

RULES OF THE COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION
LUCAS COUNTY, OHIO

Effective January 1, 2026

Lisa D McGowan
Judge Lisa D. McGowan

Karen K. Connelly
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**RULES OF THE COURT OF COMMON PLEAS
DOMESTIC RELATIONS DIVISION
LUCAS COUNTY, OHIO**

**RULE 1
GENERAL RULES**

1.01 Adoption, Scope and Construction of Rules.

- (A) It is Ordered that the Domestic Relations Court of Lucas County, Ohio shall adopt the following Rules for the management of proceedings of the Court pursuant to Article IV, Section 5 of the Ohio Constitution and Rules of Superintendence of the Supreme Court.
- (B) These Rules shall be effective January 1, 2025, and supersede all previous rules promulgated by this Court.

1.02 Appearing by Remote or Telephone Proceedings.

Hearing notices shall indicate whether the event is scheduled to be conducted remotely, virtually or via telephone. If you do not have the technology to appear remotely, contact the court to request the use of a courthouse virtual meeting room.

(A) Remote Proceedings.

- (1) Virtual hearings are official court proceedings. The judge or magistrate may end the hearing if court protocols are not followed which may result in dismissal of the action (See [Court Protocol](#)).
- (2) Video or audio recording of virtual proceedings by any participant by any means is strictly prohibited. Failure to comply with this provision may result in sanctions and/or a finding of contempt.

(B) Proceedings via Telephone.

- (1) The court will initiate the call unless otherwise ordered. Attorneys and self-represented parties must be available at the start time of their scheduled court event. Represented parties should be available by phone to their attorney during a scheduled attorney-only pretrial and attorneys should have authority as set forth in Civil Rule 16.
- (2) Proceedings via telephone are formal proceedings. All participants are required to conduct themselves as if present in the courthouse and follow court protocols (See [Court Protocol](#)).
- (3) Recording of telephone proceedings by any participant by any means is strictly prohibited. Failure to comply with this provision may result in sanctions and/or a finding of contempt.

**RULE 2
COURT COSTS**

2.01 The Clerk shall not accept any pleading for filing without a deposit. If a party initiating a civil action is unable to pay the applicable deposit as provided under this Rule, then the party shall apply for a fee waiver by filing a [Financial Disclosure / Fee-Waiver Affidavit and Order](#) along with the complaint or other filing requiring a filing fee. The action or proceeding shall be accepted by the Clerk for filing, and the Civil Fee Waiver Affidavit and Order shall be reviewed by the Court in accordance with R.C. 2323.311.

- (A) If the request for a fee waiver is approved by the Court, the Clerk shall waive the deposit required by this Rule and proceed with the civil action or proceeding.
- (B) If the request for a fee waiver is denied, the Clerk shall retain the filing of the civil action or proceeding, and the Court shall issue an order granting the applicant thirty days to make the deposit required by this Rule.
- (C) In accordance with R.C. 2323.311, at any time during the pendency of a civil action or proceeding, the Court may conduct a hearing to inquire into the applicant's status as an indigent litigant.

2.02 If the Court determines that the deposit is insufficient to pay costs, then the Court may order additional sums from either or both parties at any scheduled hearing, pretrial or trial.

2.03 The Clerk of Courts shall charge the following deposits:

| | |
|--|----------|
| Divorce, Legal Separation, Annulment (no minor child)..... | \$300.00 |
| Divorce, Legal Separation, Annulment (with minor child)..... | \$350.00 |
| Separate and Apart..... | \$350.00 |
| Register Foreign Decree (Full Faith & Credit)..... | \$150.00 |
| Counterclaim for Divorce, Legal Separation, Annulment..... | \$150.00 |
| Cross-Complaint or Third-Party Complaint/ Motion..... | \$150.00 |
| Petition for Dissolution of Marriage (no minor child)..... | \$300.00 |
| Petition for Dissolution of Marriage (with minor child)..... | \$325.00 |
| Shared Parenting Plan..... | \$50.00 |
| Service of Summons on Non-Resident Defendant by Sheriff in Another County..... | \$40.00 |
| Service of Subpoena on Non-Resident Defendant by Sheriff in Another County..... | \$40.00 |
| Application to be Designated Special Process Server..... | \$30.00 |
| Motion to Add Third-Party Defendant (excluding guardian ad litem)..... | \$10.00 |
| Post Motion to Enforce, Modify or Establish Residential Parent/Parenting Time or Make-up Parenting Time..... | \$200.00 |
| Post Motion to Vacate, Revise or Modify..... | \$150.00 |
| Post Consent Judgment Entry..... | \$75.00 |
| Qualified Domestic Relations Order /Division of Property Order..... | \$50.00 |

| | |
|--|----------|
| Posting Bond with Clerk of Courts..... | \$10.00 |
| Ex Parte Motion Re: Terminating or Modifying Status of Residential Parent..... | \$150.00 |
| Motion for Reinstatement..... | \$50.00 |
| Motion for Domestic Violence Expungement..... | \$100.00 |

2.04 The Clerk of Courts shall add as costs the following:

| | |
|---|----------|
| Referral for Mediation..... | \$50.00 |
| Court Counseling Evaluation for Contested Residential Parent Status, Parenting Time (pending case)..... | \$250.00 |
| Court Counseling Evaluation for Contested Residential Parent Status, Parenting Time (post judgment)..... | \$300.00 |

2.05 Additional funds are required for computerized legal services. Accordingly, the Clerk or deputy clerk of the division is authorized and directed to charge one additional fee of \$6.00 on the filing of each cause of action or appeal under R.C. 2303.201, which shall be in addition to the filing fees and the charging of costs as directed by this order.

2.06 Additional funds are required to computerize the office of the Clerk of Court of Common Pleas. Pursuant to R.C. 2303.201(B)(1), the Clerk of Court is authorized and directed to charge an additional fee of \$20.00 on the filing of a cause of action or appeal; or an additional fee of \$5.00 for docketing and indexing each petition to vacate, revise, or modify a judgment, under R.C. 2303.20 which shall be in addition to the filing fees and costs as directed by this order.

2.07 The Clerk of Courts shall retain \$10.00 of every case where court costs are paid in a divorce, dissolution, legal separation or annulment; the sum of \$5.00 in every post-judgment motion where court costs are paid for the purpose of microfilming/record retention of Domestic Relations cases only.

2.08 Additional funds are required to pay for community services. The Clerk of Courts is authorized and directed to retain an additional fee of \$10.00 on every case where court costs are deposited. This additional \$10.00 fee is not an increase in the filing fees, but a charge to those fees which shall be paid into a special fund for community services as provided in R.C. 2303.201(E). The fee is charged to an action for divorce, legal separation, dissolution, annulment or appeal thereof; and post-judgment motion to enforce, modify, or establish parent/parenting time or make-up parenting time; post-judgment motion to vacate, revise, or modify any other final order of this Court.

2.09 These fees and charges are in addition to, and not in lieu of any fees and charges previously set by statute and court order which are not in contradiction to the fees and charges stated above. At the conclusion of any pending divorce, dissolution, or legal separation, the Clerk of Court shall determine if all costs have been paid. Unless otherwise set forth in the court's order, the Clerk of Court shall assess all excess court costs to the Plaintiff in the action. At the conclusion of a dissolution, the Clerk of Court, unless otherwise set forth in the court's order, shall assess all excess court costs equally between the petitioners. At the conclusion of any post decree action, the Clerk of Court, unless otherwise set forth in the court's order, shall assess all excess court costs to the Movant in the action. The Clerk of Court shall charge as costs all postage fees as established by statute.

2.10 Pursuant to Civ.R. 4.4(A)(2), the Clerk of Court shall post for service in the General and Domestic Relations Divisions of the Court of Common Pleas, the Government Center and Child Support Enforcement Agency.

RULE 3
ELECTRONIC FILING THROUGH E-FILE SYSTEM

3.01 Applicability.

The provisions of this local rule are adopted under Ohio Civ.R. 5(E) and Ohio Civ.R. 11. All documents must abide by Ohio Sup.R. 44 through 47. Unless modified by order or a judicial officer, all applicable Ohio Rules of Civil Procedure, Local Rules and court orders shall continue to apply to documents electronically filed.

3.02 Filing.

(A) Account Assignment.

The user shall be required to fill out the on-line Registration using a valid email address, and electronically accept the User Agreement and Credit Card Authorization. Upon receipt of the required information, the Clerk of Courts shall set up an electronic filer user account and assign a user-ID and initial password to be used for electronically filing documents. The e-filer shall be notified of the new account information via email.

(B) Document Format.

- (1) All electronically filed documents shall be filed with the Clerk in Portable Document Format (PDF) or the preferred PDF/A on 8½ x 11 inch pages.
- (2) Proposed judgment entries and orders must be submitted in Microsoft Word (.doc or .docx) format and reference the specific motion to which it applies.
- (3) Submissions shall be limited to twenty megabytes (20MB) in size per document. Larger sized documents shall be broken down and filed according to the directions maintained on the Clerk's website e-filing page.
- (4) All e-filed documents shall omit personal identifiers as defined in Sup.R. 44(H). The responsibility for redacting personal identifiers rests solely upon the filer. The Clerk and the Court will not review each document for compliance with this Rule.
- (5) All documents containing notarizations shall be electronically filed only as a hand-signed scanned PDF document. The notary seal shall be visible.

(C) Signatures.

(1) Electronic Signatures.

Any type written signature preceded by “/s/” on electronically transmitted documents shall be considered that of the attorney or party. If it is established that the documents were transmitted without authority, the Court shall order the filing stricken.

(2) Multiple Signatures.

When a document requires the signature of two or more individuals:

- (a) The filing party or attorney shall confirm that the content of the document is acceptable to all persons required to sign the document. The filer will indicate the agreement of other counsel or parties at the appropriate place in the document.
- (b) The filing party or attorney shall then file the document electronically, indicating the signatories, e.g., /s/ Jane Doe, /s/ John Smith, etc.

(3) Third-Party Signature.

Documents containing signatures of third parties shall be electronically filed only as a hand-signed scanned PDF document.

(4) Judge / Magistrate Signature.

Electronic documents may be signed by a Judge or Magistrate via digitized image of his or her signature combined with a digital signature. All orders, decrees, judgments and other documents signed in this manner shall have the same force and effect as if the Judge or Magistrate had affixed his or her signature to a paper copy of the document and it had been entered on the journal in a conventional manner.

3.03 Time of Filing.

- (A) The e-filing system is available to receive filings twenty-four (24) hours a day, seven (7) days a week, with the exception of times the system is down for maintenance.
- (B) The Clerk will only review and accept filings submitted during normal business hours (8:30 A.M. to 4:30 P.M., Monday through Friday). Documents submitted outside of regular business hours will be reviewed the next scheduled business day. The file-stamped date and time is the date and time the Clerk accepts the filing.
- (C) Every new filing will receive a confirmation number at its inception. Upon successful transmission, a confirmation page will be displayed with the corresponding confirmation number and all pertinent filing information. Upon successful processing by the Clerk, an email message will be sent to the filer confirming processing. A document is considered filed after it is e-filed and reviewed and accepted by the Clerk. Once the Clerk's review is complete, the document will be electronically stamped and entered on the docket.

