

B. Failure to comply with this rule may be sufficient grounds to deny a motion for filing, or if filed, to be dismissed.

C. All such contested motions shall be served according to Civil Rule 4 and Civil Rule 75.

D. The court may require the parties to attend the parenting seminar in motions regarding minor children.

RULE 6.09

MOTION FOR EMERGENCY ORDER

A. All emergency orders shall comply with Local Rule 6.08, and shall be accompanied by an affidavit.

B. Upon initial screening, if the court finds that immediate intervention is necessary, the court may issue an emergency order and will set the matter for a hearing as expeditiously as possible, with notice to go to the parties.

C. If the court finds that no emergency exists, the matter will proceed according to the local rules.

RULE 6.10

MOTION TO SHOW CAUSE WHY A PARTY SHOULD NOT BE HELD IN CONTEMPT OF A PRIOR COURT ORDER

- A. Any motion to show cause shall:
1. Comply with Local Rule 6.08; and
 2. State the facts constituting non-compliance; and
 3. Be supported by affidavit.
- B. Motions to show cause pertaining to non-payment of child or spousal support shall also state:
1. The date of the last order of support;
 2. The amount of said order;
 3. The total elapsed time from the date of the order to the date of filing of the motion;
 4. The amount which should have been paid and the amount which was actually paid during the period; and
 5. The amount of arrearage supported by an attached CSEA record.
 6. For support orders after July 1, 1992 the amount of interest being requested and the calculations relied upon to support the claim.
- C. For purposes of computing arrearage, the effective date of any order for support shall be the date the order was journalized unless the order specifically designates some other effective date. At the hearing, the movant shall be prepared to update the arrearage computation to the date of hearing.
- D. A show cause motion for unpaid medical bills shall contain:

1. An “Explanation of Medical Bills” completed and attached to the motion;
2. An Affidavit alleging as applicable:
 - a. Movant has sent copies of the medical bills to the ex-spouse and the dates sent.
 - b. Movant has sent copies of the bills to the ex-spouse and the dates sent and dates returned;
 - c. Movant has sent bills to ex-spouse and ex-spouse has not paid or acknowledged receipt of the bills;
 - d. Movant has sent copies of the bills to the ex-spouse and the ex-spouse has refused payment; or
 - e. Any other pertinent information.
3. Do not file copies of the medical bills with the motion. File the affidavit and completed “Explanation of Medical Bills.” See appendix K for proper form.
4. Attorneys or moving parties shall have a copy of all bills, proof of insurance paid and proof of the movant’s payment sent to opposing counsel or the pro se party in advance and a copy for the court at a hearing.
5. The moving party must be able to identify bills, dates of service, purpose for treatment, total bill, amounts paid by insurance, amount paid by movant, and amount sought from the opposing party.
6. All motions to compel the payment of medical bills shall be filed within twenty-four (24) months of the initial billing to the moving party.

RULE 6.11

FINAL JUDGMENT ENTRIES AND OTHER ENTRIES INVOLVING SUPPORT

A. When the final judgment entry is submitted to the court, there shall be an original plus six copies. The final entry shall be submitted at the time of the final hearing or, if necessary, within 14 days of the final hearing.

B. The party required to draft a final judgment entry involving a final divorce, dissolution of marriage, legal separation, child support, spousal support, domestic violence, or modification of support shall include the following information in the entry/decreed:

1. A specific date on which support shall commence.
2. The amount of support including administrative fee, which is to be calculated on a monthly basis, with a copy of the child support worksheet attached (any deviations from the statutory child support schedules must be supported by written findings of fact supporting the conclusion that the amount arrived at from the worksheets would be unjust or inappropriate and would not be in the best interest of the child as required by statute). Any order which provides for future automatic adjustments shall be affected by the submission of an appropriate order at the time of change.
3. The name, current residence address, mailing address, if different, and birth date of the Obligor and Obligee, and any children. The social security numbers of parties shall not be included on any filing, unless otherwise directed by statute.
4. The total amount of arrearage, if any, determined by the court and the payment thereon as determined by the court.
5. The standard additional order language that the court may specify from time to time by attaching the court's Additional Orders.
6. The required language addressing health care insurance coverage for any minor children of the parties in compliance with the statute in a form as may from time to time be prescribed by the court.
7. A provision assigning the tax dependency exemption.

C. All paragraphs dealing with child and/or spousal support shall be underlined or carry a descriptive heading.

D. If the parties have not entered into a shared parenting agreement, then the reason that the shared parenting agreement is not in the best interest of the child(ren).

E. The local or long distance parenting time schedule, if referenced on the final decree, shall be attached to the final entry.

F. The separation agreement approved by the court and incorporated into the decree of dissolution shall be attached to the final decree of dissolution.

G. If there is to be a separate QDRO/DOPO, language shall be included in the separation agreement or the judgment entry outlining the recipient's rights in the retirement benefits and stating who is responsible to prepare and pay the cost of the QDRO/DPO.

H. The manner of payment of spousal support shall be set forth.

I. All entries shall conform to Local Rule 4.05 and shall contain the certification in 4.05(B)(5) if the attorney who prepared the entry has not received a response from the opposing attorney or unrepresented party.

RULE 6.12
GUARDIANS AD LITEM

A. The court may appoint a Guardian Ad Litem for minor children as it deems appropriate.

A guardian ad litem shall be a person particularly experienced or trained in dealing with children, their interests and concerns and who is qualified under Sup.R. 48. The court may choose a Court Appointed Special Advocate to act as guardian ad litem in appropriate circumstances. Any attorney who is appointed as a guardian ad litem, shall also serve as attorney for the child(ren).

B. If a guardian ad litem is requested by either party in a contested matter before the court, the court will order either party or both to deposit funds for the guardian ad litem as specified in the entry prior to the commencement of the guardian ad litem's investigation. The court may require additional deposits as needed. If payment is not made as ordered, the non-paying party may be subject to sanctions, including dismissal of his/her motion for allocation of parental rights.

C. The request for a guardian ad litem may be made with the filing of any motion or complaint and shall be made within 45 days of service of the complaint/motion, together with a proposal as to payment of the deposit. The motion shall suggest how the deposit shall be allocated. If a guardian ad litem is requested by an indigent party who has filed a proper poverty affidavit, the guardian ad litem fee may be assessed as court costs at the court's discretion. The court will not entertain a motion for a guardian ad litem after a trial date has been set without good cause shown.

D. In order to ensure the compensation for the services of the guardian ad litem, the Court considers the guardian ad litem fees as child support non-dischargeable in bankruptcy against the party or parties in the action for the amount due at the time of the final adjudication.

E. The guardian appointed shall render a written report by the date designated by the court. Failure to timely file the written report may result in the disqualification of the guardian or the withholding of all or partial payment for services. The written report shall be submitted to the court and the attorneys shall be notified upon receipt. It shall become an exhibit if the case proceeds to trial.

F. The guardian ad litem's services shall be terminated upon the conclusion of the final hearing of the proceedings or upon motion of the parties.

G. The office manager shall assure that the guardians meet the requirements of Sup.R. 48 and shall coordinate the application and appointment files as well as all record-keeping requirements.

H. The court will consider a written motion to remove a guardian by conducting a hearing to determine if (s)he has breached the duties and responsibilities of a guardian ad litem.

I. A party may submit any written comments or concerns regarding the performance of a guardian to the office manager. The office manager shall provide a copy to the guardian. The court will then review the matter and notify the complainant of the disposition. The court will maintain these records with the file for the guardian ad litem.

J. An attorney for the child will be appointed if there is a conflict between the child's wishes and the recommendation of the guardian or when the court finds that it is necessary to protect the interests of the child. Neither party shall attempt to obtain legal counsel for the minor child.

RULE 6.13

MAGISTRATES IN DOMESTIC RELATIONS CASES

A. A magistrate may be assigned to hear all divorce, dissolution, legal separation, annulment, domestic violence, stalking, and CPO cases.

B. The magistrate may require counsel to prepare the judgment entry. The judgment entry shall reflect any decision of the magistrate. The counsel who was directed to prepare the judgment entry shall comply with Local R. 4.05 and submit the entry to opposing counsel within 14 days after the filing of any decision. Within seven (7) days after receiving the entry, opposing counsel shall

1. Approve it and submit it signed to the court; or
2. Reject it and send it to the court unsigned with an explanation as to why it was rejected with a copy sent to preparing counsel.

Failure to provide a judgment entry in a timely fashion may result in dismissal.

C. At the time of the hearing with the magistrate, the parties may waive the time period to file objections to the decision or order of the magistrate and consent to its immediate adoption by the court. This shall be in writing and signed as an acknowledgment by the parties.

D. Parties may object to the magistrate's decision or order pursuant to Civ.R. 53(D)(3). Said objections shall be filed within the time limits established in Civ.R. 53, and may be supplemented within fourteen (14) days of the filing of a transcript. The parties shall make arrangements for the transcript directly with the court reporter.

RULE 6.14

TRANSCRIPTS FOR DOMESTIC RELATIONS CASES

A. If objections to the Magistrate's Decision are based in whole or in part on the factual findings of the Magistrate, then the objections must be supported by a transcript or parts thereof.

B. A request for an extension of time to supplement the objections must be filed within the original 14 day period for filing objections to the Magistrate's Decision. Such motion shall include the name of the court reporter responsible for preparing the transcript, a request for a transcript, and an approximate date by which the transcript will be available.

C. Since preparation of a transcript may cause delay in the final disposition of a case, the judge, in granting an extension of time, may make such temporary orders as are deemed necessary and just. This includes requiring the party requesting the extension to post bond to cover any damages the opposing party may suffer because of the delay or ordering compliance with the Magistrate's Decision pending disposition of the objections.

D. A deposit by the objecting party shall be submitted to the court reporter within 10 days of the filing of the request for transcript. The deposit amount will be an estimate of charges determined by the court reporter and upon completion of the transcript, if the estimate is not correct, a refund or additional charge will be made. If there is an additional charge, the party requesting the transcript will be notified by the Court Reporter, and shall submit the balance of the transcript charges within three (3) days of notification. A transcript of the proceedings will not be prepared or filed by the Court Reporter in the absence of the advance deposit fee, and any balance due. Failure to comply with these rules is a basis for dismissal of the objection.

E. If an objection by a party is to a factual finding of the magistrate, the objection must make specific reference to any pages in the transcript which support the objection.

RULE 6.15

ALTERNATIVE DISPUTE RESOLUTION

(1) MEDIATION

A. SCOPE

The court may, at any time, refer any case to mediation in accordance with these rules.

B. CASE SELECTION

1. Referral Process

The court, on its own motion, on a party's request, or by agreement of the parties may refer disputed issues to mediation in whole or in part. Promptly after receiving referral, the court mediator shall send all parties a "Mediation Notice" which shall, at a minimum, indicate the date, time, place of the mediation, and the contact information of the mediator. All parties and counsel shall advise the assigned judge or magistrate of any domestic violence allegations known to them to exist or to have existed in the past, or which become known to them following entry of the order but before conclusion of all mediation proceedings, which allegations involve any two or more persons whose attendance is required by the referral order.

2. Eligibility of Cases

The court mediator will determine the eligibility and appropriateness of each referral prior to the commencement of the mediation process and may decline any referral(s) deemed inappropriate.

3. Mediator Selection and Assignment

Specific appointments may be made by the court taking into consideration the qualifications, skills, expertise, and caseload of the mediator in addition to the type, complexity and requirements of the case.

C. PROCEDURES

In accordance with all applicable provisions of this rule, if a case is deemed appropriate by the court mediator, mediation will be scheduled. A mediator may meet with the parties individually prior to bringing the parties together for any reason including, but not limited to further screening. A mediator may schedule multiple mediation sessions, if necessary and mutually acceptable for the resolution of the issues in part or in their entirety.

