

RULES OF COURT

Common Pleas Court of Williams County, Ohio General and Domestic Relations Division

Effective July 1, 1998
Revised July 1, 2015

Honorable J.T. Stelzer, Judge

**RULES OF PRACTICE OF THE
COURT OF COMMON PLEAS, GENERAL DIVISION
AND DOMESTIC RELATIONS DIVISION
WILLIAMS COUNTY, OHIO**

GENERAL PROVISIONS

(1) **Divisions.** The Court of Common Pleas, Williams County, Ohio, shall be divided into four divisions, the General Division, the Domestic Relations Division, the Probate Division and the Juvenile Division. The Rules herein shall apply only to the General Division and the Domestic Relations Division.

(2) **Purpose.** The purpose of these Rules is to set forth local practices and procedures of these courts, consistent with the Rules of Superintendence, the Rules of Civil and Criminal Procedure and such other rules as may be adopted or promulgated by the Supreme Court of Ohio pursuant to Section 5 of Article IV of the Ohio Constitution.

(3) **Effective Date.** The effective date of these Rules is July 1, 1998, revised September 1, 2012.

RULE 1

TERM OF COURT

1.01 Term. There shall be one term of Court, the January term, and the Court shall be in continuous operation for the transaction of judicial business. The term shall be divided into three sessions: winter, summer and fall. The winter session will begin in January, the summer session in May, and the fall session in September. Each session will consist of approximately seventeen weeks.

1.02 Hours. The sessions of the courts shall begin at 8:30 a.m. and close at 12:00 Noon and shall resume at 1:00 p.m. and close at 4:30 p.m. on Monday through Friday each week except on those days designated by law as legal holidays.

RULE 2
CLERK OF COURT

2.01 Duties. The Clerk shall file together and carefully preserve in his office all papers delivered to him for that purpose, in every action or proceeding.

2.02 Copies. In causes pending in which the parties or their counsel shall deem it necessary to have copies of pleadings, the Clerk shall, on request, furnish copies in accordance with the usual fee charged by the Clerk's Office for making copies. Copies of all other papers except bills of exceptions, depositions and transcripts, belonging to the files of the court, shall, on demand, be furnished by the Clerk upon payment of the usual fee therefore.

2.03 Filing of a Facsimile Copy. Pleadings and other papers may be filed with the Clerk of Courts by facsimile transmission to 419-636-7877 subject to the following conditions:

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

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

- (a) A "facsimile transmission" means the transmission of a source document by a facsimile machine that encodes a document into optical or electrical signals, transmits and reconstructs the signals to print a duplicate of the source document at the receiving end.
- (b) A "facsimile machine" means a machine that can send and receive a facsimile transmission.
- (c) "Fax" is an abbreviation for "facsimile" and refers, as indicated by the context, to facsimile transmission or to a document so transmitted.

The person filing a document by fax shall also provide therewith a cover page containing the following information:

- (a) The name of the Court;
- (b) The title of the case;
- (c) The case number;
- (d) The assigned judge;
- (e) The title of the document being filed;
- (f) The date of transmission;

- (g) The transmitting fax number;
- (h) An indication of the number of pages included in the transmission, including the cover page;
- (i) If a judge or case number has not been assigned, state that fact on the cover page;
- (j) The name, address, telephone number, fax number, Supreme Court registration number, if applicable, and email address of the person filing the fax document if available; and
- (k) If applicable, a statement explaining how costs are being submitted.

If a document is sent by fax to the Clerk of Courts without the cover page information listed above, the Clerk may, at its discretion:

- (a) Enter the document in the Case Docket and file the document; or
- (b) Deposit the document in a file of failed faxed documents with a notation of the reason for the failure; in this instance, the document shall not be considered filed with the Clerk of Courts.

The Clerk of Courts is not required to send any form of notice to the sending party of a failed fax filing. However, if applicable, the Clerk of Courts may inform the sending party of a failed fax filing.

A party who wishes to file a signed source document by fax shall either:

- (a) Fax a copy of the signed source document; or
- (b) Fax a copy of the document without the signature but with the notation “/s/” followed by the name of the signing person where the signature appears in the signed source document.

A party who files a signed document by fax represents that the physically signed source document is in his/her possession or control.

Each exhibit to a facsimile produced document that cannot be accurately transmitted via facsimile for any reason must be replaced by an insert page describing the exhibit and why it is missing. Unless the Court otherwise orders, the missing exhibit shall be filed with the Court, as a separate document, not later than five (5) days following the filing of the facsimile document. Failure to file the missing exhibits as required by this paragraph may result in the Court striking the document and/or exhibit.

Any exhibit filed in this manner shall be attached to a cover sheet containing the caption of the case which sets forth the name of the court, title of the case, the case number, name of the judge and the title of the exhibit being filed, and shall be signed and served in conformance with the rules governing the signing and service of pleadings in this Court.

Subject to the provisions of these rules, all documents sent by fax and accepted by the Clerk shall be considered filed with the Clerk of Courts as of the date and time the Clerk time-stamps the document received, as opposed to the date and time of the fax transmission. The office of the Clerk of Courts will be deemed open to receive facsimile transmission of documents on the same days and at the same time the Court is regularly open for business.

Fax filing may NOT be sent directly to the Court for filing but may only be transmitted directly through the facsimile equipment operated by the Clerk of Courts.

The Clerk of Courts may, but need not, acknowledge receipt of a facsimile transmission.

The risks of transmitting a document by fax to the Clerk of Courts shall be borne entirely by the sending party. Anyone using facsimile filing is urged to verify receipt of such filing by the Clerk of Courts through whatever technological means are available.

No document filed by facsimile that requires a filing fee shall be accepted by the Clerk for filing until the Court costs and fees have been paid. Documents tendered to the Clerk without payment of Court costs and fees or which do not conform to applicable rules will not be filed.

A filing fee shall be assessed for facsimile filings as follows: \$2.00 first page and \$1.00 for each page thereafter for a maximum of ten (10) pages.

Facsimile filings shall not exceed ten (10) pages in length. The filer shall not transmit service copies by facsimile but will be charged therefore at the per page copy charge established in these Court Rules.

These rules shall be effective as of November 1, 2004, and shall govern all proceedings in actions brought after they take effect and also further proceedings in pending actions, except to the extent that, in the opinion of the Court, their application in a particular action pending on the effective date would not be feasible or would work an injustice, in which event, the former procedure applies.

2.04 Taxing of Costs. When a case is finalized, judgment entries which tax the costs of the proceeding to a party which has not made a deposit against costs shall be accompanied by a check for the total amount of costs. If such a check is not presented with the entry, or if both parties have made a deposit, the Court costs shall be first deducted from the deposit of the party to whom they were assessed. The deposit of the other party will be held by the Clerk if necessary to close out the case on the Court's books. A thirty-day grace period from the date of the final entry will be given to the Clerk before unused deposits for costs are refunded to the parties to allow for late costs such as Sheriff's returns.

2.05 Execution for Costs. The Clerk shall keep a list of all unpaid and accrued costs in all proceedings where costs have been taxed, and shall send statements to all persons against whom costs have been taxed in all proceedings that have become final, at least once every three (3) months. After two (2) such notices, if the costs have not been paid, the Clerk shall issue a certificate of judgment for the amount of such costs without further order.

RULE 3

SECURITY FOR COSTS

3.01 Unless a party by order of the Court, upon motion and attached affidavits, is granted leave to make filings without deposit or security, security for costs must be given in the following amounts:

\$400.00	Civil Deposit
\$350.00	Cross-Claim or Counterclaim Deposit and Third Party Complaint
\$325.00	Divorce Deposit without children
\$440.00	Divorce Deposit with children plus \$30.00 for each child between the ages of 5 through 17, inclusive
\$250.00	Cross-Claim or Counterclaim Deposit for Divorce
\$280.00	Dissolution Deposit without children
\$380.00	Dissolution Deposit with children plus \$30.00 for each child between the ages of 5 through 17, inclusive
\$280.00	Post Judgment Motions
\$ 75.00	QDRO/DPRO
\$ 75.00	Motion With Consent Judgment Entry
\$ 25.00	Notice of Intent to Relocate
\$ 50.00	Williams County Sheriff's Service Deposit
\$100.00	Foreign County Sheriff's Service Deposit
\$600.00	Investigation Deposit
\$150.00	Court of Appeals Deposit -- *Additional \$25.00 fee for Appeals filed from our Common Pleas cases
\$100.00	Original Action in Court of Appeals
\$ 75.00	Foreign Judgment

\$ 150.00	Execution on Certificate of Judgment
\$ 22.00	Filing Certificate of Judgment from Another Court
\$ 25.00	Certificate of Judgment Making and Filing
\$ 7.00	Certificate of Judgment Making and Sending
\$ 150.00	Aid in Execution Deposit
\$ 150.00	Writ of Execution
\$ 150.00	Debtor's Examination
\$ 150.00	Garnishments
\$ 500.00	Publication Deposit
\$ 125.00	Expungement/Sealing of Record Deposit
\$ 5.00	Filing Satisfaction or Partial Satisfaction of Lien
\$ 5.00	Recording Notary Commission
\$ 2.00	Notary Certification
\$ 5.00	Recording Licenses
\$ 1.00/page	Certified copy requests -- including Certificate
\$.10/page	Photocopy requests
\$ 1.00/page	Making complete record -- including Index
FAX fee	\$2.00, plus \$1.00 per page per transmission
\$ 25.00	Calling Jury
\$ 25.00	Deposit per subpoena issued by Clerk
\$ 875.00	Filing Praecipe for Order of Sale of Real Estate, Alias Pluries in Foreclosure and in Partition Actions
\$ 125.00	Sex Offender Re-classification Challenge Petition

§ 50.00 Criminal post-conviction motions (ie: motion for driving privileges or reinstatement following suspension)

JURY FEE DEPOSIT. THE FIRST PARTY MAKING A JURY DEMAND IN A CIVIL ACTION BEFORE THIS COURT SHALL DEPOSIT \$200.00 WITH THE CLERK OF COURTS NO LATER THAN TEN (10) DAYS BEFORE THE SCHEDULED TRIAL DATE. FAILURE TO DEPOSIT \$200.00 WITHIN THE TIME ALLOTTED SHALL CONSTITUTE A WAIVER OF JURY.

3.02 Insufficient Deposit. If it is brought to the attention of the trial judge that any deposit is insufficient, the trial judge may require the said deposit to be increased from time to time.

3.03 Witness Fees. A party requesting the issuance of subpoenas for a witness shall deposit at the time of filing the request for subpoena the appropriate amount under the Witness Fees Statute (ORC 2335.06) for said witness with the Clerk of Courts. This Rule shall apply to civil and criminal practice.

3.04 Appraisal Fee. An advance deposit of \$225.00 is required. In the event the appraisal is canceled, this fee shall be promptly returned.

RULE 3.1

COMPUTERIZED RESEARCH

Pursuant to the authority of R. C. Section 2303.201(A) it is determined that, for the efficient operation of the Civil, Criminal and Domestic Relations Division of this Court, additional funds are required to obtain computerized legal research services.

The Clerk of this Court is directed and is hereby authorized to charge and collect an additional fee of Three Dollars (\$3.00) upon the filing of each cause or appeal under R.C. Section 2303.20(A), (Q), and (U).

All funds collected pursuant to this Rule shall be paid to the County Treasurer to be maintained by the County Auditor in a separate account for utilization of this Court in procuring and maintaining computerized legal research services.

Pursuant to the authority of R.C. Section 2303.201(B) it is determined that, for the efficient operation of the Civil, Criminal and Domestic Relations Divisions of this Court, additional funds are required to computerize the Office of the Clerk of the Court of Common Pleas.

The Clerk of this Court is directed and hereby authorized to charge an additional fee of Ten Dollars (\$10.00) upon the filing of each cause of action, appeal, certificate of judgment, or the docketing and indexing of each writ in execution or petition to vacate, revive, or modify a judgment under R.C. Section 2303.20(A), (P), (Q), (T), and (U).

All funds collected pursuant to this Rule shall be paid to the County Treasurer to be disbursed, upon an order of the Court of Common Pleas and subject to appropriation by the Board of County Commissioners, in an amount no greater than the actual cost to the Court of procuring and maintaining computer systems for the Office of the Clerk of the Court of Common Pleas.

RULE 3.2

MEDIATION IN CIVIL AND DOMESTIC RELATIONS CASES.

3.2.01 Mediation in Civil (non-domestic relations) cases. Pursuant to Rule 16 of the Rules of Superintendence for the Courts of Ohio, the Court hereby adopts, for its General Division, the mediation rules as follows:

Upon order of the Court, a civil action filed in this Court may be submitted to mediation as provided in this rule. By participating in mediation, a non-party participant, as defined by Ohio Revised Code Section 2710.01(D), submits to the Court's jurisdiction to the extent necessary for enforcement of this rule. Any non-party participant shall have the rights and duties under this rule as are attributed to parties, except that no evidence privilege shall be expanded.

Mediator is defined to mean any individual who mediates cases pursuant to an order of this Court, regardless of whether that individual is an employee, an independent contractor or a volunteer.

3.2.02 Case Selection and Timing for Mediation. All civil cases may be referred to mediation. Before the initial pre-trial conference in a case, counsel shall discuss the appropriateness of mediation in the litigation with their clients and with opposing counsel. Mediation shall not be used as an alternative to the prosecution or adjudication of domestic violence, to determine whether to grant, modify or terminate a protection order, to determine the terms and conditions of a protection order, or to determine the penalty for violation of a protection order.

At the initial pre-trial conference the parties and counsel shall advise the Court of the results of their discussions concerning mediation. At that time and at subsequent conference, if necessary, the Court may explore with the parties and counsel the possibility of using mediation. A party opposed to either the referral or the appointed mediator must file a written objection with the Court within seven days of receiving notice of the referral or provider and explain the reasons for any opposition.

3.2.03 Referral to Mediation. The case is referred to mediation by order of the Court. The Court may issue the order on its own motion, upon the motion of counsel or upon referral by the mediator.

3.2.04 Continuances. Continuances shall be granted only for good cause shown and after a mutually acceptable future day has been determined. No continuance will be granted if the mediation cannot be scheduled prior to the final pretrial.

3.2.05 No Stay of Proceedings. All remaining court orders shall remain in effect. No order is stayed or suspended during the mediation process.

3.2.06 Mediation Privilege. Mediation communications are privileged as described in Ohio Revised Code 2710.03-2710.05.

3.2.07 Client Defined Confidentiality. If the parties wish mediation communication to be confidential they will effect a written confidentiality agreement prior to mediation.

3.2.08 Mediator's Duty. The mediator shall inform the Court who attended the mediation, whether the case settled, and whether efforts to settle the case through mediation are being continued or if the case is being returned to the Court for further proceedings. No other information shall be directly or indirectly communicated by the mediator to the Court, unless all who hold a mediation privilege, including the mediator, have consented to such disclosure. The mediator shall keep mediation communications confidential, unless all who hold a mediation privilege, including the mediator, have consented to such disclosure.

3.2.09 Duties of Attorneys/Parties. Trial counsel, all parties and, if applicable, the principal insurance adjuster(s), all with authority to settle, shall personally attend all mediation sessions prepared to discuss all relevant issues, including settlement terms. A party other than a natural person must be represented by a person other than counsel.

If counsel or any mediation party becomes aware of the identity of a person or entity whose consent is required to resolve the dispute, but who has not yet been joined as a party in the pleadings, they shall promptly inform the mediator as well as the assigned Judge of such fact.

If the opposing parties to any case have either resided in a common residence or are related by blood, adoption, or marriage, and have known or alleged domestic abuse at any time prior to the mediation, then the parties or their counsel have a duty to disclose such information to the mediation staff. Such party shall have a duty to participate in any screening required by the Supreme Court of Ohio's Rules of Superintendence Rule 16 both prior to, and, in the mediator's discretion, during the mediation session(s).

3.2.10 Sanctions. If any of the individuals identified in the above paragraph fail to attend mediation without good cause, the Court may impose sanctions, including the award of attorney's fees and other costs, contempt or other appropriate sanctions.

3.2.11 No Advice. The efforts of the mediator shall not be construed as giving legal advice. The Court may have materials for legal or other support services available in the community. The mediator is authorized to provide such resource information; however, such distribution shall not be construed as a recommendation of or referral to such resource. The recipient of that information is charged with the duty to evaluate those resources independently.

3.2.12 Administrative Dismissal. If the parties fail to dismiss a settled case within the later of sixty (60) days or the time noted in the entry that gave the Court notice of the settlement, then the Court may dismiss the case administratively. Upon such administrative dismissal, court costs shall be paid from the funds deposited. If Court costs exceed the funds deposited, each party shall bear their own costs.

3.2.13 Mediation in Domestic Relations Cases. Pursuant to Rule 16 of the Rules of Superintendence for the Courts of Ohio, the Court hereby adopts for its Domestic Relations Division the mediation rules as follows:

Upon order of the Court, a domestic relations matter filed in this Court may be submitted to mediation as provided in this Rule.

A Domestic Relations case may be referred to mediation by order of the Court. The Court may issue the order on its own motion, upon the motion of counsel, upon referral by the mediator or upon agreement of the parties. A case may be referred to mediation by random selection.

By participating in a mediation, a non-party participant, as defined by Ohio Revised Code Section 2710.01(D), agrees to be bound by this rule and submits to the Court's jurisdiction to the extent necessary for enforcement of this rule. Any non-party participant shall have the rights and duties under this rule as are attributed to parties, except as provided by Ohio Revised Code 2710.03(B)(3) and Ohio Revised Code 2710.04(A)(2).

Mediator is defined to mean any individual who mediates cases pursuant to an order of this Court, regardless of whether that individual is an employee, an independent contractor or a volunteer.

All remaining Court orders shall remain in effect. No order is stayed or suspended during the mediation process.

Continuances of scheduled mediations shall be granted only for good cause shown after a mutually acceptable future date has been determined. The case may be continued by the Judge or Magistrate who referred the case. Except as authorized by the Court, the existence of pending motions shall not be good cause for a continuance and no continuance will be granted unless the mediation can be scheduled prior to the final pretrial.

Pursuant and subject to the provisions of the Uniform Mediation Act (UMA), Ohio Revised Code 2710.01 to 2710.10, Ohio Revised Code 3109.052, the Rules of Evidence, and any other pertinent judicial rule, all communications related to the mediation or made during the mediation process shall be governed by the privileges as set forth in the UMA, Rules of Evidence and other pertinent judicial rules. Upon written agreement, all communications may be confidential.

The Mediator shall inform the Court who attended and whether the case settled. If the case had not settled, then the Mediator shall inform the Court whether the case is scheduled for further mediation or is returned to the Court for further proceedings. No other information shall be communicated by the Mediator to the Court unless all who hold a mediation privilege, including the mediator, have consented to such disclosure.

The efforts of the Mediator shall not be construed as giving legal advice.

All parties shall attend the mediation sessions unless previously excused. Further, and pursuant to the UMA, all parties may have their attorney and/or other support person or persons attend the mediation session. If counsel or any mediation party becomes aware of the identity of a person or entity whose consent is required to resolve the dispute, but who has not yet been joined as a party in the pleadings, they shall promptly inform the mediator as well as the assigned Judge of such fact.

If opposing parties to any case are (1) related by blood, adoption, or marriage; (2) if the parties have resided in a common residence, or (3) have known or alleged domestic abuse at any time prior to the mediation, then the parties and their counsel have a duty to disclose such information to the Mediator and have a duty to participate in any screening required by the Supreme Court of Ohio's Rules of Superintendence Rule 16.

The mediator however shall have the right not to conduct the mediation session. The Court shall also have the right to require the attendance of the attorneys at the sessions if the Court determines it is appropriate and necessary for the process and consistent with Ohio Revised Code 2710.09. If a party insists upon bringing a person to the session that the mediator believes is inappropriate or would harm the process, the Mediator may bar such participation or withdraw from the mediation.

If any of the individuals identified in the above paragraph fail to attend mediation without good cause, the Court may impose sanctions, including the award of attorney's fees and other costs, contempt or other appropriate sanctions.

Attorneys may, at their option, or must if required on a specific case by the Court, submit to the mediator a mediation memorandum which shall contain the following:

- a. The elements of each claim asserted by the party filing the mediation memorandum;
- b. A brief statement of the facts supporting the claim(s); a statement of admitted or undisputed facts; and a statement of remaining issues of facts to be tried;
- c. Any amendments required to the pleadings;
- d. Any tender of issues in the pleadings that are to be abandoned;
- e. A proposal for settlement of the claim(s). This proposal may be submitted in camera.

Mediation memoranda may be submitted in confidence or exchanged by counsel at their preference. However, any attorney who submits a Mediation Memorandum in confidence shall advise the opposing counsel it is their intention to file it in confidence. Any mediation memorandum submitted under this Rule shall be provided to the mediator at least five working days prior to the mediation session.

Any mediator appointed by the Court or retained by the parties shall meet the following qualifications:

a. **General Qualifications and Training.** A mediator employed by the division or to whom the division makes referrals for mediation of allocation of parental rights and responsibilities, the care of, or visitation with, minor children shall satisfy all of the following:

(i) Possess a bachelor's degree, or equivalent education or experience as is satisfactory to the division, and at least two years of professional experience with families. "Professional experience with families" includes mediation, counseling, casework, legal representation in family law matters, or such other equivalent experience satisfactory to the division.

(ii) Complete at least twelve hours of basic mediation training or equivalent experience as a mediator that is satisfactory to the division.

(iii) Complete at least forty hours of specialized family or divorce mediation training which has been approved by the Supreme Court.

3.2.14 Specific Qualifications and Training: Domestic Abuse. A mediator employed by the division or to whom the division makes referrals for mediation of any case shall complete at least fourteen hours of specialized training in domestic abuse and mediation through a training program approved by the Ohio Supreme Court Dispute Resolution Section in accordance with standards established by the Supreme Court Advisory Committee on Dispute Resolution. A mediator who has not completed this specialized training may mediate these cases only if he/she co-mediate with a mediator who had completed the specialized training.

Any mediator providing services for the Court shall utilize procedures that will:

a. Ensure that parties are allowed to participate in mediation, and if the parties wish, that their attorneys and other individuals they designate are allowed to accompany them and participate in mediation;

b. Screen for domestic violence both before and during mediation and by using a three-tiered screening method along with the use of appropriate screening tools;

c. Encourage appropriate referrals to legal counsel and other support services for all parties, including victims and/or suspected victims of domestic violence;

d. Prohibit the use of mediation in any of the following:

(i) As an alternative to the prosecution or adjudication of domestic violence;

(ii) In determining whether to grant, modify or terminate a protection order;

- (iii) In determining the terms and conditions of a protection order and
- (iv) Determining the penalty for violation of a protection order.

Further, any mediator providing services for the Court shall only conduct a mediation session where violence or fear of violence is alleged, suspected or present when that mediator has completed the training specified above and ensures that the following conditions are satisfied:

- a. Assure that the person who is or may be the victim of domestic violence is fully informed, both orally and in writing about the mediation process, his or her right to decline participation in the mediation process, and his or her option to have a support person present at the mediation sessions;
- b. Conclude that the parties have the capacity to mediate without fear or coercion or control;
- c. Appropriate procedures are in place to provide for the safety of the person who is or may be the victim of domestic violence or coercion between the parties;
- d. Procedures are in place for the mediator to terminate mediation if he or she believes there is continued threat of domestic violence or coercion between the parties;
- e. Ensure that the Court has issued written findings of fact, as required by Ohio Revised Code 3109.052 to refer certain cases involving domestic violence to mediation.

Mediators providing services for the Court shall comply with the Model Standards of Practice for Family and Divorce Mediation and the Special Policy Considerations for the State Regulation of Family Mediators and Court Affiliated Programs as set forth in Rule 16 of the Rules of Superintendence for the Courts of Ohio.

RULE 4

BAIL OR SURETY

4.01 No attorney or officer of the Court will be received as bail or surety.

4.02 In all criminal cases where the defendant posts a property bond, his attorney or an attorney for the surety whose property is being used to secure the bond must provide the Clerk of Courts with a title search certifying the following: a short description of the property, the names that appear on the deed, the true value of the property as shown on the records in the County Auditor's Office and whether there are any liens on file against the property, together with an appraisal of the real estate prepared by an appraiser approved by the Court.

4.03 Any and all cash bonds posted in excess of \$500.00 shall be made by way of certified funds (cashier's check or money order) payable to the Clerk of Courts. Cash payments in excess of \$500.00 will not be accepted. All cash bonds must be paid to the Clerk before 4:00 p.m.

RULE 5

PLEADINGS AND MOTIONS

5.01 Every pleading, motion and memorandum filed shall have typed or printed thereon the name, address, telephone number, facsimile transmission (FAX) number, and Supreme Court registration number of counsel filing the same and, when the counsel is a firm of attorneys, a particular attorney within the firm having primary responsibility for the case. All papers filed with the Court must be on paper not exceeding 8-1/2 by 11 inches in size. All papers shall include a top margin of two (2) inches and a bottom margin of one (1) inch to provide the Clerk of Courts adequate margin space for time stamping and scanning notations. All papers shall have double spaced type with the exception of legal descriptions and quotations which shall be single spaced

5.02 When a new party plaintiff or defendant is added to a case after the commencement thereof, the caption of the first pleading in which or after which such new party is added shall contain the name of such new party, together with his or its address followed by a specific designation of "New Party Plaintiff" or "New Party Defendant" as is applicable.

5.03 Counsel shall file with the Clerk of Courts and the Assignment Commissioner written notice of any change of address.

5.04 Pleadings and motions may be amended as provided in Civ. R. 15, but no pleading or motion shall be amended by interlineation or obliteration except upon leave of court.

5.05 Except in Domestic Relations matters:

(a) All motions shall be accompanied by a brief statement of the grounds and the authorities relied upon.

(b) The opposing counsel or a party may file a response by the fourteenth day after the day on which the motion was filed. The moving party may file a reply brief by the twenty-first day following the day on which such motion was filed. On the twenty-first calendar day after the motion was filed, the motion shall be deemed submitted without oral arguments unless oral argument is requested in writing by counsel.

(c) This rule shall apply to all motions including motions for new trial, motions for judgment notwithstanding the verdict, and motions for reconsideration but shall not apply to motions for summary judgment.

(d) No motion shall be filed in any case after it has been set for pretrial without leave of the trial judge first obtained, who may establish the time for the filing of briefs and submission of the motion.

5.05 Motions for Summary Judgment. In pretrial orders, the Court may set cut-offs for the filing of dispositive motions, fix briefing schedules and set such motions for oral argument. Otherwise, upon the filing of a motion for summary judgment, the Court shall set the motion for hearing, and the schedule in Civil Rule 56 shall be followed.

RULE 5.1

PUBLICATION BY POSTING

5.1.01 Authorization. Civil Rule 4.4, authorizes service of process by "posting and mail" in cases of "divorce, annulment and legal separation actions" when the plaintiff is proceeding *in forma pauperis*, and the Court is required to designate, in addition to the courthouse, "two additional public places in the county" where publication of service of process by "posting" may be had.

5.1.02 Designation. As the Williams County License Bureau and the Williams County Department of Human Services are separate public buildings which enjoy widespread public usage, and each constitutes and qualifies as a "Public Place in the County" of Williams, State of Ohio for statutory and definitional purposes.

Therefore, the Williams County Courthouse, located at One Courthouse Square, Bryan Ohio 43506, the Williams County License Bureau, located at 13060 County Road D-50, Bryan Ohio 43506, and the Williams County Department of Human Services, located at 117 West Butler Street, Bryan Ohio 43506, are EACH designated as a "public place" for the purposes of accepting and posting service of process in qualifying cases.

In each such case, the Clerk of Courts shall cause the requisite "NOTICE" to be posted in a conspicuous place and manner in the above denominated buildings, for the requisite period of six (6) consecutive weeks of publication. Upon completion of the posting for the requisite six week period, the Clerk of Courts shall remove the notice, complete the "Return of Service", file the same in the appropriate case, note on the docket where and when notice was posted and notify counsel, all as prescribed by law.