3.04 Fees.

Any document and/or court action that requires payment of a filing fee will be made by using a valid credit card through the Clerk's E-Filing System. Filing fees, case deposits, final court costs and any convenience fees will be collected using a valid credit card through the Clerk's E-Filing System. Any document filed electronically that requires a fee may be rejected by the Clerk unless the filer has complied with Loc.R. 2.01 by filing the court approved [Financial Disclosure / Fee-Waiver Affidavit and Order](#).

3.05 Clerk's Review.

- (A) The Clerk shall review all documents submitted through the e-filing system to ensure compliance with court rules, policies, procedures and practices before officially accepting the document for filing and creating a docket entry.
- (B) If the document complies with the applicable rules and procedures, the Clerk shall accept for filing and electronically file-stamp.
- (C) If the document does not comply with the applicable rules and procedures, the Clerk shall refuse to accept the document for filing and shall email the filer notification of the document's deficiencies.

3.06 Service of E-Filed Documents.

- (A) Service is not automatically done by using the e-filing system. The filer must make service on all parties as provided in the Rules of Civil Procedure.
- (B) Civil complaints and summonses will be served by the Clerk in accordance with Civ.R. 4 through 4.6. The filer must serve all other e-filed documents in the manner provided in applicable civil rules. Each e-filed document transmitted to the Clerk of Courts that is required to be served must be

accompanied by a completed certificate of service which shall state the date and manner of service and be signed as provided in this rule.

3.07 Disposition and Maintenance of Documents.

A document electronically filed shall be accepted as the original filing if the filer complies with all of the requirements set forth in this Local Rule. The electronic filer need not file an original copy with the Clerk but must maintain the document in his or her records, and have available for production on request by the Court, the Clerk of Courts or other counsel, the signed source document that was electronically filed. The filer must maintain this source document for five years after the final disposition of the case, including final disposition of all appeals.

3.08 Removal of Papers.

- (A) The Clerk of Courts shall preserve all documents filed.
- (B) No judgment entry shall be accepted or journalized on the Clerk's docket until it is approved by the assigned Judge or Magistrate.
- (C) All financial schedules shall be filed as non-case documents pursuant to Sup.R.44(C)(2)(h)(viii).
- (D) No person, except a Judge, Magistrate, court counselor, or their representative, shall remove any documents or case files from the custody of the Clerk of Courts.
 - (1) Examination.

Upon request, the Clerk shall allow any person to examine, but not remove, any original public document or case file that is maintained by its office. Examination shall be allowed during the regular business hours of the Clerk.

- (2) Duplication.

Upon request and the payment of fees fixed by law, the Clerk shall provide copies of any original public document maintained by its office. Copies shall be provided during regular business hours within a reasonable period of time as determined by the Clerk. A reasonable period of time shall be based upon the size of the request with efforts toward a twenty-four (24) hour response time upon payment of the fee.

3.09 Public Access to Electronically Filed Public Documents.

Members of the public can obtain copies of or review electronically filed public documents in the same manner as documents filed on paper. Public access to electronically filed public documents will be available through the Clerk's online docket as soon as the document has been processed. The document will also be available at the Clerk's Office in paper form in the case jacket or on microfilm. However, if a document or case record is sealed or expunged it is unavailable for public disclosure.

3.10 User or Technical Errors.

- (A) User Errors.
 - (1) A filer cannot make changes to any document once it has been accepted for filing.
 - (2) A submitted document may be withdrawn or cancelled as long as the document has not been accepted for filing by the Clerk.
 - (3) In the event of an incorrect case number or a corrupt or unreadable electronic file, the Clerk will reject the submission and notify the filer of the error and the need to re-submit.

(B) Technical Errors.

- (1) Any e-filer whose filing is made untimely as the result of a technical failure of the Clerk of Court's system, or of the filer's computer hardware or software, phone lines or internet service provider (ISP), may file the appropriate motion for relief from the Court. Such technical failures cannot extend jurisdictional deadlines. The motion shall be accompanied by an affidavit stating the circumstances of and reason for missing the deadline, and must be filed no later than noon of the first day on which the Clerk of Courts is open for business following the original filing deadline. The Court will consider the matters stated in the affidavit and order appropriate relief.
- (2) If a document is not received due to system error, the Court may file an order permitting the document to be deemed filed as of the date it was attempted to be submitted. It is the filer's obligation to verify that documents are received by the Clerk.

3.11 Filing of Documents in Paper Form.

The following documents are excluded from e-filing:

- (A) A motion to file documents under seal may be e-filed. However, the documents to be filed under seal shall be submitted in paper form unless otherwise directed by the Court.
- (B) Ex parte emergency motions.
- (C) Civil Protection Orders and any document filed under a DV case not pre-approved by the Court.
- (D) Exhibits.
- (E) Any other documents as directed by the Court.

RULE 4
ASSIGNMENT OF DOMESTIC RELATIONS CASES

- 4.01** The Judges of the Court of Common Pleas, Division of Domestic Relations shall designate an Assignment Commissioner to attend to the assignment of all cases for trial and to discharge such other duties as the court requires.
- 4.02** Upon the filing of a dissolution of marriage, the case shall immediately be set for hearing.
- 4.03** The Assignment Commissioner shall assign hearing dates for all cases filed in the division. The Clerk shall notify by mail all counsel of record or the self-represented parties not less than one (1) week in advance of the day and hour set, and shall advertise same in the official law journal not less than three (3) consecutive days including the trial date.
- 4.04** A divorce or legal separation shall be deemed uncontested unless an answer is filed within twenty-eight (28) days after service of the summons and complaint upon the Defendant. If the service of notice has been made by publication, Defendant shall file an answer within twenty-eight (28) days after the completion of service by publication.
- 4.05** Pursuant to Civ.R. 75(K) no action for divorce, legal separation or annulment may be heard and decided until the expiration of forty-two (42) days after the service of process or twenty-eight (28) days after the last publication of notice of the complaint, and no action for divorce, annulment or legal separation shall be heard and decided earlier than twenty-eight (28) days after the service of a counterclaim, which under this rule may be designated a cross-complaint, unless the plaintiff files a written waiver of the twenty-eight day period. Once a case is voluntarily dismissed and subsequently re-filed, it shall remain assigned to the Judge to whom it was originally assigned.

4.06 Once a case is assigned for final hearing or trial, it may be continued only by leave of Court for good cause shown.

RULE 5
POWERS OF THE MAGISTRATES

5.01 Magistrates shall be awarded all of the powers set forth in Civ.R. 53 and Civ.R. 65.1. Magistrates are further awarded all other powers as set forth in the statutes of the State of Ohio and the local rules of this Court.

5.02 Magistrates of this Court shall continue to issue orders and decisions when the authority to issue orders is specifically conveyed by statute or rule to a Magistrate.

5.03 This rule shall supersede all prior Orders of Reference.

RULE 6
PLEADINGS, FILINGS AND SUBMISSIONS

6.01 Unless otherwise provided for by a court approved document, all pleadings, filings and submissions shall comply with and be formatted according to this Rule as follows:

- (A) Text shall be legibly printed or typewritten on one side of the paper and double spaced on 8½ x 11 inch paper. All pages shall be numbered;
- (B) The caption shall contain the case number, name, address, zip code, and date of birth of each party;
- (C) The caption shall contain the name of the filing party, the attorney, the firm name, if any, the attorney's Ohio Supreme Court number, office address, email address, office telephone number, and fax number; and
- (D) The first page shall provide a top margin of at least three (3) inches to permit the Clerk of Courts to add time stamp imprints.

6.02 All separation agreements filed with the Court must be on separate paper, typed, styled as a separation agreement, and not included in the body of the pleading.

6.03 All divorce Complaints, Answers, Counterclaims and Separate and Apart Complaints shall be accompanied by the following documents:

- (A) Schedule I;
- (B) Schedule II, UCCJEA Affidavit if there are minor children;
- (C) Schedule III and IV may be filed upon good cause shown, not later than thirty (30) days from the filing of the Complaint;
- (D) Prior six (6) month wage statement or the prior year's form W-2 and tax return. If filing party does not have or have access to said income information, an affidavit stating the reasons therefor; and
- (E) A completed IV-D application must be filed with the Complaint Divorce, Legal Separation or Separate and Apart if there are minor children.

6.04 All dissolution Petitions shall be accompanied by the following documents submitted by both petitioners:

- (A) Schedule I;
- (B) Schedule II, UCCJEA Affidavit if there are minor children;

- (C) Schedule III and IV;
- (D) Prior six (6) month wage statement or the prior year's form W-2 and tax return. If filing party does not have or have access to said income information, an affidavit stating the reasons therefor; and
- (E) A completed IV-D application if there are minor children.

6.05 Failure of either party to correctly and fully complete any schedule may result in dismissal of the pleadings.

6.06 It shall be the duty of the attorney or party to file sufficient copies of the pleadings in order to serve all Defendants.

6.07 The Clerk of Courts may not receive for filing any pleadings which do not strictly conform to this rule.

6.08 If an order for custody or child support was issued by the Juvenile Court prior to the filing of a cause for divorce, legal separation, annulment, or dissolution, the filing party shall indicate the Juvenile Court case number on their Schedule II, UCCJEA Affidavit. The filing party shall file the appropriate motion in the Juvenile Court to transfer any existing custody and/or support orders to the Domestic Relations Court unless otherwise indicated pursuant to applicable law.

6.09 All cases transferred to the Domestic Relations Court from the Juvenile Court shall be assigned the appropriate case number. The Clerk shall file all documents therein as non-case documents pursuant to Sup.R. 44 (C)(2)(h) and they shall be restricted from public access until further order of the Court.

RULE 7 **SCHEDULING AND MOTIONS**

7.01 (A) All motions and Civ.R. 75(N) requests shall first be scheduled for hearing at the office of the Assignment Commissioner, then be filed with the Clerk of Courts.

(B) The Assignment Commissioner shall refuse to schedule for hearing any motion which fails to comply with the Rules of the Court. Motions shall, at the time of filing, be set for hearing at a time and date certain by the Assignment Commissioner. Said motion shall not be set for hearing within seven (7) days of the date filed, except with the prior approval of the assigned Judge or Magistrate.

(C) The Assignment Commissioner shall not set more than two (2) oral hearings or one (1) trial per half day for the moving attorney.

7.02 (A) Service on motions related to a pending case:

The moving party or their counsel shall notify opposing counsel of record (or the opposing party if self-represented) of the time, date, place and manner of hearing. Counsel shall certify on the original motion that they have given such notification, and have mailed the motion on the date the motion was filed.

(B) All motions which relate to post-decree matters must be served on the opposing party pursuant to the Ohio Rules of Civil Procedure or applicable statute.

(C) The Clerk of Court shall send hearing notice to all parties by regular mail.

7.03 Temporary Orders Pursuant to Civ.R. 75(N).

(A) Initial Temporary Orders.

Either party may request the Court establish temporary orders during the pendency of an action, after service has been perfected on the opposing party. Requests for temporary orders shall be made by the filing of a court-approved Affidavit in Support of Request for Temporary Orders. The Affidavit shall be properly completed and filed with the Clerk of Court. If not already filed, the

requesting party shall file in conjunction with but separately from their affidavit Schedules I, II, III and IV, and current income information such as pay-stubs with year-to-date earnings, W-2 information, or the prior year's income tax return.