1. The court shall utilize procedures for all cases that will:
 - a. Ensure that parties are allowed to participate in mediation, and if the parties wish, that their attorneys and other individuals they designate are allowed to accompany them and participate in mediation.
 - b. Screen for domestic violence both before and during mediation.
 - c. Encourage appropriate referrals to legal counsel and other support services for all parties, including victims of and suspected victims of domestic violence.
 - d. Prohibit the use of mediation in any of the following:
 - As an alternative to the prosecution or adjudication of domestic violence;
 - In determining whether to grant, modify or terminate a protection order;
 - In determining the terms and conditions of a protection order; and
 - In determining the penalty for violation of a protection order.

Nothing in this division of this rule shall prohibit the use of mediation in a subsequent divorce or custody case even though that case may result in the termination of the provisions of a protection order.

2. Mediation of allocation of parental rights and responsibilities or the care of, or visitation with, minor children or delinquency or status offense cases shall abide by all provisions set forth in (C)(1) of this rule. Mediation may then proceed, when violence or fear of violence is alleged, suspected, or present, only if the mediator has specialized training set forth in “Qualifications” section (D) of this rule and all of the following conditions are satisfied:
 - a. The person who is or may be the victim of domestic violence is fully informed, both orally and in writing, about the mediation process, his or her right to decline participation in the mediation process, and his or her option to have a support person present at mediation sessions.
 - b. The parties have the capacity to mediate without fear of coercion or control.
 - c. Appropriate procedures are in place to provide for the safety of the person who is or may be the victim of domestic violence and all other persons present at the mediation.
 - d. Procedures are in place for the court mediator to terminate mediation if he or she believes there is continued threat of domestic violence or coercion between the parties.
 - e. Procedures are in place for issuing written findings of fact, as required by R.C. 3109.052, to refer certain cases involving domestic violence to mediation.
3. Party/Non-Party Participation
 - a. Parties who are ordered into mediation shall attend scheduled mediation sessions. The court may order parties to return to mediation at any time.
 - b. A judge, magistrate and/or court mediator may require the attendance of the parties’ attorneys at the mediation sessions if the court mediator deems it necessary and appropriate.
 - c. If counsel of any party to the mediation becomes aware of the identity of a person or entity whose consent is required to resolve the dispute, but has not yet been joined as a party in the pleadings, they shall promptly inform the court mediator as well as the assigned judge or magistrate.

- d. If the opposing parties to any case are 1) related by blood, adoption, or marriage; 2) have resided in a common residence, or 3) have known or alleged domestic violence at any time prior to or during the mediation, then the parties and their counsel have a duty to disclose such information to the court mediator and have duty to participate in any screening required by the Court.
- e. By participating in mediation a nonparty participant, as defined by R.C. 2710.01(D), agrees to be bound by this rule and submits to the court's jurisdiction to the extent necessary for enforcement of this rule. Any nonparty participant shall have the rights and duties under this rule attributed to parties except as provided by R.C. 2710.03(B)(3) and 2710.04(A)(2).

4. Confidentiality/Privilege

All mediation communications related to or made during the mediation process are subject to and governed by the Uniform Mediation Act (UMA; R.C. 2710.01-.10), R.C. 3109.052, the Rules of Evidence, and any other pertinent judicial rules.

5. Mediator Conflicts of Interest

In accordance with R.C. 2710.08(A) and (B), the court mediator assigned by the court to conduct a mediation shall disclose to the mediation parties, counsel, if applicable, and any nonparty participants any known possible conflicts that may affect the court mediator's impartiality as soon as such conflicts become known to the court mediator. If counsel or a mediation party requests that the court mediator withdraw because of the facts so disclosed, the assigned court mediator should withdraw and request that the assigned judge or magistrate appoint another court mediator.

6. Termination

If the court mediator determines that further mediation efforts would be of no benefit to the parties, he or she shall inform all interested parties and the court that the mediation is terminated.

7. Stay of Proceedings

All remaining court orders shall continue in effect. No order is stayed or suspended during the mediation process except by written court order. Mediation shall not stay discovery or the court's consideration of pending motions, which may continue through the mediation process in accordance with applicable rules, unless agreed upon by the parties and approved by the judge or magistrate assigned to the case.

8. Continuances

It is the policy of this court to determine matters in a timely manner. Continuances of scheduled mediations shall be granted only for good cause shown.

9. Mediator Report

At the conclusion of the mediation and in compliance with R.C. 2710.06, the court mediator shall prepare and file a mediation report.

D. QUALIFICATIONS

To be a court approved mediator the following qualifications apply:

1. General Qualifications and Training

A mediator employed by the court or to whom the court makes referrals for mediation of allocation of parental rights and responsibilities, the care of, or visitation with, minor children,

abuse, neglect and dependency, or juvenile perpetrated domestic violence cases shall satisfy all of the following:

- a. Possess a bachelor's degree or equivalent education or experience as is satisfactory to the division, and at least two years of professional experience with families. "Professional experience with families" includes mediation, counseling, casework, legal representation in family law matters, or such other equivalent experience satisfactory to the division.
- b. Complete at least twelve hours of basic mediation training or equivalent experience as a mediator that is satisfactory to the division.
- c. After completing the above training, complete at least forty hours of specialized family or divorce mediation training which has been approved by the Dispute Resolution Section of the Supreme Court.

2. Specific Qualifications and Training: Domestic Abuse

A mediator employed by the court or to whom the court makes referrals for mediation of any case shall complete at least fourteen hours of specialized training in domestic abuse and mediation through a training program approved by the Ohio Supreme Court Dispute Resolution Section. A mediator who has not completed this specialized training may mediate these cases only if he/she co-mediate with a mediator who has completed the specialized training.

E. FEES AND COSTS

All costs shall be determined by the court, if applicable. The court may require appropriate deposits to cover the costs prior to mediation.

F. SANCTIONS

If any individual ordered by the court to attend mediation fails to attend mediation without good cause, the court may impose sanctions which may include, but are not limited to,

the award of attorney's fees and other costs, contempt or other appropriate sanctions at the discretion of the assigned judge or magistrate.

(2) CONCILIATION

Upon motion by either party, the court will refer the matter to the judge for conciliation proceedings. All matters shall be stayed during the conciliation process.

(3) PARENTING COORDINATORS

A. APPOINTMENT

1. The Court may order parenting coordination, sua sponte or upon written or oral motion by one or both parties, when one or more of the following factors are present:
 - a. The parties have ongoing disagreements about the implementation of a parental rights and responsibilities or companionship time order and need ongoing assistance;
 - b. There is a history of extreme or ongoing parental conflict that has been unresolved by previous litigation or other interventions and from which a child of the parties is adversely affected;
 - c. The parties have a child whose parenting time schedule requires frequent adjustments, specified in an order of the Court, to maintain age-appropriate contact with both parties, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the Court;
 - d. The parties have a child with a medical or psychological condition or disability that requires frequent decisions regarding treatment or frequent adjustments in the parenting time schedule, specified in an order of the Court, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the Court;
 - e. One or both parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements on or make adjustments in their parenting time schedule without assistance, even when minor in nature;
 - f. Any other factor as determined by the Court.
2. Prior to appointment, the Court may appoint a parenting coordinator who has the following:

- a. A master's degree or higher, a law degree, or education and experience satisfactory to the Court;
 - b. At least two years of professional experience with situations involving children, which includes parenting coordination, counseling, casework, legal representation in family law matters, serving as a guardian ad litem or mediator, or such other equivalent experience satisfactory to the Court;
 - c. Training that has been approved by the Dispute Resolution Section of the Supreme Court, in the following order:
 - i. At least twelve (12) hours of basic mediation training;
 - ii. At least forty (40) hours of specialized family or divorce mediation training;
 - iii. At least fourteen (14) hours of specialized training in domestic abuse and dispute resolution;
 - iv. At least twelve (12) hours of specialized training in parenting coordination.
3. In addition to the qualifications under Division (D)(2) of this rule, the Court may appoint a parenting coordinator to an abuse, neglect or dependency case provided the parenting coordinator meets both of the following qualifications:
- a. Significant experience working with family disputes;
 - b. At least thirty-two (32) hours of specialized child protection training that has been approved by the Dispute Resolution Section of the Supreme Court.
4. To maintain eligibility for appointment, a parenting coordinator shall complete at least three (3) hours per calendar year of continuing education relating to children approved by the Dispute Resolution Section of the Supreme Court.
5. The appointment order shall set forth the following:
- a. The name of the parenting coordinator and any contact information the Court may choose to include;
 - b. The specific powers and duties of the parenting coordinator;
 - c. The term of the appointment;
 - d. The scope of confidentiality;

- e. The parties' responsibility for fees and expenses for services rendered by the parenting coordinator; and
 - f. Parenting coordination terms and conditions.
6. The parenting coordinator who meets the qualifications in Division (D)(2) and, if applicable, (D)(3) shall be selected using one of the following:
- a. Use of a court employee;
 - b. Random selection from the Court's roster of parenting coordinators;
 - c. Specific appointment based on the type of case and the qualifications and caseload of the parenting coordinator; or
 - d. Parties select a parenting coordinator from the Court roster to be approved by the Court.
7. The Court shall not appoint a parenting coordinator who does not have the qualifications in Division (D)(2) and, if applicable, Division (D)(3) of this rule or who has served or is serving in a role that creates a professional conflict including, but not limited to, a child's attorney or child advocate; guardian ad litem; custody evaluator; therapist, consultant, coach, or other mental health role to any family member; or attorney for either party. Parties may not waive this conflict.
8. With written consent of the parties, the Court may appoint a mediator to serve as the parenting coordinator with the same family.
9. Upon motion of a party, for good cause shown, or sua sponte, the Court may terminate or modify the parenting coordinator appointment.

B. PROCEDURES

1. SCREENING AND DISCLOSURE FOR DOMESTIC ABUSE AND DOMESTIC VIOLENCE
- a. All cases shall be screened for domestic abuse and domestic violence by office personnel before the commencement of the parenting coordination process and by the parenting coordinator during the parenting coordination process.

All parties and counsel shall immediately advise the staff of any domestic violence convictions and/or allegations known to them or which become known to them during the parenting coordination process.

- b. When domestic abuse or domestic violence is alleged, suspected or present, before proceeding, a parenting coordinator shall:
 - i. Fully inform the person who is or may be the victim of domestic abuse or domestic violence about the parenting coordination process and the option to have a support person present at parenting coordination sessions;
 - ii. Have procedures in place to provide for the safety of all persons involved in the parenting coordination process;
 - iii. Have procedures in place to terminate the parenting coordination session/process if there is a continued threat of domestic abuse, domestic violence, or coercion between the parties.

2. ATTENDANCE AND PARTICIPATION

- a. Parties shall attend parenting coordination sessions. Requests to reschedule parenting coordination sessions shall be approved by the parenting coordinator.
- b. A parenting coordinator shall allow attendance and participation of the parties and, if the parties wish, their attorneys and/or any other individuals designated by the parties.

3. REFERRALS TO SUPPORT SERVICES

A parenting coordinator shall provide information regarding appropriate referrals to resources including legal counsel, counseling, parenting courses/education and other support services for all parties, including, but not limited to, victims and suspected victims of domestic abuse and domestic violence.