RULE 6

RULE DAY

6.01 Any party shall be permitted one leave to move or plead for not more than thirty (30) days for good cause shown upon the filing of an appropriate motion stating the cause and a journal entry granting leave. An additional extension of not more than thirty (30) days may be granted by agreement of counsel. Such consent shall be evidenced by an order signed by all counsel and shall be submitted to the Court for approval and filing.

6.02 Where an additional extension of time beyond that provided herein is needed, or where the parties cannot agree upon an extension of time, the party desiring the extension shall file a written motion supported by an affidavit stating facts indicating the practical impossibility of pleading within rule and demonstrating good cause for further extension. The motion and affidavit shall be served upon opposing counsel, and the matter shall be heard at a time to be fixed by the judge to whom the case is assigned.

6.03 In all cases where the time for filing of pleadings or amended pleadings is not fixed by law or another rule, the pleading or amended pleading shall be filed on or before the fourteenth day after the date of entry requiring or granting leave for the filing of such pleading or amended pleading unless otherwise specified in the entry. The opposing party shall move or plead to the pleadings or amended pleadings so filed on or before the fourteenth day after such pleadings or amended pleading is filed.

6.04 No pleading or motion shall be amended by interlineation or obliteration except upon express leave of the Court first obtained.

RULE 7

TRIAL ATTORNEY

7.01 Unless otherwise ordered, and in all actions filed, transferred or removed to this Court, all parties not appearing *pro se* shall be represented of record by a "trial attorney". Unless such designation is changed, the trial attorney shall attend all hearings, conferences, and the trial itself unless otherwise excused. All pleadings filed on behalf of one or more parties represented by counsel shall be signed by one attorney in his individual name as trial attorney, followed by the designation "trial attorney." Firm names and the name of the co-counsel may appear on the pleadings for information.

7.02 Unless otherwise ordered, the substitution or withdrawal of a trial attorney shall be permitted only:

(a) Upon filing with the Court and service on all other parties of a notice of a substitution of trial attorney signed by the withdrawing attorney, the client and a substitute trial attorney, or

(b) Upon written application for substitution or withdrawal served upon the client and showing of good cause and upon such terms as the Court shall impose. Unless otherwise ordered, a trial attorney shall not be permitted to withdraw at any time later than twenty (20) days in advance of trial or the setting of a hearing on any motion, and unless otherwise ordered, the substitution of a trial attorney shall not serve as the basis for postponement of the trial or any hearing.

RULE 8

PRE-TRIAL PROCEDURE

8.01 Pre-trials shall be held at such time as the Court shall direct.

8.02 It shall be the duty of counsel to comply with the terms and conditions of the Court's order setting a cause for pretrial and/or settlement conference. Thirty to ninety days after answer day in any domestic or civil case, or within thirty days of arraignment in a criminal case, the Court shall cause a pretrial hearing to be scheduled at which all issues relevant to the case shall be discussed, all available alternate dispute resolutions shall be explored, and the case shall be scheduled for trial and any further hearings as determined to be necessary by the Court. Failure to comply, in the absence of good cause shown, may result in the imposition of sanctions, including, but not limited to, dismissal for want of prosecution, default judgment, assessment of attorneys' fees and expenses against any party not in compliance, prohibition against the production of certain evidence or testimony, or any other sanction provided for by law.

RULE 9

OFFICIAL NOTIFICATION OF COUNSEL

9.01 Notification by the Assignment Commissioner by ordinary mail shall be deemed official and complete notification to all counsel and unrepresented parties of any assignment of any case for any purpose whatever.

9.02 Notice boxes in the Office of the Clerk of Courts are provided for local counsel for making and receiving service. Service on local counsel shall be considered complete on the day following placement therein.

RULE 10

ENTRIES

10.01 Unless the trial judge or magistrate otherwise directs, counsel for the party in whose favor an order, decree or judgment is rendered shall, within ten (10) days thereafter, prepare the proper Judgment Entry and submit it to the counsel for the adverse party who shall approve or reject the same within five (5) days after the receipt thereof. Name of counsel and of the trial judge shall be typed or printed upon the entry. When the entry is approved by counsel, it shall be so endorsed and presented to the judge to whom the case is assigned for approval, and if signed by him, shall then be filed with the Clerk. If counsel are unable to agree upon the entry, each party shall submit a proposed entry together with a motion (with order attached) seeking leave to file its proposed entry, and stating the reason why such entry should be adopted by the court without the concurrence and approval of opposing counsel.

10.02 If counsel fails to present an entry within twenty (20) days after the order, decree or judgment is rendered, the trial judge may cause the proper entry to be prepared and filed without submission or notice to counsel or take such other action as may be appropriate under the circumstances.

10.03 Counsel shall promptly submit an entry of dismissal to the trial judge following settlement of any cause. If counsel fails to present such entry to the trial judge within twenty (20) days after representations to the Court that a case has been settled, or within thirty (30) days upon written application to the court for such an extension and for good cause shown, the trial judge may order the case dismissed as for want of prosecution.

10.04 Whenever copies of entries are submitted with original Judgment Entries which are to be filed, each copy shall have typewritten or stamped on the signature line the following:
S/ (name of Judge)

10.05 In all Entries of Confirmation following foreclosure actions, counsel shall describe in detail the release of any liens and mortgages, including the volume and page number of any such release.

10.06 Counsel directed by the Court to prepare and submit a Judgment Entry of a final, appealable order reflecting the findings and rulings of the Court shall provide for the Clerk of Courts a list of all persons entitled to notice, including the names and mailing addresses of all attorneys of record and names and addresses of all unrepresented parties not in default. Counsel shall also provide sufficient copies of said Judgment Entry to the Clerk so that the Clerk may serve notice of the entry by mail upon each party listed.

10.07 In the event settlement is reached prior to trial, the trial date will not be vacated until a Judgment Entry has been submitted to the Court or the parties' agreement is read onto the record.

RULE 10.1

STATEMENT/EXECUTION FOR COSTS

All entries in civil and domestic cases shall make provisions for payment of court costs and shall specifically provide for allocation of any court costs incurred over and above the cost deposit. Costs in any action in which the final journal entry is silent as to their assessment shall be taxed to the party initiating the action.

RULE 11

CRIMINAL CASES

11.01 Application of Rules. The rules of practice for civil cases apply to all criminal procedures except where clearly inapplicable.

11.02 Compensation for Court Appointed Attorneys. Any attorney appointed to provide legal representation for indigent defendants shall be compensated pursuant to Section 120.33 *et seq.*, Revised Code of Ohio, and any other applicable Ohio law. Such attorneys shall be reimbursed for expenses reasonably incurred not to exceed one hundred dollars (\$100.00) without prior court approval. Necessary expenses in excess of \$100.00 may be allowed only if approved by the trial judge in advance of incurring the expense and if the amount thereof is determined to be reasonable by the trial judge. No attorney shall be appointed to represent an indigent defendant if that attorney has received compensation or has been promised compensation from any source for representing that defendant in the case at bar.

11.03 Extraordinary Services. Additional payment shall be made for extraordinary cases and then only upon application under oath by the attorney showing extraordinary services, and after approval by the trial judge.

11.04 Certificate of Legal Services. The attorney's certificate for legal services and affidavit of indigency shall be submitted within thirty (30) days of the termination of legal services and shall set forth an itemization of time and expenses involved. Said certificate shall also include the date of termination of services.

11.05 Appointed Counsel - Contempt. In any contempt action, if the alleged contemnor is determined indigent, he/she shall be provided legal representation by the appointed counsel.

RULE 12

INACTIVE CRIMINAL CASES

Criminal cases in which further proceedings are not presently possible shall be placed in a suspended file by the Clerk and considered closed for statistical purposes either upon motion of the prosecuting attorney or the Court's own motion and shall not be subject to dismissal for want of prosecution. A case shall be removed from such list when the defendant is available and proceedings resumed or when the case is dismissed. Cases to which this rule is applicable shall include those in which the defendant is not competent to stand trial, or is confined in a penal institution in another state, has been served and cannot be found or those cases from which an appeal has been taken and is pending. In those cases, if appropriate, bail shall be forfeited and judgment entered thereon.

RULE 13
MAGISTRATES

13.01 Magistrates may be appointed by the Court and serve full or part-time as provided by Ohio Civil Rule 53.

13.02 All referenced proceedings shall conform to the requirements of Ohio Civil Rule 53.

RULE 14

TRANSCRIPTS

All requests for transcripts shall be made in writing. The Court Reporter shall have full authority to require a deposit in such amount as is deemed necessary to cover the cost of preparation, unless otherwise ordered by the Court.

RULE 15

MEDIA COVERAGE

15.01 Broadcasting, Televising, Recording and Photographing by the New Media. Broadcasting, televising, recording, and photographing by news media during courtroom sessions, including recesses between sessions, shall be permitted under the following conditions:

15.02 Administration. Requests for permission to broadcast, televise, record, or photograph in the courtroom shall be in writing to the Judge of the Court of Common Pleas as far in advance as reasonably practical, but in no event later than twenty-four (24) hours prior to the courtroom session to be broadcast or photographed unless otherwise permitted by the trial judge.

The trial judge shall grant the request in writing consistent with Canon 3 Section A (7)(c), Code of Judicial Conduct, Superintendence Rule 11, and this local Rule. Written permission shall be made a part of the record of the proceeding.

15.03 Pooling. Arrangements may be made between or among media for "pooling" equipment and personnel authorized by this rule to cover the Court sessions. Such arrangements are to be made outside the courtroom and without imposing on the trial judge or court personnel to mediate any dispute as to the appropriate media "pool" representative or equipment authorized to cover a particular session.

15.04 Equipment and Personnel. Not more than one (1) portable camera (television, videotape or motion picture) operated by not more than one (1) in-court camera person, shall be permitted without authorization of the trial judge.

Not more than one (1) still photographer, utilizing not more than two (2) still cameras of professional quality with not more than two (2) lenses for each camera, shall be permitted without authorization of the trial judge.

Not more than one (1) audio system for radio broadcast purposes shall be permitted without authorization of the trial judge.

If audio arrangements cannot be reasonably made in advance, the trial judge may permit one (1) audio portable tape recorder at the bench which will be activated prior to commencement of the courtroom session.

Visible audio portable tape recorders may not be used by the news media without prior permission of the trial judge.

15.05 Light and Sound Criteria. Only professional quality telephonic, photographic and audio equipment which does not produce distracting sound or light shall be employed to cover courtroom sessions. No motor driven still cameras shall be permitted.

No artificial lighting device other than that normally used in the courtroom shall be employed. However, if the normal lighting in the courtroom can be improved without being obtrusive, the trial judge may permit modification.

Audio pickup by microphone for all media purposes shall be accomplished from existing audio systems present in the courtroom.

One television camera shall be positioned on a tripod adjacent to the northeast wall in the courtroom, and shall remain fixed in that position. This designated area shall provide reasonable access to coverage. Videotape recording equipment or other technical equipment which is not a component part of an in-court television or broadcasting unit shall be located in a room adjacent to or outside of the courtroom.

Television, broadcast, and still camera operators shall position themselves in a location in the courtroom, either standing or sitting, and shall assume a fixed position within that area. Having established themselves in a shooting position, they shall act so as to not call attention to themselves through further movement.

Television cameras, microphones and taping equipment shall not be placed in, moved during or removed from the courtroom except prior to commencement or after adjournment of the session, or during a recess. Neither television film magazines, rolls or lenses, still camera film, nor audio portable cassette tapes shall be changed within a courtroom except during a recess.

15.06 Miscellaneous. Proper courtroom decorum shall be maintained by all media pool participants.

All media representatives shall be properly attired, in a manner that reflects positively upon the journalism profession.

15.07 Limitations. There shall be no audio pickup or broadcast of conferences conducted in a courtroom between counsel and clients, co-counsel, trial judge and counsel.

The trial judge shall prohibit photographing or televising by any means victims of sexual assaults, jurors and undercover police officers. The trial judge may prohibit the photographing or televising of any witness or victim who objects thereto. The trial judge shall retain discretion to limit or prohibit photographing or televising of any counsel or his work product, upon objection.

RULE 16

JURY QUESTIONNAIRE

It is within the discretion of the court to direct the Jury Commissioners to prepare jury questionnaires and make such questionnaires available to counsel. If jury questionnaires are to be used, the following procedures shall apply:

Prior to trial, counsel for the parties shall be provided by the Jury Commissioners with copies of juror questionnaires which have been previously completed by prospective jurors and directed to the court.

During *voir dire*, counsel may not inquire of jurors as to matters satisfactorily and completely answered in the questionnaires.

Counsel may not copy the jury questionnaires furnished them, and must return the jury questionnaires to the Jury Commissioners promptly after *voir dire*.

RULE 17

EVIDENCE OF TITLE TO BE FILED IN JUDICIAL SALES OF REAL ESTATE

Except in tax forfeiture and tax foreclosure cases, and except where the Court upon motion of a party and for good cause shown otherwise directs, in any case wherein the relief is sought is the judicial sale of real estate:

(1) The plaintiff shall procure and file with the Court not later than the date the decree ordering judicial sale is filed with the Clerk of Courts, a commitment for an owner's title insurance policy for each parcel of real estate to be sold, said commitment to be effective at 8:30 a.m. on the day after the date of the completion of service on the last of the record owners of the real estate to be served. The commitment shall be in "the amount of the successful bid at sheriff's sale" and shall show "purchaser at judicial sale" as the proposed insured.

(2) An order of sale shall not be issued until the plaintiff's attorney files a Certification with the Clerk of Courts verifying that the provisions of this rule have been complied with or that the duty of compliance with the provisions of the rule have been dispensed with by court order.

(3) After the sheriff's return of the order of sale and prior to the confirmation of the sale, the plaintiff shall cause a bill for the cost of an owner's policy of title insurance in the amount of the sale price of the real estate to be filed with the Clerk of this Court. The amount of the bill shall be taxed as costs in the case.

(4) After the delivery of the deed by the sheriff to the purchaser and the recording of said deed, the plaintiff shall cause an owner's policy of title insurance in the amount of the sale price to be delivered to the purchaser or mailed to the address of the purchaser as shown on the deed.

(5) If the purchaser of the real estate does not desire an owner's policy of title insurance, said purchaser shall notify the plaintiff prior to the confirmation of the sale, and the plaintiff shall cause a bill for the cancellation of the commitment, calculated in accordance with the company's rates filed with the State of Ohio, Department of Insurance, as amended from time to time, to be filed with the Clerk of the Court. The amount of said bill shall be taxed as costs in the case, in lieu of the bill referred to in subparagraph (2) above.

(6) If the plaintiff's complaint is dismissed prior to the judicial sale, but the action is nonetheless pending due to counterclaims or cross-claims, the party which has asserted a claim based on a lien which is next in priority to plaintiff's shall comply with the requirements of this rule.

RULE 17.1

CIVIL FORECLOSURE ACTIONS

17.1.01 Statistical closing. For purposes of reporting by the Court to the Supreme Court of Ohio in foreclosure cases, the judgment entry of foreclosure will determine that the case is closed.

17.1.02 Entry without complete distribution. No confirmation of sale and distribution entries shall be accepted which do not provide for complete distribution of the sale proceeds unless prior Court approval is obtained.

17.1.03 Cancellation of Sheriff's Sale. In the event a party cancels a Sheriff's Sale (after the Order of Sale has issued) for any reason other than cancellation due to bankruptcy action, a cancellation fee of \$50.00 shall be assessed against the party cancelling said sale. If the parties fail to proceed with further order of sale within 90 days of cancellation, the Court shall issue an order of stay and the Clerk of Courts shall calculate all court costs, return all deposits and close the case. Thereafter in the event the parties want to reopen and proceed with the order of sale, an additional deposit of \$225.00 will be required.

RULE 18

APPEALS

18.01 Where the time for filing bills of exceptions, assignments of error and briefs are fixed by statute or by Rule of the Supreme Court, they shall be filed within such time or extension thereof as may be granted in writing by the judge to whom the case is assigned after notice to opposing counsel or party. Upon the expiration of such time as extended, the case will be considered as submitted on the briefs unless oral argument is requested in writing and granted by the judge. When granted, such oral argument shall not exceed fifteen (15) minutes per side unless extended by the judge.

18.02 Where the time for filing is not fixed by statute or Rule of the Supreme Court, the appellant shall file a brief within twenty (20) days after the filing of the transcript of the record; the appellee shall file his brief within ten (10) days after the filing of the brief of appellant and any reply briefs shall be filed within five (5) days after the filing of appellee's brief. Extensions of time may be granted by entry by the judge to whom the case is assigned for good cause shown after notice to all parties.

18.03 In all cases in which demand or request to the agency by the appellant is a prerequisite to the preparation or the filing of the transcript of the record by the agency, such demand or request shall be filed by the appellant with the agency at the time of filing the notice of appeal, unless otherwise provided by Rule of the Supreme Court or by law.

18.04 Upon expiration of the time for filing the last brief, the case will be considered as submitted upon the briefs unless oral argument is requested in writing and granted by the judge to whom the case is assigned or is required by law. Such argument shall not exceed (15) fifteen minutes per side unless extended by such judge.

18.05 The procedure as herein above set forth as may be applicable shall apply to all appeals including those under Chapter 2506 of the Revised Code and Chapter 119 of the Revised Code.

18.06 Failure of appellant to file his bill of exceptions, assignments of error, his brief or his demand for a transcript of the record within the time required shall be cause for dismissal of the appeal for want of prosecution or other disposition of the case at the direction of the judgment to whom the case is assigned.

RULE 19

COURT SECURITY

19.01 The Court shall direct the Williams County Sheriff's Department or other appropriate law enforcement officers to act as Court security for Court facilities when deemed appropriate in the Court's discretion.

19.02 No firearms and/or weapons shall be permitted within Court facilities except by personnel engaged in Court security or other law enforcement officers conducting official business.

19.03 All prisoners shall be transported to and from Court facilities handcuffed and, when appropriate, secured by leg restraints.

RULE 20

ATTORNEY'S FEES FOR SUITS IN PARTITION OF REAL ESTATE

Pursuant and subject to ORC 5307.25, counsel fees in partition actions are fixed as follows: For the first five thousand dollars (\$5,000.00) of the value, as determined in said action, of the said real estate, at the rate of eight percent (8%); all above that sum, and not exceeding ten thousand dollars (\$10,000.00) at the rate of six percent (6%); all above that sum, and not exceeding fifteen thousand dollars (\$15,000.00) at the rate of four percent (4%); and all above fifteen thousand dollars (\$15,000.00) at the rate of two percent (2%) with a minimum allowance of fifty dollars (\$50.00).

Compensation for extraordinary services and for expenses may be awarded upon application to and approval of the trial judge and only upon notice to opposing parties or their counsel. Such extraordinary fees and expenses shall be limited to those found to be reasonable and necessary in the sound discretion of the trial judge.

RULE 21

APPRAISER'S FEES AND ACCESS

21.01 Fees for Real Estate Appraisals. Each appraiser shall be paid for real estate appraisals a standard fee of \$75.00 for each parcel as offered for sale.

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

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

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

RULE 22

NOTARIES PUBLIC

The examination and certification of Notaries Public will be conducted in the following manner:

- (a) The Judge shall appoint one or more Notary Commissioners. The commissioner(s) appointed shall be charged with the administration of the following rules and shall be compensated out of fees collected pursuant hereto.
- (b) Said commissioner(s) shall, upon request for examination, conduct examinations of all applicants for appointment as Notaries Public for this county to determine whether such applicants possess the necessary qualifications as defined in Chapter 147 of the Revised Code of Ohio. Such examination shall not be required of persons holding active notary public commissions in this State and who have previously passed an examination therefore.
- (c) Each applicant for commission shall file with a commissioner a statement in writing and under oath, in such form as prescribed by the Court, which statement shall be kept on permanent file by the commissioner.
- (d) Within five (5) days after completion of the examination referred to in (2) above, the commissioner shall report to the Judge the names of all successful applicants, whose applications will then be approved by the Judge and forwarded to the proper issuing authority together with the requisite fee.
- (e) Any successful applicant who considers himself aggrieved by the commissioner may appeal directly to the Judge and shall be entitled to a prompt review. Otherwise, any unsuccessful applicant may make application for re-examination upon payment of the hereinafter specified fee. Every unsuccessful applicant shall be notified by the commissioner of the reason for rejection of his application.
- (f) All applicants for commissions as Notaries Public, whether or not residents of the county shall pay the following fees at the time of filing their statements and applications:

Original applications - \$ 8.00
Re-examination - \$ 3.00
Renewal application - \$ 3.00

All such fees shall be paid to the commissioner and shall be subject to the direction of the Court. All expenses incurred by the commissioner in carrying out the provisions of this rule shall be paid from fees collected in accordance herewith.

In addition to the fees above provided for, each application shall be accompanied by the filing fee prescribed by R.C. 147.37, provided that said fee will be returned to each unsuccessful applicant upon request.

- (g) Any applicant who fails to appear for two successive examinations, without prior notice to the commissioner, shall forfeit the examination fee.

Nothing herein contained shall apply to persons admitted to practice of law in this state or certified by the Judge of the Court of Common Pleas of the county in which he resides as qualified for the duties of official stenographic reporter of such court.

RULE 23

CONDUCT AT DEPOSITIONS

23.01 General. Witnesses, parties, and counsel shall conduct themselves at depositions in a temperate, dignified and responsible manner. The following guidelines for the taking of depositions emphasize the expectations of the Court as to certain issues; they are intended to supplement the Civil Rules.

23.02 Scheduling. Counsel are expected to make a timely and good faith effort to confer and agree to schedules for the taking of depositions. Unless counsel otherwise agree, depositions shall be conducted during normal business hours. Except where good cause exists, no Notice of Deposition or Subpoena shall issue prior to a scheduling conference with opposing counsel. Counsel for the deponent shall not cancel a deposition or limit the length of a deposition without stipulation of the examining counsel or order of the Court.

23.03 Decorum. Opposing counsel and the deponent shall be treated with civility and respect. Ordinarily the deponent shall be permitted to complete an answer without interruption by counsel.

23.04 Objections. Counsel may interpose an objection by stating "objection" and the legal grounds for the objection. Speaking objections which refer to the facts of the case or suggest an answer to the deponent are improper and shall not be made in the presence of the deponent.

23.05 Witness Preparation. Preparation of the deponent will be completed prior to the taking of the deposition. While a question is pending, counsel for the deponent and the deponent shall not confer, except for the purpose of deciding whether to assert a privilege.

23.06 Documents. Examining counsel shall provide counsel for the deponent with copies of all documents shown to the deponent during the deposition.

23.07 Disruptive or Irresponsible Behavior. Where a witness, party or counsel engages in disruptive or irresponsible behavior at a deposition, the Court may order sanctions or other remedies.

RULE 24

CONTINUANCES

24.01 No continuances shall be granted for more than thirty (30) days without prior approval of the Court.

24.02 Any party seeking a continuance shall first seek approval for the continuance from the opposing party or parties. If the same is obtained, the party seeking a continuance shall originate a conference call with all parties and the assignment commissioner to determine a date satisfactory to the Court and all parties. After such a date is determined the moving party shall prepare and file a motion/order setting forth the new date and time with copies to all parties.

24.03 If the moving party cannot obtain approval from the other party or parties, an appropriate motion and substantiating memorandum seeking such continuance should be filed which shall be heard as any other motion per Rule 5.04.

RULE 25

NON-PUBLIC INFORMATION FILINGS

25.01 Documents filed in any case containing sensitive personal information shall be kept in a separate non-public file to be maintained by the Clerk of Courts in such manner and in such location as the Court deems appropriate. Filed documents shall be attached to the right side of the non-public folder and any other documents to be held in such non-public file shall be attached to the left side of the non-public folder.

25.02 The non-public file shall contain the following items:

- (a) The parties' DR-1 and DR-3 affidavit form and attachments thereto;
- (b) Tax returns;
- (c) Psychological evaluations (retained in Chambers only);
- (d) Medical reports;
- (e) Reports of supervised parenting time or supervised parenting time exchanges;
- (f) Home investigation reports and/or guardian ad litem reports (retained in Chambers only);
- (g) Reports of medical or drug testing;
- (h) Any filings containing social security numbers or personal information.

25.03 Upon motion of a party or upon the Court's own motion other documents containing sensitive personal information may be ordered kept in the non-public file. If there are documents which are to be filed in the public file containing social security numbers or any other individual identifying information, the same shall be redacted on those documents in the public file.

25.04 The Clerk of Courts shall docket notice of the document contained in the non-public file reflecting the filing of the document maintained in the non-public file and the date thereof.

25.05 In the event that the Court conducts an in camera interview of any child, the Court shall hold said recording or transcript of recording in a separate file. The recording shall not be made available to either party or counsel without Court approval. A transcript of said recording shall only be made available to counsel or the parties after the filing of objections, a Magistrate's Decision or an appeal to the Court of Appeals.

25.06 Contents of the non-public file may be disclosed to the parties or their counsel ONLY upon written request made to the Court and the Court's approval thereof. Contents of the non-public file shall be otherwise available for inspection and review only by Court personnel in the performance of their required duties or as the Court may direct.

RULE 26

DOMESTIC RELATIONS PRACTICE

26.01 Security for Costs. Deposits for Court costs shall be as established in Rule 3. In the event a party intends to file a post-decree motion, all outstanding costs owed by the filing party must be paid in full prior to filing.

26.02 Dissolution. In all actions for dissolution, the parties shall file a Petition for Dissolution, Separation Agreement and a Waiver of Entry of Appearance and Service of Summons. Completed DR-1 (Appendix 1) and DR-2 (Appendix 2) forms signed by both parties shall be filed in all dissolutions. If there are minor children, the parties shall file Child Support Guidelines, IV-D Application for Child Support Services, and DR-3 (Appendix 3) and DR-4 (Appendix 4) forms.

26.03 Divorce, Annulment and Legal Separation. In all actions for divorce, annulment and legal separation, the party bringing the action shall file DR-1 and DR-2 forms with their Complaint. If there are minor children, the plaintiff shall also file a IV-D Application for Child Support Services, DR-3 and DR-4 forms. Within the time allotted for response, the responding party shall also file the applicable DR forms.

26.04 Motion Practice.

- (a) Motions may be amended as provided in Civ. R. 15, but no motion shall be amended by interlineation or obliteration except upon leave of court.
- (b) All motions shall be accompanied by a brief statement of the grounds and the authorities relied upon.
- (c) The opposing counsel or a party may file a response by the tenth day after the day on which the motion was filed. The moving party may file a reply brief by the fifteenth day following the day on which such motion was filed. On the fifteenth calendar day after the motion was filed, the motion shall be deemed submitted without oral arguments unless oral argument is requested in writing by counsel.
- (d) All contempt motions shall be filed in compliance with ORC §2705. *et seq.* and shall include the following:
 - a) Complete addresses of all parties,
 - b) Praecipe directing instructions on service,
 - c) Statutory warnings contained in ORC §2705.031,
 - d) Each provision of a prior court order with which the party has failed to comply,
 - e) The date of the prior order,
 - f) The facts regarding the claim of non-compliance, and
 - g) The motion shall be supported by an affidavit signed by the party.

26.05 Post-Decree Motions/Intent to Relocate. The caption of any post-decree motion shall state the correct address of all parties. All pleadings shall bear the name, address, zip code, and phone number of counsel filing them. All post-decree motions requesting a review of child support shall be filed with a IV-D Application for Child Support Services in cases where child support was not previously ordered. As stated in 26.01 above, all outstanding costs owed by the filing party must be paid in full prior to filing. See Appendix 9 on Notice of Intent to Relocate.

26.06 Preliminary Orders (*Pendente Lite*).

(a) When requested in the Complaint, Answer or Counterclaim, or by Motion, upon satisfactory proof by Affidavit duly filed with the Clerk of this Court, the Court or Magistrate without oral hearing and for good cause shown may grant spousal support *pendente lite* to either of the parties for his or her sustenance and expenses during suit and may make temporary orders regarding allocation of parental rights and responsibilities, support, maintenance and care of the minor children of the marriage, whether biological or by adoption, during the pendency of the action for divorce, annulment or legal separation, as provided for in Ohio Civil Rule 75(N).