- (1) Time for Filing. No request for initial temporary orders shall be filed by either party after ninety (90) days of perfecting service without written leave of Court. The motion for leave shall state with particularity the reasons for the request. If leave is granted, the request for temporary orders must be filed within fourteen (14) days thereafter.
- (2) Response. The opposing party may submit a court-approved Counter Affidavit in Support of Request for Temporary Orders within fourteen (14) days of service of the movant's affidavit. If no Schedule I, II, III or IV has been filed, the opposing party shall file same with the Clerk of Court in conjunction with but separate from their Counter Affidavit. The opposing party shall also separately submit a pay-stub with year-to-date earnings, a W-2 form, or the prior year's income tax return.
- (3) Scheduling a Hearing and Issuing an Order. The hearing shall be conducted on the filed Affidavits only and the parties need not appear. No continuances shall be granted to either party concerning the scheduling of the affidavit hearing. The Court, upon review of the affidavits submitted, may issue or refuse to issue an order, may continue the hearing for compliance with this rule, or may set the matter for oral hearing.

(B) Oral Hearings.

All requests for oral hearing shall state with particularity the reason for the request to have the Court consider modification of its prior Civ.R. 75(N) Order.

- (1) Time for Filing. After the journalization of an initial temporary order, either party may file a written request for an oral hearing.
- (2) Scheduling a Hearing. The Court shall grant the requesting party an oral hearing within twenty-eight (28) days to consider modifying the initial temporary order. The Assignment Commissioner shall set the matter on a Magistrate's docket. No hearing will be delayed absent extraordinary circumstances.
- (3) Purpose and Form of the Hearing. The purpose of the oral hearing shall be to permit each party to argue why the prior temporary order should or should not be modified, and to submit additional documents for the Court's consideration. The hearing shall not include witnesses or testimony, except under special circumstances and at the discretion of the Court. Each party will be allotted no more than 30 minutes for argument. Additional time may be allowed at the Court's discretion only upon a showing of good cause.
- (4) Exhibits. Plaintiff shall mark exhibits using sequential Arabic numbers; Defendant shall use sequential letters. Seven (7) days prior to hearing, each party shall supply the adverse party a copy of all documents that they plan to introduce. Three (3) days prior to trial, each party shall provide to the Court (not file) the original set of exhibits. Emailed exhibits will not be accepted by the Court.
- (5) Issuing an Order and Further Modification. Upon conclusion of the oral hearing, the Magistrate shall file a Magistrate's Order. No motion to amend, modify, or terminate temporary orders issued after an oral hearing is scheduled or conducted shall be filed without leave of Court. The motion for leave shall set forth with particularity the change in circumstances alleged to necessitate further oral hearing of a temporary order, to be conducted in the same manner as set forth in (B)(3) above. If leave is granted, the motion must be filed within fourteen (14) days thereafter.
- (6) Good Faith. Before requesting an oral hearing, counsel and self-represented parties must confer in good faith to resolve the temporary order issue. All written requests for oral hearing shall contain a statement of compliance with this provision.

(7) Failure to comply with this rule may result in limitations on presentation of evidence, exclusion of evidence, contempt or dismissal of claims.

7.04 Dockets.

The scheduling of cases to be heard by the assigned Magistrate shall be in the following manner:

- (A) Request for the establishment of Civ.R. 75(N) Orders shall be set upon the Affidavit Orders docket.
- (B) Request for hearings shall be set upon the assigned Magistrate's docket.
- (C) No special hearing times shall be set without the prior approval of the Judge or assigned Magistrate.
- (D) Modification of the allocation of parental rights and responsibilities, issues related to parenting time, and Ohio Department of Job and Family Services motions, are not subject to the foregoing times and may be set on pretrial dockets or for half or full day hearings.

7.05 Schedules.

The following documents shall be filed in conjunction with but separately from any motion to modify or establish child support and/or modify spousal support: Schedule I, Disclosure; Schedule V, Expenses; prior six (6) month wage statement and the prior year's W-2 form and tax return.

A motion to modify the prior order for the allocation of parental rights and responsibilities shall be accompanied by filing a completed Schedule II, UCCJEA Affidavit.

Failure to complete and file these documents may result in dismissal. Failure to file the Schedule II, when required by statute or local rule, shall result in the dismissal of the motion. The opposing party shall deliver copies of their completed schedules and the above income information to the moving party and to the Court prior to the commencement of the hearing.

7.06 IV-D.

All motions requesting that child support be established or modified must be accompanied by a completed IV-D application signed by the movant.

7.07 Caption and Mandatory Language.

An original motion shall contain the following:

- (A) Name, address and date of birth of the Plaintiff and Defendant.
- (B) A motion to modify a prior order shall include a reference to the date and language of the prior order, the reasons for requesting a modification, and the change requested.

7.08 Consent Motion.

A motion to modify a prior order related to the allocation of parental rights and responsibilities may be submitted with a consent judgment entry signed by both parties. If the custodial or residential parent is represented by counsel no hearing needs to be scheduled. If the party relinquishing the status of residential parent is self-represented, the case must be scheduled for hearing.

7.09 Lump Sum Judgment and Motion to Show Cause.

- (A) All motions for lump sum judgment or to show cause shall contain the following:

- (1) A reference to the date and language of former order on which the motion is based;

- (2) The facts constituting the violation;
- (3) Certification that the moving party made efforts to encourage the opposing party to resolve and/or comply with the prior order; and
- (4) In filing a motion for failure to pay support, the motion must include a statement from the Ohio Department of Job and Family Services not older than forty-five (45) days from the date of filing.

(B) For all motions to show cause filed after a divorce or dissolution is granted and in which incarceration is requested, the movant shall ensure the other party is served by personal service unless otherwise indicated by the Court.

(C) The Court may dismiss any motion which fails to comply with this rule.

7.10 Domestic Violence.

In hearings resulting from a petition of domestic violence or subsequent motions the following shall apply:

- (A) Hearings shall be set within ten (10) days of the issuance of the ex parte order before the assigned Magistrate; hearings involving exclusive use of the residence shall be set within seven (7) days of the issuance of the ex parte order.
- (B) Continuances will be granted pursuant to R.C. 3113.31.
- (C) Respondent may request a continuance to obtain counsel which may be granted upon his or her waiver of the right to a hearing pursuant to R.C. 3113.31 and provided that the ex parte order remain in effect until the next hearing.

7.11 Ex Parte Injunctions.

- (A) No attorney or party shall seek to enjoin any party's personal banking account, business banking account, business credit account, or payroll account without explicit Order from the Court.
- (B) At the time of the filing of a Divorce or Legal Separation, the Clerk shall forward to each party a copy of the Court's injunctions. (See Appendix A – [Preliminary Injunctions](#)).
- (C) All other requests for temporary restraining orders must be set for hearing, except by leave of Court.
- (D) Dissolving of Orders.

Upon the filing of a motion to dissolve ex parte injunctions, the motion shall be set for hearing before the assigned Judge or Magistrate.

(E) Ex Parte Emergency Motions.

- (1) No ex parte orders of allocation of parental rights and responsibilities or parenting time shall be issued except in emergency circumstances as defined by Civ.R. 75(I). The party requesting said order shall make every good faith effort to provide opposing counsel or self-represented adverse parties with the notice of application to the Court for relief. The moving party must serve the emergency motion by personal service.
- (2) Ex parte motions filed in accordance with (E)(1) shall have an affidavit attached and must be filed with an accompanying motion to modify.
- (3) A file-stamped copy of the ex parte motion shall be taken from the Clerk to the assigned Judge for ruling. If further investigation is necessary, the hearing officer may refer the matter to the Court Counseling Department. The filing party must be at the call of the Court.

(F) Ex Parte Contact with the Court.

Except in emergency circumstances, or as otherwise provided by law, a lawyer shall not communicate, or cause another to communicate, as to the merits of any litigation with any Judge or Magistrate of the Court until final disposition without adequate notice to opposing counsel or self-represented adverse parties. Counsel shall not cause to have delivered to the Court any written communication between counsel or parties during the pendency of the action.

7.12 Attorney Fees.

Requests for attorney fees shall contain the following:

- (A) The request shall be in writing with an attached fee statement;
- (B) The fee statement shall be itemized as to services rendered;
- (C) The fee statement shall contain the number of hours and the hourly rate for each service rendered.

Failure to attach a fee schedule in compliance with the foregoing may result in the denial of the request for fees. The Court shall retain the right to award attorney fees to opposing counsel without the filing of a written motion, upon a finding that the motion was spurious; that there was undue delay in proceeding with the case; that there was an unexcused absence; or for good cause shown.

7.13 Continuances.

(A) Filing.

All requests for continuances, except in emergencies, shall be made on the [Motion and Proposed Order](#) form approved by the Court. The movant shall first attempt to secure consent of the opposing party, set forth in the motion whether consent was obtained or denied, and state the number of prior continuances. All continuances must be approved/denied by a Judge or Magistrate and the decision shall be final.

(B) Reason for Request.

The motion shall state the reason for the continuance and shall be signed by the party as well as counsel. The Judge or Magistrate may waive the party signature requirement for good cause shown.

(1) Engaged Counsel.

If counsel is scheduled to appear in another case assigned for trial on the same date, the case that was first set for trial shall have priority. The Court will not, unless for good cause shown, consider any motion for continuance due to a conflict of trial assignment dates unless copy of the conflicting assignment is attached to the motion and the motion is filed not less than thirty (30) days prior to trial.

(2) Unavailability of Witness.

When a continuance is requested by reason of the unavailability of a witness at the time of the scheduled hearing or trial, the Court may consider alternative methods of recording testimony.

(3) Vacation.

The filing party shall indicate the dates and person unavailable due to a scheduled vacation.

(C) Timing.

- (1) The party seeking the continuance must obtain a new hearing date prior to requesting the continuance and shall immediately notify the opposing party or counsel of the Court's ruling on the continuance.
- (2) Upon obtaining a new hearing date, the motion and proposed order form must be filed within the same business day.
- (3) No motion for continuance may be e-filed or otherwise electronically submitted less than seven (7) days prior to the scheduled pretrial, hearing or other court event. The party or counsel of record requesting a continuance less than seven (7) days prior must bring the motion directly to the assigned hearing officer unless otherwise directed.
- (4) No motion for continuance of a firm trial date may be e-filed or otherwise electronically submitted. The party or counsel of record requesting a continuance must bring the motion directly to the assigned hearing officer unless otherwise directed.

7.14 Transcripts.

(A) Objections and Motions to Set Aside.

Civ.R. 53(D) and Civ.R. 65.1(F) shall govern the procedures for objections and motions to set aside.

- (1) If a finding of fact or the weight of the evidence is a part or all of the basis of an objection or motion to set aside, a transcript of the testimony is necessary to support the objection. The transcript must be filed by the moving party within thirty (30) days of the filing of the objection or motion unless the assigned Judge, in writing, extends the time due to the inability of the court transcriber to complete the transcript of the testimony.
- (2) Within three (3) days of the filing of the objection or motion to set aside, the moving party shall file a written request for the transcript using the Court's form and make payment arrangements with the court transcriber. An advanced deposit may be required. The court transcriber shall not commence the preparation of the transcript until deposit has been made. The person requesting the transcript shall be personally responsible for the payment of all costs related to the preparation of the transcript, and the filing thereof, unless the Court has ordered otherwise.
- (3) A party filing motions/objections that require a transcript shall include a notice of or request for leave to supplement. Provided the appropriate notice or request is filed, the filing party shall automatically be granted fourteen (14) days upon the filing of the transcript to supplement their motions/objections.
- (4) Failure to file a transcript, to order a transcript in a timely manner, or to make prompt payment as arranged at the time of the filing of the request is basis for dismissal of the objection.