4. PARENTING COORDINATION AGREEMENTS, REPORTS AND DECISIONS

- a. Parties shall sign and abide by agreements reached during a parenting coordination session which shall be maintained in the parenting coordination file. The parenting coordinator shall provide a copy to each party and their attorneys, if any.
- b. Upon request by the Court, the parenting coordinator shall prepare a written report including, but not limited to, the following:
 - i. Dates of parenting coordination session(s);
 - ii. Whether the parenting coordination session(s) occurred or was terminated;

- iii. Requests to reschedule a parenting coordination session including the name of the requestor and the whether the request was approved;
 - iv. Whether an agreement was reached on some, all or none of the issues;
 - v. Who was in attendance at each session; and
 - vi. The date and time of a future parenting coordination session(s).
- c. The parenting coordinator shall first attempt to assist the parties in reaching an agreement that resolves the dispute(s). If the parties are unable to reach an agreement, the parenting coordinator shall issue a written decision that is effective immediately and remains effective unless ordered otherwise by the Court. The parenting coordinator shall provide copies to the parties and their attorneys, if any. The decision shall be immediately filed with the Court and include all of the following:
- i. Case caption, including the case number;
 - ii. Date of the decision;
 - iii. Facts;
 - iv. Reasons supporting the decision;
 - v. The manner in which the decision was provided to the parties; and
 - vi. Any other necessary information.
- d. A party may file written objection(s) to a parenting coordinator's decision, with the Court and serve all other parties to the action, within fourteen (14) days of the filing date of the decision. If any party timely files objection(s), any other party may also file objection(s) with the Court and serve all other parties to the action, not later than ten (10) days after the first objection(s) are filed. A hearing may be scheduled, upon request, at the discretion of the Court. A judge or magistrate shall issue a ruling on the objection(s) within thirty (30) days from the date of the last objection filed.

5. PARENTING COORDINATOR EVALUATIONS AND COMPLAINTS

- a. A parenting coordinator shall provide participants with the Parenting Coordinator Evaluation form, provided by the Court, prior to the first parenting coordination session and at the end of the term of the appointment.

- b. The Court shall complete a review of the parenting coordinator(s) on the Court's roster in January of each year.
- c. A party to a case appointed to parenting coordination may file a complaint regarding the parenting coordinator within one year from the termination of the appointment. The complaint shall be submitted to the judge or magistrate who made the appointment, and include all of the following:
 - i. Case caption, including the case number;
 - ii. The name of the parenting coordinator;
 - iii. The name and contact information for the person making the complaint;
 - iv. The nature of any alleged misconduct or violation; and
 - v. The date(s) of the alleged misconduct or violation occurred.
- d. The judge/magistrate shall provide a copy of the complaint to the parenting coordinator;
- e. The parenting coordinator has fourteen (14) days from the date of the receipt of the complaint to respond in writing to the judge or magistrate.
- f. The judge or magistrate shall conduct an investigation into the allegations and shall issue a response within thirty (30) days from the date the complaint was received.

6. FEES

A parenting coordinator shall be paid at the hourly rate set forth in the order, unless otherwise ordered by the Court. All fees shall be determined by the Court and included in the appointment order. Fees shall be waived for indigent parties.

C. MODEL STANDARDS

The Court and a parenting coordinator shall comply with the "Guidelines for Parenting Coordination" developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination. Wherever a conflict exists between the Guidelines for Parenting Coordination and this local rule, this local rule shall control.

D. COURT REPORTING REQUIREMENTS

On or before February 1st of each year, the Court shall file with the Dispute Resolution Section of the Supreme Court all of the following:

- a. A copy of this local rule;
- b. A copy of the current roster of parenting coordinators;
- c. A copy of each new or updated resume received by the court from a parenting coordinator during the previous year;
- d. A copy of each list of continuing education training received by the court from each parenting coordinator.

E. SANCTIONS

The Court may impose sanctions for any violation of this rule which may include, but not limited to, attorney's fees and other costs, contempt or other appropriate sanctions at the discretion of the Court.

RULE 6.16

SHARED PARENTING

If the parties are filing for shared parenting pursuant to R.C. 3109.04(G) then the shared parenting plan submitted shall be filed as directed by the statute and shall include all relevant provisions per R.C. 3109.04(G).

While recognizing that it may not always be appropriate or in the best interest of children, in order to support parental rights and responsibilities, the court generally favors shared parenting. All parties with minor children shall be advised of their right to request shared parenting. If shared parenting is not submitted, recommended or incorporated in the court's order, a statement shall be submitted to the court setting forth the specific facts and circumstances relating to the absence of shared parenting.

RULE 6.17

STANDARD PARENTING TIME SCHEDULE

The court from time to time will publish its local parenting time schedule and long distance parenting time schedule. If the schedule is referenced in an order, it must be attached to the order. See appendices M and N.

RULE 6.18

EXHIBITS FOR DOMESTIC RELATIONS CASES

A. Trial Exhibits

1. Counsel shall mark exhibits together with an index page prior to any hearing and provide a copy to the opposing attorney or party at least one week prior to the hearing.

2. All exhibits shall have personal identifying information redacted from the exhibit, except to allow identification of a specific account or exhibit.

3. Counsel may utilize the court's equipment to present exhibits in a digital format. A copy of the electronic media and hard copies shall be presented to the court.

4. The court will hold and destroy exhibits pursuant to Sup. R. 26. Counsel or the party shall notify the court if (s)he would like the exhibits returned upon the completion of the case and the expiration of all appealable time limits.

5. All remaining exhibits, court reporter notes and electronic recordings held beyond the above time limit may be destroyed after a five year time period, unless otherwise ordered by the court.

CHAPTER 7

MISCELLANEOUS PROCEDURES

RULE 7.01

NOTARY PUBLIC

Any persons contacting the Clerk of Court's office regarding appointment as a Notary Public shall be provided with an application form and shall be directed to the office of the Judge or Judges who are currently approving notary applicants.

The Court shall establish procedures for approving notary applications. A charge not to exceed \$5.00 may be charged for filing an application.

RULE 7.02

DEFAULT JUDGMENT

A default judgment against an individual may not be granted except upon the receipt of the following:

1. A motion for default judgment conforming to Rule 55 of the Ohio Rules for Civil Procedure.
2. An affidavit confirming that the defendant is not a minor or incompetent person, and the moving party complies with the Soldiers and Sailors' Relief Act of 1940, Public Act No. 861-76th Congress, the National Guard and Reserve Officers' Mobilization Act, and the Selective Training and Service Act of 1940 or any amendments to any of these acts. The affidavit requirements may be satisfied if the same information is contained in a verified pleading.
3. Any additional information or evidence required by the Court to enable the Court to enter judgment.

Rule 7.03

COGNOVIT NOTE

A. No judgment on a warrant to confess judgment shall be granted until the answering and confessing attorney has informed the court in writing that:

1. The warrant of attorney to confess judgment and the instrument to which it pertains appear in all respects on their face to be valid and in compliance with Revised Code Section 2323.13;
2. He or she has personally reviewed the documents on which the Complaint and Answer and confession of judgment is based and is satisfied that there are no matters reflected in these documents or of which the attorney is aware which give rise to any defense on behalf of the defendant;
3. He or she has reviewed all records of payments and all calculations and finds the amount prayed for to be accurate; and
4. He or she is not associated in the practice of law with the attorney who filed the complaint.

B. Counsel shall provide the court with the notice required by Revised Code Section 2323.13(C) and a properly addressed, prepaid certified mail envelope, return receipt requested.

Rule 7.04

GUARDIAN AD LITEM

Except as provided in Local Rule 6.12, no person other than an attorney at law, admitted to practice in the State of Ohio, shall be appointed guardian ad litem in this Court.

RULE 7.05

ATTORNEYS FEES

A. Attorney fees relative to all matters shall be governed by Rule 1.5 of the Rules of Professional Conduct.

B. In any case where attorney fees are to be awarded, counsel shall provide to the Court an itemized statement showing the hours worked and a detailed accounting of expenses.

C. An indigent's counsel in a criminal case shall be paid at the rate adopted by the Wood County Commissioners.

D. Attorneys requesting fees in a partition action are not required to provide an itemized statement as set forth in (B) above if the amounts fall within the following guidelines:

1. 8% on the first \$5,000.00 of the sale price;
3% on the next \$10,000.00;
2% on the balance;
however, the minimum fee shall be \$500.00.
2. The fees shall be distributed pursuant to R.C. 5307.25.
3. Other fees may be permitted by leave of court only, under extraordinary circumstances.

RULE 7.06

FORECLOSURE, QUIET TITLE, PARTITION, AND JUDICIAL SALE

A. PROPERTY DESCRIPTION APPROVAL FORM AND JUDICIAL REPORTS.

1. In cases to quiet title, for partition, and for the marshalling and foreclosure of liens on real property, counsel for plaintiff shall file with the Clerk a Property Description Approval Form along with a stamped “Reviewed” original legal description at the time of the filing of the original complaint or petition. (See Appendix P) For those cases pending as of the date of these amendments, plaintiff must file with the Clerk a Property Description Approval Form along with an original legal description stamped “Reviewed” by the Engineer’s Office at the time of filing the Order of Sale.

2. With the exception of in rem tax foreclosure actions brought by the Prosecuting Attorney under R.C. 5721.18(C), counsel for plaintiff must file the following with the Clerk at the time of the filing of the original complaint or petition.

a. A statement of owners and lienholders or a preliminary judicial report, including the names of the owners of the property, and a reference to the volume and page and date of recording of the next preceding recorded instrument by or through which the owners claim title, as the same shall have been prepared and extended by a responsible title company to a date not over 30 days prior to the filing of the complaint.

b. After all defendants have been served with the complaint, counsel for the plaintiff shall obtain and file an updated title report establishing that all lienholders have been made parties and served with the complaint.

B. APPRAISER'S FEES AND ACCESS

1. Each appraiser shall be paid for real estate appraisals a standard fee of \$75.00 for each parcel as offered for sale.

2. Each appraiser shall be paid for personal property appraisals at the rate of \$25.00 for the first hour of time spent on inspection of the property and preparation of the final appraisal, and \$15.00 for each additional hour of time necessary to competently complete the appraisal.

3. Appraisers shall be granted access to real property for the purpose of appraising the premises to be sold at Sheriff's sale. If a landowner or occupier of the premises to be sold does not permit the appraiser to enter the premises, the Sheriff may aid the appraiser in gaining access without further order of the Court.

4. The Clerk of Courts shall use a portion of the deposit amount to pay each appraiser at the time he or she submits an invoice for his or her services. The Clerk of Courts shall not wait until the conclusion of a case to pay an appraiser who submits his or her invoice prior to the case's conclusion.

C. ORDER OF SALE.

No order of sale shall be approved unless counsel has warranted to the Court that all lienholders who appear of record have been notified of the application for order of sale.

D. BID AND DEPOSIT.

1. In every Sheriff's sale of real property, upon acceptance of a bid, the successful bidder shall deposit at the time of sale five percent (5%) of the amount of the appraised value of the subject property; however, no such deposit shall be less than One Thousand and 00/100 Dollars (\$1,000.00), with the balance due within thirty (30) days of the date of confirmation.

2. If the property has not been appraised, the successful bidder shall deposit at the time of sale ten percent (10%) of the starting bid; however, no such deposit shall be less than One Thousand and 00/100 Dollars (\$1,000.00) with the balance due within thirty (30) days of the date of confirmation.

3. If the successful bidder is the first lienholder, in lieu of the above deposit requirements, said bidder may opt to deposit One Thousand and 00/100 Dollars (\$1,000.00) plus the amount of real estate taxes due at the time of sale, with the balance due within thirty (30) days of the date of confirmation. If this option is exercised, it is the responsibility of the bidder to utilize the form provided by the Wood County Treasurer to obtain acceptable documentation evidencing the amount of real estate taxes due at the time of sale.

4. Advertisements for any judicially ordered sale shall state the above deposit requirements.

E. SHERIFF'S RETURN OF SALE.

The Sheriff shall make the return of sale to the Court showing the name and address of the purchaser(s) and the amount of the bid on a Purchaser Information Form as prescribed by Sections 2329.26, 2329.27, 2329.271 of the Revised Code. (See Appendix Q)

F. CONFIRMATION OF SALE.

Counsel for Plaintiff shall prepare and submit to the Court an order of confirmation of sale, in accordance with Local Rule 4.05, no later than thirty (30) days from the date of the return of the writ. Upon the filing of the confirmation of sale, counsel for plaintiff shall provide to the Sheriff, within seven (7) calendar days:

1. A time-stamped copy of the filed confirmation of sale;
2. A completed Sheriff's deed;
3. A completed Conveyance form.

The Sheriff shall review and approve or reject the deed and conveyance form. The approved deed shall be recorded by the Sheriff within fourteen (14) business days of payment of the purchase price. The Sheriff shall charge a fee of \$50.00 for deed review and a fee of \$75.00 for administrative costs to process the conveyance form and to record the deed.