(b) Counter Affidavits may be filed by the opposing party within fourteen (14) days from the service of the Complaint, Answer, Counterclaim or Motion, and all Affidavits shall be used by the Court or Magistrate, together with the divorce investigator's report, if any, in making a temporary spousal support, allocation of parental rights and responsibilities, support and care order; and, upon request in writing, after any temporary spousal support or allocation of parental rights and responsibilities and support order is journalized, the Court shall grant the party so requesting an oral hearing within twenty-eight (28) days to modify such temporary order. A request for oral hearing shall not suspend or delay the commencement of spousal support or support payment previously ordered or change the allocation of parental rights and responsibilities of children until the Order is modified by Judgment Entry after the oral hearing.

(c) In the alternative to Subsection (a) and (b) herein, a party filing any pleading or Motion where child support is to be ordered shall also submit to the Court at the time of filing a completed worksheet with the party's calculation of the child support Guidelines. The responding party shall submit to the Court, within fourteen (14) days of the service of the original pleading or Motion, a completed worksheet with the responding party's calculation of child support under the Guidelines. All worksheets so filed shall be made on the oath or affirmation of the party submitting same. Also to be included with any pleadings is a completed DR-1 and DR-2 affidavit. All contempt filings for failure to comply with Court-ordered support and/or spousal support shall be accompanied by a computerized statement of the status of the obligor's support and/or spousal support account certified by the Child Support Enforcement Agency. The Clerk shall refuse any filings not complying with this Rule.

(d) Until such time as the Court or Magistrate has made a temporary order as to allocation of parental rights and responsibilities and support of any minor child or children of the parties, any minor children of the parties shall remain in the custody and control of the party who had physical custody and control of the minor children at the time of the filing of the Complaint for divorce, annulment, legal separation or Motion.

(e) Upon the filing of any matter in which an investigation is required for the placement or allocation of parental rights and responsibilities of minor children, a complete street address for the parties or person having or seeking allocation of parental rights and responsibilities of minor children shall be included in any papers filed with the Clerk of this Court.

(f) In all actions for divorce, dissolution, annulment and legal separation, or any Answer or Counterclaim thereto, a DR-1 and DR-2 affidavit itemizing the parties' gross income from all sources, assets, living expenses, debts and liabilities shall be filed herewith.

(g) The following notice shall be included, in a conspicuous manner, in any Complaint, Answer, Counterclaim or Motion requesting temporary relief pending judgment.

NOTICE

YOU HAVE FOURTEEN (14) DAYS FROM THE DATE OF SERVICE WITHIN WHICH TO FILE ANY COUNTER AFFIDAVITS, INCLUDING, IF APPROPRIATE, SWORN SUPPORT WORKSHEETS.

(h) Whenever a complaint for divorce or legal separation is filed, the Clerk of this Court shall do both of the following:

(i) Mail by ordinary U.S. mail to plaintiff's counsel and to plaintiff at the address shown in the caption of the complaint, and note such mailing in the appearance docket, the Preliminary Injunction attached hereto as Appendix 7 and

(ii) Serve upon defendant along with the summons the Preliminary Injunction attached hereto as Appendix 7.

26.07 Motion for *Ex parte* Orders.

(a) The Court shall not issue *Ex parte* temporary orders regarding exclusive use of the marital home, child support, spousal support or use of personal property unless moving party can show by Affidavit clear and convincing evidence of need for such an order. Any party seeking any *ex parte* temporary order shall show good cause why the order should issue without hearing.

(c) Any *ex parte* temporary order issued with regard to these matters shall contain the following language:

"THE COURT HAS MADE THIS ORDER BASED SOLELY UPON THE EVIDENCE PROVIDED BY THE PLAINTIFF. YOU MAY REQUEST A HEARING ON THIS MATTER. YOU HAVE THE RIGHT TO HAVE COUNSEL PRESENT WITH YOU AT ANY HEARING. THIS IS AN *EX PARTE* TEMPORARY ORDER AND THE COURT WILL REVIEW THE EVIDENCE OF THE PARTIES AT ANY REQUESTED HEARING."

- (d) All Affidavits must specifically set forth reasons for requesting such orders.
- (e) The Court may require affiant to personally appear prior to issuing *ex parte* temporary restraining orders.
- (f) The Court may assign for hearing requests for *Ex parte* temporary orders.
- (g) The Motion for *Ex parte* orders shall set forth whether or not counsel presenting the Motion has negotiated the matter with other counsel and, if so, who.
- (h) Prior to any hearing, pretrial conference or trial, the Court may require the parties to provide further information regarding assets and liabilities, as it deems necessary.
- (i) Each *ex parte* order shall be designated in the caption as “Ex Parte Temporary Orders”.

26.08 Assignment of Cases for Final Uncontested Hearing. All uncontested actions for divorce, legal separation, spousal support or annulment shall be assigned for final uncontested hearing by the Assignment Commissioner on the Court’s own Motion or upon the request of the party or the attorney for the party.

26.09 Magistrate Hearings. In all actions for divorce, annulment or legal separation, the Court may refer any Motion, temporary or final hearing to a Magistrate for hearing and recommendations.

26.10 Case Management Conferences. For all contested domestic relations actions, the Court shall schedule the matter for a Case Management Conference following the hearing on temporary orders or, in the event temporary orders are not requested, following the answer deadline period. The Court shall issue an Order Setting Case Management Conference as set forth in Appendix 14. All Case Management Conferences shall be conducted on the record.

26.11 Trial. At such time as a case has been assigned for final contested hearing, the Court shall issue a Pretrial Order (See Appendix 15) in which the Court will set deadlines for submission of settlement proposals, discovery, and fix briefing schedules. All parties and attorneys must strictly comply with the Pretrial Order. Failure of an attorney or a party to fully and completely comply may result in the imposition of sanctions including, but not limited to, the striking of pleadings, the entry of a default or dismissal of the action.

26.12 Pro Se Filings. To assist in the prompt and efficient administration of justice, the Court requires *pro se* litigants in all Domestic Relations matters (Divorce, Dissolution, Post-Domestic) to attend a free pro se litigants clinic before filing any documents with the Clerk of Courts. Please contact the Williams County Common Pleas Assignment Commissioner at 419-636-2644 to make the necessary arrangements to attend the clinic.

RULE 26.1

PARENTING CLASS (A-OK)

26.1.01 All parents involved in new domestic relations cases and such post-decree cases as the Court may deem appropriate in the Williams County Common Pleas Court, Division of Domestic Relations, which involve the allocation of parental rights and responsibilities for the care of minor children, shall be required to attend one parenting class.

After the filing of a Complaint for divorce or a petition for dissolution of marriage in which minor children are involved and before said action will proceed to final hearing, every party seeking the allocation of parental rights and responsibilities for the care of minor children, and both parties seeking a dissolution, shall attend one session of a parenting class sponsored by the Common Pleas Court of Williams County, Ohio, Division of Domestic Relations.

26.1.02 **Fee.** Effective September 1, 2001, the fee for attendance at said parenting class shall be thirty-five dollars (\$35.00) per person. Thirty dollars (\$30.00) from this sum shall be paid out by the Clerk of Courts from the deposit for Court costs to the providers of the program upon the filing of their certificate of attendance; the balance shall be retained in the "Parenting Education Fund" to be disbursed on order of the Court. If a party completes the A-OK Program in Williams County, the cost of the class shall be paid from the court cost deposit made in the case. However, if a party chooses to complete the program in another location, online pursuant to 26.1.05 below, or has not paid a full deposit due to the filing of a pauper affidavit, the party shall directly pay the cost of the program at the time of attendance.

26.1.03 **Scheduled Classes.** The classes will be held at the Bryan Middle School, 1301 West Center Street, Bryan, Ohio. All parties will receive notice from the Assignment Commissioner as to the date they are scheduled to attend. Sessions will start promptly at 5:15 p.m. No one will be able to enter the classroom after the session has commenced.

26.1.04 **A-OK Online.** The Court will consider allowing online A-OK attendance under certain circumstances, including but not limited to a language barrier, an out-of-state party, a handicap precluding participation, or proof of financial hardship. Any request to attend A-OK online shall be made to the Assignment Commissioner in writing. If online attendance is allowed by the Court, written confirmation will be returned to the party. The class can be accessed at the following website: <http://assistingourkids.com>.

26.1.05 **Sanctions.** Any litigant failing to complete the session within seventy-five (75) days of the filing of the original pleading may not be eligible to receive any allocation of parental rights. In the event that no party to the action completes the session within said seventy-five (75) day period, the action will be dismissed for want of prosecution.

Unexcused absence from a scheduled session shall result in a Ten Dollar (\$10.00) rescheduling fee being charged, which shall be assessed as additional Court costs and placed in the "Parenting Education Fund".

RULE 26.2

GUARDIAN AD LITEM

26.2.01 Appointment. A guardian *ad litem* may be appointed by The Court to represent the best interest of a minor or incompetent person in a legal proceeding before this Court. The legal proceeding may be, but is not limited to, a divorce, the allocation of parental rights and responsibilities or a companionship action.

26.2.02 Qualifications. A guardian *ad litem* appointed by the Court shall be any individual who meets the requirements of Rule 48 of the "Rules of Superintendence for the Courts of Ohio" ("Supt. R") and who the Court feels is qualified to represent the best interest of a minor or incompetent person. The Court may appoint an attorney to act as a guardian *ad litem* for the minor or incompetent person. Each appointment shall be by an Order of Appointment that complies with Rule 48(C) of the Supt. R.

26.2.03 Responsibilities. The responsibilities of a guardian *ad litem* shall be those set forth in Rule 48(D) of the Supt. R. All compliance statements referenced in subparagraph 12 of rule 48(D) shall be provided to the Court's Assignment Commissioner.

26.2.04 Training. In order to serve as a guardian *ad litem*, an applicant shall satisfy the training requirements in Rule 48(E) of the Supt. R.

26.2.05 Reports. The required reports of a guardian *ad litem* shall be those required by Rule 48(F) of the Supt. R.

26.2.06 Rule 48(G). The Court appoints the Assignment Commissioner to enable the Court to comply with Rule 48(G) of the Supt. R.

26.2.07 Deposit for Fees. Unless otherwise directed by the Court, when a guardian *ad litem* is appointed, the moving party shall deposit with the Clerk of Courts the fee for the guardian *ad litem* as determined by the Court in the appointment entry, by the date specified. When protracted litigation is anticipated, the guardian *ad litem* may submit to the Court a motion requesting additional deposit and allocation.

26.2.08 Payment of Fees. Prior to any final adjudication of the matter on which the guardian *ad litem* has been appointed, the guardian *ad litem* shall submit an affidavit of fees to the Court for approval. When approved by the Court, said fees shall be paid prior to final hearing.

RULE 26.3

HOME STUDIES

26.3.01 Home Studies. Any party may request, and the Court may order upon request, or *sua sponte*, that a Home Study should be conducted on behalf of the Court.

Upon a finding that a Home Study should be conducted, the Court shall appoint an investigator who shall inquire into such matters as may be relevant to the case before the Court. These may include, but shall not be limited to, character, family relations, past conduct, the home environment of any party, the social history of any party or child, the school history, a psycho-social and medical history of the parties and children, financial conditions of the parties, criminal history, if any, and any other matters deemed important and necessary by the investigator in order to arrive at a recommendation to the Court with respect to the issues before the Court.

To facilitate said home investigation, all parties shall complete and return to the Court's Assignment Commissioner the worksheets set forth in Appendix 11 and 12.

26.3.02 Ex Parte Communication. Counsel shall not engage in *ex parte* communication with the investigator except as follows:

- (a) For scheduling or administrative purposes (i.e., providing contact information for their client or informing the investigator of an upcoming hearing).
- (b) Any substantive information from counsel that is provided to the investigator directly or indirectly shall be in a letter or other document which shall also be immediately provided to opposing counsel, or if the opposing party is *pro se*, to that party directly.

Any party may suggest to the investigator the names of any person who may provide relevant information and shall provide to the investigator the address and telephone number of such person. The investigator shall determine whether an interview with any person is necessary to the investigation being conducted.

The home investigator shall be considered to be the Court's own expert, and any report of a home investigator (Home Study) shall be admissible into evidence as a Court's exhibit upon the court's own motion without further authentication. Its contents, conclusions and recommendations may be considered by the Court.

Upon the issuance of a report, the same shall be sent by the investigator or evaluator to the Court. The original of said report shall be filed within the Non-Public File retained in the Judge's Chambers not less than seven (7) days before trial and, at the discretion of the Court, copies may be provided by the Court to counsel of record or to unrepresented parties.

COUNSEL SHALL NOT PROVIDE A COPY OF THE REPORT TO HIS OR HER CLIENT OR ALLOW THE CLIENT TO READ THE PORTIONS THEREOF PERTAINING TO ANYONE BUT THE CLIENT SPECIFICALLY; HOWEVER, COUNSEL MAY DISCUSS THE CONTENTS OF THE REPORT WITH THE CLIENT. Under any circumstance, counsel and unrepresented parties shall be notified upon the filing of the report and shall be entitled to review the same at the Court, upon conditions the Court deems appropriate.

26.3.03 **Deposit.** Costs of the Home Study shall be assessed by the Court to the parties, and the Court may require a deposit against the costs of such investigations.

RULE 26.4

WHAT ABOUT ME?

26.4.01 All children of the ages of five through seventeen, inclusive, whose parents are involved in domestic relations actions shall be required to attend one What About Me? session.

26.4.02 **Fee.** The fee for attendance at said What About Me? session shall be thirty dollars (\$30.00) per attendee, which amount shall be paid from the deposit for costs by the Clerk into the "What About Me? Fund" to be retained in that fund until ordered disbursed by the Court.

26.4.03 **Attendance.** Attendance at What About Me? shall be mandatory. The Court may impose appropriate sanctions as in Rule 26.1.04 for failure to comply.

RULE 26.5

QUALIFIED DOMESTIC RELATIONS/DIVISION OF PROPERTY ORDER

26.5.01 **Qualified Domestic Relations Order (“QDRO”).** Unless otherwise agreed, counsel for the alternate payee entitled to the pension or retirement plan, or a portion thereof, shall prepare the Qualified Domestic Relations Order (“QDRO”) for submission to the Court.

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 signature is waived by the Court.

If the Court ordered a division of a pension or retirement plan, the Court may assign the responsibility to prepare and submit the QDRO to the Court.

The QDRO shall be prepared as soon as possible following the final hearing for submission to the Court.

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

- (a) The QDRO will be a separate interest QDRO, meaning the alternate payee's benefits shall be independent of those of the participant;
- (b) The division of benefits shall be based on the language of the case of Hoyt v Hoyt, 53 Ohio St. 3d 177 (1999), and its progeny;
- (c) The benefits assigned to the alternate payee shall include any and all temporary and supplemental benefits. Further, the benefits, as assigned to the alternate payee, shall include all early retirement subsidies and, should the alternate payee commence receipt of the benefits prior to participant's retirement, the alternate payee's benefits will be recalculated to reflect the subsidy;
- (d) 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;
- (e) The division of the benefits will be made as of the date of final hearing of dissolution or as of the date upon which the final hearing of divorce concludes.

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

- (a) The division of the benefits will be the date of the final hearing in the case;

- (b) The alternate payee's benefits shall be credited with investment earnings and/or losses from the date of division until distribution;
- (c) The QDRO will allow an immediate lump sum distribution of the alternate payee's benefits, if permitted by the plan;
- (d) Any loans from the plan shall be charged to the participant's benefits and will remain the obligation of the participant;
- (e) The alternate payee's share of the benefits will not reflect 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.

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

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 recharacterization 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 this order. Notwithstanding the reservation of jurisdiction to insure that the domestic relations order is qualified, this is a final appealable order.

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 participants. The Court shall retain jurisdiction to enter further orders as are necessary to enforce the assignment of benefits to the non-participant as set forth herein, including the recharacterization 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 this order.

26.5.02 Division of Property Order ("DOPO") Unless otherwise agreed, counsel for the alternate payee entitled to the state pension or retirement plan, or a portion thereof, shall prepare the Division of Property Order ("DOPO") for submission to the Court.

Whenever the parties agree to divide a state pension or retirement plan by a DOPO, they or their counsel shall sign and approve the original of a DOPO submitted to the Court and shall sign and approve any subsequent DOPO submitted to the Court, unless signature is waived by the Court.

If the Court ordered a division of a state pension or retirement plan, the Court may assign the responsibility to prepare and submit the DOPO to the Court.

The DOPO shall be prepared as soon as possible following the final hearing for submission to the court.

A DOPO shall contain those provisions approved in Revised Code Sections 145.571, 742.462, 3305.21, 3307.371, 3309.671 or 5505.261, whichever is applicable to the particular state retirement plan.

Unless otherwise agreed or ordered, the division of the benefits will be the date of the final hearing in this case.

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

The Court retains jurisdiction with respect to the Division of Property 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 recharacterization 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 this order. Notwithstanding the reservation of jurisdiction to insure that the Division of Property Order is qualified, this is a final appealable order.

The participant shall not take actions, affirmative or otherwise, that can circumvent the terms and provisions of the DOPO, or that may diminish or extinguish the rights and entitlements of the participants. The Court shall retain jurisdiction to enter further orders as are necessary to enforce the assignment of benefits to the non-participant as set forth herein, including the recharacterization 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 this order.

RULE 26.6

DOMESTIC RELATIONS FORMS

These local rules require the use and filing of the following forms as applicable:

Appendix 1	DR-1 – Affidavit of Income & Expenses
Appendix 2	DR-2 – Affidavit of Property
Appendix 3	DR-3 – Parenting Proceeding Affidavit
Appendix 4	DR-4 – Health Insurance Affidavit
Appendix 5	Schedule A – Parenting Time Under 150 Miles
Appendix 6	Schedule B – Parenting time Over 150 Miles
Appendix 7	Schedule C – Maintenance of Insurance
Appendix 8	Preliminary Injunction
Appendix 9	Intent to Relocate
Appendix 10	Personal Identifiers
Appendix 11	Home Investigation Worksheet #1
Appendix 12	Home Investigation Worksheet #2
Appendix 13	*Reserved for Local Rule 31
Appendix 14	Order Setting Case Management Conference
Appendix 15	Pretrial Order

RULE 27

PROTECTION OF PERSONAL AND PRIVATE INFORMATION IN COURT RECORDS

27.01 Pursuant to Rule 45 of the Rules of Superintendence for the Courts of Ohio, effective July 1, 2009, the following information is defined as personal and private and is to be omitted from all case documents submitted to the Court or filed with the Clerk of Courts:

- a) Social Security numbers, except for the last four digits;
- b) Financial account numbers, including but not limited to debit card, charge card and credit card numbers;
- c) Employer and employee identification numbers;
- d) Juvenile's name in an abuse, neglect, or dependency case, except for the juvenile's initials or a generic abbreviation such as "CV" for "child victim";
- e) All information on Form DR-1; see Local Rule Appendix 1.
- f) Any other information deemed personal and private by any federal or state statute, regulation, executive order, or court ruling.

27.02 It is the responsibility of the filing party and counsel to remove personal and private information from a document filed with the Clerk of Courts' office. The responsibility of the filing party and counsel to remove personal and private information extends to and includes exhibits or addenda attached to filings, such as preliminary and final judicial reports which itemize state tax liens that use social security numbers as case numbers, or medical records.

The Clerk of Courts and deputy clerks shall have no responsibility for the removal of any personal and private information filed in a public document in the Williams County Clerk of Courts' office.

Personal and private information must be submitted on a separate form which will be deemed by the Court as a non-public record. The Clerk of Courts will provide a standard form (See Appendix 10 – Personal Identifiers) for use by all parties; use of Local Form DR-1 will also satisfy this rule. The information will be kept in a separate envelope within the case file marked as follows:

The enclosed personal and private information has been deemed by the court as non-public. It is for the use of the court, attorneys of record listed in the case, and the Clerk of Courts' office only. Any other person must have a court order to view the contents of this envelope.

Journal entries that necessarily include personal and private information must be submitted to the Clerk of Courts' office as follows: a copy that includes the personal and private

information for placement in the non-public envelope and a copy with the personal and private information redacted for placement in the public file. The copy not containing the personal and private information (for the public file) will have the notation "personal and private information redacted" at all places in the document where such information was removed. The court will sign both journal entries.

The Clerk of Courts may refuse to accept for filing any document that contains personal and private information that has not been redacted or submitted in accordance with this rule. In the alternative, in the event a pleading is presented for filing contrary to this rule containing personal and private information, the Clerk of Courts shall file the original document in the non-public envelope and create a redacted copy to be placed in the public file. The cost of the copy shall be assessed against the deposit.

27.03 Except for Local Form DR-1, any personal and private information in documents filed prior to July 1, 2009 is considered public. Any Form DR-1 filed prior to July 1, 2009 is not considered public. Any personal and private information in records or transcripts transmitted to this court from another court is considered public. A party or an attorney in a case, or any other person whose personal and private information is contained in a public record of this court may petition the court for the removal of personal and private information, and if the request is granted, the personal and private information will be removed from the file-stamped document and placed in a separate envelope and deemed a non-public record. A redacted copy of the document will be placed in the public case file.

27.04 All public documents filed with the Clerk of Courts office will be imaged and may be placed on the Clerk of Courts website for viewing.

RULE 28

CASE MANAGEMENT PLAN

28.01 **General.** In accordance with Sup. R. 5(B)(1), local rules 3.2, 5, 6, 8, 10 and 24 constitute the Case Management Plan for civil cases, and local rules 4, 11 and 12 constitute the Case Management Plan for criminal cases.

28.02 **Purpose.** The purpose of this rule is to establish a case management program which will ensure case readiness for pretrial and trial, and which will maintain and improve timely disposition of cases.

RULE 29

JURY MANAGEMENT PLAN

29.01 General. This rule is adopted to address the provisions of the Ohio Trial Court Jury Use and Management Standards adopted by the Supreme Court of Ohio on August 16, 1993, and to ensure the efficient and effective use and management of jury resources in accordance with Sup. R. 5(B)(2).

29.02 Jury Administration. The Williams County Common Pleas court shall administer the jury system for the county through the Court's Assignment Commissioner.

29.03. Jury Facilities. The jury deliberation room shall provide space, furnishings and facilities conducive to reaching a fair verdict. To the extent possible, juror contact with attorneys, parties and witnesses shall be minimized.

29.04 Juror Compensation. Persons called for jury duty will be promptly paid a reasonable fee for their service. Employers may not penalize jurors who miss work due to jury duty.

29.05 Juror Eligibility. All qualified citizens of Williams County are eligible for jury service. There shall be no improper discrimination against a cognizable group within the jurisdiction of Williams County. The Court shall make reasonable accommodations for those jurors having special needs due to physical impairment. Those who are younger than eighteen years old, are not residents of Williams County, Ohio, are not citizens of the United States, are unable to communicate in English, or are convicted felons whose rights have not been restored are ineligible to serve on a jury.

29.06 Jury Selection. Potential jurors will be randomly selected from that pool of people as permitted by law. The court shall select jurors in accordance with R.C. 2313.08 to obtain an annual jury list.

29.07 Exemptions, Excuses and Deferrals. The only automatic exemptions from jury service are those prescribed in R.C. 2313.12. Eligible persons may be excused from jury duty if their ability to receive and evaluate information is so impaired that they are unable to perform jury duties or they show that jury service would be a hardship to them or to members of the public. The Court may excuse eligible jurors from jury service or permit reasonable short deferrals for jurors for good cause.

29.08 Jury Trials – Orientation. Prospective jurors shall receive appropriate orientation from the trial judge to prepare them to serve competently as jurors.

29.09. Jury Trials – Voir Dire. Voir dire shall be conducted on the record. The trial judge will preliminarily examine prospective jurors and then permit counsel to question the panel members for a reasonable length of time to determine whether to remove someone for cause and to determine the person's fairness and impartiality.

29.10. Jury Questionnaires. Jury questionnaires and their use during voir dire shall be subject to Local Rule 16.

29.11. Jury Notes and Questions and Jury Instructions. Jurors may take notes during testimony and engage in limited controlled questioning only at the option of the trial judge after consultation with the parties. If the trial judge allows, written jury instructions shall be submitted by the trial judge to the jurors for use during their deliberations.

29.12. Deliberations. During deliberations jurors will be escorted and assisted by court personnel who will be trained for this purpose. Deliberations shall take place under conditions and with procedures designed to ensure impartiality, secrecy and to enhance rational decision making. The jury will not be required to deliberate after a reasonable hour or on the weekend unless the trial judge determines that such deliberations would not impose an undue hardship upon the jurors and is required in the interest of justice. Reasonable costs may be assessed to provide meals for the jury during deliberations.

RULE 30

PRO SE FILINGS

All *pro se* filings shall first be reviewed by the Judge or Magistrate before being time-stamped by the Clerk. All *pro se* filings in Domestic Relations matters shall only be filed in accordance with Local Rule 26.12.

RULE 31

CERTIFICATE OF QUALIFICATION FOR EMPLOYMENT Electronic Filing Required

The purpose of this local rule is to define the specific local court requirements and processes that support a Petitioner's application for a Certificate of Qualification for Employment (CQE) as set forth in Revised Code 2953.25 and Administrative Rule 5120-15-01 established by the Department of Rehabilitation and Corrections (DRC).

31.01 Petitioner must be a resident of Williams County, Ohio.

31.02 Petitioner must complete the online petition at www.drccqe.com (further instructions are available to assist the petitioner on the website).

31.03 Petitioner shall print the fully completed Electronic Petition and file the same along with the Notice to Court of Petition (Appendix 13) with the Williams County Common Pleas Clerk of Courts. The Petitioner shall include the DRC Electronic Petition Number on the Notice.

31.04 Before any action is required to be taken on the Petition, the Petitioner must pay a deposit as set forth under Rule 3 – Security for Costs.

31.05 All Petitions submitted through the DRC shall include electronic access to the Department of Rehabilitation and Corrections CQE Summary (CQE Summary).

31.06 All social security numbers and other information that must be excluded from public record shall be redacted in accordance with the rules of this court and the Rules of Superintendence. Upon filing of a Petition, the Clerk shall file the original under seal for use by the Court, and prepare a redacted copy for inclusion in the portion of the case file accessible to the public. Records or information received by the Court or the Clerk to assist the court with making its decision under Revised Code section 2953.25, including information included on a Petition, shall retain their character as public or non-public records, as otherwise provided in law.

31.07 Upon receipt of a Notice to Court of Petition, Electronic Petition and the required deposit, the Clerk of Courts shall assign the Petition a miscellaneous civil case number.

31.08 The Court shall obtain a criminal history for the Petitioner through the investigation ordered in support of the Petition issued to the Adult Probation Department.

a) The Adult Probation Department shall attempt to determine all other courts in the state in which the Petitioner has been convicted of or plead guilty to an offense through review of the Petitioner's criminal history or other investigation.

b) The Adult Probation Department shall send a Notice to Court Regarding Petition for Certificate of Qualification for Employment and Submission of

Information Regarding Petition for Certificate of Qualification for Employment to each court so identified. Such Notice shall be sent via ordinary US mail.

c) The Adult Probation Department shall also send a Notice to Prosecutor Regarding Petition for Certificate of Qualification for Employment and Submission of Information Regarding Petition for Certificate of Qualification for Employment to the Williams County Prosecuting Attorney.

31.09 The Judge or Magistrate shall review the Petition, criminal history, all filings submitted by the prosecutor or victim in accordance with the rules adopted by the division of parole and community services, and all other relevant evidence.

31.10 The Judge or Magistrate may order any report, investigation or disclosure by the Petitioner that it believes is necessary to reach a decision (Order for Additional Information).

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

31.12 The Clerk shall provide a written notice to the Petitioner of the Court's Decision and Judgment Entry. If denied, the notice shall include conditions, if any, placed on subsequent filings and language that a final appealable order has been filed. The Clerk shall also notify the DRC of the disposition of the petition as required under the Administrative Rules, and if granted order the DRC to issue the CQE to Petitioner.