(B) Appeals.

Within three (3) days of the filing of an appeal, the moving party shall file a written request for the transcript using the Court's form and make payment arrangements with the court transcriber. An advanced deposit may be required. The court transcriber shall not commence the preparation of the transcript until deposit has been made. The person requesting the transcript shall be personally responsible for the payment of all costs related to the preparation of the transcript unless the Court has ordered otherwise.

7.15 Vacate Premises.

(A) Contents of Motion.

A motion to vacate premises shall state with specificity the reasons for the motion and shall be supported by an affidavit of the moving party setting forth the facts on which the motion is based. The motion shall be set for a hearing before a Magistrate.

(B) When Granted.

A motion to vacate premises may be granted if the Movant establishes that the opposing party:

- (1) Attempted to cause or recklessly caused bodily injury by acts of physical violence.
- (2) Placed a party, by threat of force, in fear of imminent serious physical harm.
- (3) Committed any act with respect to a child that would result in the child being an abused child as defined in R.C. 2151.031.
- (4) Engages in conduct or creates an environment which causes or is likely to cause severe emotional and/or mental stress to the spouse and/or minor child(ren) of the parties as defined in R.C. 3113.31.

(C) Ex Parte Orders to Vacate.

No motion to vacate premises shall be granted ex parte. If circumstances warrant, a party can be ordered to vacate the premises on an ex parte basis pursuant to a domestic violence action as provided in R.C. 3113.31.

(D) Orders Restraining Return.

A temporary restraining order may be obtained preventing a party from returning to the premises if such a party has been absent for more than thirty (30) continuous days immediately preceding the filing of the motion. Absence from the premises means the party is no longer residing at the premises.

The motion seeking a temporary restraining order preventing a party from returning to the premises must be accompanied by an affidavit setting forth the approximate date on which the absent party left the premises, the number of days (months) of continuous absence immediately preceding the filing of the motion and any reasons for the absence which are known to the movant.

RULE 8
PRETRIAL AND TRIAL RULES

8.01 Discovery Procedures.

(A) In General.

Civ.R. 26 and 27 shall apply to any action. Civ.R. 65.1 shall apply to any domestic violence action.

(B) Motion for Protective Order.

A motion for protective order shall be filed no later than fourteen (14) days prior to the date on which response to a discovery request is due or the date of a scheduled deposition, unless it can be shown that it was not possible to file such a motion within such time period. The motion shall state, with specificity, the basis for the protective order and shall state clearly on its face the date on which a response to the discovery request is due or the date of a scheduled deposition.

(C) Mandatory Disclosure.

Within sixty (60) days of the filing of an Answer or Counterclaim, each party has the affirmative duty to disclose to the other party the following information and documents:

- (1) All pension and profit-sharing plans including the most recent plan summary;
- (2) All COBRA benefits to which the other party may be entitled;
- (3) Copies of all real estate deeds, vehicle titles and registration, unless already in the possession of the other party;
- (4) All appraisals of real estate, personal property or any business property in which the party holds an interest;
- (5) Copies of the last three (3) years individual tax returns, unless already in the possession of the other party;
- (6) Documentary proof of current income from all sources; and
- (7) Copies of the most recent statements on all bank accounts, IRA's, stock accounts, mortgages, credit card accounts, and other debts.

(D) No objection as to the admissibility of any document will be entertained at any court hearing:

- (1) If that document was provided to opposing counsel at least fourteen (14) days before the hearing; and
- (2) Unless the party opposing introduction of the document into evidence files a written objection to the introduction of that document at least seven (7) days before the hearing, setting forth the particular legal objection raised.

(E) Sanctions.

Failure to comply with this rule may result in sanctions pursuant to Civ.R. 37, including but not limited to contempt citation, possible dismissal of claims, or restrictions on the submission of evidence.

(F) Good Faith.

Before a party may serve any discovery motion, counsel must confer in good faith with opposing counsel to determine if informal discussion may resolve the discovery issue before filing said motion.

8.02 Disclosure of Exhibits and Witnesses.

- (A) Unless otherwise ordered, each party shall file an exhibit and witness list seven (7) days prior to trial. All requests for a witness to testify remotely shall be made by separate motion filed no later than (7) days prior to trial.
- (B) Unless otherwise ordered, each party shall provide one (1) set of originals and one (1) set of copies of exhibits to the Court and a set of copies to opposing party three (3) days prior to trial.

RULE 9
PRETRIAL CONFERENCES

9.01 General.

(A) Civ.R. 16 shall apply to any action.

(B) A pretrial conference may be held in every contested case. By leave of court, an agreed statement of counsel may be permitted in lieu of said pretrial conference. In the event of an agreed statement in lieu of a pretrial conference, provision shall be made for scheduling the case for trial.

9.02 The attorneys or self-represented parties who will be present at trial may be ordered to attend all pretrial conferences. A continuance may not be granted on the grounds that the trial attorney or self-represented party is not prepared to go forward if they have failed to attend the pretrial conference.

9.03 The attorneys or self-represented parties shall be prepared to:

- (A) Freely discuss the theory or theories of their case, both factual and legal;
- (B) Discuss the necessity or desirability of amendments to any pleadings or the filing of additional pleadings;
- (C) Discuss simplification of the issues;
- (D) Make admissions as to the facts and the genuineness of documents and other exhibits which are not in dispute;
- (E) Dismiss parties unnecessary to the case;
- (F) Provide the names of witnesses whom they intend to call, and state the general nature of their testimony. If the Court so orders, counsel shall not be permitted to call additional witnesses at the trial, except rebuttal witnesses, unless the names and addresses of said witnesses and the general nature of their testimony are furnished in writing to other counsel of record at the time set by the Court before trial, or upon leave of Court at the trial, for good cause shown;
- (G) Provide the number and nature of exhibits they intend to introduce, and if required by the Court, produce them for examination by the Court or parties;
- (H) Provide the names, addresses, and specialties of any anticipated expert witnesses;
- (I) Exchange reports of expert witnesses expected to be called by the parties;
- (J) Exchange medical reports and hospital records;
- (K) Discuss limitations on the number of expert witnesses;
- (L) Discuss the necessity of supplementing interrogatory answers or other previous discoverable matters;
- (M) Discuss procedures and time limitations for the completion of any further anticipated discovery;
- (N) Submit and consider authorities on unique or controverted issues, or guarantee their submission at least seven (7) working days prior to trial; and
- (O) Discuss any other matters that may expedite the trial or disposition of the case.

9.04 The Court may dismiss at pretrial without further notice to the parties any case for failure to timely complete fully and file Schedule I, II, III and/or IV with required attachments as to income.

9.05 The Court may decide, or take under advisement, any motions pending in the case at the time of the pretrial conference.

9.06 Failure to be prepared for pretrial conference.

Failure of a party or attorney to appear or cooperate in good faith at the pretrial conference may subject said attorney or party, in the discretion of the Court, to any sanctions provided by Civ.R. 37, including fines

or an award of expenses and/or attorney fees to any party prejudiced by said failure. In addition, if counsel, in the event a counterclaim and/or cross-claim is pending, fails to comply with this rule, the Court shall have the authority to proceed with all or any portion of the case; and to decide and determine any or all matters ex parte upon failure of the Plaintiff or Defendant to appear in person or by counsel at pretrial conference in accordance herewith.

9.07 The Court may require the parties to submit a list of proposed witnesses, trial briefs, or any other material to be submitted at the time of pretrial conference.

Failure of a party to submit such written items to the Court as ordered may result in the dismissal of the action, the award of attorney fees to the opposing party, or such other sanctions as the Court deems appropriate.

RULE 10 **DISMISSAL OF CASES**

10.01 Each Judge shall review or cause to be reviewed quarterly all assigned cases. Cases which have been on the docket for six (6) months without any proceedings taken therein, except cases awaiting trial assignments, may be dismissed for want of prosecution.

10.02 The Administrator of the Court Counseling Department of this Court shall review not less than monthly all cases assigned to the Department and notify the assigned Judge monthly of all cases wherein the party has failed to comply with Rule 15.01. The assigned Judge may immediately cause said cases to be dismissed.

10.03 The assigned Judge may, after notice to counsel or self-represented party, exercise any sanction provided by the Ohio Rules of Civil Procedure, including dismissal upon failure to comply with any local rule, statute, civil rule, court order, or failure to timely journalize the judgment entry.

10.04 If the movant fails to obtain service upon their complaint or motion within ninety (90) days of filing, the Court may dismiss same for want of prosecution.

10.05 If a case has not been set for further proceedings for a period of thirty (30) days, the Court may dismiss for want of prosecution.

10.06 Once a case has been dismissed other than upon its merits, the case will not be reinstated unless a motion is filed within a reasonable time stating the reason for the request, and serving the same upon opposing counsel, or if there is no opposing counsel, upon the other party or parties. The case may immediately be scheduled for pretrial and trial upon being reinstated.

10.07 The unexcused failure of any attorney and/or party to appear for a hearing at the scheduled time may result, within the discretion of the Court, in subjecting the offending person to any or all of the sanctions provided by Civ.R. 37, including dismissal or the assessment of fines.

10.08 The Court may dismiss an action upon the showing that either party has failed to comply with all pretrial orders.

10.09 A voluntary notice of dismissal pursuant to Civ.R. 41 shall contain the following language: "It is so Ordered" and shall contain a signature line for the assigned Judge.

RULE 11 **ATTORNEY OF RECORD**

11.01 Upon entering an appearance as counsel, no attorney shall thereafter be relieved of responsibility unless the attorney timely files a written motion with the Court stating the grounds for withdrawing from the case, together with a proper certification that the client has been notified. The attorney requesting the right to withdraw shall comply with Professional Conduct Rule 1.16.

11.02 A written motion to withdraw as counsel shall state with particularity all motions, outstanding Judgment Entries, and dates of future hearings and shall set forth the number of continuances which have been granted during the pendency of the case. Once a firm trial date has been set, counsel may not withdraw, make a substitution of counsel, or enter an appearance without leave of Court. Except for good cause shown, a firm trial date may not be continued due to the withdrawal, substitution, or entry of appearance. The motion may be set for hearing at the discretion of the Judge or Magistrate. A firm trial date is defined as the final hearing for disposition of the complaint or post-decree motion.

11.03 Any attorney entering a case they did not commence shall do so by written entry of appearance. The Clerk of Courts shall note such entry of appearance upon the appropriate docket of the court and notify the Judge assigned to the case.

RULE 12
DISSOLUTION OF MARRIAGE

12.01 The parties shall comply with the filing requirements and all other pertinent rules of court.

12.02 The parties shall provide a specific month, day, and year that a child support or spousal support obligation begins. A statement relating payment to the signing of the agreement or the finalization of the decree is not in compliance with this rule.

12.03 The attorney shall state on the caption the party represented by counsel and file a written waiver of representation by the self-represented party.

RULE 13
JUDGMENT

13.01 Filing. The judgment specified in Civ.R. 58 shall be journalized within thirty (30) days of the decree or decision. If judgment is not prepared and presented for journalization by counsel or party, then it may be prepared and journalized by the Court. Failure of an attorney to journalize a judgment within thirty (30) days of decree or decision may result in vacating any award of fees, a finding of contempt, imposition of a fine, or dismissal of the case.