RULE 7.07

PUBLICITY

A. No attorney, nor officer or employee of the Court shall discuss matters with the media that might interfere with a fair trial or otherwise prejudice the administration of justice.

B. Where deemed appropriate, the Court may issue a special order governing:

1. Extra-judicial statements by counsel or others;
2. Spectators at trial;
3. Sequestration of witnesses and jurors; and
4. Any other matters the Court may deem necessary.

RULE 7.08

BROADCASTING, RECORDING AND PHOTOGRAPHING DURING COURT SESSIONS

A. Broadcasting, televising, recording and photographing during court sessions shall be permitted only under the following conditions:

1. Requests for permission of media to participate under this rule shall be made in writing to the Judge to whom the case was assigned no later than five (5) days prior to the session involved. The Judge involved with the particular session may waive the advance notice requirement for good cause.
2. The Court shall grant the request in writing or by order consistent with Canon 1 of the Code of Judicial Conduct, Superintendence Rule 12, and these rules in the event that the Judge determines that to do so would not distract the participants, impair the dignity of the proceedings or otherwise materially interfere with the achievement of a fair trial or hearing. The written permission shall be made a part of the record in the case.
3. In the event of a continuance of the court proceeding for which media permission has been granted for a period of more than thirty (30) days, a new media request shall be required.
4. All media representatives interested in recording courtroom proceedings shall do so through the pooling of their respective resources. Such arrangements shall be made prior to reopening of the court session and without imposing on the trial judge or court personnel. In the event disputes arise over the arrangements between or among media representatives, the Judge shall exclude all contesting representatives from the proceeding.
5. The Judge shall specify the location(s) in the courtroom where the operators and equipment are to be positioned. Media representatives shall be afforded a clear view of the proceedings in the courtroom. Any equipment shall be ready for operation prior to commencement of court sessions. No persons will be permitted to bring equipment into or remove equipment from the courtroom or move about during times when court is in session.
6. No interview shall be conducted inside the courtroom during any time that court is in session.
7. Only one video camera shall be permitted in the courtroom operated by no more than one person.

8. No artificial lighting shall be used other than normal courtroom lighting.
 9. Only one still photographer shall be permitted in the courtroom.
 10. Only one audio system for radio broadcast shall be permitted in the courtroom.
 11. Audio tape recording equipment may only be used with permission of the judge involved.
 12. Media pooling equipment shall be located outside the courtroom.
 13. Changes of tape or reloading audio and video equipment is not permitted inside the courtroom during proceedings.
 14. No equipment shall be used inside the courtroom that produces distracting sounds as determined by the judge involved.
 15. There shall be no audio pick up or broadcast of conferences conducted between attorneys and clients, co-counsel, opposing counsel, or trial judge and counsel at bench conferences.
 16. There shall be no video, film, audio, or still photo of victims, or witnesses who object thereto.
 17. There shall be no video, film, audio, or still photo of jurors.
 18. Media is not permitted access to proceedings neither in the Judge's chambers nor in jury deliberation room.
 19. Media is not permitted to record in any manner any document or exhibit used at the session except those audio-visual aids used during the session that are clearly perceived by the gallery at large unless permission to do so is granted by the Court.
 20. Proper courtroom decorum shall be maintained by all media representatives, i.e. proper attire and demeanor.
- B. The following special provisions shall apply to Courtroom #4, Fourth Floor,

County Office Building:

1. If the conference room adjacent to the courtroom with window accessibility is available to the media, all broadcasting, televising, recording and photography shall be done from that room and media representatives need not pool their respective resources unless the conference room is not large enough or the sound outlets adequate to provide access to all media requesting access. If pooling is then

required, those media representatives requesting access later in time shall be required to pool their resources.

2. No interviewing, broadcasting, televising, recording or photography shall be conducted anywhere within the Court or public areas on the fourth floor of the County Office Building at any time, prior to, during or after court sessions without prior permission of court personnel. When space is available for these purposes within the court facilities, the court will attempt to make it available for such purposes.

RULE 7.09

FOREIGN JUDGMENTS

A. When a foreign judgment is presented to the Clerk of Courts for the purpose of a proceeding in aid of execution, the Clerk shall assign a case number and assign a judge as in all other civil cases.

B. The proponent submitting the foreign judgment must provide two judgment entries with original certifications of authenticity from the foreign jurisdiction and one copy for the judge's file. One judgment entry shall remain with the case file and the other shall be provided to the Sheriff along with the praecipe for a writ of execution.

RULE 7.10

OUT OF STATE SUBPOENAS TO BE SERVED IN WOOD COUNTY

A. When a request is presented from an out-of-state litigant to have subpoenas served upon Wood County residents, the Clerk shall assign a case number to such action and assign such action to a judge.

B. The Clerk of Court shall secure a deposit for costs before processing and serving the subpoenas as requested by the out of state litigant.

RULE 7.11

SUMMARY ARBITRATION

A. REFERRAL TO ARBITRATION

1. Any civil case in whole or part may be referred by the Court for mandatory arbitration excluding:

- a. Actions involving title to real estate, equitable relief, appeals, and medical malpractice; and
- b. Actions where the amount in controversy, exclusive of costs and interest, is in excess of \$25,000

2. The parties may agree to arbitrate matters excluded from mandatory arbitration.

3. The amount in controversy is determined by the judge at pretrial and may differ from the amount claimed. A determination of the amount in controversy is a preliminary estimate by the judge and does not limit the amount of any award the arbitrator(s) may make.

4. Valid objections to the arbitration must be raised by written motion filed no later than 10 days from the mailing of notice of assignment of the case to arbitration.

B. APPOINTMENT OF ARBITRATORS

1. The arbitration panel shall be appointed by the Court and shall consist of three attorneys or other qualified persons unless the parties agree to a single arbitrator.

2. The panel shall not consist of more than one attorney from any partnership or other association.

3. All conflicts of interest must be monitored by the attorneys. No arbitrator shall have an interest in the case or a relationship with any party or any attorney in the case which would in any way interfere with an impartial consideration of the case.

4. Objections to any arbitrator must be raised by written motion filed no later than 10 days from the mailing of notice of assignment of the arbitrators to a case.

C. DEPOSIT

1. Upon the case being assigned to arbitration, and no later than 15 days prior to the date set for arbitration before the arbitrator, the plaintiffs and defendants must each deposit with the Clerk \$300.00 (total of \$600.00) as security for the payment of the arbitrators. If there is only one arbitrator each side, the plaintiffs and defendants, shall deposit \$150.00 (total of \$300.00) with the Clerk. This amount may be increased by the Court if arbitration for some unexpected reason lasts longer than three hours. Failure to timely make the arbitration deposit may result in sanctions being imposed, including dismissal of the action or a default award.

2. In the event that a party is unable due to poverty to make the payment for arbitrators' fees, the party may file a motion and affidavit in forma pauperis.

D. SCHEDULING THE HEARING

1. The Court or Chair of the panel shall set the dates for hearing, and shall be responsible for providing notice to the other arbitrators and the parties as to the time and place of the hearing. An arbitration date shall be promptly set during normal court days and hours. In no event shall the arbitration hearing be set later than the arbitration date set in the court's pretrial order, or if none, the trial date.

2. After any date has been scheduled for a hearing, the Chair may, with consent of the Court, allow for one rescheduling or continuance of the hearing not beyond the date set in the Pretrial Order. Any further continuances must be with the approval of the judge assigned to the case. With any continuance the requesting counsel shall contact and reschedule with the arbitrators and other counsel the new arbitration date.

3. Hearings shall be held at the Court facilities unless counsel and the panel agree otherwise.

E. PRE-HEARING MATTERS

1. Before hearing the case, the arbitrator must assemble before the Court or a person with authority to administer oaths and be sworn to justly and equitably consider all matters submitted to them.

2. Counsel and parties are strictly forbidden to communicate with the arbitrator concerning the merits of the controversy except during the course of hearings being held in the presence of all parties.

3. No offers of settlement shall be disclosed to the arbitrators prior to the filing of the report and award.

4. The parties may at anytime prior to final judgment agree to waive the right of appeal if done so in writing and approved by the arbitrators.

5. The parties may stipulate to any matter regarding summary arbitration.

F. ARBITRATION PACKET

One week prior to the arbitration hearing, the parties shall submit to each arbitrator a memorandum not exceeding 10 pages stating the legal and factual positions of the parties, together with an organized packet containing documentary exhibits the party intends to offer at the hearing. If a party fails to deliver a copy of a documentary exhibit, the arbitrator(s) may refuse to receive the exhibit in evidence. The original documents shall not be held by the arbitrators.

G. HEARING PROCEDURE

1. The normal arbitration hearing length shall be 2 hours, one hour for each side. Additional length of time may be allotted by the chair if the case is very complex, or there are additional parties.

2. Conformity to the Rules of Evidence is not required. All objections to the introduction of evidence shall be ruled upon with the presumption that if the evidence is relevant and material it shall be admitted.

3. Admissibility of evidence shall be determined by the panel. The panel may consider affidavits or written reports and give such the weight the panel feels is proper.

4. If any party fails to appear for any hearing, the panel may proceed to take testimony.

5. Counsel should not rely upon subpoenas to produce a party or witness, however, to avoid injustice the panel has the power to authorize the issuance of subpoenas, to compel the production of documents, to administer oaths, and determine the admissibility of evidence.

6. The panel is not responsible to generate a transcript of the proceedings. Any party desiring a transcript shall make arrangements for a court reporter and cause such transcript to be prepared at the requester's expense and shall not be taxed as costs. The party requesting the court reporter shall pay the reporter in advance.

7. The Common Pleas Judge to whom the case is assigned shall have full supervisory powers with regard to any questions that arise in all arbitration proceedings and in application to these rules.

H. THE DECISION

1. If two members of the three member panel agree, then the decision shall be signed by all panel members on forms analogous to jury verdicts as adopted by the Court. If one of the three members does not agree on the findings or decision, the dissenting member shall write the word "dissents" before his or her signature.

2. The Arbitrator(s) shall make and file the decision with the Clerk of Courts promptly following the close of the hearing and in no event no later than 7 days following the close of the hearing. The Clerk of Courts shall cause a copy of the decision to be served by ordinary mail on all parties and their counsel.

3. The decision shall state clearly the name or names of the prevailing party or parties and the party or parties against whom it is rendered and the sum of money awarded, if any. The decision shall specify which party shall pay the costs of the action and whether interest is awarded. If interest is awarded the decision shall separately state that amount.

4. The prevailing party may submit a proposed Judgment Entry that is in conformity with the arbitration decision.

5. Unless a party has filed a demand for trial de novo within 30 days following the filing of the decision, the decision shall become the judgment of the Court and shall have the same force and effect as a judgment of the Court in any other civil action.

I. APPEAL PROCEDURE

1. Any party may appeal the decision to the Court if, within thirty days after the filing of the decision with the Clerk of the Court, he files a "Demand for a Trial De Novo" with the Clerk of Courts and serves a copy thereof on the adverse party or parties accompanied by an affidavit that the appeal is not taken for delay.

2. If an appeal is filed, the case will be set for trial de novo.

3. Panel members are not permitted as witnesses at the trial resulting from the appeal and no mention will be made of the arbitration or the results to a jury.

J. COMPENSATION OF THE ARBITRATORS

1. Each panel member shall receive as compensation a fee of \$150.00. The Chair, or a single arbitrator, may receive up to one hour fee at the rate of \$50.00 per hour for actual time spent with scheduling, pre-arbitration conferences, or other time spent preparing for the case. If complex or unusual circumstances are involved a greater fee may be paid to all the arbitrators which may be approved by the Court upon written motion.