RULE 32

SPECIALIZED DOCKET Williams County Drug Court Program

The Williams County Court of Common Pleas, as authorized by Rules of Superintendence for the Courts of Ohio Rule 36.02 through Rule 36.28, hereby creates in its criminal division, a specialized docket named the “Williams County Drug Court Program”. The Court adopts and incorporates, as Rule 32 of this Court, all policies and procedures of the program set forth in Appendix 16.

32.01 Mission Statement of Drug Court Program. To divert drug and/or alcohol dependent participants in court-monitored treatment, to achieve accountability, and to rehabilitate male and female defendants who have addictions with substances; thereby decreasing criminal activity and the need for incarceration.

32.02 Program Goals. The Williams County Drug Court Program will work with eligible defendants with drug and alcohol addictions to engage them in treatment with close supervision in lieu of processing them through the traditional criminal justice system. The Drug Court shall operate to allow the judiciary, prosecution, bar association, probation, law enforcement, addiction treatment, mental health and social service communities to work together to help non-violent offenders.

The Williams County Drug Court Program has among its additional goals the following:

- a) Consolidation and removal of a class of cases that places significant demands on court resources;
- b) Law enforcement’s action in arresting for crimes involving or relating to drug and alcohol abuse being taken seriously, because a drug court program causes offenders to be monitored more closely and squarely places responsibility on the offender to make positive choices or face immediate consequences for not doing so;
- c) Early identification of potential drug court participants resulting in reduced jail population and cost savings to the county; and
- d) Facilitating greater coordination and more effective use of public services for criminal justice cases in the treatment system.

INDEX

Rule	Description	Page
	General Provisions	1
1	Term of Court	2
2	Clerk of Court	3
3	Security for Costs	6
3.1	Computerized Research	9
3.2	Mediation in Civil and Domestic Relations Cases	10
4	Bail or Surety	16
5	Pleadings and Motions	17
5.1	Publication by Posting	19
6	Rule Day	20
7	Trial Attorney	21
8	Pre-Trial Procedure	22
9	Official Notification of Counsel	23
10	Entries	24
10.1	Statement/Execution for Costs	25
11	Criminal Cases	26
12	Inactive Criminal Cases	27
13	Magistrates	28
14	Transcripts	29
15	Media Coverage	30
16	Jury Questionnaire	32
17	Evidence of Title to be Filed in Judicial Sales of Real Estate	33
17.1	Civil Foreclosure Actions	34
18	Appeals	35
19	Court Security	36
20	Attorney's Fees for Suits in Partition of Real Estate	37
21	Appraiser's Fees	38
22	Notaries Public	39
23	Conduct at Depositions	41
24	Continuances	42

25	Non-Public Information Filings	43
26	Domestic Relations Practice	
26.01	Security for Costs	44
26.02	Dissolution	44
26.03	Divorce	44
26.04	Motion Practice	44
26.05	Post-Decree Motions/Intent to Relocate	45
26.06	Preliminary Orders (<i>Pendente Lite</i>)	45
26.07	Motion for <i>Ex Parte</i> Orders	46
26.08	Assignment of Cases for Final Uncontested Hearing	47
26.09	Magistrate Hearings	47
26.10	Case Management Conferences	47
26.11	Trial	47
26.12	<i>Pro Se</i> Filings	47
26.1	Parenting Class (A-OK)	48
26.2	Guardian <i>Ad Litem</i>	49
26.3	Home Studies	50
26.4	What About Me?	52
26.5	QDRO/DOPO	53
26.6	DR Forms	56
27	Protection of Personal and Private Information in Court Records	57
28	Case Management Plan	59
29	Jury Management Plan	60
30	Pro Se Filings	62
31	Certificate of Qualification for Employment	63
32	Specialized Docket – Drug Court	65

COURT OF COMMON PLEAS
 COUNTY, OHIO

Plaintiff/Petitioner		Case No. _____
vs./and		Judge _____
Defendant/Petitioner		Magistrate _____

Instructions: Check local court rules to determine when this form must be filed. This affidavit is used to make complete disclosure of income, expenses and money owed. It is used to determine child and spousal support amounts. Do not leave any category blank. Write "none" where appropriate. If you do not know exact figures for any item, give your best estimate, and put "EST." If you need more space, add additional pages.

AFFIDAVIT OF INCOME AND EXPENSES

Affidavit of _____
 (Print Your Name)

Date of marriage _____ Date of separation _____

SECTION I - INCOME

	<u>Husband</u>	<u>Wife</u>
Employed	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Employer	_____	_____
Payroll address	_____	_____
Payroll city, state, zip	_____	_____
Scheduled paychecks per year	<input type="checkbox"/> 12 <input type="checkbox"/> 24 <input type="checkbox"/> 26 <input type="checkbox"/> 52	<input type="checkbox"/> 12 <input type="checkbox"/> 24 <input type="checkbox"/> 26 <input type="checkbox"/> 52

A. YEARLY INCOME, OVERTIME, COMMISSIONS AND BONUSES FOR PAST THREE YEARS

	<u>Husband</u>	<u>Wife</u>
Base yearly income	\$ _____ 3 years ago 20 _____	\$ _____
	\$ _____ 2 years ago 20 _____	\$ _____
	\$ _____ Last year 20 _____	\$ _____
Yearly overtime, commissions and/or bonuses	\$ _____ 3 years ago 20 _____	\$ _____
	\$ _____ 2 years ago 20 _____	\$ _____
	\$ _____ Last year 20 _____	\$ _____

APPENDIX 1

B. COMPUTATION OF CURRENT INCOME

	<u>Husband</u>	<u>Wife</u>
Base yearly income	\$ _____	\$ _____
Average yearly overtime, commissions and/or bonuses over last 3 years (from part A)	\$ _____	\$ _____
Unemployment compensation	\$ _____	\$ _____
Disability benefits		
<input type="checkbox"/> Workers' Compensation		
<input type="checkbox"/> Social Security		
<input type="checkbox"/> Other: _____	\$ _____	\$ _____
Retirement benefits		
<input type="checkbox"/> Social Security		
<input type="checkbox"/> Other: _____	\$ _____	\$ _____
Spousal support received	\$ _____	\$ _____
Interest and dividend income (source)		
_____	\$ _____	\$ _____

Other income (type and source)		
_____	\$ _____	\$ _____

TOTAL YEARLY INCOME	\$ _____	\$ _____
Supplemental Security Income (SSI) or public assistance	\$ _____	\$ _____
Court-ordered child support that you receive for minor and/or dependent child(ren) not of the marriage or relationship	\$ _____	\$ _____

SECTION II – CHILDREN AND HOUSEHOLD RESIDENTS

Minor and/or dependent child(ren) who are adopted or born of this marriage or relationship:

Name	Date of birth	Living with
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

In addition to the above children there is/are in your household:

_____ adult(s)
 _____ other minor and/or dependent child(ren).

SECTION III – EXPENSES

List monthly expenses below for your present household.

A. MONTHLY HOUSING EXPENSES

Rent or first mortgage (including taxes and insurance)	\$	_____
Real estate taxes (if not included above)	\$	_____
Real estate/homeowner's insurance (if not included above)	\$	_____
Second mortgage/equity line of credit	\$	_____
Utilities		
o Electric	\$	_____
o Gas, fuel oil, propane	\$	_____
o Water and sewer	\$	_____
o Telephone	\$	_____
o Trash collection	\$	_____
o Cable/satellite television	\$	_____
Cleaning, maintenance, repair	\$	_____
Lawn service, snow removal	\$	_____
Other: _____	\$	_____
_____	\$	_____
	\$	_____
TOTAL MONTHLY :	\$	_____

APPENDIX 1

B. OTHER MONTHLY LIVING EXPENSES

Food

- o Groceries (including food, paper, cleaning products, toiletries, other) \$ _____
- o Restaurant \$ _____

Transportation

- o Vehicle loans, leases \$ _____
- o Vehicle maintenance (oil, repair, license) \$ _____
- o Gasoline \$ _____
- o Parking, public transportation \$ _____

Clothing

- o Clothes (other than children's) \$ _____
- o Dry cleaning, laundry \$ _____

Personal grooming

- o Hair, nail care \$ _____
- o Other _____ \$ _____

Cell phone

\$ _____

Internet (if not included elsewhere)

\$ _____

Other _____

\$ _____

TOTAL MONTHLY \$ _____

C. MONTHLY CHILD-RELATED EXPENSES

(for children of the marriage or relationship)

Work/education-related child care \$ _____

Other child care \$ _____

Unusual parenting time travel \$ _____

Special and unusual needs of child(ren) (not included elsewhere) \$ _____

Clothing \$ _____

School supplies \$ _____

Child(ren)'s allowances \$ _____

Extracurricular activities, lessons \$ _____

School lunches \$ _____

Other _____ \$ _____

TOTAL MONTHLY \$ _____

APPENDIX 1

D. INSURANCE PREMIUMS

Life	\$	_____
Auto	\$	_____
Health	\$	_____
Disability	\$	_____
Renters/personal property (if not included in part A above)	\$	_____
Other _____	\$	_____
TOTAL MONTHLY		\$ _____

E. MONTHLY EDUCATION EXPENSES

Tuition		
o Self	\$	_____
o Child(ren)	\$	_____
Books, fees, other	\$	_____
College loan repayment	\$	_____
Other _____	\$	_____
_____	\$	_____
TOTAL MONTHLY:		\$ _____

F. MONTHLY HEALTH CARE EXPENSES
(not covered by insurance)

Physicians	\$	_____
Dentists	\$	_____
Optometrists/opticians	\$	_____
Prescriptions	\$	_____
Other _____	\$	_____
_____	\$	_____
TOTAL MONTHLY:		\$ _____

G. MISCELLANEOUS MONTHLY EXPENSES

Extraordinary obligations for other minor/handicapped child(ren) (not stepchildren)	\$	_____
Child support for children who were not born of this marriage or relationship and were not adopted of this marriage	\$	_____
Spousal support paid to former spouse(s)	\$	_____
Subscriptions, books	\$	_____
Entertainment	\$	_____

APPENDIX 1

OATH

(Do not sign until notary is present.)

I, (print name) _____, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

Sworn before me and signed in my presence this _____ day of _____, 2012 .

Notary Public

My Commission Expires:

OATH

(Do not sign until notary is present.)

I, (print name) _____, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

Sworn before me and signed in my presence this _____ day of _____, 2012 .

Notary Public

My Commission Expires:

COURT OF COMMON PLEAS
 _____ COUNTY, OHIO

Plaintiff/Petitioner		Case No. _____	
v./and		Judge _____	
Respondent/Petitioner		Magistrate _____	

Instructions: Check local court rules to determine when this form must be filed. List ALL OF YOUR PROPERTY AND DEBTS, the property and debts of your spouse, and any joint property or debts. Do not leave any category blank. For each item, if none, put "NONE." If you do not know exact figures for any item, give your best estimate, and put "EST." If more space is needed, add additional pages.

AFFIDAVIT OF PROPERTY

Affidavit of _____
 (Print Your Name)

I. REAL ESTATE INTERESTS

	<u>Address</u>	<u>Present Fair Market Value</u>	<u>Titled To</u>	<u>Mortgage Balance</u>	<u>Equity (as of date)</u>
1.		\$ _____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____	\$ _____
2.		\$ _____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____	\$ _____
TOTAL SECTION I: REAL ESTATE INTERESTS					\$ _____

APPENDIX 2

II. OTHER ASSETS

Category A. Vehicles and Other Certificate of Title Property	Description (List who has possession) (Include model and year of automobiles, trucks, motorcycles, boats, motors, motor homes, etc.)	Titled To	Value/Date of Value
1. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
2. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
3. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
4. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
5. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
6. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
B. Financial Accounts			
(Include checking, savings, CDs, POD accounts, money market accounts, etc.)			
1. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
2. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
3. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
4. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____

APPENDIX 2

<u>Category</u>	<u>Description</u> (List who has possession)	<u>Titled To</u>	<u>Value/Date of Value</u>
C. Pensions & Retirement plans			
	(Include profit-sharing, IRAs, 401k plans, etc.; Describe each type of plan)		
1.	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
2.	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
3.	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
4.	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
D. Publicly Held Stocks, Bonds, Securities & Mutual Funds			
1.	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
2.	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
3.	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
4.	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
<u>Category</u>	<u>Description</u> (List who has possession)	<u>Titled To</u>	<u>Value/Date of Value</u>
E. Closely Held Stocks & Other Business Interests and Name of Company			
	(Type of ownership and number)		
1.	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
2.	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____

APPENDIX 2

F. Life Insurance Type (Term/Whole Life)	(Any cash value or loans)		(Insured party & value upon death)
1. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
2. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
3. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
4. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____

<u>Category</u>	<u>Description</u>	<u>Who Has Possession</u>	<u>Value/Date of Value</u>
G. Furniture & Appliances	(Estimate value of those in your possession, and value of those in your spouse's possession)		
1. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
2. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
3. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
4. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____

H. Safe Deposit Box	(Give location and describe contents)	<u>Titled To</u>	
1. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____
2. _____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$ _____

APPENDIX 2

I. Transfer of Assets

Explanation: List the name and address of any person (other than creditors listed on your Affidavit) who has received money or property from you exceeding \$300 in value in the past 12 months and the reason for each transfer.

1.			<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$	
2.			<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$	
3.			<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$	
4.			<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$	

<u>Category</u>	<u>Description</u> (Also list who has possession)	<u>Titled To</u>	<u>Value/Date of Value</u>
-----------------	--	------------------	----------------------------

J. All Other Assets Not Listed Above **Explanation:** List any item you have not listed above that is considered an asset.

1.			<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$	
2.			<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	\$	

TOTAL SECTION II: OTHER ASSETS \$ _____

III. SEPARATE PROPERTY CLAIMS: Pre-marital assets, gifts to one spouse only, inheritances

If you are making any claims in any of the categories below, explain the nature and amount of your claim. This includes, but is not limited to, inheritances, property owned before marriage, and any pre-marital agreements.

<u>Category</u> (Pre-marital Gift, Inheritance, etc., acquired after separation)	<u>Description</u>	<u>Why do you claim this as a separate property?</u>	<u>Present Fair Market Value</u>
1.			\$ _____
2.			\$ _____
3.			\$ _____
4.			\$ _____
5.			\$ _____

TOTAL SECTION III: SEPARATE PROPERTY CLAIMS \$ _____

APPENDIX 2

IV. DEBT

List ALL OF YOUR DEBTS, the debts of your spouse, and any joint debts. Do not leave any category blank. For each item, if none, put "NONE." If you don't know exact figures for any item, give your best estimate, and put "EST." If more space is needed to explain, please attach an additional page with the explanation and identify which question you are answering.

<u>Type</u>	<u>Name of Creditor/Purpose of Debt</u>	<u>Account Name</u>	<u>Name(s) on Account</u>	<u>Total Debt Due</u>	<u>Monthly Payment</u>
A. Secured Debt (Mortgages, Car, etc.)					
1.	_____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Joint	\$ _____	\$ _____
2.	_____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Joint	\$ _____	\$ _____
3.	_____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Joint	\$ _____	\$ _____
4.	_____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Joint	\$ _____	\$ _____
5.	_____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Joint	\$ _____	\$ _____
B. Unsecured Debt, including credit cards					
1.	_____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Joint	\$ _____	\$ _____
2.	_____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Joint	\$ _____	\$ _____
3.	_____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Joint	\$ _____	\$ _____
4.	_____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Joint	\$ _____	\$ _____
5.	_____	_____	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Joint	\$ _____	\$ _____
TOTAL SECTION IV: DEBT				\$ _____	_____

APPENDIX 2

V. BANKRUPTCY

	<u>Filed by: Wife, Husband, Both</u>	<u>Date of Filing: Case Number</u>	<u>Date of Discharge or Relief from Stay</u>	<u>Type of Case (Ch. 7, 11, 12, 13)</u>	<u>Current Monthly Payments</u>
1.	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	_____	_____	_____	\$ _____
2.	<input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both	_____	_____	_____	\$ _____
TOTAL SECTION V: BANKRUPTCY					\$ _____

OATH

(Do Not Sign Until Notary is Present)

I, (print name) _____ swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

Sworn before me and signed in my presence this ____ day of _____, _____.

Notary Public

My Commission Expires: _____

COURT OF COMMON PLEAS

_____ COUNTY, OHIO

Plaintiff		Case No. _____	
v.		Judge _____	
Defendant		Magistrate _____	

Instructions: Check local court rules to determine when this form must be filed.
 By law, an affidavit must be filed and served with the first pleading filed by each party in every parenting (custody/visitation) proceeding in this Court, including Dissolutions, Divorces and Domestic Violence Petitions. Each party has a continuing duty while this case is pending to inform the Court of any parenting proceeding concerning the child(ren) in any other court in this or any other state. If more space is needed, add additional pages.

PARENTING PROCEEDING AFFIDAVIT (R.C. 3127.23(A))

Affidavit of _____
 (Print Your Name)

Check and complete ALL THAT APPLY:

1. I request that the court not disclose my current address or that of the child(ren). My address is confidential pursuant to R.C. 3127.23(D) and should be placed under seal to protect the health, safety, or liberty of myself and/or the child(ren).
2. Minor child(ren) are subject to this case as follows:

Insert the information requested below for all minor or dependent children of this marriage. You must list the residences for all places where the children have lived for the last **FIVE** years.

a. Child's Name: _____	Place of Birth: _____
Date of Birth: _____	Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

APPENDIX 3

b. Child's Name: _____ Place of Birth: _____

Date of Birth: _____ Sex: Male Female

Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

c. Child's Name: _____ Place of Birth: _____

Date of Birth: _____ Sex: Male Female

Check this box if the information requested below would be the same as in subsection 2a and skip to the next question.

<u>Period of Residence</u>	<u>Check if Confidential</u>	<u>Person(s) With Whom Child Lived</u> (name & address)	<u>Relationship</u>
_____ to present	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____
_____ to _____	<input type="checkbox"/> Address Confidential?	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CHILDREN, ATTACH A SEPARATE PAGE AND CHECK THIS BOX .

3. Participation in custody case(s): (Check only one box.)

I HAVE NOT participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case.

I HAVE participated as a party, witness, or in any capacity in any other case, in this or any other state, concerning the custody of, or visitation (parenting time), with any child subject to this case. For each case in which you participated, give the following information:

APPENDIX 3

- a. Name of each child: _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CUSTODY CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX .

4. Information about other civil case(s) that could affect this case: (Check only one box.)

- I HAVE NO INFORMATION about any other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning any child subject to this case.
- I HAVE THE FOLLOWING INFORMATION concerning other civil cases that could affect the current case, including any cases relating to custody, domestic violence or protection orders, dependency, neglect or abuse allegations or adoptions concerning a child subject to this case. Do not repeat cases already listed in Paragraph 3. Explain:

- a. Name of each child: _____
- b. Type of case: _____
- c. Court and State: _____
- d. Date and court order or judgment (if any): _____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX .

5. Information about criminal case(s):

List all of the criminal convictions, including guilty pleas, for you and the members of your household for the following offenses: any criminal offense involving acts that resulted in a child being abused or neglected; any domestic violence offense that is a violation of R.C. 2919.25; any sexually oriented offense as defined in R.C. 2950.01; and any offense involving a victim who was a family or household member at the time of the offense and caused physical harm to the victim during the commission of the offense.

<u>Name</u>	<u>Case Number</u>	<u>Court/State/County</u>	<u>Convicted of What Crime?</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

IF MORE SPACE IS NEEDED FOR ADDITIONAL CASES, ATTACH A SEPARATE PAGE AND CHECK THIS BOX .

APPENDIX 3

6. Persons not a party to this case who has physical custody or claims to have custody or visitation rights to children subject to this case: (Check only one box.)

I DO NOT KNOW OF ANY PERSON(S) not a party to this case who has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

I KNOW THAT THE FOLLOWING NAMED PERSON(S) not a party to this case has/have physical custody or claim(s) to have custody or visitation rights with respect to any child subject to this case.

a. Name/Address of Person

Has physical custody

Claims custody rights

Claims visitation rights

Name of each child:

_____	_____	_____
_____	_____	_____

b. Name/Address of Person

Has physical custody

Claims custody rights

Claims visitation rights

Name of each child:

_____	_____	_____
_____	_____	_____

c. Name/Address of Person

Has physical custody

Claims custody rights

Claims visitation rights

Name of each child:

_____	_____	_____
_____	_____	_____

APPENDIX 3

OATH

(Do Not Sign Until Notary is Present)

I, (print name) _____, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

Sworn before me and signed in my presence this ____ day of _____, 2011 .

Notary Public

My Commission Expires:

COURT OF COMMON PLEAS
COUNTY, OHIO

Plaintiff		Case No.
v.		Judge
Defendant		Magistrate

Instructions: Check local court rules to determine when this form must be filed. This affidavit is used to disclose health insurance coverage that is available for children. It is also used to determine child support. It must be filed if there are minor children of the relationship. If more space is needed, add additional pages.

HEALTH INSURANCE AFFIDAVIT

Affidavit of _____
(Print Your Name)

Mother

Father

Are your child(ren) currently enrolled in a low-income government-assisted health care program (Healthy Start/Medicaid)?

Yes No

Yes No

Are you enrolled in an individual (non-group or COBRA) health insurance plan?

Yes No

Yes No

Are you enrolled in a health insurance plan through a group (employer or other organization)?

Yes No

Yes No

If you are not enrolled, do you have health insurance available through a group (employer or other organization)?

Yes No

Yes No

Does the available insurance cover primary care services within 30 miles of the child(ren)'s home?

Yes No

Yes No

APPENDIX 4

Mother

Father

Under the available insurance, what would be the annual premium for a plan covering you and the child(ren) of this relationship (not including a spouse)?

\$ _____

\$ _____

Under the available insurance, what would be the annual premium for a plan covering you alone (not including children or spouse)?

\$ _____

\$ _____

If you are enrolled in a health insurance plan through a group (employer or other organization) or individual insurance plan, which of the following people is/are covered:

Yourself?

Yes No

Yes No

Your spouse?

Yes No

Yes No

Minor child(ren) of this relationship?

Yes No

Yes No

Number _____

Number _____

Other individuals?

Yes No

Yes No

Number _____

Number _____

Name of group (employer or organization) that provides health insurance

Address

Phone number

OATH

(Do not sign until notary is present.)

I, (print name) _____, swear or affirm that I have read this document and, to the best of my knowledge and belief, the facts and information stated in this document are true, accurate and complete. I understand that if I do not tell the truth, I may be subject to penalties for perjury.

Your Signature

Sworn before me and signed in my presence this _____ day of May _____, _____.

Notary Public

My Commission Expires: _____

**WILLIAMS COUNTY COMMON PLEAS COURT
SCHEDULE A
PARENTING TIME GUIDELINES
FOR TRAVEL DISTANCES UNDER 150 MILES ONE WAY**

Liberal parenting time for both parents with their child(ren) is encouraged. The court recognizes that, if at all possible, parents should create their own schedule for parenting their child(ren). Sample parenting schedules are available for your review and consideration to assist you in the creation of your own parenting schedule. These samples may be obtained from the court or the mediation service.

This particular schedule may or may not be appropriate for you and your child(ren). As parents, you are encouraged to review this schedule and the other sample schedules to determine what is in the best interests of your child(ren).

If this schedule is used, specific items in the judgment entry take precedence over this schedule. The court will make changes or modifications to this schedule as it determines in the best interests of your child(ren) and will modify this schedule for infants and as may be necessary for other special circumstances.

If a child(ren) indicates strong opposition to being with the other parent, it is the responsibility of each parent to appropriately deal with the situation, by calmly talking to the child(ren) as to the child(ren)'s reasons, and to work with the other parent to do what is in the child(ren)'s best interests, and particularly to avoid confrontation or unpleasant scenes. If the matter is not settled, either parent should seek the immediate assistance of a counselor/mental health professional or file a motion. As uncomfortable as this issue may be for a parent, this issue should not go unresolved. It is the absolute affirmative duty of the residential parent to make certain that his or her child goes for the parenting time period.

PARENTING TIME BETWEEN THE CHILD(REN) AND THE PARENT WITH WHOM THE CHILD(REN) IS NOT THEN RESIDING SHALL TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE, BUT WILL NOT BE LESS THAN:

1. Weekends: Alternate weekends from Friday at 7 pm until Sunday at 7 pm.
2. Weekdays: One weekday evening per week. If the parties cannot agree as to the day and times, then it shall be Tuesday between 5 pm and 7:30pm.
3. Holidays: Unless otherwise agreed, the parents shall alternate holidays on a yearly basis in accordance with the following schedule:

APPENDIX 5

	<u>Even-Numbered Years</u>		<u>Odd-Numbered Years</u>
Martin Luther King Day	Mother	Father	Sun. 7 p.m. - Mon. 7 p.m.
President's Day	Father	Mother	Sun. 7 p.m. - Mon. 7 p.m.
Easter	Father	Mother	Sat. 7 p.m. - Sun. 7 p.m.
Memorial Day	Mother	Father	Sun. 7 p.m. - Mon. 7 p.m.
July 4 th	Father	Mother	7/4 10 a.m. - 7/5 9 a.m.
Labor Day	Mother	Father	Sun. 7 p.m. - Mon. 7 p.m.
Thanksgiving	Father	Mother	Wed. 7 p.m. - Fri. 7 p.m.
Christmas Eve	Mother	Father	12/23 7 p.m. - 12/24 9 p.m.
Christmas Day	Father	Mother	12/24 9 p.m. - 12/25 9 p.m.
New Years Eve Day	Mother	Father	12/31 5 p.m. - 1/1 7 p.m.

A holiday that falls on a weekend should be spent with the parent that is scheduled to have the child(ren) for that holiday. The rest of the weekend is to be spent with the parent who would normally have that weekend pursuant to Paragraph one above.

4. School Breaks

- A. Spring Break: Father will have spring break in the even numbered years and Mother will have spring break in the odd numbered years.
- B. Christmas School Break: Mother will have Christmas school break until December 24th at 9 p.m. in the even numbered years. Father will have from December 24th at 9 p.m. until the end of the break in even numbered years. In the odd years, the time periods will reverse. Alternate weekends and mid-week parenting time occurring during Christmas school break are forfeited by the other parent and are not required to be made-up.

Break begins at 7 p.m. on the last day of school before the break and ends at 7 p.m. the night before school resumes.

A holiday that falls during the spring break or Christmas break shall be spent with the parent that is scheduled to have the child(ren) for that holiday as provided above. The rest of the break shall be spent with the parent who has that portion of the break for that year as provided above.

5. Other Days:

- A. Mother's Day and Father's Day shall be spent with the appropriate parent. The hours are as agreed, or 9 a.m. to 7 p.m. The rest of the weekend is spent with the parent who would normally have that weekend.
- B. Birthdays: Unless otherwise agreed, the child shall celebrate his/her birthday in the home of the residential parent unless the birthday is on a day the other parent is scheduled parenting time.

APPENDIX 5

- C. Other days of special meaning, such as religious holidays, should be decided together, written into the Court Order, and alternated as above.
6. Summer Vacation and Extended Parenting Time: Unless otherwise agreed, the non-residential parent shall have extended summer parenting time with the child(ren) pursuant to one of the following: (check appropriate box)
- The non residential parent shall have extended parenting time commencing at 7 p.m. on the third Sunday of July and continuing until the last Friday before school commences at 7:00 p.m. Alternate weekend and mid-week parenting times for each parent shall continue throughout the summer unless otherwise agreed or unless a parent and the child(ren) are then vacationing (see below).
 - The non-residential parent shall have extended parenting time on alternate weeks during the summer break. The non-residential parent's parenting time shall commence on the first Sunday after the school year has ended at 7:00 p.m. The parents shall continue to exchange the minor child(ren) at 7:00 p.m. throughout the summer until the last Sunday before school commences. Unless otherwise agreed or unless a parent and the child(ren) are then vacationing (see below), the mid-week parenting time for each parent shall continue throughout the summer.