13.02 Child Support and Spousal Support.

(A) All judgment entries related to child support or spousal support shall contain the following information:

- (1) Names, addresses and birth dates of the parties and child(ren);
- (2) Income of the parties;
- (3) The amount of child support awarded on a monthly basis, per child, the cash medical support awarded on a monthly basis and 2% processing charge;
- (4) Child support and/or spousal support to be paid through the Ohio Department of Job and Family Services;
- (5) The effective date of the establishment or modification of support;
- (6) The party designated to provide health insurance for any minor child. If health insurance is not available to either party at a reasonable cost the child support obligee is to obtain health insurance not later than thirty (30) days after it becomes available at a reasonable cost and notify the Child Support Enforcement Agency. If health insurance becomes available to the child support obligor, the obligor shall inform the Child Support Enforcement Agency;

- (7) A provision for income withholding or other order consistent with R.C. 3123;
- (8) The amount of any arrearage with a lump sum judgment to the appropriate party and a method of repayment, plus processing charge, through the Ohio Department of Job and Family Services;
- (9) If appropriate, an order that any wage withholding order be terminated by separate order;
- (10) A provision requiring the parties to comply with the Additional Order and Notice to Parties;
- (11) A provision adopting the Health Insurance Compliance Order; and
- (12) A provision adopting the Medical Schedule.

(B) The following documents shall accompany all judgment entries awarding child support or spousal support:

- (1) Attached to judgment entry:
 - (a) Child Support Computation Worksheet;
 - (b) Additional Order and Notice to Parties (See Appendix E – [Additional Order and Notice to Parties](#));
 - (c) Health Insurance Compliance Order (See Appendix F – [Health Insurance Compliance Order](#)); and
 - (d) Medical Schedule (See Appendix G – [Medical Schedule](#)).
- (2) Income Withholding Order.
- (3) Order to terminate withholding order (if appropriate).

(C) All orders for support shall, if no date is stated, commence on the file-stamp date of the order.

(D) All orders containing child support provisions shall comply with R.C. 3119, R.C. 3121, R.C. 3123 and R.C. 3125 and shall include the following language:

- (1) “All support under this order shall be withheld from the income or assets of the obligor pursuant to a withholding or deduction notice or appropriate order issued in accordance with R.C. 3119, 3121, 3123, and 3125 or a withdrawal directive issued pursuant to R.C. 3123 and shall be forwarded to the obligee in accordance with R.C. 3119, 3121, and 3125.”
- (2) “Child support shall continue until such time as the child becomes emancipated or until further order of the Court. The duty to support shall continue beyond the age of majority so long as the child continuously attends a recognized and accredited high school on a full-time basis on and after the child’s eighteenth birthday. The duty to pay child support shall not continue beyond the date that the child reaches nineteen years of age unless there exists a court-ordered duty or a provision contained in a Separation Agreement providing for the continuation of support. The obligation to pay child support continues during periods of seasonal vacation.”

(E) All benefit/income withholding orders shall be on the form prescribed by the Court, must include processing charge (except benefit withholding orders to the Ohio Bureau of Employment Services), and shall be payable monthly. All wage withholding orders shall be typed except as to the amount of withholding.

13.03 Divorces and Dissolutions.

- (A) Sufficient copies of the proposed Judgment Entry of Divorce or Decree for Dissolution, with all required attachments if applicable, shall be submitted to the Court for review one (1) week prior to final hearing. **Failure to comply may result in dismissal of the pending case.**
- (B) In all uncontested divorce cases, Plaintiff shall provide a copy of the proposed Judgment Entry of Divorce to Defendant at least one (1) week prior to final hearing. Failure to timely provide the Entry may result in a continuance of the final hearing.
- (C) Any pleading concerning the allocation of parental rights or the issue of parenting time shall contain a provision acknowledging the filing of a Uniform Child Custody Jurisdiction and Enforcement Act Affidavit filed pursuant to R.C. 3127.23 (Schedule II).
- (D) Consent entries involving the allocation of parental rights or otherwise affecting the welfare of minor children may be subject to investigation before approval by the Court.
- (E) In a dissolution of marriage, all provisions for the payment of support and/or the duration of support shall be contained in the Decree of Dissolution. Provisions concerning child support contained in a Separation Agreement or Shared Parenting Plan shall state the parties consent to the continuing jurisdiction of the Court to modify said support pursuant to the relevant child support statutes.

13.04 Settled Judgment Entries.

- (A) If the parties reach an agreement that resolves a pending pleading or motion, the attorney required to submit a judgment entry to the Court shall do so within thirty (30) days of the hearing date for all divorces, dissolutions, legal separations, and annulments, and within fourteen (14) days for all other proceedings.
- (B) The Court may order either counsel to prepare the judgment entry setting forth the agreement of the parties. Drafting counsel shall send the judgment entry to opposing counsel prior to submission to the Court. If opposing counsel disagrees with the judgment entry as drafted, opposing counsel shall notify drafting counsel in writing of their specific disagreements within five (5) days of receipt. If counsel are unable to agree, each may submit a proposed judgment entry to the Court within ten (10) days of notice of disagreement. Each proposed judgment entry shall be submitted in conjunction with a separately filed notice stating the provisions or language in dispute. The Court shall direct which judgment entry will be filed and/or issue an order related thereto.
- (C) A judgment entry sent for signature which is not returned or rejected by opposing counsel within five (5) days, may be submitted to the Court without the signature of the opposing counsel or party. All judgment entries not signed by both parties shall be accompanied by a copy of the transmittal letter indicating the date sent to the opposing counsel or party.
- (D) Failure to comply with this rule may result in dismissal by the Court.

13.05 Emancipation.

Any judgment entry terminating a child support obligation by the emancipation of a minor child shall set forth the amount of any arrearage owed to the payee or to the Ohio Department of Job and Family Services, shall grant a lump sum judgment for any arrearage, and shall state the method of payment. If there remain other minor children of the parties, a new child support calculation must be made, and the judgment entry shall include the modification and shall comply with the provisions of 13.02 and 13.03.

13.06 Mandatory Language Regarding Parenting Time.

- (A) Where there is no substantial deviation from the Court Schedule, the original Judgment Entry shall contain the following language:

"The Plaintiff/Defendant is awarded parenting time with the minor child(ren) pursuant to the **Court's Local or Long Distance Parenting Time Schedule** as set forth in Local Rule 13.06(B), and attached to Plaintiff and Defendant's copy of the Judgment Entry. Should a party move closer to or further than 150 miles from Lucas County, the appropriate Local or Long Distance Parenting Time Schedule set forth in 13.06(B) shall be instituted without further hearing unless otherwise ordered by the Court."

- (B) The counsel preparing the Judgment Entry for submission to the Court shall submit two (2) copies (not the original) which have attached thereto a copy of the Court's parenting time schedule. (See Appendix B – [Local Parenting Time Schedule \(Mother / Father\)](#); Appendix C – [Local Parenting Time Schedule \(Parent 1 / Parent 2\)](#); and Appendix D – [Long Distance Parenting Schedule](#)).
- (C) If at final adjudication, the parties are deviating from the standard schedule, said deviation shall be set forth in the Judgment Entry.
- (D) When parenting time has been ordered supervised by other than an agency, the Judgment Entry shall make the supervisor a third party defendant and shall contain the supervisor's signature. The Judgment Entry shall contain the specific duties of the supervisor.

13.07 Mandatory Language Medical Schedule

- (A) The original judgment entry shall contain the following language:

"The parties shall comply with the Court's Medical Schedule as set forth in Local Rule 13.07(C) and the Plaintiff and Defendant shall be responsible for payment of medical expenses pursuant to said schedule."
- (B) Any deviations from the schedule shall be specifically delineated in the judgment entry.
- (C) A copy of the Medical Schedule shall be attached to two (2) copies (not the original) of the judgment entry. (See Appendix G – [Medical Schedule](#)).

13.08 Shared Parenting Plans.

- (A) Requirements for Filing of Plan.
 - (1) The original shared parenting plan and one (1) copy, both with child support computation worksheets attached, shall be submitted by the attorney or party to the Court Counseling Department at least thirty (30) days prior to the final hearing. If the Court Counseling Department returns the plan for revisions, the plan must be corrected and resubmitted at least one (1) week before the final hearing.
 - (2) Original shared parenting plans should include the names, addresses and telephone numbers of both attorneys and both parties.
- (B) Approval of Plan as to Form.
 - (1) If the shared parenting plan is incomplete a copy of the checklist and the original shared parenting plan will be sent to the attorney; the checklist and copy of the plan will be stapled together and retained in the family file.
 - (2) If the shared parenting plan is complete the original plan will be initialed by the court counselor on the front page, bottom right corner. The court counselor's copy of the shared parenting plan and checklist will be stapled together and retained in the family file. A notice will be sent to the attorney that the plan was found to be complete and is available for pickup from the Court Counseling Department. The original plan with checklist attached will be held at the Reception desk.

(C) Filing of Approved Plan.

No divorce, legal separation or dissolution of marriage case involving shared parenting shall proceed to final hearing prior to the approval of a shared parenting plan, except under extraordinary circumstances.

(D) Dispute Resolution.

Prior to pursuing litigation, the parties shall seek mediation services pursuant to their shared parenting plan. This provision does not apply to motions to show cause for non-compliance.

RULE 14
GUARDIAN AD LITEM AND LEGAL COUNSEL

14.01 Appointment.

- (A) Unless otherwise stated or modified by this provision, the Court adopts all applicable provisions of Sup.R. 48.
- (B) The Court may, on its own motion, appoint a guardian ad litem for a minor child under the following circumstances:
 - (1) Upon the recommendation of the court counselor.
 - (2) At a hearing or pretrial conference when it appears necessary to protect the interests of a child.
- (C) The Court may appoint a guardian ad litem upon the written motion of a party stating with particularity the grounds for the motion. The motion must be accompanied by a deposit of \$1,500 with the Clerk of and for initial fees unless for good cause shown.
- (D) Except by leave of the trial Judge and for good cause shown, no motion for the appointment of a guardian ad litem shall be granted once the matter has been set for hearing with a firm trial date.
- (E) The guardian ad litem shall be appointed only to represent the best interest of the child and shall not also be appointed as the attorney for the child. No party or counsel shall attempt to obtain other legal counsel for the child. The Court may appoint separate legal counsel for the child when there is a conflict between the recommendation of the guardian ad litem and the wishes of the child.
- (F) Upon written request for the appointment of a guardian ad litem for an adult litigant, the Court may refer the matter for determination by the Lucas County Probate Court.
- (G) Motions for appointment of a guardian ad litem heard by a Magistrate shall be decided in accordance with Civ.R. 53(C).

14.02 Qualifications.

- (A) Attorneys requesting to be appointed as guardian ad litem for minor children in this court shall meet the following qualifications:
 - (1) Two (2) years of practice in the area of family law;
 - (2) Malpractice insurance;
 - (3) Satisfy the training requirements set forth in Sup.R. 48.03(C); and
 - (4) Annually certify that there is no circumstance which would disqualify the individual from service.

(B) The attorney shall make written application and the appointment of an attorney to be a guardian ad litem is within the sole discretion of the assigned Judge.

14.03 Appointment Procedures.

(A) Upon the motion of either party or at the discretion of the Court, the Court may order a guardian ad litem and/or legal counsel at any time when it deems it essential to protect the interests of a minor child of the parties or to represent an incompetent person.