2. If the case is settled less than one business day before the scheduled hearing then a fee of \$25.00 shall be paid to each arbitrator. The Chair, or a sole arbitrator, shall receive \$50.00.

3. The Clerk shall release funds for the arbitrators after the award is filed.

RULE 7.12

SUMMARY JURY TRIAL (SJT)

A. The Court may order SJT to be undertaken in any civil case as a settlement procedure and as such shall not be binding unless otherwise stipulated by the parties.

B. The matter should be trial ready prior to SJT. Counsel shall assume that no additional discovery may be completed between the SJT and the traditional trial.

C. The Court may conduct a prehearing conference to consider proposed stipulations and to review the following:

1. Proposed jury instructions and briefs on any novel issues of law;
2. A list of all witnesses to be introduced by reference during the SJT presentation;
3. A list of all physical exhibits, documents and expert reports to be introduced to the jury.

D. Each party shall deposit with the Clerk \$100.00 as security for the payment of costs incurred upon the case being assigned for summary jury trial and no later than 30 days prior to the date set for summary jury trial.

E. The matter shall ordinarily be heard before a jury of six. Unless otherwise agreed a venire of 10 prospective jurors shall be selected by random draw from the jury pool or by other means as the Court determines. Each counsel will be permitted no more than two challenges following a brief voir dire examination to be conducted by the judge. Ordinarily there will be no alternate jurors.

F. All parties and adjusters or other liable parties will be in attendance at the SJT.

G. No witnesses will be called to testify. All evidence will be presented through the attorneys for the parties. The attorneys may summarize and comment on the evidence and may summarize or quote directly from depositions, interrogatories, requests for admissions, documentary evidence, and sworn statements of potential witnesses. However no witness' testimony may be referred to unless the reference is based upon one of the products of the various discovery procedures, or upon a written sworn statement of the witness.

H. Subject to modification at the Court's discretion, each party shall have a maximum of one hour for case presentation and argument.

I. Objections will be received if during the presentation counsel exceeds the limits of propriety in presenting statements as to evidence or argument thereon.

J. After counsels' presentations the jury will be given an abbreviated charge on the applicable law. The content of the charge will be reviewed with counsel prior to the SJT. However, the judge will remain final authority.

K. The jury will be encouraged to return a consensus verdict as to liability and or damages. Jury verdict forms will be utilized for comparative negligence and other issues when applicable. Five jurors must concur in the verdict.

L. Upon rendering the advisory verdict the jury will be encouraged to share its observations and opinions with counsel, the parties and the Court.

M. The Court shall initially advise the jurors of the abbreviated, experimental nature of SJT. The jury will be advised that its verdict is advisory only upon its returning of a verdict.

N. Unless specifically otherwise ordered by the Court, the proceedings will not be recorded. Any party desiring a transcript shall make arrangements for a court reporter and cause such transcript to be prepared at the requester's expense, and it shall not be taxed as costs.

O. Neither the presentations of counsel nor the jury verdict may be used as evidence in any subsequent trial.

P. Counsel may stipulate that a verdict by the jury will be deemed final determination on the merits and the judgment be entered thereon by the Court, or may stipulate to any other use of the verdict that will aid in the resolution of the case.

Q. These provisions may be modified by the judge to accommodate specific or unique circumstances. All stipulations entered into concerning these proceedings shall be written as an addendum to the order for summary jury trial and shall meet with the approval of the judge.

R. The procedure shall be construed and implemented to secure the just, speedy and inexpensive conclusion of the case.

RULE 7.13

INDEPENDENT LAWYER EVALUATION PROGRAM

A. GOAL OF PROGRAM

The goal of this court-sponsored program is to quickly provide to counsel and to the parties at a low cost an independent lawyer's opinion as to a fair resolution of the case.

B. ASSIGNMENT OF CASE FOR INDEPENDENT LAWYER EVALUATION

The judge assigned to any civil case, following an initial pretrial, may refer the case upon its own motion or upon the request of a party to an expert for an evaluation.

C. LIST OF EVALUATORS

A list of prospective evaluators will be established by the judges of this court after consultation with members of the plaintiff and defense bar. Names of additional evaluators will be added periodically. No one will be designated as an evaluator without prior authorization. All evaluators must have practiced law in the State of Ohio for a minimum of five years in the area of law involved in the litigation.

D. SELECTION OF INDEPENDENT LAWYER

Once the court determines a case should be referred to an independent lawyer, counsel will be provided the list of evaluators and asked to agree upon one lawyer. Should the parties fail to select an evaluator within seven (7) days from the date of referral, the court will select an evaluator from the approved list.

E. COST DEPOSIT

Each party shall deposit with the Clerk \$50.00 as security for the payment of costs incurred upon the case being assigned for independent lawyer evaluation and no later than 30 days prior to the date set for the evaluation.

F. PROCEDURE

Upon the appointment of an independent lawyer the Court shall supply to the evaluator the judge's case file. The Court shall supply the respective counsel with a questionnaire which shall be completed within fourteen (14) days and forwarded to the evaluator. Counsel shall supply the copies of reports or other documents which the evaluator will need to consider in reaching a decision.

At the evaluator's discretion he or she may schedule a telephone conference or a meeting with counsel at the county courthouse to assist him or her in further evaluating the case.

After the questionnaires and all other pertinent information have been submitted, the evaluator shall prepare a one paragraph recommendation for settlement. This recommended settlement may designate a specific amount of damages or a high/low range. This report shall also include what factors were considered in reaching his or her determination.

The recommendation of settlement shall be forwarded to the judge assigned to the case along with the case file. The judge shall send copies of the recommendation to counsel. No copy shall be filed with the Clerk of Courts.

No communication made by a party during any hearing shall be used for impeachment. The evaluator may not be called to testify at trial.

G. COMPENSATION OF EVALUATOR

It is anticipated that the independent lawyers selected will accept appointment as an evaluator for a minimal fee with the goal of aiding the court and fellow counsel.

The Court, except for good cause shown, shall direct the Clerk of Courts to issue a check to the evaluator in the amount of one hundred dollars (\$100.00) for his or her services and the amount paid shall be assessed as costs of the case.

H. SANCTIONS

Failure of any party or attorney to comply with any provisions of this independent lawyer evaluation procedure may subject the party or attorney to appropriate sanctions.

RULE 7.14

MEDIATION IN CIVIL CASES (NON-DOMESTIC RELATIONS)

A. SCOPE.

The Court may, at any time, refer any case to mediation in accordance with these rules.

B. CASE SELECTION

1. Referral Process

The Court, on its own motion, on a party's request, or by agreement of the parties may refer disputed issues to mediation in whole or in part. Promptly after receiving referral, the Court Mediator shall send all parties a "Mediation Notice" which shall, at a minimum, indicate the date, time, place of the mediation, and the contact information of the Court Mediator. All parties and counsel shall advise the assigned judge of any domestic violence allegations known to them to exist or to have existed in the past, or which become known to them following entry of the order but before conclusion of all mediation proceedings, which allegations involve any two or more persons whose attendance is required by the referral order.

2. Eligibility of Cases

The Court Mediator will determine the eligibility and appropriateness of each referral prior to the commencement of the mediation process and may decline any referral(s) deemed inappropriate.

C. PROCEDURES

In accordance with all applicable provisions of this rule, if a case is deemed appropriate by the Court Mediator, mediation will be scheduled. A mediator may meet with the parties

individually prior to bringing the parties together for any reason including, but not limited to further screening. A mediator may schedule multiple mediation sessions, if necessary and mutually acceptable for the resolution of the issues in part or in their entirety.

1. The Court shall utilize procedures for all cases that will:
 - a. Ensure that parties are allowed to participate in mediation, and if the parties wish, that their attorneys and other individuals they designate are allowed to accompany them and participate in mediation.
 - b. Screen for domestic violence both before and during mediation.
 - c. Encourage appropriate referrals to legal counsel and other support services for all parties, including victims of and suspected victims of domestic violence.
 - d. Prohibit the use of mediation in any of the following:
 - As an alternative to the prosecution or adjudication of domestic violence;
 - In determining whether to grant, modify or terminate a protection order;
 - In determining the terms and conditions of a protection order; and
 - In determining the penalty for violation of a protection order.

2. Party Participation

All parties and their counsel shall attend scheduled mediation sessions unless excused by the Court Mediator.

3. Mediator Conflicts of Interest

In accordance with R.C. 2710.08(A) and (B), the Court Mediator assigned by the Court to conduct a mediation shall disclose to the mediation parties, counsel, if applicable, and any nonparty participants any known possible conflicts that may affect the Court Mediator's

impartiality as soon as such conflict(s) become known to the Court Mediator. If counsel or a mediation party requests that the Court Mediator withdraw because of the facts so disclosed, the assigned Court Mediator should withdraw and request that the assigned Judge appoint another Court Mediator.

4. Termination

If the Mediator determines that further mediation efforts would be of no benefit to the parties, he or she shall inform all interested parties and the Court that the mediation is terminated.

5. Stay of Proceedings

All remaining court orders shall continue in effect. No order is stayed or suspended during the mediation process except by written court order. Mediation shall not stay discovery or the Court's consideration of pending motions, which may continue through the mediation process in accordance with applicable rules, unless agreed upon by the parties and approved by the judge assigned to the case.

6. Continuances

It is the policy of this Court to determine matters in a timely manner. Continuances of scheduled mediations shall be granted only for good cause shown.

7. Mediator Report

At the conclusion of the mediation and in compliance with R.C. 2710.06, the Court Mediator shall prepare and file a mediation report.

D. FEES AND COSTS

All costs shall be determined by the Court, if applicable. The Court may require appropriate deposits to cover the costs prior to mediation.

E. SANCTIONS

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

RULE 7.15

CERTIFICATION OF QUALIFICATION FOR EMPLOYMENT

A. This rule defines the specific local court requirements and processes that support a Petitioner's application for a Certificate of Qualification for Employment (CQE) as set forth in Revised Code 2953.25 and Administrative Rule 5120-15-01 established by the Ohio Department of Rehabilitation and Corrections (ODRC).

B. To request a CQE, the Petitioner must first complete the electronic Petition for Certificate of Qualification for Employment online through the ODRC website. After the ODRC reviews the electronic Petition and approves it for filing, Petitioner may file the Petition with the Wood County Clerk of Courts. Filing in this Court is initiated using a Cover Sheet (See Appendix R). The Petition must include the assigned ODRC Electronic Petition Identification Number on the Cover Sheet and a printed copy of the fully completed Electronic Petition as submitted to the ODRC.

C. Before any action is required to be taken on the Petition, the Petitioner must pay a deposit in the amount established by Local Rule 3.03.

D. All social security numbers and other information that must be excluded from public record shall be redacted in accordance with the rules of this court and the Rules of Superintendence. Records or information received by a court to assist the court with making its

decision under Section 2953.25 of the Revised Code, including information included on a petition, shall retain their character as public or non-public records, as otherwise provided in law.

E. Upon receipt of a Notice of Petition and the required deposit, the Clerk of Courts shall assign the Petition a miscellaneous civil case number and randomly assign the matter to a judge. For good cause shown, and with the approval of the Administrative Judge, a Petition may be transferred to another judge of this Court who agrees to such transfer due to familiarity with the Petitioner gained through past civil or criminal proceedings.

F. The Court shall obtain a criminal history for the Petitioner, either through the Probation Department's investigation ordered in support of the Petition or otherwise.

G. The Court shall attempt to determine all other courts in the state in which the Petitioner has been convicted of or plead guilty to an offense through review of the Petitioner's criminal history or other investigation. Following such determination, the Court shall notify the Clerk of Courts who shall send a Notice to Court Regarding Petition for Certificate of Qualification for Employment and a Response to Request Form to each court so identified. Such Notice shall be sent via ordinary US mail or by electronic means, as the Clerk deems expedient.