Summer school, necessary for a child to pass the next grade, must be attended.

7. Vacations: Each parent may arrange a vacation of not more than two (2) weeks with the child(ren) per year. The two (2) weeks may be consecutive or nonconsecutive. If the vacation is during the summer school vacation period, the non-residential parent shall schedule his/her two (2) weeks vacation during his/her extended summer parenting time. The residential parent shall arrange his/her vacation outside of the extended parenting time period of the non-residential parent. Alternate weekends and mid-week parenting time scheduled for the non-vacationing parent during the vacationing parent's vacation are forfeited and are not required to be made up.
8. Transportation: The non-residential parent is responsible for all transportation required to pick up the minor child(ren) for that parent's parenting time. The residential parent is required to provide all transportation to return the child(ren) after the end of the parenting time period.
9. Waiting: The residential parent need not wait longer than thirty (30) minutes past the required pick up time. If a visiting parent is late for pick up, said parent, at the discretion of the residential parent, forfeits parenting time for the period. The residential parent is expected to act in good faith and consider reasonable explanations for the delay. Both parents are expected to make reasonable effort to be prompt in the pickup and return of the child(ren) during parenting time.

APPENDIX 5

Being habitually late, and/or not exercising parenting time with the child(ren), is not in the child(ren)'s best interest. Should a parent be habitually late in either picking up the child(ren) for parenting time, and/or picking up the child(ren) at the end of parenting time, or habitually misses entire parenting time periods, appropriate relief may be granted by the Court as provided by law.

10. Cancellations and Illnesses: If a child is ill, the parent with whom the child is then residing should give 24-hour notice of the illness, if possible, to the other parent so that appropriate plans can be made. Loss of parenting times because of sickness of a child and/or family emergencies, weather emergencies or similar problems, may be made up upon the request of the visiting party made, in writing, to the other parent within thirty (30) days after the cancelled parenting time. Said makeup time shall be as agreed to by the parties. Each party should cooperate in good faith to assure the makeup time is achieved. All other cancellations result in forfeiture.
11. Extracurricular Activities/Sports: It is in the best interest of the child(ren), that they be encouraged to participate in extracurricular activities and sports. Each parent shall make reasonable efforts to assure that this continues. The residential parent shall not schedule extracurricular activities for the child(ren) during parenting times of the other parent without first consulting that parent. The final determination as to whether the child(ren) should attend the extracurricular activity during the parenting time shall be left up to the parent scheduled to have parenting time at the time of the activity. Each parent who encourages and enrolls the child(ren) in any extracurricular activity shall provide the other parent with notice of all the activities including schedules, if available, and the names and telephone numbers of the adult persons responsible for the activity, if available. If there is no written schedule, said parent shall orally or electronically provide the other parent with the information concerning the activity.
12. Intent to Relocate: Pursuant to Ohio Revised Code Section 3109.051(G)(1), if the residential parent intends to move, he/she shall immediately file a Notice of Intent to Relocate with the Court. The Court shall send a copy of the notice to the non-residential parent, unless exempted by Ohio Revised Code Section 3109.05(G)(2-4) The Court may or on the motion of the non-residential parent shall schedule a hearing to determine whether it is in the best interest of the minor child to modify the parenting orders. The non-residential parent shall, at a minimum, be entitled to parenting time in accordance with the Court's parenting time schedules for the applicable distance. Blank forms for Notice to Relocate shall be available upon request made to the Court. (Form 4)
13. Access to Records: Pursuant to Ohio Revised Code Section 3109(H) or unless otherwise ordered, the non-residential parent shall have the same access as the residential parent does to all records relating to the minor child(ren), including but not limited to medical and school records.

APPENDIX 5

14. Parental Duties and Rights:

A. Health Issues: Each parent shall notify each other of any health problems of the child(ren).

B. Telephone Access: Both parents are encouraged to provide the other parent reasonable and flexible telephone access to the child(ren). The parent with whom the child(ren) are then residing or staying must provide, at minimum, telephone communication between the child(ren) and with other parent at least one time per week. If the parents do not otherwise agree as to that time, then it shall be 7 p.m. each Thursday night for preschool through third grades and 9 p.m. each Thursday for all others. Unless otherwise agreed or ordered, the calling party shall alternate (one week the call is initiated through Mother's telephone and the next week the call is initiated through Father's telephone).

C. Current Address and Telephone Number: Each parent must keep the other parent and the Court informed of their current address and telephone number and any changes in said information.

D. School Activities: The non-residential parent shall have the right to participate in parent-teacher conferences, school trips, school programs, and other school events in which parents are invited to participate. The parent receiving the grade card shall give a copy to the other parent within three (3) days of receipt.

15. Non-Compliance with Court Order: Any of the responsibilities or rights outlined in this schedule may be enforced by the court upon the filing of the appropriate motion by either party. A parent may not withhold the rights of parenting time because the other parent does not obey a court order, for instance, to pay support, or medical bills, etc. Penalties for willful denial of parenting time include jail sentence and/or modification of parental rights. A parent may seek enforcement of periodic child support order by calling the Child Support Enforcement Agency.

**WILLIAMS COUNTY COMMON PLEAS COURT
SCHEDULE B
LONG DISTANCE PARENTING TIME GUIDELINES
(OVER 150 MILES ONE WAY)**

Liberal parenting time for both parents with their child(ren) is encouraged. The court recognizes that, if at all possible, parents should create their own schedule for parenting their child(ren). Sample parenting schedules are available for your review and consideration to assist you in the creation of your own parenting schedule. These samples may be obtained from the court or the mediation service.

This particular schedule may or may not be appropriate for you and your child(ren). As parents, you are encouraged to review this schedule and the other sample schedules to determine what is in the best interests of your child(ren).

If this schedule is used, specific items in the judgment entry take precedence over this schedule. The court will make changes or modifications to this schedule as it determines in the best interests of your child(ren) and will modify this schedule for infants and as may be necessary for other special circumstances.

If a child(ren) indicates strong opposition to being with the other parent, it is the responsibility of each parent to appropriately deal with the situation, by calmly talking to the child(ren) as to the child(ren)'s reasons, and to work with the other parent to do what is in the child(ren)'s best interests, and particularly to avoid confrontation or unpleasant scenes. If the matter is not settled, either parent should seek the immediate assistance of a counselor/mental health professional or file a motion. As uncomfortable as this issue may be for a parent, this issue should not go unresolved. It is the absolute affirmative duty of the residential parent to make certain that his or her child goes for the parenting time period.

PARENTING TIME FOR THE NON-RESIDENTIAL PARENT IS TO TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE:

THIS SHALL NOT BE LESS THAN:

1. Christmas: School vacation in the odd numbered years.
2. Spring Break: Spring break vacation in odd-numbered years.
3. Alternative Holiday Plan: Those who wish more frequent contact, and who develop a plan to pay for transportation, may have half of spring break vacation, half the summer, alternate year Thanksgiving, and half of Christmas school vacation each year. The holidays themselves may be alternated, as the parties agree, or spring break and Thanksgiving in the odd-numbered years and Christmas school vacation in the even-numbered years for the non-residential parent. Unless otherwise agreed, the Thanksgiving Holiday shall be from 7 p.m. Wednesday to 7 p.m. Sunday.

APPENDIX 6

4. Summer Parenting Time: Summer parenting time for the non-residential parent, unless otherwise agreed, shall start the first Saturday after school is out, at 12 p.m. and end the first Saturday in August, at 12 p.m. Summer school, necessary for the child(ren) to pass the next grade, must be attended. If this occurs, makeup time may be added in August. The residential parent shall notify the non-residential parent by March 15 of when the summer vacation begins and ends. The non-residential parent must notify the residential parent as to his/her intentions by April 15.

Each parent must provide the other parent with destination, times of arrival and departure, and method of travel for the summer parenting time, if said parent takes a vacation and/or a trip with the child(ren) outside of that parent's community.

5. Additional Parenting Time:
 - a.) Weekend: A once-a-month, weekend visit to the non-residential home will be permitted. The residential parent must be notified at least one week in advance. The non-residential parent must bear the transportation costs.
 - b.) Father's Day or Mother's Day can always be spent with the appropriate parent subject to the visiting parent bearing travel expenses.
 - c.) There may be times, not on the parenting time schedule, when the residential parent and child(ren) are traveling and are in the area where the non-residential parent lives; or times when the non-residential parent is traveling and is the area where the child(ren) live. If either is the case, then the traveling parent shall notify the other parent of the dates and times when said traveling parent will be in the area of the other parent. If the parent, who does not have possession of the child(ren), wishes to have parenting time, both parents should attempt to negotiate a reasonable time for said parenting time. If the parents cannot agree, the parenting time shall be the length of time requested by the parent who does not have possession of the child(ren), or a 48-hour period, whichever is less. Unless the parties agree otherwise, however, these parenting opportunities shall be limited to one (1) per month.
6. Transportation: Unless otherwise agreed or as set out in a specific Court Order; and subject to the exceptions as identified below, the cost of transportation required for the nonresidential parent's parenting time shall be divided by the parties based upon their percentage of income as identified on line 16 of their most recent Child Support Worksheet. This percentage of income division shall not be applied and the nonresidential parent shall be responsible for all costs of transportation relating to his/her parenting time under the following circumstances:
 1. The nonresidential parent has an outstanding child support arrearage exceeding the amount of two (2) months of current child support (unless this arrearage arose as a result of circumstances beyond the control of the non-residential parent i.e. layoffs, plant

APPENDIX 6

closings, medical leaves or the like and further that parent has notified CSEA as to the circumstance and is in full compliance of any seek work orders requested by the CSEA), as of the date the child begins the travel; or

2. The nonresidential parent received a deviation from the standard child support guidelines based at least in part upon the cost of transportation associated with that parent's parenting time and set out in the Court Order.

(Transportation costs shall include fees associated with the purchase of airline, bus, train or other mass transportation tickets for the child only (including the costs of any luggage fees); or the cost of gasoline expense in the event that the parents elect to transport the child by automobile. No food or overnight stay costs shall be included if a parent or other responsible adult is traveling with the child.)

7. Waiting: Either parent shall immediately notify the other parent of any delay, as soon as he/she becomes aware of the delay. The residential parent is expected to act in good faith and shall consider all reasonable explanations for any delay in the pick-up of the minor child(ren) by the non-residential parent. If the non-residential parent has failed to notify the residential parent that he/she is going to be late, the residential parent need not wait longer than thirty (30) minutes past the required pickup time. Under those circumstances, the non-residential parent may, at the discretion of the residential parent, forfeit his/her parenting time. All parties are expected to make reasonable efforts to be prompt in the pickup and return of the child(ren) during parenting time. Being habitually late, and/or not exercising parenting time with the child(ren), may not be in the child(ren)'s best interest. Should a party be habitually late in either picking up the child(ren) for parenting time, and/or picking up the child(ren) at the end of parenting time, or habitually miss entire parenting time periods, appropriate relief may be granted by the Court as provided by law.
8. Cancellations and Illnesses: If a child is ill, the parent with whom the child is then residing should give 24-hour notice of the illness, if possible, to the other parent so that appropriate plans can be made. Loss of parenting times because of sickness of a child and/or family emergencies, weather emergencies or similar problems, may be made up upon the request of the visiting party, in writing, to the other parent within thirty (30) days after the cancelled parenting time. Said makeup time shall be as agreed to by the parties. Each party should cooperate in good faith to assure the makeup time is achieved. All other cancellations result in forfeiture.
9. Intent to Relocate: Pursuant to Ohio Revised Code Section 3109.051(G)(1), if the residential parent intends to move, he/she shall immediately file a Notice of Intent to Relocate with the Court. The Court shall send a copy of the notice to the non-residential parent, unless exempted by Ohio Revised Code Section 3109.05(G)(2-4) The Court may or on the motion of the non-residential parent shall schedule a hearing to determine whether it is in the best interest of the minor child to modify the parenting

APPENDIX 6

orders. The non-residential parent shall, at a minimum, be entitled to parenting time in accordance with the Court's parenting time schedules for the applicable. Blank forms for Notice to Relocate shall be available upon request made to the Court. (Form 4)

10. Access to Records: Pursuant to Ohio Revised Code Section 3109(H) or unless otherwise ordered, the non-residential parent shall have the same access as the residential parent does to all records relating to the minor child(ren), including but not limited to medical and school records.
11. Parental Duties and Rights:
 - a.) Health Issues: Each parent shall notify each other of any health problems of the child(ren).
 - b.) Telephone Access: Both parents are encouraged to provide the other parent reasonable and flexible telephone access to the child(ren). The parent with whom the child(ren) are then residing or staying must provide, at minimum, telephone communication between the child(ren) and the other parent at least one time per week. If the parents do not otherwise agree as to that time, then it shall be 7 p.m. each Thursday night for preschool through third grades and 9 p.m. each Thursday for all others. Unless otherwise agreed or ordered, the calling party shall alternate (one week the call is initiated through Mother's telephone and the next week the call is initiated through Father's telephone).
 - c.) Current Address and Telephone Number: Each parent must keep the other parent and the Court informed of their current address and telephone number and any changes in said information.
 - d.) School Activities: The non-residential parent shall have the right to participate in parent-teacher conferences, school trips, school programs, and other school events in which parents are invited to participate. The parent receiving the grade card shall give a copy to the other parent within three (3) days of receipt.
12. Clothing: Unless otherwise agreed, the residential parent is responsible for providing sufficient and appropriate clothing for every parenting time period, based on the lifestyle of the residential parent and child(ren). If the planned activities required special or unusual clothing needs, the non-residential parent must notify the residential parent at least two (2) weeks in advance of the parenting time. If the child(ren) do(es) not have the type of clothing requested, the residential parent is under no obligation to comply with the request. All clothing sent by the residential parent shall be returned at the time the minor child(ren) is returned to the residential parent. Additionally, unless otherwise agreed, any clothing purchased by the non-residential parent, and which the child(ren) are wearing upon their return to the residential parent after parenting time, shall be returned by the residential parent to the non-residential parent at the next parenting time period.

APPENDIX 6

13. Non-Compliance with Court Order: Any of the responsibilities or rights outlined in this schedule may be enforced by the court upon the filing of the appropriate motion by either party. A parent may not withhold the rights of parenting time because the other parent does not obey a court order, for instance, to pay support, or medical bills, etc. Penalties for willful denial of parenting time include jail sentence and/or modification of parental rights. A parent may seek enforcement of periodic child support order by calling the Child Support Enforcement Agency.

WILLIAMS COUNTY COMMON PLEAS COURT
SCHEDULE C
MAINTENANCE OF INSURANCE AND PAYMENT
OF EXTRAORDINARY EXPENSES FOR MINOR CHILDREN

1. FATHER
 MOTHER

- The person checked:
is ordered to maintain in full force and
effect a policy for medical, surgical, and hospital
insurance for the minor child(ren).

2. Unless otherwise agreed or ordered, the residential parent or legal custodian shall pay the first \$100 of necessary uncovered expenses per calendar year, per child.

After the residential parent or legal custodian has paid said expenses of \$100 per year per minor child, both shall share in the payment of further expenses for the year in accordance with the percentage of income shown on the child support worksheet currently in effect. The residential parent or legal custodian shall provide the other parent(s) the original or copies of all medical bills, and explanation of Benefit Forms (EOB) within ninety (90) days of the date on the bill or EOB absent extraordinary circumstances. The other parent(s) shall, within thirty (30) days of receipt of said bill, then either reimburse the residential parent or legal custodian or pay directly to the medical provider, that parent's percentage share of the bill per the child support worksheet.

The person obligated to provide insurance shall promptly provide the other parent the insurance card and all other documentation and/or information necessary to secure coverage available for the benefit of the minor child. Both shall cooperate in the preparation of insurance forms to obtain reimbursement or payment of said expenses.

Should the health insurance coverage be canceled for any reason, the parent ordered to maintain insurance shall immediately notify the other parent and take immediate steps to obtain replacement coverage. Unless the cancellation was intentional, the uncovered expenses shall be paid as provided above. If the cancellation was intentionally caused by the parent ordered to maintain insurance coverage, the parent shall be responsible for all medical expenses that would have been covered had the insurance been in effect.

3. The term "medical expense" or "medical records" as used above and in parenting schedules A and B, shall include but not be limited to medical, dental, orthodontic, optical, surgical, hospital, major medical, psychological, psychiatric, outpatient, doctor, therapy, counseling, prosthetic, and/or all other expenses/records including preventative medical expenses/records related to the treatment of the human body and mind. "Major medical expense" includes all uncovered medical expenses that are or may exceed \$500.
4. The Court expressly reserves jurisdiction to reapportion payment of medical expenses between the parties, which are not covered by insurance, upon the motion of either party. Generally, the Court will not consider such a motion unless the expenses are "major medical expenses" as defined above.
5. When it is determined that it is necessary for a minor child to incur major medical expenses not of an emergency nature, the responsible parent shall immediately notify the other parent before authorizing treatment. The other parent has a right to know the necessity for, proposed cost of treatment, and proposed payment schedule, and may also secure an independent evaluation to determine the necessity for treatment of the child at his/her expense.

IN THE COURT OF COMMON PLEAS OF WILLIAMS COUNTY, OHIO

Case No. _____

Plaintiff,

vs.

PRELIMINARY INJUNCTION

Defendant.

IT IS ORDERED, EFFECTIVE ON THE DATE A COMPLAINT IS FILED, THAT EACH SPOUSE IS ENJOINED FROM COMMITTING ANY OF THE FOLLOWING ACTS:

1. Removing, or causing to be removed, the minor child(ren) born or adopted by the parties and/or the minor child(ren) of either or both spouses, if any, from the Court's jurisdiction without leave of Court; and

2. Causing physical abuse, annoying, inflicting bodily injury, attempting to cause or recklessly cause bodily injury, threatening the use of force or imminent physical harm, stalking, harassing, interfering with or imposing any restraint on the personal liberty of the other spouse, or committing any act with respect to a child in violation of the Revised Code of Ohio; and

3. Incurring debt in the name of the other spouse except for necessary food, housing, utilities, medical care, and necessary transportation; and

4. Selling, removing, transferring, encumbering, pledging, hypothecating, damaging, hiding, concealing, assigning or disposing of any and all property, real or personal, owned by both or either spouse or a child (including without limitation household goods, vehicles, financial accounts, and the personal property of each), without the prior written consent of the spouse or the Court. Excluded is any account now used for the payment of living costs; and

5. Voluntarily changing the terms of, or beneficiary of, terminating coverage of, cashing in, borrowing against, encumbering, transferring, canceling or failing to renew any type of insurance, including health, automobile, life, home, liability, disability, or fire insurance that provides coverage for a spouse or child(ren) born or adopted by the parties; and

6. Voluntarily liquidating, encumbering, borrowing against, cashing in, changing the beneficiary, terms or conditions of any retirement or pension plan or program that provides any benefit to a spouse or child(ren) born or adopted by the parties and /or of either or both spouses; and

APPENDIX 8

7. Voluntarily interrupting or terminating any utility service to the marital residence without prior written consent of the other spouse or the Court.

Nothing in the above restraining order precludes a spouse from using their property to pay necessary and reasonable attorney fees, litigation and court costs in this action.

Judge

WARNING

THIS IS AN OFFICIAL COURT ORDER. IF YOU DISOBEY ANY ORDER OF COURT, YOU MAY BE FOUND IN CONTEMPT OF COURT, SENTENCED TO JAIL, FINED AND ORDERED TO PAY COSTS AND ATTORNEY FEES, IN ADDITION TO ANY OTHER LEGAL REMEDY AVAILABLE TO THE SPOUSE, CHILD(REN) OR OTHER DEPENDENT AFFECTED. THIS ORDER IS IN EFFECT UNTIL (1) THE COURT ISSUES AN ORDER WHICH MODIFIES OR TERMINATES IT; OR (2) A FINAL JUDGMENT FOR DIVORCE OR LEGAL SEPARATION IS FILED WITH THE CLERK OF COURTS. “

APPENDIX 9

IN THE COURT OF COMMON PLEAS OF WILLIAMS COUNTY, OHIO

Case No. _____

(address)

Petitioner/Plaintiff,

and/vs.

NOTICE OF INTENT TO RELOCATE
[RC 3109.051(G)]

(address)

Respondent/Defendant.

I am _____, the residential parent of one or more of the parties' minor child(ren) or one of the parents in a shared parenting plan and, as required by RC 3109.051(G), I give notice that I intend to relocate my residence to the following address:

_____.

I intend to move the following minor child(ren) with me: _____

_____.

The relocation will occur on or about _____, 20____.

My relocation is occurring for the following reason(s): _____

Respectfully Submitted,

(Signature)

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Notice of Intent to Relocate was **(circle one)** hand delivered
or mailed by ordinary US mail to the opposing party at the following address: _____

_____ on this ____ day of _____, 20____.

(Signature)

NOTICE: Pursuant to Local Rule 26.05, this Notice must be filed with the Williams County Clerk of Courts within three (3) days of the date that the copy was mailed or delivered to the opposing party as indicated in the above Certificate of Service.

A hearing on whether the child(ren) may move may be scheduled by the Court, or, upon the request of the opposing party, will be scheduled.

IN THE COURT OF COMMON PLEAS OF WILLIAMS COUNTY, OHIO

PERSONAL IDENTIFIERS

(Pursuant to Rule 45 of the Rules of Superintendence)

J.T. Stelzer, Judge

Plaintiff/Petitioner

SSN:

Case Number

EID#:

Financial Account Numbers

Please use this side of form for additional defendants

Defendant/Respondent

Defendant

SSN:

SSN:

EID#:

EID#:

Financial Account Numbers

Defendant

SSN:

EID#:

Completed by:

- Plaintiff's/Petitioner's Attorney
- Defendant's/Respondent's Attorney

- Plaintiff/Petitioner
- Defendant/Respondent

Name

Address

Telephone

INFORMATION FOR HOME INVESTIGATOR

Case No. _____

Plaintiff/Petitioner,
vs/and

Date _____

Defendant/Petitioner.

Name: _____

Plaintiff
Petitioner

Defendant

Address: _____

Phone: _____

Place of Employment: _____ Phone: _____

Best time of day to be reached by phone: _____

Please give simple directions from Bryan to your residence on the back of this page.

Please list four references that could be contacted concerning this investigation. Preferable two (2) relatives and two (2) friends.

1. Name _____ Relationship _____
Address _____
Phone _____

1. Name _____ Relationship _____
Address _____
Phone _____

1. Name _____ Relationship _____
Address _____
Phone _____

1. Name _____ Relationship _____
Address _____
Phone _____

Please forward this to the Court within 14 days

Person completing this form: Husband Wife

COURT OF COMMON PLEAS OF WILLIAMS COUNTY, OHIO

_____		_____		_____
Husband	Address		Age	
_____		_____		_____
Wife	Address		Age	Maiden Name
_____		_____		_____
Children:	Birthdate	Children:	Birthdate	
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	

State with whom the children are residing: _____

HISTORY OF MARRIAGE

Date of Marriage _____ Place of Marriage _____
 How old were you when you married? _____ How old was your spouse? _____
 Are you now living apart from your spouse? _____ Date last lived together: _____ Who left first? _____
 Give dates of any previous separations _____
 Have you ever previously filed for divorce or separation action in any court against your present spouse? _____
 If so, state where and when: _____

PREVIOUS MARRIAGES

Have you ever been married before? _____ If so, give the names of previous spouse(s) and dates of marriage:
 Name: _____ Date of Marriage: _____
 From: _____ To: _____

Give names and ages of all children of previous marriage(s):

Name	Age
_____	_____
_____	_____
_____	_____

ECONOMIC

Where do you work? _____
 Type of work _____ Average weekly take home pay _____
 Where does your spouse work? _____ Average weekly take home pay _____
 Do you own or rent your present home? _____ Present value (or rent paid per month) _____
 Debts (List current Mortgage _____ Medical _____ Auto _____
 balance. Attach separate sheet if necessary) Credit Cards _____ Other _____
 Do you have any other income? _____ Average amount per week: _____
 Source (ie 2nd job, public assistance, child support, etc.) _____

RESIDENCE

List below exact addresses, together with dates of residence, of each place where you have lived for the full twelve months prior to the date of completion of this form:

Address _____	From _____	To _____
Address _____	From _____	To _____
Address _____	From _____	To _____
Address _____	From _____	To _____

Have you ever been convicted of a felony or misdemeanor, other than minor traffic offenses? _____
 .. yes, give court, date of conviction, and offense: _____

 Your Signature

Please forward this to the Court within 14 days

IN THE COURT OF COMMON PLEAS OF WILLIAMS COUNTY, OHIO

In Re: _____
(petitioner's name)

Case No: _____
(completed by Clerk)

DRC Electronic Petition No. _____
(required before filing)

**NOTICE TO COURT OF PETITION FOR CERTIFICATE OF
QUALIFICATION FOR EMPLOYMENT (RC 2953.25)**

The undersigned hereby petitions this Court for a Certificate of Qualification for Employment (see completed Electronic Petition attached as Exhibit A). Petitioner claims to have suffered a collateral sanction that is related to employment or occupational licensing as a result of one or more convictions or pleas of guilty to an offense. If filing is made directly with the Court, Petitioner also asserts no time has been served on a term in a state correctional institution or in a department-funded program.

Respectfully Submitted,

Signature

Printed name

Street (must reside in Williams County)

City, State Zip

Phone Number

Fax Number (if any)

Email

IN THE COURT OF COMMON PLEAS OF WILLIAMS COUNTY, OHIO

Case No. _____

Plaintiff/Petitioner,
vs/and

Defendant/Respondent.

**ORDER SETTING CASE
MANAGEMENT CONFERENCE**

This case is a contested case in the Williams County Domestic Relations Court. All contested cases in this division will be set for periodic case management conferences.

COUNSEL OF RECORD AND THE PARTIES shall appear for their first case management conference on _____ at _____ at Courtroom #2. **FAILURE TO APPEAR COULD RESULT IN A DISMISSAL OF THIS ACTION OR IMPOSITION OF OTHER SANCTIONS INCLUDING CONTEMPT.**

Prior to this case management conference, if the parties have minor children, they shall have registered or completed the A OK parenting course as required by Local Rule 26.1 of this Court. If the children are between the ages of five and seventeen, inclusive, the child(ren) shall have registered or completed the What About Me course as required by Local Rule 26.4.

It is further ORDERED that at the first case management conference, counsel shall have discussed the issues of the case with each other or the pro se litigant. Further, counsel and the parties shall be prepared to discuss with the Magistrate or Judge the following issues:

1. The family's financial needs while this case is pending and the ability to meet those needs.
2. Whether any measures are needed to stabilize the family while this case is pending, including but not limited to temporary support of dependent family members, "freezing" accounts of liquid assets or establishing accountable use of such assets, timely payment on account of marital debts, and maintaining both parents' appropriate access to and communication with the minor children.
3. Status of the exchange of financial information and documents, and what obstacles there might be to such exchange of information, including amendments to previously submitted DR affidavits.
4. What evaluations may be necessary to prepare this case for resolution (ie: home investigation, Guardian ad Litem, property appraisals, business valuations).
5. What issues each party anticipates in this case.
6. Would this case benefit from mediation or other alternative dispute resolutions.
7. Each party's anticipated legal expenses and how they expect those expenses will be paid.
8. What steps toward resolution each party intends to take during the next six weeks.
Counsel shall bring their office calendars to this case management conference, so that the next conference can be scheduled.

DONE and ORDERED at Williams County, Ohio on this _____ day of
_____, 20_____.

J.T. Stelzer, Judge

cc:

IN THE COURT OF COMMON PLEAS OF WILLIAMS COUNTY, OHIO

Case No. _____

Plaintiff/Petitioner,
vs/and

PRETRIAL ORDER

Defendant/Respondent.

NOTE TO PARTIES AND COUNSEL: THIS ORDER MUST BE STRICTLY COMPLIED WITH AS IT LIMITS TIME FOR DISCOVERY AND MANDATES OTHER ACTION OF COUNSEL.