(B) Unless otherwise provided, it is the responsibility of each party involved in the litigation to timely contact the guardian ad litem, and to provide the guardian with information relating to the minor child. The parties shall cooperate with the guardian ad litem during the investigation. The guardian shall be authorized to communicate with the parties and any other agencies, persons, medical providers, or schools as a part of the investigation.

(C) The Court shall, unless it otherwise directs counsel, prepare the judgment entry appointing the guardian ad litem and/or legal counsel. Counsel, if directed to prepare the judgment entry, shall submit the judgment entry within five (5) days. All orders of appointment shall comply with Sup.R. 48.02.

(D) The Court may initially order either or both parties to deposit with the Clerk of Courts partial fees for the guardian ad litem. The Court may, at the time of appointment, set the hourly rate permitted to be charged by the guardian ad litem for services rendered, and may award fees through the completion of his or her employment. The Court at its discretion may order the payment of fees by income withholding.

(E) The Court shall consider reappointment of the same guardian ad litem for a specific child in a subsequent action determining the best interest of the child.

14.04 Responsibilities of the Guardian ad Litem.

In order to provide the Court with relevant information and an informed recommendation regarding the child's best interest, a guardian ad litem shall perform, at a minimum, the responsibilities and duties listed in Sup.R. 48.03, unless otherwise limited by the Court.

14.05 Report of the Guardian ad Litem.

(A) The guardian ad litem shall file their report and notify counsel or self-represented party of such filing no less than seven (7) days before final hearing unless the due date is extended by the Court. The report shall be placed in the Court's family file. To obtain a copy, the self-represented party or counsel of record shall submit the appropriate Release to Make Available Court Ordered Document form which must be signed by the individual making the request. A copy of the final report shall be provided to the Court at the hearing.

(B) Unauthorized disclosure or distribution of the report may be subject to court action, including the penalties for contempt, which include fine and/or incarceration.

(C) The written report shall comply with the requirements set forth in Sup.R. 48.06(A).

14.06 Conflict of Interest.

If the guardian ad litem finds that there is a conflict of interest in their appointment, they shall file an appropriate motion. Because a conflict of interest may arise at any time, a guardian ad litem has an ongoing duty to comply with this division.

14.07 Discharge.

Unless otherwise directed, counsel or the parties shall include in the final judgment entry a provision for the discharge of the guardian ad litem at the conclusion of the pendency of the matter on which the guardian ad litem was appointed.

14.08 Court Oversight.

(A) Comments and Complaints.

(1) Comments and complaints concerning the performance of a guardian ad litem shall be submitted in writing to the Administrative Magistrate. The Court shall provide a copy to the guardian ad litem.

(2) All comments and complaints shall be considered by the Administrative Judge. A written record of the Court's disposition of the comment shall be kept in the guardian ad litem's file and notification of the disposition shall be given to the person making the comment or complaint and the subject guardian ad litem.

(B) The Court shall maintain a list of all qualified guardians ad litem and shall periodically review the appointment procedure to assure the equitable distribution of cases.

RULE 15
CUSTODY EVALUATIONS AND INVESTIGATIONS

15.01 Court Investigation Pursuant to Civil Rule 75(D).

(A) Divorce or Legal Separation

Investigation shall be required in all divorce or legal separation cases involving children younger than sixteen (16) years as to the character, family relations, past conduct, and earning ability of the parties to the action. The Court Counseling Department shall schedule the investigation to occur within thirty (30) days of the filing of the complaint for divorce, absent extraordinary circumstances, and notify both parties of the date and time of their interview.

(B) Post-divorce Motions

Investigation may be ordered by the Court upon the filing of a post-divorce motion for modification or reallocation of parental rights and responsibilities involving children younger than sixteen (16) years as to the character, family relations, past conduct, and earning ability of the parties to the action.

(C) If the Plaintiff who filed a pending complaint for divorce or Defendant who filed a pending counterclaim for divorce fails to appear for an appointment for a mandatory investigation within thirty (30) days of filing the complaint or counterclaim, the Court shall dismiss that party's filing. If the moving party who filed a post-divorce motion as stated herein fails to keep an appointment for an ordered investigation, the Court may dismiss their motion. It is the duty of the attorney or self-represented party to notify the Court of any change of address.

(D) The investigation report shall be made available to self-represented parties and legal counsel of record upon written request not less than seven (7) days before trial. Represented parties may review the report received by their counsel of record. The investigation report shall be signed by the investigator and the investigator shall be subject to cross-examination by either party concerning the report. Counsel and parties shall not contact the investigator to discuss their report and recommendation.

- (E) The rules pertaining to access to custody evaluation reports contained herein (Loc.R. 15.06(B)(2-3)) shall apply to investigation reports.

15.02 Other Investigation.

- (A) In a contested matter involving allocation of parental rights and responsibilities or parenting time, either party or the Court may request psychological evaluations of the parties, the children, or any interested third party. Upon the motion of either party, the Court shall determine the necessity for such evaluation, the psychologist, psychiatrist, or agency to conduct the evaluation, and the assessment of cost. No motion for any evaluation shall be granted, except by leave of Court, once the matter has been set for trial.
- (B) In a contested matter involving allocation of parental rights, parenting time, or parentage proceedings, either party or the Court may request the appointment of a guardian ad litem to represent the best interests of the minor children involved.

15.03 Interview of the Child by Court.

- (A) All interviews of children conducted pursuant to statutory requirements or leave of Court will be conducted with all parties excluded. The Judge or Magistrate may permit counsel or the guardian ad litem to be present at the Court's discretion. The transcript or audio recording of the child's interview shall be sealed and neither party nor attorney will be permitted to obtain a copy without a Court order for good cause shown. No motion to interview the child shall be granted, except by leave of Court, after the case has been set for trial.
- (B) Affidavits signed by children shall not be accepted for filing nor admitted into evidence as exhibits. Pursuant to R.C. 3109.04(B)(3), other exhibits relating to the children such as writings, video and audio recordings, or transcriptions of same, shall not be accepted for filing or admitted into evidence.

15.04 Custody Evaluator Appointment.

- (A) The court counselors employed in the Court Counseling Department of the Lucas County Domestic Relations Court shall be appointed to perform custody evaluations on a rotating basis.
- (B) All Custody Evaluators shall meet the licensure, training, and education requirements as stated in Sup.R. 91.08 and 91.09.
- (C) This rule does not apply to guardians ad litem appointed pursuant to Loc.R. 14.
- (D) Upon its own motion, or the motion of a party, guardian ad litem, or counsel for a child, the Court may order a custody evaluation to aid in evaluating the best interest of a child in a contested custody or parenting visitation case.
- (E) The evaluator shall comply with the order of appointment filed in a given case. If the evaluator requires further clarification or instruction, they shall communicate with the appointing hearing officer.
- (F) The Court may remove an appointed custody evaluator for good cause upon the Court's own motion or the motion of a party.

15.05 Evaluation Procedures and Responsibilities.

- (A) The evaluator shall comply with the responsibilities contained in Sup.R. 91.06.

15.06 Reports of Custody Evaluators.

- (A) Written Report.

- (1) The evaluator shall prepare a written report that complies with the requirements contained in Sup.R. 91.07(A).
- (2) All reports shall be stored in the family file located in the Court Counseling Department. All records shall be retained for the appropriate time period pursuant to all applicable rules and statutes.

(B) Access to the Report.

- (1) The evaluation report shall be made available to self-represented parties and legal counsel of record upon written request not less than thirty (30) days before trial. Represented parties may review the report received by their counsel of record.
- (2) Reports and the contents of the family files shall not be available for public access pursuant to Sup.R. 44-47. To obtain a copy of the report, the self-represented party or counsel of record shall submit the appropriate Release to Make Available Court Ordered Document form which must be signed by the individual making the request.
- (3) A party shall not disseminate the report by any means, including by social media. In particular, no part of a report shall be shared with minor children who are the subject of the case. Unauthorized disclosure or distribution of the report may be subject to court action, including the penalties for contempt which include fines and/or incarceration.

(C) Hearing Procedures.

- (1) The evaluator's report shall be admitted into evidence at a hearing or trial on the Court's motion. The report shall be admitted as the Court's exhibit in the form of the evaluator's expert direct testimony. If a party is challenging the report, they shall subpoena the evaluator to appear not less than fourteen (14) days before a hearing or trial.
- (2) The evaluator shall be available to testify on cross-examination regarding the report if subpoenaed by a party not less than fourteen (14) days prior to trial.

15.07 Costs.

- (A) Cost of Court Counseling custody evaluation shall be pursuant to Loc.R. 2.04.
- (B) The Court shall allocate costs pursuant to Sup.R. 91.05(F).

15.08 Court Oversight.

- (A) Comments and Complaints.
 - (1) Comments and complaints concerning the performance of custody evaluators shall be submitted in writing to the Administrative Magistrate. The Court shall provide a copy to the custody evaluator.
 - (2) All comments and complaints shall be considered by the Administrative Judge. A written record of the Court's disposition of the comment shall be kept in the custody evaluator's file and notification of the disposition shall be given to the person making the comment or complaint and the subject custody evaluator.
- (B) The Court shall require all custody evaluators annually certify they have complied with the training and education requirements contained in Sup.R. 91.08 and 91.09. A copy of the certification shall be stored in the evaluator's file.

15.09 Recordings.

Electronic devices may not be used to record in any area of the courthouse. Failure to comply may result in a finding of contempt, confiscation of the electronic device, fines or expulsion from the courthouse.

RULE 16
DIVORCE EDUCATION FOR PARENTS

Pursuant to R.C.3109.053 each parent must attend and complete one (1) session of a court-approved class on parenting before the court issues an order allocating the parental rights and responsibilities for the care of the minor child(ren) of the marriage.

16.01 When Required.

- (A) In any action for divorce, legal separation, or annulment, every party seeking the allocation of parental rights and responsibilities for the care of minor children of the marriage.
- (B) Both parties in any action for dissolution in which there are minor children of the marriage.
- (C) After the filing of a motion to modify the allocation of parental rights and responsibilities, including parenting time, every party seeking the allocation of parental rights and responsibilities may be required to attend a session of divorce education for parents.
- (D) No person shall be designated residential parent and legal custodian of any minor child without attending a session of divorce education for parents except under extraordinary circumstances. No shared parenting plan will be approved unless both parties have attended divorce education for parents. Attendance may be required for anyone seeking parenting time.

16.02 Certificate of Attendance.

Upon attending and successfully completing one (1) court-approved session of divorce education for parents, a Certificate will be issued for each parent. Parents are responsible for providing a copy to the Court as proof of class attendance.

16.03 Dismissal.

Failure of any party required to attend divorce education for parents within ninety (90) days after the filing of the complaint or motion, or prior to the dissolution final hearing date, may result in automatic dismissal.

16.04 Notice.

The Court shall notify both parties of the mandatory parenting class and requirements upon the filing of a new action.

16.05 Registration and Cost.

Each party will be responsible for their prompt registration and payment of the cost for the class. Parties of limited means may submit a Fee Waiver that has been approved and filed with the Court to the education class provider to request a waiver of the cost.

16.06 Comprehensive Divorce Education for Parents.

Upon written recommendation of the Court Counseling Department, the Court may order parents to attend a more comprehensive divorce education program than described above. Parents involved in a pending divorce or post-divorce case are eligible for placement in the comprehensive divorce education program. Cost of participation in the program shall be the responsibility of the parents.

16.07 The Court may waive attendance and successful completion of the class on a case-by-case basis for good cause shown.