H. The Clerk of Courts shall also send a Notice to Prosecutor Regarding Petition for Certificate of Qualification for Employment and Response to Request form to the Prosecuting Attorney of the county in which the Petition was filed. Such Notice shall be sent via ordinary US mail or by electronic means, as the Clerk deems expedient.

I. The Judge or Magistrate may order any report, investigation or disclosure by the Petitioner that it believes is necessary to reach a decision.

J. Following completion of its investigation, the Probation Department shall deliver to the assigned judge an information packet, consisting of a copy of the Petition, the criminal history, and other information obtained by the Probation Department in accordance with R.C. 2953.25 and OAC Rule 5120-15-01. The packet submitted to the judge is not a public record, and shall not be made part of the Clerk's file.

K. Once all information requested has been received, the Judge shall decide whether to grant or deny the Petition within sixty days, unless Petitioner requests and is granted an extension of time. The decision to grant or deny a Petition may be referred to a Magistrate, and then sent to the Judge for a final Judgment Entry and Order. All notice and objection periods regarding a magistrate's decision would apply as set forth in the civil rules.

L. The Clerk shall notify the Petitioner and the ODRC of the Court's decision by uploading the Judgment Entry electronically through the Court's ODRC electronic user account. If the Petition is denied, the Clerk shall provide written notice to the Petitioner of the Court's denial; and the notice shall include conditions, if any, placed on subsequent filings and language that a final appealable order has been filed.

M. Requests for information regarding an individual who has been convicted of or pleaded guilty to an offense in this Court and has filed a CQE petition in another county shall be directed to the Clerk, who shall forward such requests to the Probation Department and to the judge of this court on whose docket petitioner's most recent conviction appears. Where multiple judges of this Court have heard cases with a specific petitioner, only the judge having the most recent case number is obligated to respond. To assist with timely response to other courts, unless the judge deems it unnecessary, the Probation Department shall summarize for the responding judge past convictions of petitioner in this court, and any significant facts readily observed from past presentence investigation reports, CBCF screenings, or reports of compliance or noncompliance with the terms of probation. Each judge retains the ability to agree, disagree, or provide "no comment" regarding CQE requests from another Ohio court.

Eff 8-2-13

RULE 7.16

COURT RECORDS MANAGEMENT AND RETENTION

The Wood County Common Pleas Court does hereby adopt the standards for the maintenance, preservation and destruction of records as provided in the Ohio Supreme Court's Superintendence Rule 26 through 26.05 as our records retention schedule. In addition, and pursuant to Superintendence Rule 26(G), the Court establishes the following retention schedule for the Adult Probation Department's records:

RECORD TITLE AND DESCRIPTION	RETENTION PERIOD
CASE FILES	
Presentence Investigations	Permanent
Pretrial Files	10 years after last contact
Probation Case Files	10 years after probation terminated
Electronic Monitoring Program	10 years
Intensive Supervision Probation	10 years
Master Index to Cases	Permanent
Probation Records (Lists probationer's name, Case number, date probation was terminated, and reason for termination)	Permanent
Work Release Files	10 years

Eff 8-2-13

Chapter 8

JURY USE AND MANAGEMENT

RULE 8.01

ADMINISTRATION OF THE JURY MANAGEMENT RULES

The implementation and oversight of these rules shall be the responsibility of the Administrative Judge. Oversight shall include, but not be limited to:

- A. A periodic review of the jury source list for its appropriateness and sufficiency to meet the demands of the courts and the ends of justice, and
- B. A periodic review of the procedures used in selecting, notifying and utilizing jurors to assure that jurors are being utilized efficiently and without unnecessary inconvenience.

RULE 8.02

GOALS OF THE JURY MANAGEMENT RULES

These rules are intended to ensure the following:

A. Qualified Wood County residents meet their obligation to serve as jurors when summoned.

B. Persons are not excluded from prospective jury service because of improper or illegal discriminatory practices including, but not limited to, those matters related to race, national origin, gender, age, religious belief, income, occupation, disability, or any other factor that forms the basis of a cognizable group of citizens.

C. Every reasonable accommodation is made to secure the comfort and peace of mind of the jurors, including, but not limited to, the following:

1. Prospective jurors shall be informed of their duties and responsibilities prior to a call to service.
2. Jurors shall be summoned as necessary for the administration of justice.
3. The Court will provide special accommodations for prospective jurors with disabilities.

RULE 8.03

PROCEDURES FOR OBTAINING ANNUAL JURY LIST

A. The annual jury source list and annual jury list shall be obtained in accordance with the procedures outlined in R.C. Chapter 2313. The Jury Commissioners shall not include information from the Registrar of Motor Vehicles in the annual jury source list.

B. The Court's jury year shall run from January through December.

C. The Jury Commissioners shall maintain all records relating to or compiled from the annual jury source list and annual jury list for two years, after which the records may be destroyed.

RULE 8.04

PROCEDURES FOR SUMMONING JURORS

A. All jurors shall be notified and summoned in accordance with the procedures outlined in R.C. Chapter 2313.

B. Appropriate management techniques shall be used to adjust the number of individuals summoned for jury duty and the number assigned to jury panels.

C. Prospective jurors shall be summoned for duty for a period of one month. Grand jurors shall be summoned for a period of four months.

D. Questionnaires completed by prospective jurors and returned to the Jury Commissioners may be provided to counsel prior to trial. The questionnaires shall not be duplicated by counsel and shall be returned to the Court upon completion of jury selection.

E. Departures from random selection procedures may occur only when by reason of challenges or other causes not enough jurors to make up a jury panel are present. Upon order of the Court, the Sheriff or Jury Commissioners shall immediately summon as many persons having the qualifications of a juror as, in the opinion of the court, are necessary. The summoned jurors shall appear at a time fixed by the Court.

F. Persons summoned for jury service shall be paid a reasonable fee, as set by the Wood County Board of County Commissioners, for each one-half or full day.

G. Following each jury trial and period of Grand Jury service, the Court shall notify the Jury Commissioners of those who have served on a trial jury or Grand Jury.

RULE 8.05

EXCUSES AND DEFERRALS FROM JURY SERVICE

- A. The only excuses from jury service are those set forth in R.C. Chapter 2313.

- B. Postponement of a prospective juror's appearance for jury service shall be in accordance with R.C. Chapter 2313.

RULE 8.06

VOIR DIRE

A. To reduce the time required for voir dire, returned jury questionnaires will be available to counsel of record or pro se litigants prior to the day of jury selection. All prospective jurors should be questioned and all challenges should be disposed of by the judge.

B. The trial judge may give the jurors preliminary instructions before the voir dire examination.

C. The trial judge shall conduct a preliminary voir dire examination and then counsel shall be permitted to question the panel for a reasonable period of time set by the judge. To ensure that the privacy of prospective jurors is reasonably protected, voir dire regarding personal or sensitive matters may be conducted in camera.

D. Voir dire examination shall be limited to matters relevant to determine whether a particular juror could be fair and impartial. Counsel shall not be permitted to inquire of the jurors as to any legal issue, ask jurors argumentative or hypothetical questions, or elicit assurances other than being attentive, unbiased or impartial.

RULE 8.07

SATISFACTION OF JURY SERVICE OBLIGATION

Pursuant to R.C. Chapter 2313, a person who is summoned as a juror and who has actually served as a juror for two consecutive calendar weeks is discharged of all jury service obligations, except that the person shall not be discharged until the close of a trial in which the person may be serving when the person's jury term expires. A juror who is discharged as prescribed above is thereafter prohibited from jury service in any court of the state until the second jury year after the day of the person's last service.

RULE 8.08

PROSPECTIVE JUROR PRIVACY

A. To preserve the privacy and confidentiality of prospective jurors, when deemed advisable by the judge, lists of potential jurors submitted to counsel may be identified only by number, and other identifying data may be withheld and sealed. Counsel shall make no copies of juror questionnaires and shall return the questionnaires to the Court upon completion of jury selection.

B. The Court may order that identifying data of prospective jurors and information contained on juror questionnaires provided counsel shall not be disclosed by counsel to litigants or defendants, or others not directly associated with counsel's professional office.

C. This rule shall apply to both potential grand and petit jurors.

WOOD COUNTY
WORK RELEASE PROGRAM RULES

Upon your acceptance into the Work Release Program, you must abide by all applicable rules. Participation in this program is a privilege which can be revoked at any time should you fail to abide by any of the rules.

1. I will submit every paycheck or cash payment received from my employment, including a pay stub, to the Work Release Staff.
2. I will immediately notify the Work Release Staff if I am terminated from work.
3. I will notify the Work Release Staff of any adjustments or changes in my employment status, such as a job description, hours of employment, salary, work location, name of immediate supervisor, etc.
4. I will follow the weekly schedule for release and return times as posted. If for any reason I am unable to meet the schedule, I will immediately call the Work Release office to report the reason.
5. I will report back to the Justice Center immediately if I am released from work or school earlier than scheduled.
6. I will have my supervisor telephone the Justice Center or Work Release Office to verify any overtime I am required to perform. I will report back to the Justice Center immediately upon my release from work.
7. If I am a student, I will report back to the Justice Center immediately upon my release from regularly scheduled classes. I will immediately notify the Work Release Staff of any change in my class schedule. Additional, library, research or study time on campus must be approved by the Work Release Staff. I will notify the Work Release Officer immediately if I quit attending classes or am terminated as a student.
8. I will turn in a signed slip to the Work Release Staff from the treatment agency when released to attend court ordered treatment services.

WORK RELEASE RULES

9. I will provide my own transportation to and from Work Release contingent upon approval of the Work Release Staff. Hitchhiking is not permitted.
10. I will submit to the search of my person, room or automobile at any time by the Work Release Staff, a law enforcement officer, or any member of the Wood County Sheriff's Office.
11. I will submit to a breath test, urinalysis, blood tests, or any other analysis or evaluation when required to do so by the Work Release Staff, the Wood County Sheriff's Office, Justice Center personnel, or any other law enforcement officer. The cost of such tests will be at my own expense.
12. I will not purchase, use, sell, distribute, or possess any beer, wine, liquor, controlled substance, drug paraphernalia, or any other articles prohibited by applicable rules.
13. I will not work directly or indirectly as an informant for any law enforcement agency or officer, and will not be involved, directly or indirectly, in any drug transactions.
14. I will not bring any cigarettes or tobacco products into the Justice Center.
15. I will not bring matches or lighters into the Justice Center.
16. I will turn in all prescription or non-prescription medication to the Work Release Staff or Justice Center Staff upon entering the Work Release Program, for distribution by the staff.
17. I will not purchase, own, possess, or have under my control any firearm, deadly weapon, or dangerous ordnance as defined in Section 2923.11 of the Ohio Revised Code.
18. I will abide by all rules of the Wood County Justice Center and Work Release Program. Repeated violations of minor rules may result in removal from the program.

WORK RELEASE RULES

19. I will not cause or participate in a fight.
20. I will not commit any criminal or traffic offenses.
21. I will not return to my place of residence for any reason while participating in the Work Release Program.
22. I will not travel to any other location when released for work or court ordered counseling without the permission of the Work Release Staff.
23. I will be removed from the program if there is an active warrant or pending criminal charges from any jurisdiction.

I understand that I am subject to termination for failure to abide by any of the above rules without warning during my participation in the Work Release Program. If a correctional officer has reason to believe that I have violated a rule, he/she may cause my detention outside of the Work Release area.

If I am found to have violated a rule of Work Release, I understand that it may also result in the violation of my probation.