It appearing to the Court that this cause has been assigned for a **final hearing** on _____, at _____ (_____ hours/days set aside), and that a schedule for the exchange of settlement proposals should be established to insure that settlement possibilities have been fully explored prior to the date of the final hearing, and the parties are ready to proceed on a contested basis, if necessary, on the date of the final hearing.

IT IS THEREFORE ORDERED:

1. Plaintiff shall submit a settlement proposal signed by plaintiff and counsel to the defendant by _____ (approximately 4 weeks before final), and submit a copy of same to the Court in a sealed envelope which shall remain sealed until the date of the final hearing. Plaintiff's failure to submit a settlement proposal by that date will result in dismissal of plaintiff's complaint for lack of prosecution.
2. Defendant shall submit a settlement counterproposal signed by defendant and counsel to the plaintiff by _____ (approximately 3 weeks before final), and submit a copy of same to the Court in a sealed envelope which shall remain sealed until the date of the final hearing. Defendant's failure to submit a settlement counterproposal by that date will result in

the acceptance by the Court of plaintiff's settlement proposal as an agreed settlement.

3. The attorneys/pro se litigants shall immediately notify the Court in the event of settlement. A final uncontested hearing will be scheduled prior to trial. If a final pretrial conference would be beneficial, the attorneys/pro se litigants shall immediately notify the Court and such pretrial will be scheduled prior to trial.
4. All discovery shall be completed by _____ (approximately 10 days prior to trial) and shall be allowed thereafter only upon agreement of the attorneys/pro se litigants or on a showing of good cause.
5. If settlement is not reached, both parties shall provide to the Court by _____ (7 days before trial), the following:
 - a) List of all stipulated matters.
 - b) List of all witnesses to be called at trial. This includes rebuttal and impeachment witnesses who, in the exercise of diligent pre-trial preparation, you should know might be called. Expert witnesses shall be so specified. Such list shall contain names, addresses and a brief statement of testimony to be offered. Witnesses not listed will not be called at trial except for good cause shown.
 - c) List of all exhibits to be produced at trial (all exhibits to be marked and exchanged three days before final hearing. Plaintiff to use numbers; defendant to use letters.) Exhibits not specifically listed may not be used at trial except for good cause shown.
 - d) If there are children of the marriage, a proposed **CHILD SUPPORT GUIDELINE WORKSHEET** in support of his or her position regarding child support.
 - e) List of all remaining issues and each party's position as to those issues, including values of claimed marital property where relevant.
 - f) All DR Forms previously filed shall be amended if necessary.

SANCTIONS: ALL PARTIES AND ATTORNEYS MUST STRICTLY COMPLY WITH THIS ORDER. FAILURE OF AN ATTORNEY OR A PARTY TO FULLY AND COMPLETELY COMPLY WITH THIS ORDER MAY RESULT IN THE IMPOSITION OF SANCTIONS INCLUDING, BUT NOT LIMITED TO, THE STRIKING OF PLEADINGS, THE ENTRY OF A DEFAULT OR DISMISSAL OF THE ACTION. COPIES OF SANCTIONS ORDERS WILL BE SENT TO CLIENTS.

David P. Rupp, Magistrate

cc _____, Esquire
_____, Esquire

Williams County Drug Court Program

Policies and Procedures

Appendix 16 to Local Rule 32

TABLE OF CONTENTS

	Mission Statement.....	3
Chapter 1	Policies & Procedures/ Program Description	4
	The Advisory Committee and Treatment Team.....	4
	Participant Agreement.....	5
	Membership	5
	Memoranda of Understanding.....	6
	Goals and Objectives	6
Chapter 2	Target Population.....	6
	Target Eligibility Criteria	7
	Legal Eligibility Criteria	7
	Clinical Eligibility Criteria	7
	Disqualifying Factors	7
	Capacity	8
Chapter 3	Program Entry and Case Flow	8
	Referral	8
	Screening and Assessment.....	9
	Legal Eligibility Screening	10
	Clinical Assessment	10
	Qualification	11
	Program Admission	11
	Case Flow	12
	Referrals from Violations and Judicial Release	13
	Case File Maintenance.....	14
Chapter 4	Treatment Team	14
	Duties of Treatment Team Members.....	14
	Specific Roles and Responsibilities.....	15
Chapter 5	Participant Monitoring	18
	Treatment Team Meetings and Status Review Hearings	18
	Treatment.....	19
	Phases	21
	Graduated Incentives and Sanctions.....	26
	Incentives	26
	Sanctions	27
Chapter 6	Program Completion.....	28
	Successful Completion.....	28
	Unsuccessful Termination	29
	Community Control Violation Hearings.....	30
	Neutral Termination.....	30
	Inactive Cases.....	31
	Administrative Program Suspension	31
Chapter 7	Substance Monitoring.....	32
	Obtaining a Specimen/Testing	32
	Processing Drug Tests	32
	Testing by Outside Treatment Agency	33

	Notification	33
	Documentation	33
	Defining "Positive" Results	33
	Relapses	34
	Medication Usage	34
Chapter 8	Professional Education	35
Chapter 9	Effectiveness Evaluation	35
	Supreme Court Reporting Data	35
	On-going Data Collection	35

Attachments

- Attachment 1 – Advisory Committee**
- Attachment 2 – Memorandum of Understanding for Advisory Committee**
- Attachment 3 – Memorandum of Understanding for Treatment Team**
- Attachment 4 – Program Referral Sheet [CM 27]**
- Attachment 5 – Motion for Admission form [CM 28]**
- Attachment 6 – Consent Waiver**
- Attachment 7 – Participation Agreement [CM 29]**
- Attachment 8 – Conditions of Community Control**
- Attachment 9 – Prescription Drug Use Contract**
- Attachment 9A - Physician Letter**
- Attachment 10 – Release of Information – Mental Health**
- Attachment 10A – Release of Information – Substance Abuse**
- Attachment 11 – Drug Court Case Plans**
- Attachment 12 – Treatment Plans**
- Attachment 13 – Drug Court Calendar**
- Attachment 14 – Treatment Report**
- Attachment 15 – Exit Interview**
- Attachment 16 – Visitor Confidentiality**
- Attachment 17 – Williams County Probation Drug Testing Procedures**
- Attachment 18 – Recovery Services of Northwest Ohio Drug Testing Procedures**
- Attachment 19 – Confirmation of Drug Test**
- Attachment 20 – Treatment Team**
- Attachment 21 – Local Rule**
- Attachment 22 – Participant Handbook**
- Attachment 23 – Specialized Docket Standards**

MISSION STATEMENT

To divert drug and/or alcohol dependent participants into court-monitored treatment, to achieve accountability, and to rehabilitate male and female defendants who have addictions with substances; thereby decreasing criminal activity and the need for incarceration.

CHAPTER 1 - POLICIES AND PROCEDURES / PROGRAM DESCRIPTION

Advisory Committee (*Standard 1(B)*)

The Williams County Drug Court Program shall create a forum which serves as the policy making authority for the Drug Court. It shall be called the Drug Court Advisory Committee.

The committee shall be made up of key community stakeholders who provide input into the policies, procedures, and operations of the Drug Court. The committee shall meet quarterly and serve a minimum of one year and shall include the Williams County Common Pleas Judge (chairperson), Williams County Prosecutor, chief probation officer, defense counsel, sheriff or local law enforcement representative, representative of the Four County ADAMhs Board, and a representative from Recovery Services of Northwest Ohio.

Committee members shall provide assistance in both implementing the Drug Court Program and to assist with sustainability of the Drug Court after its implementation. The Drug Court judge shall chair and attend the meetings.

A part of the Advisory Committee's function will be to collect statistical data and build program capacity, evaluate program effectiveness, and engage in long-term anticipatory planning. Furthermore, the committee shall participate in community outreach and education efforts. The Advisory Committee shall seek ways to financially sustain the Drug Court Program. They shall assess the overall function of the team, review policies and procedures and the overall functioning of the Drug Court Program every two years.

Treatment Team (*Standard 1(B)*)

The Treatment Team shall consist of the judge (chairperson), chief probation officer, a representative from Recovery Services of Northwest Ohio, a representative from Shalom Counseling, a representative from Williams County Department of Job and Family Services, a representative from the Child Support Enforcement Agency, and the Drug Court Coordinator. The Treatment Team is responsible for implementing the daily operations of the Drug Court Program. The judge attends and chairs the Treatment Team meetings.

Participation Agreement (Standard 1(A))

Drug Court committee members shall meet and discuss the creation of the Drug Court Program by discussing policies, procedures, goals, objectives, identifying target populations, entry into the program and the case flow. The Drug Court committee will also have ongoing discussion regarding each agency's role and responsibilities. They shall participate in the creation of the participant agreement that includes the rights and responsibilities of the participant in the Drug Court Program.

The prosecutor's distinct role on the committee is to pursue justice while protecting public safety and victim's rights. The defense counsel's distinct role on the committee is to preserve the constitutional rights of the specialized docket participants. It is the participant's right to request the attendance of defense counsel during the portion of a specialized docket treatment team meeting concerning the participant. *(Standard 2(C))*

Drug Court Treatment Team members shall develop, review, and agree on the legal and clinical eligibility, completion, termination and neutral discharge criteria.

Drug Court committee and team members shall sign a Memorandum of Understanding **(See attachments 2 and 3)** that details the responsibilities of each party participating.

In addition to the above, the Drug Court judge, Chief Probation Officer, and Drug Court Coordinator will visit local community groups and local agencies to discuss the Drug Court Program.

Develop and review a community outreach and education plan

The Williams County Local Community Corrections Planning Board was established in 1997 and has attempted to meet regularly since its inception. Members include common pleas judge, municipal judge, chief county probation officer, municipal probation officer (chairperson), prosecutor, sheriff, commissioner, defense attorney, and representatives from local law enforcement, jail, ADAMH, MRDD, SEARCH Center, and local schools. Attendance and participation regarding updates and agenda items are of great value to the stakeholders involved in our community's criminal justice system.

Membership (Standard 1(A))

Memberships with a minimum term of one year may include, but are not limited to, the following: Recovery Services of Northwest Ohio, Prosecutor, Defense Attorneys,

Probation Officers, Sheriff's Department, Job and Family Services, and the Child Support Enforcement Agency, as well as the Drug Court judge. **(See attachment 1)**

Memoranda of Understanding

Memoranda of understanding are developed to enhance collaboration, create a mutual understanding of the Drug Court Program procedures and responsibilities of each party, and establish a process for problem solving both clinically and administratively regarding clients participating in the Drug Court Program.

Goals and Objectives *(Standard 1(C))*

The primary goals of the Drug Court Program are:

1. Reduce drug and alcohol dependency recidivism in the court.
2. To increase the number of participants in the Drug Court Program who complete treatment.
3. To improve the lives of the participants, thereby improving the lives of the people in the community in which they live.

The objectives of the Drug Court Program are to:

1. Demonstrate a marked decline in recidivism among drug dependent individuals within a four year period.
2. Attain a timeframe of 18 months for successful completion of the program.
3. Increase the number of participants who obtain stable employment, stable housing, or enroll in educational programs.

CHAPTER 2 – TARGET POPULATION

The Williams County Drug Court is available to defendants who have been charged with a felony criminal offense, where the Court has reason to believe that drug or alcohol usage by the defendant was a factor leading to the defendant's criminal behavior. The Drug Court judge has the discretion to decide who participates in the Drug Court Program based on written eligibility criteria *(Standard 3(B))*. The legal, clinical, and other criteria do not create the right to enter the Drug Court Program *(Standard. 3(C))*.

Target Eligibility Criteria (Standard 3(A))

- A) The participant can have no physical or mental health issues, which impede participation in the program. This is reviewed on an individual basis.
- B) The participant must be a resident of Williams County, or on supervision (which can include diversion and intervention in lieu of conviction) in Williams County.
- C) The participant must be receptive to receiving treatment.
- D) The participant must have a case on the Williams County Common Pleas Court criminal docket.
- E) The Williams County Common Pleas Court Judge has the discretion to approve or deny anyone into the program

Legal Eligibility Criteria (Standard 3(A))

- A) The person is charged with a Williams County felony of the third, fourth, or fifth degree. The charge is **not** a drug trafficking offense higher than a felony of the fifth degree; a sex offense; a felony OVI; or an offense that has a mandatory prison sentence;
- B) The person is serving a Community Control Sanction for which there is a Notice of Violation Hearing pending; or, upon recommendation of Probation Officer, has agreed to participate; or
- C) The person is sentenced to Drug Court as part of Community Control Sentence, including one imposed through the granting of judicial release.

Clinical Eligibility Criteria (Standard 3(A))

- A) The person has been diagnosed as substance dependent and completed a drug/alcohol assessment by a certified license provider.
- B) The person is able to understand and comply with program requirements.

Disqualifying Factors

- A) The person suffers from a significant mental illness.
- B) The person is charged with Drug Trafficking that is a higher level than a fifth degree felony.
- C) The person is charged with a Sex Offense.
- D) The person is charged with OVI.
- E) The person is highly resistant to changing behavior after numerous interventions.
- F) The person has a domestic violence conviction within five years immediately prior to referral.

- G) The person is currently on Post Release Control or other types of supervision other than community control, diversion, or intervention in lieu.

Cases will be reviewed on an individual basis to determine the extent and circumstances of the disqualifying factors versus the need to participate. The cases that are declined for acceptance to the Drug Court Program are retained by the Williams County Adult Probation Department. The information will also be provided to the referral source.

The participant, once referred, will meet with the Drug Court Coordinator to complete the screening as soon as possible; but no later than two weeks after referral. The participant will be assessed by a certified substance abuse agency within two weeks; or as soon as possible. The participant will start the program in 4-6 weeks from the date of the assessment.

Some additional criteria to consider for eligibility are:

- If the domestic violence case occurred more than 5 years ago and the participant completed community control.
- The participant has a low risk of committing a similar offense.

It is to be expected that some participants referred to the program will have some mental illness diagnosis that will not disqualify them from participation. The participant may have a forensic assessment prior to placement in the program to determine if the individual is legally competent to participate in the Drug Court Program.

Total capacity of the program shall be limited to 40.

CHAPTER 3 – PROGRAM ENTRY AND CASE FLOW

Referral

The procedures for identification of potential participants begin after the participant has either been charged with a qualifying offense, has a pending Notice of Violation, is preparing for judicial release, or upon referral from a probation officer. The referral source will complete the referral form CM 27 (**See attachment 4**). The participant will complete the Request for Admission form CM 28 (**See attachment 5**) at either their diversion enrollment, change of plea, or revocation hearing. The forms will be given to the Drug Court Coordinator for screening. Referrals may come from probation officers,

judges, prosecutors, or defense attorneys. The participant will be required to sign all necessary releases for screening purposes.

The applicant may not be denied admission based on race, color, religion, gender, sexual orientation, national origin, ancestry, age, citizenship, marital status, veteran status, or disability.

The Drug Court judge has the discretion to decide who participates in the Drug Court Program. The legal and clinical criteria do not create a right to enter into the Drug Court Program (Standard 3(C)).

Screening and Assessment

All screenings and assessments for treatment determinations shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession. (*Standard 4(D)*)

Once the above paperwork is given to the Drug Court Coordinator, the Drug Court Coordinator shall promptly assess the individual and refer them to the appropriate services. (*Standard 4*) The Drug Court Coordinator will either meet with the participant after court or schedule an appointment to meet with him/her within two weeks from the referral date. In the event the participant is incarcerated, the Drug Court Coordinator will meet with him/her in the jail or via video through the Williams County Adult Probation Department. During the meeting, the Drug Court Coordinator will evaluate the participant's criteria for placement and collect information on the participant's history such as criminal, residency, education, employment, family, medical, mental health, and substance abuse. All chemical dependency, mental health, and other programming assessments include available collateral information to ensure the accuracy of the assessment (standard 4(A)). A drug test will be administered. A referral for an assessment with a licensed clinical counselor shall be made and appropriate releases shall be signed to provide for communication regarding confidential information, participation/progress in treatment, and compliance with the provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," 42 U.S.C. 300gg-42, as amended, and R.C. 2151.421 and 2152.99, with the participant in addition to a consent waiver to share information with the Treatment Team (**See attachment 6**) (*Standard 4(B)*). It should be noted that the participant may or may not have the Ohio Risk Assessment Scores (ORAS) and a pre-sentence investigation completed at this time. A Probation Officer will complete an ORAS-CSST pre-screen and provide that information to the pre-sentence investigator (*Standard 4(A)*).

The participant will be provided a Participant Handbook (**see attachment 22**) and it will be explained to the participant. The participant will be educated on the screening requirements, legal and clinical requirements, as well as program termination and the use of rewards and sanctions.

Legal Eligibility Screening

It shall be the Probation Officer's job to obtain as much background information from the participant through the use of OHLEG, ODRC Portal, etc. The participant will complete a presentence investigation and the ORAS with the Presentence Investigator of the Adult Probation Department. The participant's current offense cannot be a drug trafficking case (except F-5 trafficking cases) or a sex offense. The participant must be a current Williams County resident with a pending Williams County case; or if a non-resident of Williams County, must be an applicant for diversion or Intervention in Lieu. The current case shall be one where a mandatory penalty of incarceration is not required. The participant's prior convictions (past five years) for any of the above exclusions with the exception of sex offenses will be carefully considered. In the event that the participant's legal competency is an issue, the participant shall be referred for a forensic assessment to determine if he/she is competent to participate.

Clinical Assessment (*Standard 4(A)*)

In the event the participant meets the target and legal criteria, the participant will obtain a substance abuse assessment. The participant will sign the necessary releases of information to obtain collateral information as well as sign releases to appropriate treatment agencies. The participant will be referred to a local treatment agency for an assessment. All screenings and assessments for treatment determinations shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession that is a licensed certified treatment provider through the Ohio Department of Drug and Alcohol Addiction (*Standard 4(D)*). The Drug Court Coordinator shall share all collateral information with Recovery Services of Northwest Ohio. All chemical dependency, mental health, and other programming assessments will include available collateral information in order to ensure the accuracy of the assessment. The participant shall receive the assessment within 14 business days of the referral. The participant will also be encouraged to contact the Drug Court Coordinator if there are problems with obtaining the assessment. The assessment and treatment plan shall be provided to the Drug Court Coordinator in addition to the Drug Court judge. The assessment is not for public dissemination and will be an ongoing process throughout the participant's placement in the Drug Court Program. The assessment will be shared with the Drug Court Treatment Team,

prosecutor, and defense counsel. The defendant must be diagnosed as chemically dependent. The applicant shall be competent to understand the Drug Court Program agreement.

The Treatment Team should consider, but is not obligated to follow, clinical assessments or treatment recommendations.

The first step to the substance abuse assessment process is for the participant to give their contact information to Recovery Services of Northwest Ohio and to complete the financial intake with Recovery Services of Northwest Ohio. Once the intake is completed, the participant will be scheduled for a comprehensive assessment. The process will take place within two weeks from the referral date.

Qualification

In the event that the participant does not meet the legal, clinical, and other criteria, the Drug Court judge and referral source will be notified through written communication. The participant's case will then proceed through the regular docket.

In the event the participant meets all the legal, clinical, and other criteria, the Drug Court judge and referral source will be notified through written communication. Once the participant signs the participant agreement, the case will transfer to the supervision of the Drug Court Program. Participants shall be placed as soon as possible in appropriate treatment services and programs and under reporting supervision to monitor compliance with court requirements. *(Standard 4(C))*

Program Admission

The Drug Court judge will set the participant's sentencing hearing as soon as possible after the change of plea in order to allow time for assessments and the pre-sentence investigation. The time frame from referral to the Drug Court Program to the participant entering the program should not exceed six weeks. Upon filing a Notice of Violation, participant shall have a hearing within ten days. The participant will be placed into the Drug Court Program as a part of community control at the Sentencing Hearing or Revocation Hearing. Additional conditions that may be a part of community control are as follows:

- No new law violations.
- Report all contact with law enforcement.
- Must remain in the State Of Ohio.

- No firearms or weapons.
- Report as directed.
- Random drug screens.
- Submit to searches.
- No change in address without prior permission.
- No controlled substances.
- Obtain permission from Supervising Officer before filling prescriptions.
- No alcohol, no entrance into bars.
- Must abide by a curfew.
- Must obtain GED and be employed.
- The participant must seek counseling where appropriate.
- The participant may be subject to house arrest and perform community service.
- Participant may not associate with any individuals on parole, probation, PRC, community control, or known drug users or sellers, or convicted felons.

The participant shall meet with the Drug Court Coordinator and complete the following forms after the sentencing/disposition hearing or must schedule an appointment within five business days of the sentencing:

- Prescription Drug Use Contract and Letter. **(See attachment 9)**
- Releases of Information. The participant shall sign a written consent complying with CRF42 Part 2 §2.35 and §2.31 of the federal and state laws allowing discussions about the participants treatment with the participants treatment agency. **(See attachment 10)**
- Be provided the Drug Court Case Plans. **(See attachment 11)**
- Be provided a Drug Court Treatment plan. **(See attachment 12)**

The participant will be provided copies of the above information in addition to the Drug Court calendar. **(See attachment 13)**

Case Flow

The participant may be referred from several resources including the judge, defense attorney, probation officers, and prosecutors.

The defendant may be referred for a screening at any time in the proceedings prior to the finding of guilt. The participant will complete the Request for Admittance form CM 28.

The participant and the Drug Court Coordinator will go over the participant handbook. In the event that the participant does not have representation, he/she will be directed to contact the Drug Court Coordinator for further information. The referral source will complete the Referral Form CM 27.

The participants will meet with the Drug Court Coordinator as soon as possible to go over the target, legal, and clinical criteria for placement and will sign necessary releases of information. The participant will be given a participant manual to review with the Drug Court Coordinator in addition to the participant's agreement and termination criteria.

The participant will obtain a drug/alcohol assessment from a certified licensed provider within 14 business days of the referral.

The participant shall complete the Pre-sentence Investigation and Ohio Risk Assessment Score (ORAS).

In the event that the participant meets all the criteria, the judge and referral source will be notified. The Treatment Team will make a recommendation for the participant to enter. However, the judge is the final decision maker.

In the event the participant does not meet the criteria, his/her case will return to the court's active docket. In the event the participant qualifies, he/she will proceed to the sentencing hearing.

After the sentencing hearing (or intervention hearing or diversion enrollment) the participant will meet with the Drug Court Coordinator within five business days to sign any additional forms and be given the next immediate Status Review hearing to attend.

Referrals from Violations or Judicial Release

An offender who is currently on community control and has a technical and/or new offense may be referred to the Drug Court for screening.

In the event that the participant is on supervision, the supervising officer will complete the referral form and set the violation hearing, usually within a week. In the event the offender is incarcerated, the Drug Court Coordinator will screen the offender while incarcerated.

Cases accepted from revocation/violation hearings and referred to the Drug Court as part of a condition of community control are ordered to successfully complete.

Judicial Release Referrals

Upon scheduling a hearing on a motion for judicial release under R.C. 2929.20, the court may make a referral to the screening officer to determine eligibility for the Drug Court Program.

Case File Maintenance

The files of all participants are strictly confidential. Each current participant's file will be kept in a locked filing cabinet. Upon a participant's completion or termination, the file shall be destroyed in accordance with the Williams County Records Disposal guidelines.

CHAPTER 4 – TREATMENT TEAM STANDARDS

The Treatment Team shall consist of the judge who chairs and attends the meeting, a probation officer, a representative from Recovery Services of Northwest Ohio, and the Drug Court Coordinator. If the participant is involved with other agencies; a representative from Shalom Counseling and Mediation (if applicable), or a representative from Ohio Department of Job and Family Services (if applicable) may be included.

Duties of Treatment Team Members

1. The Treatment Team is responsible for assisting participants in successful completion of the Drug Court Program. They shall also assist the Advisory Committee in the planning, implementation, and operations of the program.
2. The Treatment Team members shall serve for a minimum of one year or until the terms of the Memorandum of Understanding change.
3. The Treatment Team agrees to work with local community leaders to ensure the best interest of the community is considered per the sustainability and community outreach plan.
4. The Treatment Team agrees to engage in community outreach activities to build partnerships that will improve outcomes and support the Drug Court Program to ensure its sustainability per the sustainability and community outreach plan.

5. The Drug Court Program shall incorporate a non-adversarial approach which includes contributing to the individualized treatment case plans and developing sanctions to modify a participant's behavior; while recognizing the prosecutor's distinct role in pursuing justice, protecting public safety and victim's rights; and the defense counsel's distinct role in preserving the constitutional rights of the participant. (*Standard 2*)

A list of specific roles and responsibilities of the Treatment Team Members are as follows (see **attachment 20** for roster):

A. Drug Court Judge

The judge is the leader of the team. He is the ultimate decision maker concerning incentives, sanctions, phase advancement as well as admission, termination, or successful completion of the program. The Drug Court judge discusses the progress of the participant at the Status Review Hearings. The judge gains knowledge and insight of specialized courts through attending other specialized dockets and specialized trainings about drug courts issued through the Supreme Court Specialized Docket Section. The Drug Court judge has the discretion to decide on who participates in the Drug Court Program in accordance with the drug court docket criteria. The Drug Court judge also has discretion to decide termination from the drug court in accordance with the drug court criteria (Standard 3(B)).

B. Probation Officer

The Probation Officer monitors the compliance with supervision plans; he/she will conduct random alcohol/drug screening and reports all tests to the Drug Court Coordinator; the probation officer monitors sanctions; performs home visits; attends the Treatment Team Meetings and Status Review Hearings; provides progress reports and makes recommendations to the Drug Court Coordinator; advises of any violations; advises the Drug Court Coordinator whether the participant is following treatment plans, court case plans, and court orders; participates in discussions about incentives, sanctions, phase advancement, successful completion, and termination. The probation officer further assists in the collection of statistical data.

C. Recovery Services of Northwest Ohio

Recovery Services of Northwest Ohio (RSNWO) is a licensed treatment provider (*Standard 9(C)*). RSNWO provides counseling/therapy; conducts diagnostic assessments, provides clinical diagnosis, and develops the treatment plan; provides written documentation to the courts prior to the Drug Court team meeting regarding the participant's progress in treatment and compliance with the treatment plans, including attendance and drug test results; attends Drug Court Team Meetings and Status Review Hearings; during the meetings gives treatment updates and makes recommendations regarding treatment needs; and participates in the discussions regarding incentives, sanctions, phase advancement, successful completion and termination from the Drug Court Program. The Treatment Team should consider, but is not obligated to follow, clinical assessments or treatment recommendations.

D. Prosecutor

The Williams County Prosecutor, or a representative, has a distinct role in pursuing justice and protecting public safety and victims' rights. The prosecutor may or may not play an active role in the Drug Court Program. However, the prosecutor can provide input into the acceptance of a participant in the Drug Court Program. As the docket is primarily post-conviction, the prosecutor will not participate in treatment team meetings. They are, however, a referral source for the programs (*Standard 2(A)*).

E. Defense Counsel

Defense counsel's primary role is to preserve the constitutional rights of the participant (*Standard 2(B)*). The participant's defense counsel may or may not play an active role in the Drug Court Program. The attorney will be explaining what rights are waived by entering the program, possible sanctions the participant may receive, the circumstances that may lead to termination, and the effects of termination. The attorney will assist with the decision making regarding the participants entry into the Drug Court Program. The attorney will also be a referral source for the program. The participant's defense counsel may participate in that portion of the treatment team meeting concerning the participant at the request of the participant (*Standard 2(C)*).

F. Drug Court Coordinator

The Drug Court Coordinator monitors the compliance with supervision plans and the court treatment plan; he/she will collect alcohol/drug screening results and report all tests to the Treatment Team; monitors sanctions; attends the Treatment Team Meetings and Status Review Hearings; provides progress reports and makes recommendations to the Treatment Team; advises of any violations; advises the Treatment Team whether the participant is following treatment plans, drug court case plans, and court orders; participates in discussions about immediate, graduated, and individualized incentives and , sanctions, phase advancement, successful completion, and termination. The Drug Court Coordinator further assists the participant with case management services regarding additional needs. In addition, the Drug Court Coordinator will facilitate the Drug Court, screen the participants, assist the participant with the orientation phase, ensures that the policies and procedures are being followed, as well as collect the statistical data.

