

## **JUVENILE DIVISION**

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JUVENILE COURT OF NOBLE COUNTY, OHIO

In the Matter of Local Rules of Court for the  
Juvenile Division of the Court of Common Pleas of Noble County, Ohio

COMMON PLEAS COURT  
JUVENILE DIVISION  
NOBLE COUNTY  
**FILED**  
**OCT 13 2017**  
**JOHN W. NAU**  
**JUDGE**

The following Rule of Court is adopted, effective July 1, 1991.

**CASE MANAGEMENT PLAN**

The Court hereby establishes the following Case Management Plan for the purpose of ensuring the readiness for pre-trial and trial, and for maintaining and improving the timely disposition of cases in the Juvenile Court of Noble County, Ohio, to be utilized in conjunction with any applicable Ohio Statute, and the Rules of Juvenile Procedure, the Rules of Civil Procedure and the Rules of Criminal Procedure, where applicable.

**I. JUVENILE TRAFFIC CASES:**

Within five (5) working days after receipt of the complaint, the deputy clerk shall set the case for initial hearing, to be held within thirty (30) days after receipt of the complaint, unless a longer period of time is necessary (1) due to docket constraints, or (2) for other good cause shown. An adjudicatory hearing shall be held within thirty (30) days after a denial is entered, unless a longer period of time is necessary (1) due to docket constraints, or (2) for other good cause shown. The disposition hearing shall be held within thirty (30) days after adjudication, unless a longer period of time is necessary (1) due to docket constraints, (2) in order to allow sufficient time to obtain a proper social history or (3) for other good cause shown, but in no event longer than six (6) months from the date of adjudication.

The above procedure shall apply to traffic cases transferred to this court from any other Juvenile Court in Ohio.

All traffic cases which are transferred by this Court to another Court shall be transferred within seven (7) working days after the decision is made to transfer the case.

**II. DELINQUENCY AND UNRULY CASES**

Within five (5) working days after receipt of the complaint, the deputy clerk shall set the case for initial hearing, to be held within thirty (30) days after receipt, unless a longer period of time is necessary (1) due to docket constraints (2) in order to obtain service of summons on a party, or (3) for other good cause shown. An adjudicatory hearing shall be held within thirty (30) days after entry of a denial, unless a longer period of time is necessary (1) due to docket constraints or (2) for other good cause shown.

The disposition hearing shall be held within thirty (30) days after adjudication, unless a longer period of time is necessary (1) due to docket constraints (2) in order to obtain a home study, medical or psychological examination or social history of a party or (3) for other good cause shown, but in no event longer than six (6) months from the date of adjudication.

The above procedures shall apply to Delinquency and Unruly cases transferred to this Court from any other Juvenile Court in Ohio.

All Delinquency and Unruly Cases which are transferred by this Court to another Court shall be transferred within seven (7) working days after the decision is made to transfer the case.

### **III. NEGLECT, DEPENDENCY AND ABUSE CASES:**

Within five (5) working days after receipt of a Neglect, Dependency and/or Abuse complaint, the deputy clerk shall set the case for initial hearing to be held within thirty (30) days of receipt, unless a longer period of time is necessary (1) due to docket constraints, (2) in order to obtain service of summons upon a party or (3) for other good cause shown. An adjudicatory hearing shall be held within fifteen (15) days after the initial hearing unless a longer period of time is necessary (1) due to docket constraints or (2) for other good cause shown. The disposition hearing shall be held within thirty (30) days after adjudication unless a longer period of time is necessary (1) due to docket constraints, (2) in order to obtain a home study, medical or psychological examination or social history of a party or (3) for other good cause shown, but in no event long than ninety (90) days after the filing of the complaint.

### **IV. DETENTION AND SHELTER CARE CASES:**

All Detention and Shelter Care hearings shall be held in accordance with Juvenile Rule 7 and the applicable provisions of the Ohio Revised Code.

### **V. CUSTODY AND SUPPORT CASES; CUSTODY-ONLY CASES; AND SUPPORT- ONLY CASES:**

Within five (5) working days after receipt of a custody and support complaint, custody-only complaint and/or support-only complaint, the deputy clerk shall set the case for initial hearing to be held within thirty (30) days after receipt of the complaint unless a longer period of time is necessary (1) due to docket constraints, (2) in order to obtain service of summons upon a party or (3) for other good cause shown. A hearing on the merits, if required, shall be held within sixty (60) days after the initial hearing, unless a longer period of times is necessary (1) due to docket constraints, (2) in order to obtain a home study, medical or psychological examination or social history of a party or (3) for other good cause shown. One or more pre-trial conferences may be held at any time prior to the hearing on the merits.

#### **VI. EXTENSION OF TEMPORARY CUSTODY AGREEMENTS**

All requests for extension of temporary custody agreements shall be heard within seven (7) working days of receipt of the request unless a longer period of time is necessary for good cause shown.