Work Release Officer

Inmate

Date

Date

INTENSIVE SUPERVISION PROBATION (ISP)
PROGRAM CONDITIONS

PHASE I:

Phase I will last a minimum of three (3) months and will include:

1. A meeting with the probationer to explain the program and its requirements.
2. The probationer will have at least one (1) office appointment per week. The Surveillance Officer will conduct field visits as needed. The ISP Officer will also make a minimum of three (3) collateral contacts per month.
3. The ISP Officer will maintain regular contact with local police officers and/or sheriff's deputies to verify that ISP probationers have not been cited, arrested or involved in any criminal activity while in Phase I of the program.
4. Verification of employment and work attendance. Employment verification will be conducted by direct contact with the supervisor and/or regular submission of payroll check stubs by the probationer. If unemployed, the probationer will provide verification that he/she is seeking employment. Verification of school attendance, if appropriate.
5. Verification of compliance with curfew of 8:00 pm until 6:00 am. May be modified if probationer has employment during evening hours, is enrolled in school or is attending counseling or AA/NA meetings. Each probationer must call the Probation Department answering machine at (419) 354-9084 or toll free at 866-860-4140, from approved curfew location by scheduled curfew each day.
6. Verified completion of community service work hours each month at an approved non-profit agency as directed by the ISP Officer. Each program participant must complete a minimum of 20 (twenty) hours of community service work while in Phase I of the ISP Program.
7. Verification of enrollment in an approved drug treatment program and AA, NA, or CA attendance as appropriate or as required by the ISP Officer.
8. Probationer will attend mental health counseling, sex offender treatment, domestic violence program or anger management program as appropriate or as required by the ISP Officer.
9. No out of state travel permits, except in an emergency.

Probationer

ISP Officer

Date

Date

INTENSIVE SUPERVISION PROBATION (ISP)
PROGRAM CONDITIONS

PHASE II:

Phase II will last a minimum of two (2) months and will include:

1. A meeting with the probationer to explain the program and its requirements.
2. The probationer will meet with the ISP Officer at least two (2) times per month. The Surveillance Officer will conduct field visits as needed. The ISP Officer will make collateral contacts as needed.
3. The ISP Officer will maintain regular contact with local police officers and/or sheriff's deputies to verify that ISP probationers have not been cited, arrested or involved in any criminal activity while in Phase II of the program.
4. Verification of employment and work attendance. Employment verification will be conducted by direct contact with the supervisor and/or regular submission of payroll check stubs by the probationer. If unemployed, the probationer will provide verification that he/she is seeking employment. Verification of school attendance, if appropriate.
5. Verification of compliance with curfew of 9:00 pm until 6:00 am Sunday through Thursday, and 11:00 pm until 6:00 am on Friday and Saturday. May be modified if probationer has employment during evening hours, is enrolled in school or is attending counseling or AA/NA meetings. Each probationer must call the Probation Department answering machine at (419) 354-9084 or toll free at 866-860-4140, from approved curfew location by scheduled curfew each day.
6. Verified completion of community service hours each month at an approved non-profit agency as directed by the ISP Officer. Each program participant must complete a minimum of ten (10) hours of community service work while in Phase II of the ISP Program.
7. Verification of enrollment in an approved drug treatment program and AA, NA, or CA attendance as appropriate or as required by the ISP Officer.
8. Probationer will attend mental health counseling, sex offender treatment, domestic violence program or anger management program as appropriate or as required by the ISP Officer.
9. No out of state travel permits, except in an emergency.

Probationer

ISP Officer

Date

Date

INTENSIVE SUPERVISION PROBATION (ISP)
PROGRAM CONDITIONS

PHASE III:

Phase III will last four (4) to six (6) weeks and will include:

1. A meeting with the probationer to explain the program and its requirements.
2. The probationer will meet with the ISP Officer at least two (2) times per month. The Surveillance Officer will conduct field visits as needed. The ISP Officer will make collateral contacts as needed.
3. The ISP Officer will maintain regular contact with local police officers and/or sheriff's deputies to verify that ISP probationers have not been cited, arrested or involved in any criminal activity while in Phase II of the program.
4. Verification of employment and work attendance. Employment verification will be conducted by direct contact with the supervisor and/or regular submission of payroll check stubs by the probationer. If unemployed, the probationer will provide verification that he/she is seeking employment. Verification of school attendance, if appropriate.
5. Verification of compliance with curfew of 11:00 pm until 6:00 am. May be modified if probationer has employment during evening hours, is enrolled in school or is attending counseling or AA/NA meetings. Each probationer must call the Probation Department answering machine at (419) 354-9084 or toll free at 866-860-4140, from approved curfew location by scheduled curfew each day.
6. Verified completion of community service hours each month at an approved non-profit agency as directed by the ISP Officer. Each program participant must complete a minimum of five (5) hours of community service work while in Phase III of the ISP Program.
7. Verification of enrollment in an approved drug treatment program and AA, NA, or CA attendance as appropriate or as required by the ISP Officer.
8. Probationer will attend mental health counseling, sex offender treatment, domestic violence program or anger management program as appropriate or as required by the ISP Officer.
9. No out of state travel permits, except in an emergency.

Probationer

ISP Officer

Date

Date

**CONDITIONS OF COMMUNITY CONTROL
THE WOOD COUNTY ADULT PROBATION DEPARTMENT
COURTHOUSE
BOWLING GREEN, OHIO**

**TO
ADDRESS**

CASE NO.

On this date, _____, you have been placed on Community Control for a period of _____ years by Judge _____, Wood County Common Pleas Court.

It is the order of the Court that you shall comply with the following Community Control Sanctions. The General Sanctions are as follows:

- (a) You will not violate a federal, state, or local law. You will notify the Probation Officer or Probation Department within three (3) days of being arrested, summoned, or cited for any law violation.
- (b) You will not operate a motor vehicle without a valid operator's license. Any vehicle owned or operated by you will be covered by personal liability insurance as required by law.
- (c) You will keep the Probation Officer notified of your current address and phone number at all times. You will change your residence only after receiving permission from your Probation Officer.
- (d) You will report to the Probation Officer promptly at the times and dates as required.
- (e) You will submit a written monthly report by the 10th day of each month for the preceding month.
- (f) You will not leave the State of Ohio without first receiving a written travel permit from the Probation Officer.
- (g) You will provide for the support of your dependents. You will comply with all orders of child and spousal support and payment of other obligations.
- (h) You will not purchase, own, possess, or have under your control any firearm, deadly weapon, or dangerous ordnance as defined in Section 2923.11 of the Ohio Revised Code.
- (i) You will submit to the search of your person, place of residence, or automobile at any time during the period of probation by your Probation Officer or a law enforcement officer.

(j) You shall submit to any testing for alcohol and/or drug use requested by the Probation Officer and shall authorize that the results be forwarded to the Probation Officer. You understand that a positive result will be considered to be a violation of Community Control. You will assume the costs of any testing.

(k) You will not purchase, possess, sell, distribute or use any controlled substance or drug paraphernalia except by the prescription of a licensed physician. You will not be involved, directly or indirectly, in any drug transactions. You will notify your physician(s) of your conviction, identifying to him/her the specific drugs which were involved in or contributed to your offense.

(l) You will not work directly or indirectly as an informant for any law enforcement agency or officer.

(m) You shall obey any Special Conditions of Community Control as ordered by the Court

I have read the Conditions of Community Control. I have reviewed them with my Probation Officer. I understand that if I fail to abide by any of the Conditions of Community Control, I may be brought before the Court for further court action.

(Signed) _____
OFFENDER

PROBATION OFFICER

DATE _____

DATE _____

The Special Conditions of Community Control as Ordered are as follows:

You have been sentenced to Community Control. Your failure to comply with any Sanction of Community Control will result in your return to Court as a violator and possible reimposition of sentence.

It is the duty of the Probation Officer to require you to comply with the Conditions of Community Control. The Probation Officer has the authority and responsibility to enforce the Conditions of Community Control. You are subject to arrest by your Probation Officer for good cause without a warrant or by any law enforcement officer on the written order of the Chief Probation Officer.

In addition, the Judge may order a warrant for your arrest if he has reason to believe that you have violated any condition of your Community Control.

(Signed) _____
OFFENDER

PROBATION OFFICER

DATE _____

DATE _____

**RECOMMENDED SPECIAL SANCTIONS
OF COMMUNITY CONTROL**

Name:
Case No.

1. You shall enter into and successfully complete the _____ Community Based Correctional Facility (CBCF). You shall follow any and all recommendations for aftercare. *You shall report to the Adult Probation Department within seventy-two (72) hours of your release from the CBCF.*
2. You shall serve a period of _____ days in the Wood County Justice Center or to be incarcerated at any other jail facility as arranged by the Wood County Sheriff. During your incarceration, you shall obey all rules and regulations of the jail. *You shall report to the Adult Probation Department within seventy-two (72) hours of your release from the Wood County Justice Center.*
3. You shall serve a period of _____ days in the Wood County Justice Center, with eligibility to apply for entry into the Work Release Program and enter said Program, if accepted. If you are not accepted into the Work Release Program, you shall return to the general jail population of the Wood County Justice Center for the duration of your sentence. If you are accepted into the Work Release Program, you shall obey all the rules and regulations of the Program and shall bring no items deemed contraband into the Program.
4. You shall serve a period of _____ days in the Work Release Program. You shall obey all the rules and regulations of the Program and shall bring no items deemed contraband into the Program. *You shall report to the Adult Probation Department within seventy-two (72) hours of your release from the Work Release Program.*
5. You shall serve a period of _____ days in the Wood County Electronic Home Monitoring Program. Your enrollment in the Program shall/shall not include the Sobriotor, alcohol detection unit. If accepted into the Program, you shall follow all rules and regulations of the Program.
6. You shall enter into and successfully complete any and all requirements of the Intensive Supervision Probation Program. You shall enter into Phase _____ of the Program as determined by the Ohio CCA Risk Assessment Instrument.
7. You shall enter into and successfully complete any and all requirements of the Youthful Offender Program.

Recommended Conditions

Page 2

8. You shall contact _____ for an assessment for *Chemical Dependency/Substance Abuse Treatment* and successfully complete any and all recommendations for services, at your cost.
9. You shall contact _____ for an assessment for *Mental Health Counseling* and successfully complete any and all recommendations for services, at your cost.
10. You shall contact _____ for an assessment for *Anger Management/Domestic Violence Counseling* and successfully complete any and all recommendations for services, at your cost.
11. You shall contact _____ for an assessment for **Sexual Offender Treatment** and successfully complete any and all recommendations for services, at your cost.
12. You shall enter into and successfully complete the **MRT (Moral Reconciliation Therapy) Program**, administered by the Wood County Adult Probation Program. You shall follow all rules and regulations of the MRT Program.
13. You shall not consume alcoholic beverages.
14. You shall not frequent any establishment serving alcoholic beverages for the sole purpose of consuming alcoholic beverages or associate with those who are consuming alcoholic beverages. You shall not be employed as a bartender or barmaid.
15. You shall attend Alcoholics Anonymous or any 12-Step Support meeting(s) as required by the Adult Probation Department and submit verification of attendance at said meetings.
16. You shall obtain and maintain employment at a lawful occupation, as approved by the Adult Probation Department. If enrolled in school/college, you shall maintain a full-time class schedule. You shall notify the Adult Probation Department immediately if you are terminated from employment. You shall not change your employment without prior approval of the Adult Probation Department.

Recommended Conditions

Page 3

17. You shall complete _____ hours of community service work, within _____ years. You shall not commence the performance of any community service work without the prior approval of the Adult Probation Department.
18. You shall obtain/attempt to obtain a GED (General Equivalency Diploma).
19. You shall complete job or vocational training.
20. You shall have no contact, directly or indirectly, with any of your victim(s): _____.
21. You shall have no contact, directly or indirectly, with any of your co-defendant(s): _____.
22. You shall have no contact, directly or indirectly, with the following: _____.
23. You shall not associate with other individuals on Probation/Parole/Community Control or any individual who has been convicted of a felony offense, except those individuals in treatment or counseling or those attending 12-Step Support meetings and only while in said meetings.
24. Your Community Control Supervision may be transferred to _____. If your Community Control Supervision is transferred to another jurisdiction, you shall comply with all of the conditions of supervision of said jurisdiction.
25. You shall submit to DNA testing pursuant to Ohio Revised Code Section 2901.07.
26. Your Operator's License shall be suspended for a period of _____ months/years, pursuant to Ohio Revised Code Section _____ (suspension form attached).