6. The Drug Court Treatment Team shall engage in on-going communication including frequent exchanges of timely and accurate information about the participant's overall performance. The communication shall take place over the phone, through bi-monthly docket meetings, emails, or meetings with the counselor/therapist (*Standard 6(C)*).
7. In the event there is a conflict or disagreement regarding the obligations of the participant in the Drug Court Program, the parties hereby commit to attempting resolution at the lowest administrative level appropriate to the issue. In the event that dialogue does not resolve the conflict, then the parties will put problems and/or concerns in writing to the signatories of the Memorandum. Within two weeks following receipt of the notice, the involved parties will meet in an attempt to satisfactorily resolve the issues. If the parties are unable to achieve satisfactory resolution, the appropriate court will make the final determination as to the resolution of the conflict. The parties acknowledge that in the event of conflict over the services provided to a participant pursuant to a service provider's treatment plan, the service provider shall make the final determination as to the course of appropriate treatment. In the event of a conflict in the application of the separately agreed contractual and statutory provisions with those contained in the Memorandum, the contractual or statutory provisions shall prevail.

8. The Drug Court Treatment Team members shall maintain professional integrity, confidentiality, and accountability. No protected information is disclosed involving treatment unless there is a written release of confidential information endorsed by a participant. Drug Court Treatment Team meetings/discussions are also deemed confidential and only shared when necessary for the benefit of the participant. All members are expected to treat each other with respect, understanding their different roles while at the same time holding each other responsible for their participation and basis for recommendations.
9. The Drug Court Treatment Team members shall assess the team functionality, review all policies and procedures, and assess the overall functionality of the specialized docket. Treatment Team members should engage in community outreach activities to build partnerships that will improve outcomes and support the sustainability of the Drug Court Program. The Drug Court Treatment Team members agree to work with local community leaders to ensure the best interests of the community are considered.
10. The Treatment Team meetings occur bi-monthly on the 2nd and 4th Thursdays of each month 60 minutes prior to the Status Review Hearings.
11. The Drug Court Treatment Team members evaluate each potential candidate for the Drug Court Program and then recommend to the judge whether or not the participant should be accepted. The team also provides the judge with collaborative recommendations for the appropriate use of sanctions to be used to reward or punish behaviors.

CHAPTER 5 – PARTICIPANT MONITORING

Treatment Team Meetings and Status Review Hearings (*Standard 7(A)*)

In order to monitor the participant's performance and progress, the Treatment Team will meet twice a month prior to the Status Review hearing to discuss the participant's performance and progress (*Standard 6(A)*). The status review hearings are before the same judge and the judicial interaction with each participant is an important process of the Drug Court Program (*Standard 7(A)*). During the status review hearings, the judge will provide an explanation of responses to compliance and noncompliance including criteria for termination. It shall be the Drug Court Coordinator's responsibility to collect the reports from the participant's treatment agencies and provide the information the judge. In addition, the Drug Court Coordinator shall inform the judge of the participant's

compliance with community control and the Drug Court agreement through the use of the Drug Court Case Plan.

Status Review Hearings

The status review hearings will be held twice a month on the 2nd and 4th Thursdays of each month beginning at 2:00 p.m. (*Standard 6(B)*).

The hearings will take place in a group setting before the judge to encourage ongoing judicial interaction. All participants are expected to appear for each hearing. The benefits of meeting all participants in a single hearing give the participants opportunities to educate themselves to the benefits of compliance with the Drug Court Program and the consequences of non-compliance.

The participant's attendance at the review hearing will diminish over time as they progress through the phases. During the orientation phase and Phases I and II, participants will appear twice per month (*Standard 7(B)(1)*). During Phase III, the participant will appear once per month. In the event the participant is employed, they will be seen first at the hearing. (*Standard 7(B)(2)*)

All participants will be required to sign a Waiver and Consent form. This document explains that during the proceedings the participant's participation and progress will be discussed in open court. All visitors must sign a release. (**See attachment 16**)

Treatment

All required treatment and programming shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standard of their profession (*Standard 9(C)*). The participant shall receive prompt access to a continuum of approved treatment and other rehab services, as well as a treatment plan based upon their individual needs, incorporates evidence-based strategies, is gender-responsive, culturally appropriate, and addresses co-occurring disorders (*Standard 5*) (*Standard 9(A)*). They will maintain a current treatment plan and record the participant's progress based upon the service provider's reports. (*Standard 9(B)*) (**See attachment 14**)

The Drug Court Program has a partnership through Memorandum of Understanding with Recovery Services of Northwest Ohio. The process for services for this agency is as follows:

Clients typically begin the treatment process by completing an intake, then following through with an assessment to determine a diagnosis and recommendations. All of their treatment is on an outpatient basis. A combination of group and individual sessions is a common course of treatment. The following is a list of basic treatment services provided to you from Recovery Services of Northwest Ohio and other agencies:

Early Recovery Skills Group: This group is designed for clients who are new to recovery and focus on basic skill building. It provides extra tutoring in how to stop using alcohol and drugs. The purpose of the group is the following: 1) teach cognitive skills on how to reduce cravings, 2) teach the nature of classically-conditioned cravings, 3) teach how to schedule your time, 4) teach the need to discontinue the use of secondary substance and 5) to connect clients with community support services to broaden their recovery network to build a successful recovery. Criteria for admission include: tested positive for a substance in the past 30 days; limited vision of recovery and sober support network; recently discharged from residential care of the jail/prison-limited time and experience in applying newly learned skills in the community.

Relapse Prevention Group: This group is designed with the focus of helping clients STAY in sobriety. The purpose of this group is to provide a setting where information about relapse and long term sobriety can be learned and shared. The following are areas that are focused on: 1) behavioral change and putting energy into developing a sober lifestyle, 2) changing the client's cognitive/affective orientation and working with them on developing healthy relationships and communication, 3) connecting clients to sober support networks and utilizing resources that will assist them in staying sober long term. Criteria for admission include: period of abstinence (6-10 weeks), has a vision of recovery and has been able to implement some skills in an outpatient setting – worked on application of skills in daily life, has initiated a sober support network, struggled with a “lapse” or “slip.”

Aftercare: This group is a voluntary group designed for clients who have been able to maintain a level of sober and clean time, however feel as though the group process and support is beneficial to them in achieving long term recovery. These individuals recognize that recovery is a process and continued support is beneficial. Criteria for admission include: negative drug screens in the past three months or more, implementing and engaging in a recovery lifestyle, may continue to experience ongoing concerns with family/friends/occupation/any sobriety threatening concerns.

Outpatient Services: These services include ongoing individual and group counseling sessions for as long as the treatment team and court deems necessary. Since they are an integrated behavioral health provider, a wide range of ongoing outpatient services

can be provided for Drug Court participants, including AoD counseling, mental health assessment and counseling, dual diagnosis (MH/AoD) services, psychiatric services, case management, and crisis intervention.

Correctional Counseling: including Character Development, How to Escape Your Prison, and Relapse Prevention: This program is designed to provide the necessary tools to start a new life. It addresses beliefs, attitudes and behaviors, reinforces positive behavior and habits. It focuses on positive identity formation and enhancement of self-concept while decreasing hedonism. It helps in development of frustration tolerance, and development of higher stages of moral reasoning - all positive attributes that lead to better living.

In addition to the above services, you may be referred for other services to assist you in your recovery such as: vocational or educational training, employment services, parenting classes, physical, mental and/or health services.

Phases (Standard 6 (C)(D))

The phases are divided into an orientation phase and three treatment phases. The phases are a way to monitor the participant's progress, motivation, and performance. The participant's progress through the phases is based on their compliance with the Drug Court Program, Supervision, and Treatment plans. Ongoing communication among the treatment team members, including frequent exchanges of timely and accurate information about the participant's overall performance, is critical. Each participant will progress differently. The advancement to a phase is not based on any preset timelines. Progression through the drug court program is based upon the participant's performance in the treatment plan and the participant's compliance with the requirements of the drug court program. Each participant will have a Drug Court Case Plan (**See attachment 11**) that the Drug Court Coordinator and the participant will sign after they have completed specific requirements for each phase. (*Std. 6(D)*)

Orientation

This is the participant's educational phase during which they will gain a thorough understanding of the program requirements. The treatment plans, drug court case plans, and participant's handbook will be reviewed. Further, the Drug Court Coordinator will review all the available programming in the area to assist the participant with any additional needs. The participant will be able to verbalize an understanding of the program and sign the paperwork indicating such. This phase is the shortest of the phases and will last a minimum of two weeks. Conditions to be monitored are as follows:

- Comply with Drug Court Case Plan.
- Attend Orientation Session(s).
- Sign necessary Release(s) of Information.
- Verbalize an understanding of the program expectations and client handbook.
- Set up weekly PO meeting.
- Verbalize an understanding of Probation terms.
- Abide by all rules of the Drug Court Program.
- Commit no new criminal offenses.
- Submit to all drug and alcohol testing.
- Complete Behavioral Health Screenings & Evaluations (if needed).
- Attend all mental health and substance abuse treatment sessions and activities.
- Attend all appointments with doctor, psychiatrist, and psychologist.
- Comply with all prescription medication requirements.
- Receive education on 12-step or other recovery support groups and how to obtain a sponsor.
- Review and complete the individualized treatment plan.

In order to move on to the next phase the participant will have to complete the following:

- Have participated in drug/alcohol treatment.
- Written recommendation by providers.
- Recommendation by Drug Court Treatment Team.
- Provide a drug screen.
- No sanctions for two weeks.
- No new convictions.
- Make an application for next phase as directed.

Phase I

This phase is the most intensive phase for the participant. The participant may or may not be in a residential setting and/or Intensive Outpatient setting. The goals are to stabilize the participant to assure compliance with the Drug Court Program. This phase requires weekly meetings with the Drug Court Coordinator and bi-monthly attendance at the Status Review Hearings. The minimum length of this phase is 16 weeks. Conditions to be monitored are as follows:

- Comply with Drug Court Case Plan.

- Attend all required Drug Court status review hearings – two times per month on 2nd and 4th Thursdays of each month, unless otherwise notified by the court.
- Sign necessary Release(s) of Information.
- Attend weekly PO meeting.
- Comply with Probation terms as evidenced by behaviors.
- Abide by all rules of the Drug court Program as evidenced by behaviors.
- Commit no new criminal offenses.
- Complete Behavioral Health Screenings & Evaluations (if needed).
- Attend all mental health and substance abuse treatment sessions and activities.
- Attend all appointments with doctor, psychiatrist, and psychologist.
- Comply with all prescription medication requirements.
- Attend and engage in 12-step or supportive groups.
- Obtain AA/NA sponsor.
- Go over payment plans.
- Complete assignments if given.

In order to move on to the next phase the participant will have to complete the following:

- Participation in Phase I for a minimum of 16 weeks.
- Engage in drug/alcohol treatment and actively participate.
- Written recommendation by providers.
- Recommendation by Treatment Team.
- Complete any assignments given.
- Attending 12-step meeting or support groups.
- Negative drug screens for 16 weeks.
- No sanctions for 4 weeks.
- No new convictions in past 90 days.
- May have satisfactory home visits with PO.
- Make an application for next phase as directed.

Phase II

In this phase the participant has been stabilized enough to address other issues and needs that they were not previously able to do. These issues could be family issues, housing, employment, health and dental care. The minimum length of this phase is 16 weeks. Conditions to be monitored are as follows:

- Comply with Drug Court Case Plan.

- Attend all required Drug Court status review hearings two times per month on 2nd and 4th Thursdays of each month, unless otherwise notified by the court.
- Attend bi-monthly PO meeting.
- Comply with Probation terms as evidenced by behaviors.
- Abide by all rules of the Drug Court Program as evidenced by behaviors.
- Commit no new criminal offenses.
- Submit to all drug and alcohol testing.
- Attend all mental health and substance abuse treatment sessions and activities.
- Attend all appointments with doctor, psychiatrist, and psychologist.
- Comply with all prescription medication requirements.
- Attend and engage in 12-step or support groups.
- Engage in meaningful activity.
- Make payments towards court-ordered obligations.
- Follow through on housing, educational, vocational, financial, and employment referrals.
- Complete any assignments given.

In order to move on to the next phase the participant will have to complete the following:

- Participation in Phase II for a minimum of 16 weeks.
- Written recommendation by providers.
- Recommendation by Treatment Team.
- Completion of any assignments given.
- Attending 12-step or supportive groups.
- Negative drug screens for 112 days.
- No sanctions for past 8 weeks.
- No new convictions in past 180 days.
- May have satisfactory home visits with PO.
- The participant shall be able to identify criminal thinking errors.
- Make an application for next phase as directed.

Phase III

In this phase the participant is working on becoming self-supporting and beginning to apply what they have learned in treatment. The length of this phase may be longer depending on the participant's needs. In this phase, the team is monitoring the participant's stability that was attained in the earlier phases. The participant's time spent with the Drug Court Coordinator and time in treatment will begin to diminish. The minimum length of this phase is 16 weeks. Conditions to be monitored are as follows:

- Comply with Drug Court Case Plan.
- Attend all required Drug Court status review hearings one time per month on 2nd Thursdays of each month, unless otherwise notified by the court.
- Attend monthly PO meeting.
- Comply with Probation terms as evidenced by behaviors.
- Abide by all rules of the Drug Court Program as evidenced by behaviors.
- Commit no new criminal offenses.
- Attend all mental health and substance abuse treatment sessions and activities.
- Attend all appointments with doctor, psychiatrist, and psychologist.
- Comply with all prescription medication requirements.
- Attend 12-step or support groups.
- Engage in meaningful activity.
- Active participation in a structured daily activity.
- Maintain stable housing.
- Obtain/Maintain employment.
- Demonstrate improved relationships that are positive to the participant.
- Complete relapse prevention plan.

In order to graduate the following must be completed:

- Participated in Phase III for a minimum of 16 weeks.
- Written recommendation by providers.
- Recommendation by Treatment Team.
- Completion of any assignments given.
- Attending 12-step meetings and has sponsor or other approved support system.
- Negative drug screens for 180 days.
- No sanctions for past 12 weeks.
- No new convictions in past 180 days.
- May have satisfactory home visits with PO.
- Provide court with relapse prevention plan and list of supports.
- Paid all court obligations in full.
- Make an application for graduation by completing an essay.
- Exhibited responsibility for behaviors.
- Demonstrates the ability to identify and eliminate criminal thinking errors.
- Complete exit survey.

Graduated Incentives and Sanctions (Standard 6(E))

The participant will have an explanation of responses to compliance and non-compliance, including the criteria for termination. Responses shall be delivered for every targeted behavior. Undesirable behaviors shall be reliably detected and concrete. Responses shall be predictable and controllable. Method of delivery is as important as the response itself. Sanctions and incentives shall be immediate, graduated, and individualized. They govern the responses of the drug court to the participant's compliance or noncompliance.

Ten Guidelines are to be utilized when issuing incentives and sanctions:

- Immediate and certain;
- Graduated;
- Developmentally appropriate;
- Consistent and fair;
- Individualized;
- Goal-oriented;
- Competency-based;
- Culturally responsive;
- Therapeutically appropriate;
- Sufficient intensity;
- Not painful, humiliating, or injurious.

Incentives (Standard 10)

From time to time, participants of the Drug Court Program may receive a reward or incentive provided by the court system as a way for the court to support the participant and acknowledge that their hard work and determination is recognized. The incentives are directly related to the achievements as certain milestones are met. Incentives are immediate, graduated, and individualized. Examples of the times when the participant may be eligible to receive one of these rewards are when:

- Court-ordered tasks, including drug/alcohol treatment or mental health treatment are completed;
- Participant remains compliant with court orders for a period of time and demonstrates his/her commitment to sobriety;
- Participant moves to the next phase in the Drug Court Program;
- Participant keeps all scheduled appointments for a period of time, for example two weeks;
- Sobriety;

- Improved behavior;
- Attending Status Review Hearings;
- Engaging in vocational/educational activities; or
- Securing stable housing.

There are many different rewards/incentives that the court may have available for the participants. The judge determines the type of incentives received based on the participant's performance and compliance with program requirements. Some of these include but are not limited to:

- Words of encouragement and acknowledgement of positive progress;
- Reduction of curfew;
- Permission to travel with family;
- Formal acknowledgements and tokens of progress;
- Decreasing number of office visits;
- Decreasing number of drug tests;
- Removal of sanctions that were previously ordered;
- Graduation to next phase;
- Graduation from Drug Court;
- Early termination from probation;

Sanctions (*Standard 10*)

Sanctions will be used at times when the participant is not complying with court orders, treatment, and case management. Sanctions are used to help the participant conform their behavior to program requirements. They are to be immediate, graduated, individualized, and are issued according to the seriousness of a violation. These violations may include but are not limited to:

- When participant does not follow court orders;
- When participant does not follow treatment recommendations;
- When participant does not attend treatment appointments;
- When participant misses or is late for scheduled appointments;
- When participant fails to provide drug test or dilute urine screens;
- When participant tests positive for illicit drugs or alcohol;
- When participant fails to appear for a Drug Court session; or
- When participant receives new charges or convictions.

The following are some examples sanctions and is not inclusive:

- Verbal warnings and caution from the judge;
- Placed back on an earlier phase;
- Increase in alcohol and drug testing;
- Increase court appearances;
- Refusing specific requests;
- Decreasing special privileges;
- Community Service;
- Curfew;
- Increased periods of jail time or home detention;
- Electronic Monitoring;
- Filing of a Community Control Violation; or
- Termination from Drug Court.

Positive urines at intake will be considered a baseline drug test, will be documented, and aid in the assessment of a participant's level of treatment. Positive urines at intake are not sanctioned. The treatment provider will be *immediately* notified as well as the Drug Court Team.

The Treatment Team may advise in determining the incentives and sanctions and the Drug Court judge will enforce and reinforce them. All sanctions and rewards will be documented in the participant's file and reviewed at the Status Review hearings. An adjustment in treatment services, as well as participating in community-based mutual support meetings, is based upon only the clinically informed interests of the participant. All incentives and sanctions shall be individualized.

Incentives and awards are given upon achieving certain milestones in sobriety and upon advancement to the next phase.

CHAPTER 6 – PROGRAM COMPLETION

Successful Completion

In order for a participant to graduate from the Drug Court Program, the participant must have completed all the phases of the Drug Court Program. The criteria for completion are listed on the Drug Court Case Plan. **(Attachment 11)** The process for a participant to graduate shall be as follows:

- The Drug Court Coordinator will review the completion of all phases utilizing the Drug Court Case Plan and bring the potential graduate's name up at the Drug Court Treatment Team meetings. See the Drug Court Case Plan.
- The Drug Court Treatment Team will review the participant's behavior and accomplishments throughout the program and review the drug court case plans in addition to the treatment plans. The Drug Court Treatment Team will make a recommendation and the judge will make the final decision.
- The Drug Court Coordinator will announce a graduation date and send out information to local agencies about the graduation meeting.

Post-Conviction

The case will be terminated successfully from Community Control/Probation with a motion and entry completed and submitted by the Prosecutors Office and presented to the participant at the graduation meeting in addition to a certificate evidencing successful completion of the Drug Court Program.

Unsuccessful Terminations (Standard 3(A))

The Drug Court Treatment Team will discuss all unsuccessful terminations in the Treatment Team meetings and make a recommendation based upon the following criteria:

- On-going noncompliance with treatment;
- Resistance to treatment;
- New serious criminal conviction;
- A serious Drug Court violation or series of violations; or
- A serious community control violation or a series of community control violations.

The consequences of an unsuccessful termination may be as follows:

- Loss of future eligibility for Drug Court;
- Further legal action including finding of guilt, sentence, or Notice of Violation; or
- Depending on the circumstances, they may be subject to prison, jail, or other penalties.

The Drug Court judge will make the final decision regarding the unsuccessful termination of the participant in accordance with written eligibility criteria (*Standard 3(B)*).

The appropriate paperwork for termination will be filled out by the Probation Officer. It will be the Probation Officer's job to file the probation violation and to serve the participant with the violation notice. Termination from Drug Court will result in the reactivation of criminal proceedings on the court's regular trial docket relating to sentence disposition for Notice of Violation or transfer back to Intensive Supervision.

Community Control Violation Hearings

The hearings will follow the same procedures as Williams County Adult Probation Services hearings.

Post-Conviction and Intervention in Lieu Procedures

A notice of community control violation will be completed by Probation Officer. The probation officer shall contact the Assignment Commissioner to get a court date for the participant. The defendant will be served with the Notice of Community Control Violations (or Intervention in Lieu Violation) Hearing. Copies will be made to be file stamped at the Clerk's Office. The original is filed with the Clerk's Office. The remaining copies will be distributed to the Prosecutor's Office, the judge, and one will remain in the participant's file.

Neutral Terminations (Termination for reasons other than successful or unsuccessful compliance) (Standard. 3(A))

Neutral terminations of a participant will follow the same process as other terminations. The case will be brought before the Treatment Team for discussion and the Drug Court judge will have the final determination. The information about the participant will be thoroughly reviewed and verified by the Drug Court Coordinator. Some cases in which neutral terminations may apply will be as follows:

- A serious medical condition arises;
- Serious mental health condition arises;
- Death;
- Approved relocation/ transfer of participant, or
- Other factors that will impede the participant's requirements for successful completion.

The Drug Court Coordinator shall file the appropriate paperwork to the Prosecutor's Office and an entry will be completed pertaining to the neutral termination from the Drug Court Program.

All participants will be asked to fill out an exit survey upon discharge. **(See attachment 15)**

Inactive Cases

Inactive cases will still be considered a part of the docket. The same process of discussing cases with the Treatment Team will occur and the Drug Court judge will provide the final approval. Some instances in which an Inactive Status will be applied are as follows:

- When a participant is in a Community Based Correctional Facility (CBCF) and is unable to attend the Status Review Hearings. The Drug Court Coordinator will continue to monitor the participant's compliance through reports.
- When the participant is unable to pay the court obligations in full prior to graduation. The participant will be placed on basic supervision for continued monitoring and will receive a certificate of completion and attend the graduation ceremony once paid in full unless the judge determines otherwise.
- When the participant has a warrant issued for his arrest for absconding supervision. The participant's case will still be monitored by the Drug Court Coordinator. In the event the participant is arrested, the Drug Court Coordinator will discuss the case with the Treatment Team. Depending on the nature of the warrant, the participant may be terminated unsuccessfully from the Drug Court Program. The Drug Court judge will provide the final approval on the disposition of the case.

The participant will remain on the Drug Court Coordinator's Caseload when CBCF placement is recommended or when warrants are issued.

Administrative Program Suspension

Administrative suspension is a status reserved for those Drug Court participants who are temporarily suspended from the program by the Drug Court judge. These participants are suspended from participation, but may be eligible to return once a determination has been reached regarding their continued appropriateness to respond to the Drug Court Program. The following examples may reflect reasons for an administrative suspension:

- Those participants placed in a residential facility as a result of continued use;
- Those participants who are charged with new crimes pending adjudication and/or a final disposition for sentencing;
- Those participants who need further assessments or evaluations to determine if the Drug Court is beneficial to the participant and the program;
- Those participants who are unable/unwilling to comply with program requirements in a timely manner as directed; for example falling behind on scheduled restitution payments or, medical hardship.

CHAPTER 7 – SUBSTANCE USE MONITORING

All alcohol and drug testing will be observed, frequent, random, and individualized to the participant. *(Standard 8(B))* All testing results are recorded and maintained for the duration of the participant's drug court enrollment

Obtaining a Urine Specimen *(Standard 8(A))*

The participant may at any time be required to submit to alcohol and drug testing by the probation department, Recovery Services of Northwest Ohio, or at the request of any other member of the treatment team. Testing samples are collected and analyzed in accordance with the written policies and procedures of each office. The policies and procedures address elements that contribute to the reliability and validity of the process. Said policies and procedures are attached as **Attachments 17 and 18**. If a participant fails to submit to testing, submits an adulterated sample, submits the sample of another individual, or dilutes the sample; this will be treated as a positive test and will be immediately sanctioned.

Processing Drug Tests

The Williams County Adult Probation Department utilizes various oral and urine drug screening kits that are sufficient to include the participant's primary substance of dependence, as well as a sufficient range of other common substances, and probation officers shall follow the guidelines and procedures authorized by the drug test kit provider. *(Standard 8(E))* For any drug test kits that need further analysis, the probation officer shall follow the guidelines and procedures authorized by the testing laboratory or drug test kit provider and send the sample to the respective laboratory.

Testing by Outside Treatment Agency

Testing on participants will occur through the treatment agency in which they are being treated and are under the discretion of each facility's policies and procedures. The member from that agency will notify the Drug Court Coordinator of the outcome of any test results, as they are conducted.

Notification/Documentation (*Standard 8(D)*)

The results of all drug tests are immediately shared with the Drug Court Coordinator and the participant's treatment provider. In addition to the results being shared, if a participant fails to report, fails to provide a sample, adulterates a sample, provides a sample of another individual, dilutes a sample, and/or tampers with a sample, that information will be shared immediately as well.

Documentation

A probation officer will document all positive and negative test results in the case notes. The participant will be required to sign a statement regarding the results of any drug tests. **See attachment 19.**

Defining "Positive" Results (*Standard 8(D)*)

- If a participant is late for a test or misses a test, it will be considered a positive test for drugs/alcohol.
- If a participant refuses to submit a urine sample, it will be reported as a refusal to test and considered positive.
- The participant must provide a urine sample which is negative for all drugs.
- If the participants fail to produce a urine specimen (within two hours) or if the sample provided is not of sufficient quantity, it will be considered as a positive test for drugs/alcohol.
- If the participant produces a diluted urine sample it will be considered as a positive test for drugs/alcohol.
- If the participant substitutes or adulterates their specimen for the purposes of changing the drug testing results, it will be considered as a positive test for drugs/alcohol and will result in sanctioning and may be grounds for revocation from the Drug Court Program.

Relapses

Relapses will be addressed through the treatment provider to verify if the use is a continued use or a relapse. The participant will be reassessed and be placed in the appropriate level of care to address the positive screen and to re-engage or re-stabilize the participant. The treatment provider as well as the Treatment Team will be notified of the positive urine screen. Sanctions for the relapse will be immediate (*Standard 8(D)*) and may include increased Status Review Hearings, homework assignments pertaining to relapse/use, increased office visits, electric monitoring, and/or possibly jail.

The Treatment Team may advise in determining the incentives and sanctions and the Drug Court judge will enforce and reinforce them (*Standard 8(C)*). All sanctions and rewards will be documented in the participant's file and reviewed at the Status Review hearings.

Medication Usage

It will be the participant's responsibility to inform all treating physicians of their recovery from drugs/alcohol before they are given an addictive medication. (**Attachment 9A**) A participant shall be prescribed narcotics (or other medication that will yield a positive screen) only if it is necessary and only under limited circumstances. If a doctor believes that it is necessary to prescribe such medication, the physician must submit a letter to the Drug Court Coordinator stating that he/she is aware of the participant's status as a recovering addict/alcoholic. The physician must also acknowledge that the need for the medication outweighs the risks. (**See attachment 9**) The participant **MUST** have a letter **PRIOR** to taking any medication that will cause a positive screen. (**Attachment 9A**) If the participant tests positive and they do not have a letter from their doctor, they will be sanctioned immediately.

In cases of emergency room care, the participant will provide verification of all emergency room orders and discharge information to the Drug Court Coordinator no more than seven days upon release from the hospital. All prescriptions will have to be cleared by a primary care physician to continue taking the medications without sanctions. A pattern of visits to the emergency room for ailments that require opiate treatment may be brought back before the court at the discretion of the Treatment Team.

Over the Counter Medication Usage

The use of certain types of over the counter medications may be counterproductive to the recovering participant. Participants will be informed of such over the counter medications.