#### **VII. APPROVAL OF VOLUNTARY SURRENDER AGREEMENTS**

All applications for approval of voluntary surrender agreements shall be heard within seven (7) working days after receipt of the application unless a longer period of time is necessary for good cause shown.

#### **VIII. PARENTAGE CASES**

All Parentage cases shall be reviewed within thirty (30) days after issuance of summons and every thirty (30) days thereafter until answer days has passed for all defendants. Within thirty (30) days after the last answer day has passed, the deputy clerk shall set the case for a pre-trial conference as contemplated by R.C. 3111.11.

Within thirty (30) days after receipt by the Court of the results of genetic tests ordered by the Court, the deputy clerk shall set the case for a further pre-trial conference.

When required, trial on the merits shall be set at the final pre-trial conference.

At the time of adjudication that a party is the parent of the child(ren) named in the complaint, the court shall set the case for further hearing, to be held within thirty (30) days after adjudication, unless a longer period of time is necessary (1) due to docket constraints or (2) for other good cause shown, for the purpose of determining issues of name change, custody, visitation and those matters set forth in R.C. 3111.13.

#### **IX. ABORTION NOTIFICATION CASES**

R.C. 2151.85, R.C. 2919.12, Sup. R. 76 and Sup. R. 77 shall control all abortion notification cases.

#### **X. CONSENT TO MARRY CASES**

Within three (3) working days after receipt of an application for consent to marry, the Court (1) shall refer the applicants to a designated marriage counselor or agency for marriage counseling and report and (2) shall set the application for hearing not later than thirty (30) days after receipt of the application unless a longer period of time is necessary for good cause shown.



#### **XI. ADULT CRIMINAL CASES**

Within five (5) working days after receipt of a criminal complaint, the Court (1) shall set the case for arraignment and (2) shall forward a copy of the complaint to the Prosecuting Attorney for review.

The speedy trial provisions of the Ohio Revised Code shall be complied with unless waived by the defendant.

A pre-trial conference shall be held between ten (10) and twenty (20) days prior to the day of trial to address legal issues, jury instruction (in cases where a jury trial has been requested), exchange of witness lists and other relevant matters relating to the trial of the case.

The sentencing hearing shall be held within fourteen (14) days after conviction by plea or trial, unless a longer period of time is necessary (1) due to docket constraints or (2) for other good cause shown.

#### **XII. USE OF ELECTRONICALLY PRODUCED TICKET**

The use and filing of a ticket that is produced by computer or other electronic means is hereby authorized in the Noble County Common Pleas Court, Probate and Juvenile Divisions. The electronically produced ticket shall conform in all substantive respects to the Ohio Uniform Traffic Ticket. If an electronically produced ticket is issued at the scene of an alleged offense, the issuing officer shall provide the defendant with a paper copy of the ticket.

Enacted Effective: January 1, 2015

Amended Effective: July 1, 2017

#### **XIII. TRANSCRIPT PROCEDURES**

The Clerk shall not permit any party or any person to make a copy of or remove trial transcripts from a file. Attorneys, parties to the action, or other interested parties shall be referred to the Court Reporter of the Court in which the case is pending or in which the case was tried.

Pursuant to Attorney General Opinion 2002-14, a party or prosecuting attorney in a civil or criminal action in the Court of Common Pleas of Noble County, Ohio, may not obtain a photocopy of a transcript previously prepared in the action from the Court's file without paying the Court Reporter who prepared the transcript the compensation fixed by this Court.

IT IS HEREBY ORDERED that the compensation rate for photocopies of transcripts mentioned above will be \$2.00 per page.

Enacted Effective: January 1, 2008

Amended Effective: July 1, 2017

#### **XIV. LOCAL RULE RESTRAINTS**

Restraints shall be removed prior to the commencement of a proceeding unless the Court determines on the record, after providing any party to be heard on the issue of physical restraint for that child at that hearing, that there is no less restrictive alternative to the use of physical restraint and that the physical restraint of the child is necessary because either of the following:

- a. The child represents a current and significant threat to the safety of the child's self or other persons in the courtroom;
- b. There is a significant risk the child will flee the courtroom.

If the Court finds physical restraint to be necessary, the restraint shall be the least restrictive necessary to meet the risk requiring the restraint and in a manner which does not unnecessarily restrict the movement of the child's hands.

Enacted Effective: July 1, 2017

#### **IN RE: Costs Deposit and Fees in Juvenile Court**

Fees and Costs Deposits in Juvenile Court are fixed as follows:

Filing Fees for Civil Actions	\$80.00
Balance Due Upon Final Entry	
Legal Aid, State Fee	15.00
Computer Fund	10.00
Computer Research	3.00
Standard Costs	
Misdemeanor	\$67.00
Felony	98.00
Unruly	38.00
Adult	38.00
Traffic	77.00
Delinquent	67.00

Sheriff Fees are Assessed upon Receipt/Return  
Foreign Sheriff Fees are Assessed as Sundries

Revised: March 23, 2015  
Amended Effective: July 1, 2017

  
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JOHN W. NAU, JUDGE

ENTER: July 1, 2017