Recommended Conditions

Page 4

27. You have been placed on Intervention in Lieu of Conviction Supervision pursuant to Ohio Revised Code Section 2951.041 and you shall "abstain from the use of illegal drugs and alcohol and submit to regular random testing for drug and alcohol use" - 2951.041(D).
28. You shall keep the Adult Probation Department notified of your primary care physician at all times. You shall not obtain the services of a secondary or additional physician without prior notice to the Adult Probation Department.
29. You shall keep the Adult Probation Department notified of medication prescribed to you by a licensed physician. You shall obtain any and all prescription medication from only one (1) pharmacy and keep the Adult Probation Department notified of said pharmacy.
30. You shall pay *Court Costs* to the Wood County Clerk of Courts within _____ years.
31. You shall pay *Restitution* in the amount of \$_____ to the victim(s) within _____ years, at a monthly rate of \$_____ or as directed by the Adult Probation Department. Payments shall be made to the Wood County Clerk of Courts, who shall disburse said restitution to _____.
32. You shall pay a *Fine* in the amount of \$_____ to the Wood County Clerk of Courts within _____ years, at a monthly rate of \$_____ or as directed by the Adult Probation Department.
33. You shall pay a *Mandatory Fine* in the amount of \$_____ to the Wood County Clerk of Courts within _____ years, at a monthly rate of \$_____ or as directed by the Adult Probation Department.
34. You shall pay a one-time *Supervision Fee* of \$50.00 to the Wood County Clerk of Courts.
- 35.
- 36.

WOOD COUNTY ELECTRONIC MONITORING PROGRAM

RULES OF HOUSE ARREST

<u>PARTICIPANT</u>	<u>CASE #</u>	<u>DATE</u>
--------------------	---------------	-------------

In accordance with authority conferred by the Ohio Revised Code 2929.01, you have been placed on House Arrest through the Wood County Electronic Monitoring Program. It is the order of the Court that you shall comply with the following rules:

1. I will remain at the approved address for the duration of my confinement as instructed by the court unless given permission to leave by the Electronic Monitoring Staff for the reasons that are contained in the Release Procedures Section of the Wood County Electronic Monitoring/House Arrest Program Handbook.
2. I will report as directed to the Electronic Monitoring Staff. Schedule changes will be submitted in person or via telephone during office hours of 8:30 a.m. to 3:00 p.m. Monday through Friday. Weekend schedules will be submitted by 3:00 p.m. on Fridays. One business day notice is required for schedule requests. If proper notice is not given requests will be denied.
3. I will not travel to any locations other than what my schedule dictates without prior authorization from the Electronic Monitoring Staff.
4. I will have my supervisor telephone the Electronic Monitoring Staff to verify any overtime that I am required to work Monday through Friday by 3:00 p.m. I will report back to my home immediately upon my release from work.
5. I will follow the weekly schedule for release and return times as scheduled. If for any reason I am unable to meet the schedule, I will immediately call the electronic monitoring office answering machine to report the reason.
6. I will report home immediately if I am released from work, treatment, medical appointments, or other approved appointments earlier than scheduled.
7. I will follow all directives, verbal or written from the Electronic Monitoring Staff pertaining to the administration of the Electronic Monitoring Program.
8. I will immediately notify the Electronic Monitoring Staff if terminated from work.
9. I will maintain the telephone number originally given when the electronic monitoring equipment was installed in my home. I will not change my number without prior approval of the Electronic Monitoring Staff.
10. I will be available for and to answer all telephone calls made to the home confinement area, and respond to unscheduled visits for monitoring purposes.

11. I will maintain a private telephone line without any special phone features (i.e. call waiting, call forwarding, caller ID, answering machine, three way calling) for the attachment of the EM equipment within the home of the confinement address. Computer modem and/or Internet use is not permitted through the telephone line to which the EM equipment is installed.
12. I will immediately report any difficulty or irregularity in the telephone or electric services at my home to the Electronic Monitoring Staff at (419) 354-1908.
13. I will wear a transmitter attached to the ankle on a 24-hour basis.
14. I will not remove, dismantle, or tamper with the transmitter, or any other electronic monitoring equipment, or the telephone line to which the equipment is attached.
15. I will pay for the Electronic Monitoring service. The Electronic Monitoring Program will determine these costs, and payment will be made on a weekly basis. I understand that if I fail to pay as directed I will be removed from the program and returned to the Wood County Justice Center to serve the remainder of my sentence.
16. I will not commit any criminal or serious traffic offense.
17. I will not purchase, own, possess, or have under my control any firearm, deadly weapon, or dangerous ordnance as defined in Section #2923.11 of the Ohio Revised Code.
18. I will not purchase, possess, use, sell or distribute any beer, wine, liquor, controlled substances or drug paraphernalia and I will maintain the home confinement area free from any article prohibited by the Electronic Monitoring Program.
19. I will submit to any testing for alcohol and/or drug use by means of breath test, urinalysis, blood test or any other evaluation when required to do so by Electronic Monitoring Staff. I understand that a positive result will be considered a violation and result in my removal from the program. A refusal to submit a sample for testing will also be considered a violation and result in program termination. I understand that I will pay for the cost of any testing.
20. I will submit to the search of my person, residence, or automobile at any time by the Electronic Monitoring Staff.
21. I have read and understand the Wood County Electronic Monitoring/House Arrest Program Handbook. I understand that I am responsible for knowing and following all of the material and/or guidelines that it contains.
22. I agree to waive the right to receive credit for any time served on electronically monitored house arrest toward any prison term or sentence of imprisonment, if I violate the conditions, restrictions or requirements imposed during the period of electronically monitored house arrest.

Defendant's Acknowledgement:

I understand that I am subject to termination for failure to abide by any of the above rules during my participation in the Electronic Monitoring Program. If the Electronic Monitoring Officer has reason to believe that I have violated a rule he/she may have a warrant issued for my arrest and I will be returned to the Wood County Justice Center.

I have been briefed and understand the above stated rules, and in consideration of being placed on Electronic Monitoring, I agree to comply with same.

PARTICIPANT'S SIGNATURE

DATE

ELECTRONIC MONITORING OFFICER

DATE

**IN THE COURT OF COMMON PLEAS, WOOD COUNTY, OHIO
DOMESTIC RELATIONS**

Case No. _____
Judge _____

DOB: _____
Plaintiff/Petitioner,

SCHEDULE A
(Original Actions)

**Affidavit of Income
And Expenses**

Vs/and

DOB: _____
Defendant/Petitioner.

STATE OF OHIO, COUNTY OF WOOD, SS:

Now comes _____, affiant, and having been duly sworn,
states:

Date of Marriage: _____
Date of Separation: _____
Is Wife pregnant: _____

Place of Marriage: _____
Wife's Maiden Name: _____
Wife Restore to Former Name? _____

MINOR AND/OR DEPENDENT CHILDREN OF THIS MARRIAGE: (Include the parties' adopted children and those over 18 with special needs.)

Name _____
Name _____
Name _____
Name _____
Name _____

DOB _____
DOB _____
DOB _____
DOB _____
DOB _____

Wife

Wife's Phone No. _____
Job Title _____
Name of Employer _____
Payroll Address _____

Husband

Husband's Phone No. _____
Job Title _____
Name of Employer _____
Payroll Address _____

Name of Attorney: _____
Attorney Phone No. _____

Name of Attorney: _____
Attorney Phone No. _____

12/24/26/52

Paychecks per year

12/24/26/52

_____ Prior year Gross Income _____

_____ Year-to-Date Income _____

**MONTHLY
INCOME**

	Wife	Husband
Average Salary or Hourly Wages	_____	_____
Overtime (Average)	_____	_____
Bonuses (Received annually divided by 12)	_____	_____
Pension/Retirement	_____	_____
Social Security/S.S.I.	_____	_____
Unemployment/ Worker's Compensation	_____	_____
Veterans' Benefits/Armed Forces Allotment	_____	_____
Spousal Support Received	_____	_____
Rental Income	_____	_____
Interest/Trust Income	_____	_____
Dividends	_____	_____
Self-Employed (Adj. Gross Income)	_____	_____
Other Income	_____	_____
<i>SUB TOTAL</i>	_____	_____
State Source	_____	_____
ADC/General Relief	_____	_____
Food Stamps	_____	_____
Disability	_____	_____
Child Support Received	_____	_____
TOTAL OF ALL INCOME	_____	_____

MONTHLY DEDUCTIONS FROM PAYCHECK

	Wife	Husband
Court Ordered Child Support	_____	_____
Court Ordered Spousal Support	_____	_____
Federal Income Tax	_____	_____
State Income Tax	_____	_____
City Income Tax	_____	_____
Social Security/Public Retirement	_____	_____
Union Dues	_____	_____
Charity	_____	_____
Pension/Retirement Account	_____	_____

Credit Union Savings	_____	_____
Bonds, Stock Purchase	_____	_____
Medical Insurance	_____	_____
Life/ Disability Insurance	_____	_____
Other (state reason)	_____	_____
TOTAL MONTHLY DEDUCTIONS	=====	=====

Child Care Expenses for **WORK ONLY** _____

Court Ordered Child/Spousal Support not deducted _____

Insurance available for children through employer? _____/month _____/month
 Out of pocket expense to add children to insurance _____/month _____/month

CURRENT MONTHLY EXPENSES

	YOURSELF	CHILDREN
FOOD:		
Groceries	_____	_____
Restaurant	_____	_____
School Lunch	_____	_____
HOUSING:		
First Mortgage/ Rent	_____	
Second Mortgage/ Home Equity	_____	
Taxes	_____	
Insurance	_____	
Maintenance	_____	
Lawn Care	_____	
UTILITIES:		
Electric	_____	
Gas	_____	
Fuel Oil	_____	
Sewer/Water	_____	
Telephone	_____	
Garbage	_____	
Cable/ Internet	_____	
MEDICAL: Out-of-Pocket		
Doctor	_____	_____
Dentist	_____	_____
Drugs	_____	_____

Counseling	_____	_____
Optical	_____	_____
Orthodontist	_____	_____
TRANSPORTATION:		
Car Loan/ Lease	_____	_____
Car Insurance	_____	_____
Gasoline	_____	_____
Maintenance	_____	_____
Parking	_____	_____
School Bus	_____	_____
CLOTHING:		
Regular	_____	_____
Special	_____	_____
INSURANCE:		
Life	_____	_____
Health	_____	_____
Disability	_____	_____
Pers. Prop.	_____	_____
ENRICHMENT:		
Entertainment	_____	_____
Lessons	_____	_____
Sports	_____	_____
Clubs	_____	_____
Hobbies	_____	_____
Vacation	_____	_____
Magazines	_____	_____
EDUCATION:		
Tuition	_____	_____
Books	_____	_____
Fees	_____	_____
Tutor	_____	_____
Activities	_____	_____
MISC/PERSONAL:		
Gifts	_____	_____
Cable	_____	_____
Newspaper	_____	_____
Barber/Beautician	_____	_____
Misc.(identify)	_____	_____
Veterinarian	_____	_____
SUB TOTAL	_____	_____

ADDITIONAL LONG TERM EXPENSES		
	MONTHLY	BALANCE
Installment/ Credit Card Debt		
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
College Loan	_____	_____
Promissory Note	_____	_____
SUBTOTAL LONG TERM	_____	_____
MONTHLY EXPENSES	=====	=====
TOTAL ALL MONTHLY EXPENSES	=====	=====

Affiant states that the information contained herein is complete and accurate to the best of his/her information, knowledge or belief under penalty of law. Further, Affiant certifies that (s)he has caused a copy hereof to be mailed or delivered to the other party at the time of filing same with the court.

(Both parties to
sign in a dissolution)

Sworn to before me and subscribed in my presence, this _____ day of _____,
20__.

Notary Public
My Commission Expires _____