RULE 17
INTERPRETERS

17.01 When it appears that an individual has any difficulty communicating due to a language barrier, the Court shall provide, at no cost, a language or sign language interpreter pursuant to Sup.R. 88(A)(2), (B)(1)(b). The appointment of a language interpreter shall be made at the request of counsel, self-represented litigant, a judge or magistrate in legal proceedings, or court staff in court functions and ancillary services.

- (A) The requesting party shall fill out the Court's [Request for Interpreter](#) form and return the completed form to the Assignment Commissioner not less than twenty (20) days prior to scheduled hearing date or court counseling appointment. Request for Interpreter form can be found on the Domestic Relations Court website or in the Assignment Commissioner's Office.
- (B) It shall be the responsibility of counsel or a self-represented party to notify the Assignment Commissioner of any change in hearing dates. Failure to comply with this rule may result in counsel or the self-represented party reimbursing the Court for related fees.
- (C) The Court will appoint in-person and remote court interpreters in accordance with all criteria set forth in Sup.R. 88 and will ensure that certified court interpreters are used whenever reasonably available.

RULE 18
MEDIATION

18.01 Procedure.

- (A) Mediation shall be conducted pursuant to the Ohio Uniform Mediation Act, effective January 1, 2020. R.C. 2710 "Uniform Mediation Act" (UMA), including all definitions found in R.C. 2710.01, is incorporated by reference and adopted by this Court through local rule.
- (B) Mediation shall be attempted when practicable in all pending and post-divorce cases where there are contested issues. Any Judge, Magistrate or court counselor may refer parties to mediation of any issue concerning parental rights at any time during the proceedings. Upon the motion of a party, the Court may order the parties to mediate any issue.
- (C) Counsel of record and/or other designated individuals may be present and participate in mediation unless otherwise ordered by the Court. All persons attending mediation through the Court Counseling Department will be required to sign the Court's mediation consent form. The mediator may refer parties to seek legal advice or other support services as needed.
- (D) Costs of any mediation shall be divided equally between the parties unless otherwise ordered. Mediation conducted by the Court Counseling Department will be assessed a \$50.00 fee.

18.02 Domestic Violence.

- (A) Mediation is prohibited in the following:
 - (1) As an alternative to the prosecution or adjudication of domestic violence;
 - (2) In determining whether to grant, modify, or terminate a protection order;
 - (3) In determining the terms and conditions of a protection order; and
 - (4) In determining the penalty for violation of a protection order.

- (B) Nothing in this division shall prohibit the use of mediation in a subsequent divorce or custody case, even though that case may result in the termination of the provisions of a protection order.
- (C) Any case referred to the Court Counseling Department will be screened for domestic violence prior to and throughout the mediation as necessary. In any case where there has been a finding of domestic violence, the Court will determine whether mediation is appropriate, and if so, under what terms and conditions. In cases where a party has been convicted of stalking, domestic violence, or child abuse, the Judge or Magistrate referring a case for mediation will provide specific findings of fact that both parties wish to participate in mediation and that the mediation would be in the parties' best interest, pursuant to R.C. 3109.052.
- (D) When domestic violence or fear of domestic violence is alleged, suspected, or present, mediation will only take place under the following conditions:
 - (1) The mediator has completed "Specialized Domestic Abuse Issues and Mediation Training" approved by the Ohio Supreme Court Dispute Resolution Section;
 - (2) The alleged victim is fully informed about the mediation process, their right to decline participation in mediation, and their right to have a support person present;
 - (3) The Court and the mediator determine that the parties have the capacity to mediate without fear of coercion or control;
 - (4) Appropriate security measures are in place to provide for the safety of all parties involved in the mediation; and
 - (5) The mediator will terminate mediation if they believe there is a continued threat of domestic violence or coercion between the parties.

18.03 Mediation Report.

Prior to the conclusion of the mediation process, the mediator shall prepare a report indicating either:

- (A) No agreement was reached and include any relevant details; or
- (B) An agreement was reached and outline the content and details. The parties shall review and sign the mediation report which shall be binding and enforceable.

18.04 Confidentiality.

All disclosures made or information received from any source or person during mediation shall be deemed confidential. In the absence of written consent of all parties, the mediator shall not be required to disclose any statements or discussions which occurred during mediation. The foregoing confidentiality requirements shall not be construed to exempt any person from the statutory duty to report child abuse pursuant to R.C. 2151.421, statements that a felony has been or is being committed, violent acts that occur during mediation, and threats of harm to other people. All non-party participants submit to the Court's jurisdiction to enforce this rule.

18.05 Qualifications.

Any mediator employed by the Court, or with whom the Court makes referrals, shall meet the qualifications and comply with the training requirements of Sup.R. 16.23, and adopted pursuant to Sup.R. 16.22 governing mediators and mediation.

18.06 Referral to Resources.

The Court Counseling Department will maintain information for the public, mediators, and other staff as appropriate. The information will include:

- (1) Attorney referral contact information;
- (2) Information regarding Children Services;
- (3) Resource information for local domestic violence prevention, counseling, substance abuse and mental health services; and
- (4) Toledo Bar Association referral contact information.

18.07 Evaluation, Comments, and Complaints.

It is the policy of the Court to use mediation to benefit the parties, to assist in reaching a resolution, and to provide a process that is timely and flexible that maintains the trust and confidence of the people. Any mediation participant may submit written comments, complaints, or feedback regarding the performance of mediators to the Administrative Magistrate.

18.08 Stay of Case Pending Mediation.

- (A) Cases referred to mediation by court order shall be stayed. The period of stay shall be from the date the case is referred to mediation to the next scheduled hearing date. All court orders shall remain in effect during the stay period. No motions may be filed or hearings may be held during the stay period without leave of Court, except those pertaining to the care of the minor children.
- (B) Motions for referral to mediation shall state the proposed mediator and date of mediation if scheduled.
- (C) A notice of conclusion may be filed following mediation. The notice shall state the outcome of mediation and whether the parties are requesting further hearing.

RULE 19
CONCILIATION

19.01 Motions.

- (A) A joint motion for conciliation shall be signed by both parties or both counsel of record. If a conciliation motion has been filed without the consent of both parties, the other party may file and serve a written memorandum in opposition to the initial motion within fourteen (14) days from the date of service.
- (B) All motions for conciliation shall contain proposed conciliation procedures pursuant to R.C. 3105.091. Failure to include proposed procedures may result in dismissal of the motion.
- (C) No part of this rule shall be construed to prevent the court from ordering the parties to undergo conciliation on its own motion.

19.02 Stay.

- (A) If the court grants the motion for conciliation, the case will be stayed from the date of the conciliation order for a period of up to ninety (90) days as specified. All court orders shall remain in effect during the stay period.
- (B) No motions shall be filed during the stay period without leave of Court, other than motions to return the case to the active docket. Motions to return the case to the active docket shall state the conciliation procedures attempted.

(C) No action for divorce, dissolution or legal separation in which conciliation has been ordered shall be heard or decided until the conciliation period is concluded. The court shall set the case for further proceedings at the conclusion of stay period.

RULE 20
COURT TECHNOLOGY PLAN

20.01 In accordance with Sup.R. 5(E), the Court shall adopt and maintain a Court Technology Plan which will include:

(A) A comprehensive strategy for implementing and maintaining technology solutions for conducting remote hearings, electronic service, the acceptance of electronic signatures, and any other technology-related solution utilized by the Court or division; and

(B) Procedures for notifying and providing instructions to the public on how to use the technology solutions implemented by the Court or division and how the solutions will comply with any accessibility accommodation requirements, including any applicable requirements of the "Americans with Disabilities Act."

20.02 It shall be the duty of the Court Administrator to supervise and maintain the Technology Plan.

RULE 21
APPOINTMENT OF COUNSEL

21.01 The Court shall maintain a rotating list of attorneys for court appointments. Appointments shall be compensated at the rate of \$75.00 per hour.

21.02 Attorneys shall apply to be placed on the appointment list by providing an application with proof of the following:

(A) Good standing as an Ohio attorney;

(B) Experience in family law; and

(C) Malpractice insurance.

21.03 After accepting a court appointment, an attorney shall accept no compensation in addition to that awarded by the Court. At the conclusion of the case, the appointed attorney shall submit a Motion for Payment form, attached with the order appointing them as attorney of record and the party's affidavit of indigency.

21.04 The Court shall periodically review the appointment list to ensure the equitable distribution of appointments.

RULE 22
CONCURRENT JURISDICTION WITH OTHER COURTS

22.01 It shall be the obligation of any party initiating any action in this Court to inform the Court of the status of any other action requested from another Court, and the result of said request, or any existing matters of any other Court.

22.02 In any case previously certified to the Juvenile Court of Lucas County, Ohio (excluding UIFSA matters), the moving party shall file their motion in the Juvenile Court and request that the matter be assigned for hearing in the Domestic Relations Court.

RULE 23
PRIVACY PROVISION

23.01 A completed Schedule I shall include the social security numbers of both parties. All schedules shall be placed in a privacy envelope maintained by the Clerk of Court. All documents which contain personal identifiers of the parties shall be placed in the same privacy envelope.

23.02 The Clerk of Court shall redact any social security number from all public filings.

23.03 Pursuant to Sup.R. 45(D), it is the sole responsibility of the counsel of record or party to the action to assure the omission of personal identifiers from any document filed with the Court. Any request to restrict public access to information containing personal identifiers must be by written motion. The Court may schedule a hearing upon the filing of a motion to restrict public access.

23.04 Any request for access to restricted information shall be by written motion and shall set forth the reason for the request. The Court may schedule a hearing to determine whether to permit public access to the case document or information.

RULE 24
QUALIFIED DOMESTIC RELATIONS COURT ORDER

This rule applies to Qualified Domestic Relations Court Orders (QDRO) and Division of Property Orders (DOPO).

24.01 Preparation.

(A) The alternate payee entitled to the pension or retirement plan shall be responsible for the preparation and payment for the Qualified Domestic Relations Court Order (QDRO) for submission to the Court.

(B) Whenever the parties agree to divide a pension or retirement program by a QDRO, they, or their counsel, shall sign and approve the original of a QDRO submitted to the Court, and shall sign and approve any subsequent QDRO submitted to the Court, unless waived by the Court.

(C) If the Court ordered a division of a pension or retirement program, the Court may assign the responsibility to submit the QDRO to the Court.

(D) The final judgment entry shall contain a date certain by which the QDRO shall be submitted to the Court. The date certain shall not exceed ninety (90) days from the date of filing of the final judgment entry.

(E) All QDROs shall contain the following mandatory language:

"The pension participant shall not act, or refuse to act, in any manner that could diminish the alternate payee's right to the plan benefits assigned in the pension division order. If the participant does take such action or inaction, the participant shall make payments directly to the alternate payee to the extent necessary to restore the alternate payee to the position they would otherwise have been in without the participant's action/inaction."

24.02 Assumptions.

(A) Unless otherwise agreed, a QDRO for a defined benefit plan shall contain the following provisions or shall be governed by the following assumptions:

(1) The QDRO will be a separate interest QDRO, meaning the alternate payee's benefits shall be independent of those of the participant, unless not possible based on the participant's retirement prior to finalization.

- (2) The division of benefits shall be based on the language of the case *Hoyt v. Hoyt*, 53 Ohio St.3d 177 (1990) and its progeny.
- (3) The benefits assigned to the alternate payee shall include any and all temporary and supplemental benefits. Further, the benefits assigned to the alternate payee shall include all early retirement subsidies and should the alternate payee commence receipt of benefits prior to participant's retirement the alternate payee's benefits will be recalculated to reflect the subsidy.
- (4) The alternate payee will be deemed to be the surviving spouse of the participant to the extent of benefits assigned for the purpose of a pre-retirement survivor annuity.
- (5) The division of the benefits will be the date of the final hearing of the case.

(B) Unless otherwise agreed, a QDRO for a defined contribution plan shall contain the following provisions or be governed by these assumptions:

- (1) The division of benefits will be the date of the final hearing of the case.
- (2) The alternate payee's share of the benefits shall be credited with investment earnings and/or losses from the date of division until distribution.
- (3) The QDRO will allow an immediate lump sum distribution of the alternate payee's benefits.
- (4) Any loans from the plan during the duration of the marriage shall be charged to the participant's benefits and will remain the obligation of the participant, but the portion of benefits divided shall be reduced by the amount of the loan prior to division.
- (5) The alternate payee's share of the benefits will not reflect any credit for sums deposited into the plan after the date of division which are based on service for periods prior to the date of division.

24.03 Mandatory Language.

In all cases in which a Qualified Domestic Relations Order is to be issued, the final judgment entry shall contain the following language:

- (A) "The Court retains jurisdiction with respect to the Qualified Domestic Relations Order to the extent required to maintain its qualified status and the original intent of the parties. The Court also retains jurisdiction to enter further orders as are necessary to enforce the assignment of benefits to the non-participant as set forth herein, including the re-characterization thereof as a division of benefits under another plan, as applicable, or to make an award of spousal support, if applicable, in the event that the participant fails to comply with the provisions of the order."
- (B) "The participant shall not take actions, affirmative or otherwise, that can circumvent the terms and provisions of the Qualified Domestic Relations Order, or that may diminish or extinguish the rights and entitlements of the participant and/or alternative payee."

RULE 25 **CIVIL PROCESS SERVER**

25.01 Application.

A person may apply to be designated as a Civil Process Server for cases filed in the court by filing the Court approved [Application and Order, with required Affidavit](#), in compliance with Civ.R. 4.1.

25.02 Filing.

The Order shall be signed by the Administrative Judge of the Domestic Relations Court and shall be filed with the Clerk of Court who shall record the entry upon the Court's Special Docket. Thereafter, the Clerk shall accept a file-stamped copy of such order as satisfying the requirements of Civ.R. 4.1 for the designation by the Court as a person authorized to make service of process.

RULE 26
PHOTOGRAPHING, RECORDING AND BROADCASTING
COURT PROCEEDINGS

26.01 In compliance with Sup.R. 12, the Court shall permit the broadcasting, televising, recording or photographing of court proceedings. The term "proceedings" shall be understood to apply to public hearings by the Court.

- (A) Request for permission to broadcast, televise, record, or photograph in the courtroom shall be made in writing to the Domestic Relations Court Administrator as far in advance as reasonably practicable but in no event later than twenty-four (24) hours prior to the courtroom session to be broadcast, recorded or photographed unless otherwise permitted by the Judge for good cause shown. Request forms may be obtained from the Court Administrator's office.
- (B) The Court Administrator shall immediately inform the Judge assigned to the case of the written media request. The Court Administrator shall also immediately inform the attorneys for all the parties in the case of the media request. If time does not permit notification by mail, then telephonic means or notification in person must be attempted. The intent of this rule is to allow attorneys for all parties an opportunity to be heard prior to the Judge deciding the media request.
- (C) In the event the Judge approves the media request, the Judge shall prepare and sign a journal entry setting forth the conditions of media broadcasting, televising, recording or photographing. This entry shall be made a part of the record of the case. Sup.R. 12 and this rule shall govern the Judge's granting of the media request.
- (D) In the event of a continuance of the Court proceeding requested to be broadcast, televised, recorded or photographed for a period of more than thirty (30) days, a new media request shall be required.
- (E) Any equipment which is non-portable shall be set up and ready for operation prior to the commencement of morning or afternoon Court sessions. In no event will persons be permitted to bring equipment into the courtroom during trial unless such equipment can be easily carried by a single person and without causing distraction or disturbance.
- (F) No media recording or proceedings in the Judge's chambers or accesses thereto shall be permitted except with the express permission of the Judge.
- (G) The Judge, counsel, and witnesses shall not address any remark to or via the media when the Court is in session. In all respects, the trial shall proceed in exactly the same manner as though there were no media recording in progress.
- (H) No media recording shall be made of any document or exhibit before or after such document or exhibit is admitted into evidence, except those which are clearly visible to spectators, e.g., maps, charts, blackboards, etc.
- (I) Permission for media recording shall in no way diminish the ethical requirements applicable to Judges and lawyers respecting comments or the release of information relating to a case in progress.
- (J) Sup.R. 12 is incorporated herein by reference and adopted into this rule.

- (K) All media representatives shall be properly attired in the manner which reflects positively upon the media profession. Proper courtroom decorum shall be maintained by all media representatives.
- (L) No personal recording devices shall be permitted in the courtroom.

RULE 27 **COURT SECURITY**

27.01 Pursuant to the Sup.R. 9, the Court has implemented a Security Plan for purposes of ensuring security in court facilities in accordance with Ohio Court Security Standards adopted by the Supreme Court of Ohio.

- (A) All persons entering the courthouse shall pass through a magnetometer and have all packages large enough to conceal a weapon or dangerous ordnance pass through an x-ray machine.
- (B) No weapons or other instrument, ordnance or device which may cause bodily harm will be permitted into the courthouse, except that law enforcement officers acting within the scope of their employment as a witness or on official business shall be allowed to carry their official side arm. Law enforcement officers appearing for their own case will not be allowed to carry a weapon or dangerous ordnance.
- (C) The Court has appointed a Local Court Security Advisory Committee to meet on a periodic basis for purposes of reviewing and implementing court security standards.
- (D) For purposes of ensuring security in court facilities, the Security Plan shall not be made available for public access.
- (E) It shall be the duty of the Court Administrator to supervise and maintain all security in the court.

RULE 28 **CASE MANAGEMENT**

Pursuant to Sup.R. 5(D), an automated case management plan has been established to ensure the readiness and prompt disposition of cases, as well as provide the Court with an efficient means of controlling case flow.

28.01 Filing of Complaint.

Upon the filing of a complaint, the Clerk of Court will attempt service upon the Defendant. Upon proof of service, the Clerk will notify the Assignment Commissioner of the date of service. The Assignment Commissioner shall set the matter for hearing upon the appropriate docket of the assigned Judge in accordance with the Ohio Civil Rules of Procedure and Ohio Revised Code scheduling guidelines as follows:

- (A) Uncontested Divorce.

An uncontested divorce shall be scheduled for hearing not earlier than forty-two (42) days after service has been perfected. An uncontested divorce with children should be concluded no later than eighteen (18) months after the complaint has been filed. An uncontested divorce without children should be concluded no later than twelve (12) months after the complaint has been filed.

- (B) Contested Divorce.

An action classified as a contested divorce shall be scheduled for initial case management conference (pretrial) not earlier than fifty-six (56) days nor later than one hundred nineteen (119) days after the complaint for divorce has been filed. A contested divorce with children should be concluded no later than eighteen (18) months after the complaint has been filed; a contested

divorce without children should be concluded no later than twelve (12) months after the complaint has been filed; time guidelines subject to adjustment by the Court pursuant to the Supreme Court Rules of Superintendence.

(1) Attorneys of record and any self-represented party served shall be given notice of the pretrial. Attorneys and parties, if required, shall appear with full authority to settle. Whether the parties are required to attend the pretrial is subject to the policy of the assigned Judge.

(C) Dissolution.

A dissolution shall be scheduled for hearing not earlier than thirty (30) days nor later than ninety (90) days after the filing of the petition for dissolution.

(D) Separate and Apart.

All complaints filed in accordance with this rule shall be referred to and heard by the Magistrate as assigned by the Assignment Commissioner.

(E) Trials.

The procedure regarding matters that are set for trial is subject to the policy of the assigned Judge. A settlement conference shall be scheduled prior to trial to resolve/narrow all matters in dispute thus alleviating the necessity of a trial.

(F) Continuances.

Continuances of matters shall be granted upon the approval of the assigned hearing officer and shall be made in accordance with Loc.R. 7.13.

(G) Motions.

All motions shall be set in accordance with the scheduling guidelines herein.

28.02 Alternative Dispute Resolution.

The Court may, at any time during the pendency of an action, require that the parties participate in alternative dispute resolution (mediation) in accordance with Loc.R. 18.

RULE 29
ELECTRONIC DEVICES

29.01 Without the express written permission of the Court, the operation of electronic devices is prohibited in all courtrooms, hearing rooms, jury rooms and judge's chambers.

29.02 Personal electronic, photographic and videographic devices (including cell phones) will be placed in a lockable pouch by security upon entry into the courthouse. The pouches must be returned to security when leaving the courthouse. The Court will not be responsible for any loss, theft, or damage to the device. Courthouse employees, attorneys, public officials, and others specifically authorized by the Court are exempt from this rule. Failure to comply may result in a finding of contempt, confiscation of the electronic device, fines or expulsion from the courthouse.

29.03 Failure to comply with this rule may result in a finding of contempt, confiscation of the electronic device, fines or expulsion from the courthouse. In no event shall the Court or courthouse security be liable for damage to any electronic device confiscated in accordance with this rule.

RULE 30
ADMINISTRATIVE DOCUMENTS AND COURT RECORDS

30.01 Administrative Documents.

Requests for administrative documents shall be subject to Rules of Superintendence 44-47 and shall be submitted to the Court Administrator.

Administrative documents shall be maintained, preserved and destroyed pursuant to Rule of Superintendence 26.

30.02 Court Records.

Court records shall be maintained, preserved and destroyed pursuant to Rule of Superintendence 26.

RULE 31
ARTIFICIAL INTELLIGENCE

31.01 Use of Artificial Intelligence.

This rule is established to govern the use of artificial intelligence (AI) technologies by attorneys and/or self-represented parties in the preparation and submission of materials to the Court, to ensure the ethical use of AI, and to maintain the integrity of evidence.

(A) Definitions.

- (1) "Artificial intelligence" (AI) is any technology that uses machine learning, natural language processing, or any other computational mechanism to simulate human intelligence, including document generation, evidence creation or analysis, and legal research.
- (2) "AI-assisted material" is any document or evidence prepared with the assistance of AI technologies.

(B) Responsibility and Review.

Attorneys and/or self-represented parties remain ultimately responsible for the accuracy, relevance, and appropriateness of AI-assisted materials submitted to the Court. Attorneys and/or self-represented parties must thoroughly review all AI-assisted materials to ensure they meet all legal and ethical standards. Use of AI does not absolve attorneys from their duties of competence, diligence, and supervision as required under the Ohio Rules of Professional Conduct.

(C) Disclosure.

Attorneys and/or self-represented parties must disclose the use of AI in the creation or editing of any document or evidence submitted to the Court. The disclosure must be made at the time of submission through a certification attached to the document or evidence which shall include all of the following: a general description of the technology used, its role in the preparation of the materials, and certifying the attorney and/or self-represented party's final review and approval of the AI-assisted material.

(D) Sanctions.

Violations of this rule may subject an attorney and/or self-represented party to sanctions, including but not limited to Civ.R. 11 and/or Civ.R. 37.