CHAPTER 8 – PROFESSIONAL EDUCATION

The interdisciplinary education of the Drug Court Treatment Team promotes effective Drug Court planning, implementation, and operations (*Standard 11*). All new members and current members shall be educated to the specialized docket process.

All new members to the Drug Court Treatment Team will be trained to the policies, procedures, and best practices utilized by the Drug Court team members. They will be required to read the policy and procedure manual of the Drug Court.

The Drug Court Treatment Team shall identify a similar area drug court and build a relationship with that drug court as well as attend any sessions or meetings to increase relationships and understanding. The Drug Court Coordinator and the chief probation officer shall review the relationship on an annual basis.

CHAPTER 9 – EFFECTIVENESS EVALUATION

The Drug Court Program has a plan for evaluating its effectiveness. It includes a statement of goals and objectives set forth in chapter one of the policy and procedure manual (*Standard 12(B)*). The Drug Court Program has a system for collecting data, and a process for analyzing that data in order to determine whether those goals and objectives are met.

The Drug Court Coordinator and chief probation officer will use the case notes, progress notes, and other information in order to create statistical data and compile reports using an excel format. The information collected will be presented to the Advisory Committee during its quarterly meetings. The information obtained will be used to evaluate the effectiveness and functionality of the Drug Court Program, Treatment Team, policies, and procedures.

The Drug Court Program will comply with reporting data as required by the Supreme Court. (*Standard 12(A)*) The program will engage in on-going data collection in order to evaluate whether or not the program is meeting its goals and objectives. (*Standard*

12(B)) Data collected is utilized by the Advisory Committed as part of the functionality review of the Treatment Team.

All Drug Court Participants will be encouraged to complete an anonymous satisfaction survey upon successful completion or termination from the program. The information collected will be used to provide perspective on a participant's experience, effectiveness of programs and services, and suggestions to improve outcomes.

The Drug Court will not document any names/identities of any participants while collecting information.

The Drug Court Program collects the following information:

• Number of Participants referred
• Number of Participants accepted
• Number of Participants denied
• Reasons for denial
• Number of graduates
• Number of unsuccessful terminations
• Number of participants neutrally discharged
• Number of jail days served for sanctions
• New offenses committed by participants while in program
• Convictions of new offenses while in program
• Rewards for sobriety milestones
• Number of drug screens negative
• Positive drug screens results
• Graduated sanctions
• Treatment attendance
• Unsuccessful discharge from treatment
• Successful completion of treatment
• Age of participants
• Gender of participants
• Race of participants
• Ethnicity of participants
• Employment status of participants beginning and end
• Marital status
• Number of children
• Level of educational attainment

• Failure to report for tests
• Length of time in each phase
• Length of time in program
• Number of new convictions by graduates
• Number of new convictions by active participants
• Number of new convictions by terminations

WILLIAMS COUNTY DRUG COURT PROGRAM ADVISORY COMMITTEE

Judge J.T. Stelzer, Chairperson
Drug Court Judge
Williams County Common Pleas Court
One Courthouse Square, 3rd Floor
Bryan, Ohio 43506

Sheriff Steve Towns
Williams County Sheriff
1425 E. High Street
Bryan, OH 43506

Kirk Yosick
Williams County Prosecutor
216 S. Lynn Street
Bryan, OH 43506

John Shaffer
Attorney at Law
117 W. Maple Street
Bryan, OH 43506

Ruth Peck
Executive Director
Recovery Services of Northwest Ohio
200 VanGundy Drive
Bryan, OH 43506

Lori Bolton-Sell
Chief Probation Officer
Williams County Adult Probation
One Courthouse Square, 1st Floor
Bryan, OH 43506

Les McCaslin
Executive Director
Four County Alcohol, Drug Addiction,
Mental Health Services Board
T-761 SR 66
Archbold, OH 43502

Paul Duggan
Attorney at Law
1426 E. High Street
Bryan, Ohio 43506

Jolene Joseph
Health Partners of Northwest Ohio
329 North West Street
Lima, Ohio 45801

Charlie Hughes
Program Manager
Northwest Community Corrections Center
1740 E. Gypsy Lane Road
Bowling Green, Ohio 43402

Phil Ennen
President
Community Hospitals & Wellness Centers
433 W. High Street
Bryan, Ohio 43506

Teresa Eicher
Clinical Director
Recovery Services of Northwest Ohio
200 Van Gundy Drive
Bryan, Ohio 43506

WILLIAMS COUNTY DRUG COURT

MEMORANDUM OF UNDERSTANDING ADVISORY COMMITTEE

This memorandum is hereby made between the Williams County Drug Court Program and community stakeholders participating in the advisory capacities established in Chapter 1 of the Drug Court Policies and Procedures Manual. Members may include, but are not limited to Common Pleas Judge (Chairperson), Prosecutor, Defense Counsel, Sheriff, Chief Probation Officer, a representative from the Four County Alcohol, Drug Addiction and Mental Health Services Board, and a representative from Recovery Services of Northwest Ohio.

As a member of the Advisory Committee, I agree to advise with regard to policies, procedures, and operations of the Drug Court. I shall provide assistance in both implementing the Drug Court Program and assisting with the sustainability after its implementation. I will work to build program capacity, evaluate program effectiveness, and engage in long-term anticipatory planning.

I will also attend meetings to discuss goals, objectives, identify target populations, entry into the program, and case flow.

Further, I understand that to be effective, I must agree to serve a minimum of one year on the Advisory Committee, and I so agree.

Date: _____

Signature: _____

(Member)

(Title)

The following individuals serve on the Williams County Drug Court Advisory Committee and agree to the policies and procedures contained in the Program Description and documents effective _____.

Judge J.T. Stelzer

Jolene Joseph, Health Partners

Kirk Yosick, Prosecutor

Phil Ennen, Williams County Hospitals

Ruth Peck, RSNWO

Charlie Hughes, SEARCH

Les McCaslin, ADAMHs Board

Teresa Eicher, RSNWO

Sheriff Steve Towns

John Shaffer, Attorney

Paul Duggan, Attorney

Lori Bolton-Sell, Chief Probation Officer

WILLIAMS COUNTY DRUG COURT

MEMORANDUM OF UNDERSTANDING TREATMENT TEAM

This memorandum is hereby made between the Williams County Drug Court Program and community stakeholders participating in the treatment capacities established in Chapter 1 of the Drug Court Policies and Procedures Manual. Members may include, but are not limited to Common Pleas Judge (Chairperson), Chief Probation Officer, a representative from the Department of Job and Family Services, a representative from the Child Support Enforcement Agency, a representative of Shalom Counseling Services, a representative of Health Partners, and a representative from Recovery Services of Northwest Ohio.

As a member of the Treatment Team, I agree to assist in implementing the daily operations of the Drug Court Program. I will also assist in developing, reviewing, and agreeing on the legal and clinical eligibility, completion, termination, and neutral discharge criteria.

I will also attend meetings prior to participants' Status Review hearings to discuss participants' compliance and progression through the Drug Court Program.

Further, I understand that to be effective, I must agree to serve a minimum of one year as a member on the Treatment Team, and I so agree.

Date: _____ Signature: _____
(Member)

(Title)

The following individuals serve on the Williams County Drug Court Treatment Team and agree to the policies and procedures contained in the Program Description and documents effective _____.

Judge J.T. Stelzer

SEARCH Representative

Allen Rutter, Shalom Counseling

Anna Meyers, JFS

Megan Hall, JFS

Lori Geiser, JFS/CSEA

Megan Bowser, RSNWO

Danyel Parker, Health Partners

Lori Bolton-Sell, Chief Probation Officer

**Drug Court Program
Referral Form**

QUALIFYING FACTORS

1. Clinical Eligibility Criteria

- A) The person has been diagnosed as substance dependent and completed a drug/alcohol assessment by a certified license provider.
- B) The person is able to understand and comply with program requirements.

2. Other Eligibility Criteria

- A) No physical or mental health issues which might hinder participation in the program. (will be reviewed on a case-by-case basis).
- B) The defendant is receptive to receiving treatment.
- C) Must be a defendant in a case on the Williams County Common Pleas Court criminal docket.
- D) Judge has the sole discretion in the admissibility to the Drug Court Program.

3. Legal Criteria

- A) The person is charged with a pending Williams County felony offense less serious than a felony of the second degree which is not a drug trafficking offense higher than a felony of the fifth degree, a sex offense, a felony OMVI, or has a mandatory prison sentence;
- B) The person is serving a Community Control Sanctions sentence for which there is a Notice of Violation of Community Control Sanction Sentence pending; or, upon recommendation of Probation Officer, has agreed to participate; or
- C) The person is sentenced to Drug Court as part of Community Control Sentence, including one imposed through the granting of judicial release.

Referred by: _____ Date: _____

Referral Name & Contact: _____

Background Information

Personal Information (please print)

Name (Last, First, and Middle Initial):	DOB:	Age:
Street Address:	City:	Zip Code:
Home Phone:	Work Phone:	Race:
Social Security No:	Aliases:	Gender: M <input type="checkbox"/> F <input type="checkbox"/>

Court Information

Incarcerated: Y <input type="checkbox"/> N <input type="checkbox"/>	Where:
--	--------

Reason for Referral: _____

**IN THE COURT OF COMMON PLEAS, WILLIAMS COUNTY, OHIO
CRIMINAL DIVISION**

STATE OF OHIO,

Case No.

Plaintiff,

vs.

Defendant.

**[CM 28]
REQUEST FOR ADMISSION
TO DRUG COURT
EVALUATION FOR AND
ADMISSION INTO DRUG
COURT PROGRAM**

I, the above-named defendant, hereby request the court for admission into the Drug Court Program. I hereby give my consent to be interviewed by court staff that operates the Williams County Common Pleas Drug Court Program for the purpose of determining if I am eligible for admission into the Drug Court. I acknowledge that I will need to be diagnosed by a licensed treatment provider as drug or alcohol dependent, and I agree to cooperate in the completion of a presentence investigation.

I understand that if I am accepted into the Drug Court, I will be required to participate in a court-ordered substance abuse treatment program until all treatment goals are met to the satisfaction of the service provider and I will be required to comply with conditions of supervision by officers of the probation department that are established to further my successful recovery from substance dependence.

I give my consent to be evaluated for eligibility and admission into the Drug Court. I agree to give truthful and accurate answers to the questions I am asked in this evaluation process for eligibility and admission into the Drug Court. I understand that, unless I otherwise authorize, only my attorney and the Williams County Common Pleas Court and court staff may receive the information I provide in the process of being evaluated for admission into the Drug Court and that my attorney is bound by the confidentiality requirements established by the attorney-client privilege regarding such information. I further understand that the information I give in the evaluation process for admission into the Drug Court Program will not be provided to the State of Ohio and/or counsel for the State of Ohio and is not subject to discovery by the State of Ohio under the Rules of Criminal procedure or any other law or rule.

I also understand that as part of the evaluation process, I will be asked to sign a separate Authorization for Release of Information which authorizes reciprocal communication and release of information from the Williams County Common Pleas Court and court staff by and between the current treatment agency, Recovery Services of Northwest Ohio, and other substance abuse and mental health treatment providers and community service agencies.

I know of no serious physical health conditions which would keep me from completing the Drug Court requirements. I know of no pending charges or detainers from any other jurisdiction that would prevent me from entering or completing the Drug Court Program. I understand that, if I am eligible and admitted into the Drug Court Program, my compliance with the program and the rules of the Drug Court Program will be monitored by Judge Stelzer. I further understand that if I am unsuccessfully terminated from Drug Court for any reason after being admitted into the Drug Court Program, my case will be returned to the regular criminal docket before Judge Stelzer and scheduled for further proceedings, including sentencing or disposition.

I have been informed and understand that this evaluation process for admission does not guarantee my eligibility or admission into the Drug Court Program. I further understand that if I am determined not to be eligible for the program or I am not admitted into the Drug Court Program, my case shall remain on the regular criminal docket for further proceedings, including final resolution.

I agree to complete referral form CM 27 which has been provided to me.

SIGNED:

Defendant

Date

APPROVED:

Referral Source (Attorney/PO)

Date

Prosecutor

Date

CERTIFICATE OF SERVICE

This motion was issued by regular U.S. mail to the Williams County Prosecuting Attorney and the Drug Court Coordinator on this ____ day of _____, 20__.

Attorney for Defendant

WILLIAMS COUNTY DRUG COURT

CONSENT TO RELEASE INFORMATION TO TEAM MEMBERS

I, the undersigned, do hereby give consent to the release of information, written records and reports, and evaluations relating to my physical, mental, vocational, psychological, educational, and social condition and/or status by any individual, agency, physician, psychiatrist, psychologist, clergy, hospital and its employees, school, college or other institution and its employees to the Team Members of the Williams County Drug Court.

Such information is to be used by the Drug Court Treatment Team for communication about confidential information and participation or progress in treatment in compliance with the Ohio Revised Code.

Date: _____ Signature: _____
(Participant)

Witness: _____ DOB: _____

SSN: _____

CONSENT TO RELEASE INFORMATION TO OTHER AGENCIES

I, the undersigned, do hereby give consent to the release of information, written records and reports, and evaluations relating to my criminal history, physical, mental, vocational, psychological, educational, and social condition and/or status by the Williams County Adult Probation Department or any of its employees to agencies including, but not limited to Recovery Services of Northwest Ohio, Shalom Counseling and Mediation, Williams County Job and Family Services, the WORTH Center, CTF, SEARCH, and other Community Base Correctional Facilities, and other treatment facilities.

I hereby release you from any and all legal responsibilities, restrictions, and/or liability that may arise from the acts, and/or release of any information or records which I have authorized above.

Date: _____ Signature: _____
(Participant)

Witness: _____ DOB: _____

SSN: _____

**IN THE COURT OF COMMON PLEAS, WILLIAMS COUNTY, OHIO
CRIMINAL DIVISION**

STATE OF OHIO,

Case No.

Plaintiff,

vs.

**[CM 29]
DRUG COURT PROGRAM
PARTICIPATION AGREEMENT**

Defendant.

Participant: _____

Address: _____

Telephone: _____ Date of Birth: _____

I wish to be placed in the Drug Court Program and I am willing to participate in the Drug Court and comply with all the program terms and expectations set forth in the participant handbook that has been reviewed with me. I understand that the participation agreement outlines the process and requirements of the Drug Court Program.

1. I understand that by entering into the Drug Court, I will be waiving some of my rights, (A) such as the Right to Due Process, (B) Right to an Attorney, (C) Right to Remain Silent, and Right Against Self-Incrimination, (D) Right to Freely Associate, (E) and Right Against Unlawful Search and Seizure. I also understand that I have the ability to rescind these rights' waivers at any time and the consequence for rescinding the waivers may include unsuccessful termination from the Drug Court Program.
2. I understand that I will be given a Court Services Plan and a Treatment Plan and I will have to comply with those plans. I further understand that the Drug Court Case Plan and Treatment Plan will be amended as I progress through the Drug Court phases. The minimum length of the program is 12 months and will have 4 phases, the first phase will last approximately 2 weeks, and the remaining phases can last a minimum of 16 weeks for each phase. I will be responsible for paying court costs, restitution and supervision fees. I may also have to complete community service.
3. I am expected to, and willing to, immediately attend all individual and group counseling sessions, educational sessions, and activities or assessments as required by my counselor.
4. I will also sign all necessary releases of information. I understand I will be placed in appropriate treatment programs as soon as possible and am required to attend. I understand that I will keep confidential all the participants and information heard in the review hearings or group sessions. I will cooperate with all treatment services outlined in my treatment plan and in any later or amended treatment plans from my treatment provider including any additional assessments. I further understand that I may also have to attend community support meetings.

5. I understand that I am being placed on reporting Community Control Supervision in order to monitor compliance. I will be expected to report to my probation officer, provide urine samples, and pay court costs, supervision fees, and restitution. The first phase will last approximately two weeks, and the remaining phases will last a minimum of 16 weeks for each phase. I understand that my probation officer will discuss my case and overall performance with the treatment team in bi-monthly meetings and in ongoing communication with my treatment provider. I understand that the Court does not require my attorney to attend any hearings during my participation in Drug Court. However, I do have the right to request the attendance of defense counsel during the portion of the treatment team meetings that concern my case.
 - A. I understand that progress through the phases of Drug Court are based on how well I am doing with my treatment plan and my compliance with the requirements of the Drug Court Program. There are no pre-set timelines for completing each phase.
 - B. I understand that repeated non-compliance with the requirements of my Drug Court Case Plan or Treatment Plan may result in my dismissal from the Drug Court and could result in further community control sanctions. Non-compliance will be governed by immediate and graduated sanctions. Sanctions may include jail time before a hearing is required. Furthermore, I understand that by complying with my treatment plan and the Drug Court, I will be rewarded for my compliance.
 - C. I agree to attend all Status Review hearings as a part of the important judicial interaction between the Judge and myself. I understand at a minimum I will attend two review hearings monthly during Phase I and II, and once per month during the third phase.
 - D. I am expected to remain free from alcohol and all other illegal mood altering substances up to and including designer drugs. Documentation of prescribed medications shall be provided to the Drug Court Coordinator and the treatment facility and/or my counselor. I understand that if I continue to use that sanctions may be given, treatment plans may be amended to include a more appropriate level of care, and a return to the initial phase.
 - E. I understand that I will be subject to random, frequent, and observed drug testing. I understand that upon notice from a probation officer or representative of the treatment team, I may be given instructions on where to report for a random drug screen. I understand that if I am late for a test or miss a test, it will be considered a positive test for drugs/alcohol and that I will be sanctioned. If I refuse to submit a urine sample, it will be reported as a refusal to test. I understand I must provide a urine sample which is negative for all drugs or I will be immediately sanctioned. Urine samples will also be analyzed for temperature, specific gravity, Creatinine, and other chemical markers to ensure a valid urine specimen. I understand that if I fail to produce a urine specimen or if the sample provided is not of sufficient quantity, it will be considered as a positive test for drugs/alcohol and I will be sanctioned. I have been informed that drinking excessive amounts of fluids can result in a diluted urine sample and I understand that my urine sample will be tested to ensure the urine sample is not diluted. I will be allowed to provide only one (1) urine sample for analysis. I understand that if I produce a diluted urine sample it will be considered as a positive test for drugs/alcohol and I will be sanctioned. I understand that failing to submit to testing, submitting an adulterated sample, submitting a sample of another individual, or diluting a sample is treated as a positive test and immediately sanctioned and may be grounds for revocation from the Drug Court. My entire test results will be reviewed at the Status Review Hearings. Furthermore, I understand that the Judge will be notified immediately of any violations of the above.
 - F. I understand that any noncompliance on my part will be governed by immediate and graduated sanctions and up to sixty (60) days jail time will be given before a hearing is imposed.

6. I understand that in order to successfully complete and graduate from the Drug Court I must complete all the phases, remain abstinent for twelve months, have complied with Community Control, pay all costs, supervision fees, and restitution if ordered.
7. I understand that I may be terminated from the Drug Court Program for continued noncompliance with treatment, treatment resistance, new serious criminal conviction, a serious Drug Court violation or continued series of violations, a serious Community Control Violation or series of violations. I further understand the consequences of termination from Drug Court could be loss of future eligibility for the Drug Court Program; further legal action including Notice of Violation and depending on the circumstances, I may be subject to prison, jail, or other penalties.
8. I understand that it is my responsibility to inform all treating physicians of my recovery from drugs/alcohol before I am given an addictive medication and that I am subject to drug testing. *Only* under limited circumstances, if a doctor believes that it is necessary to prescribe the medication such as narcotic pain medication or any other medication that will yield a positive urine screen, the physician must submit a letter to the Drug Court Coordinator stating that he/she is aware of my status as a recovering addict/alcoholic and the need for this medication outweighs the risks. I *must* have a letter prior to taking any medication that will cause a positive screen. If I test positive and do not have a letter from my doctor, I will be sanctioned immediately. I further understand there may be over the counter medications that I may not take as well.

In cases of emergency room care, I understand that all emergency room orders and discharge information will be made available to the Drug Court Coordinator no more than seven (7) days upon release from the hospital and all prescription will have to be cleared by a primary care physician to continue taking the medications without sanctions. A pattern of visits to the emergency room for ailments that require opiate treatment may be brought back before the court at the discretion of the Drug Court Treatment Team. Furthermore, I understand that I must bring all of my prescriptions in the original bottle to my probation appointment as directed.

I have read this Acknowledgement and understand this agreement, and I freely and voluntarily relinquish the rights discussed and agree to abide by all rules and conditions of the Drug Court Program. After consultation with my attorney, I hereby sign the Agreement to participate in the Drug Court.

Participant

Date

Attorney for Participant

Date

Prosecutor

Date

Having reviewed the Drug Court Admissions Assessment and eligibility requirements the court hereby accepts this case and the defendant into the Drug Court Program.

IT IS SO ORDERED.

J. T. Stelzer, Judge

Date

**THE COMMON PLEAS COURT OF WILLIAMS COUNTY, OHIO
CRIMINAL DIVISION**

COMMUNITY SANCTIONS IMPOSED BY THE COURT

Offender:	Case No:
Period of Supervision:	Offense:

You are in the custody of the court by reason of your felony conviction. The court has imposed the following community sanctions and you are ordered and required to abide by them. You are subject to arrest without a warrant by any Probation Officer or any Peace Officer upon written order of any of your Probation Officers.

You shall serve a period of _____ days at the Corrections Center of Northwest Ohio (CCNO), Stryker, Ohio commencing on _____. You shall receive credit for _____ days served.

You shall serve a period of _____ days on the _____ Monitoring Program at your cost, through the Corrections Center of Northwest Ohio (CCNO), Stryker, Ohio commencing on _____.

You shall serve a period of _____ days at the Corrections Center of Northwest Ohio (CCNO), Stryker, Ohio and participate in the _____ Program. You shall receive credit for _____ days served.

You shall enter into and successfully complete the S.E.A.R.C.H. Program at the Northwest Community Corrections Center in Bowling Green, Ohio and follow all recommendations made by that program including aftercare. You shall be transported directly from the Corrections Center of Northwest Ohio.

You shall enter into and successfully complete programming at the Correctional Treatment Facility (CTF) in Toledo, Ohio and follow all treatment recommendations made by that facility including aftercare. You shall be transported directly from the Corrections Center of Northwest Ohio.

You shall attend a substance abuse and/or mental health assessment at the direction of your supervising officer. You shall comply with all treatment recommendations made from that assessment.

You shall successfully complete the Williams County Intensive Probation Program, upon completion you shall be transferred to basic supervision.

You shall enter into and successfully complete the Williams County Drug Court.

You shall complete _____ hours of community service through the Community Service Program at the Corrections Center of Northwest Ohio at your expense.

Your Community Control shall be extended for a period of _____ days/months, expiring on _____.

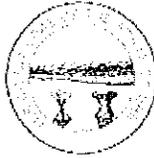
All court costs and attorney's fees, when applicable, associated with this case are hereby assessed against the Defendant.

Other: _____

I have read or had read and explained to me, the above orders of the Court and I understand them. I promise to abide by them and I realize that any violation may cause my participation in community control to be revoked and the sentence put into effect for the offense(s) that I have committed. I received a copy of this form on this date.

Dated: _____ Offender: _____

Probation Officer: _____



LORI J. BOLTON-SELL
Chief Probation/Diversion/Prerelease Officer

MATTHEW D. JOHANTGEN
Intensive Probation Officer

COURT OF COMMON PLEAS
WILLIAMS COUNTY
ADULT PROBATION DEPARTMENT

J. T. STELZER, JUDGE

NANCY J. HANCOCK
Office Manager

SCOTT E. BRADBEE
Presentence Investigator

Williams County Drug Court Policy on Prescription Medication

I, _____, understand that the Williams County Drug Court has a zero tolerance policy regarding the use of opiates. I further understand that for me as a participant in the Williams County Drug Court, I agree to abstain from the use of all opiates even if they are prescribed to me by a medical professional, including dentists. I further understand that if I choose to violate this policy and my agreement, that is grounds for sanctions and/or discharge from Williams County Drug Court. As a participant, I agree to have all prescriptions for medications filled at one and only one pharmacy as a condition of my participation in the Williams County Drug Court.

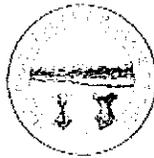
I also voluntarily agree to provide the names and phone numbers of all my medical care providers and agree to submit the "Letter to Physician" statement (Attachment 9A), a copy of which is attached hereto, to all of my medical care professional providers, including dentists. In case of emergency room care, I will authorize that all emergency room orders and discharge information be made available to the Drug Court Coordinator no more than seven (7) days after my release from the hospital.

I further agree to bring all of my prescribed medications in their original bottles to my probation officer appointment as directed.

I have read or had this read to me and I understand the Williams County Drug Court's Policy on Prescription Medications as herein set forth.

Participant Date

Witness Date



LORI J. BOLTON-SELL
Chief Probation/Diversion/Prerelease Officer

MATTHEW D. JOHANTGEN
Intensive Probation Officer

COURT OF COMMON PLEAS
WILLIAMS COUNTY
ADULT PROBATION DEPARTMENT

J. T. STELZER, JUDGE

NANCY J. HANCOCK
Office Manager

SCOTT E. BRADBEE
Presentence Investigator

LETTER TO PHYSICIAN

I, _____, have been placed in the Drug Court in Williams County Common Pleas Court. As a result of my Community Control, I am subject to frequent and random drug testing. Therefore, I must report to the court my visit today. As I am in recovery, I would respectfully request that you take this into consideration and offer non-narcotic medications, if possible, when drugs are necessary for my medical treatment.

Physician (Name) _____

Physician (Signature) _____

Date: _____

If you have any questions or concerns please feel free to call Recovery Services of Northwest Ohio and talk to the Drug Court Coordinator.

If this patient fails to present this form to the nurse and/or physician prior to receiving medication or a prescription for medication, please notify Williams County Adult Probation at (419) 636-4722.

Please list the medications prescribed today: _____

**WILLIAMS COUNTY ADULT PROBATION
AUTHORIZATION FOR RELEASE/EXCHANGE OF INFORMATION**

CLIENT NAME _____

CLIENT ADDRESS: _____

CLIENT SSN: _____ CLIENT DATE OF BIRTH _____

INFORMATION RELEASED/EXCHANGED FROM OR TO:

Williams County Adult Probation
#1 Courthouse Square
Bryan, Ohio 43506
(419) 636-4722
Contact Person: _____

INFORMATION RELEASED/EXCHANGED TO OR FROM:

Agency: _____
Address: _____
Telephone: _____
Contact: _____

Specific type of information to be disclosed/obtained:

- Admission/Bio-psychosocial Assessments/Narrative Summary
- Recommendations/Prognosis
- Legal History/Probation/Parole Information
- Psychiatric Evaluation
- Medical Sheets
- Lab/diagnostic/ Drug & Alcohol Testing Results
- Other Presentence Report and Conditions of Supervision _____

- Treatment Plans/Treatment Summaries
- Progress Notes
- Treatment Dates
- Discharge Summary/Continuing Aftercare Plan
- Medical/Physical History and prior diagnosis
- Past Records
- Attendance

Amount of Information to be disclosed: This episode All episodes

The reason for this disclosure is:

_____ Coordination of Treatment Services _____ Aftercare Planning _____ Satisfy Legal Requirements _____ Family Involvement
_____ Billing/Payment of Bill _____ Physician Involvement _____ Employment Involvement _____ Other _____

I hereby authorize the release and/or exchange of the above identifying information from my records via telephone, United States mail or electronic mail.

I hereby release the Williams County Adult Probation from all legal responsibility or liability that may arise from the authorization.

This Authorization may be revoked by me at any time, except to the extent that action has been taken in reliance thereon, by the notification of the Williams County Adult Probation Department of my intention to do so. This Authorization (unless expressly revoked earlier) expires of itself in 365 days or on this date: _____

Signature of Authorizing Person: _____ Date: _____

Witness: _____ Date: _____

NOTICE: This information has been disclosed to you from records protected by Federal confidentiality rule (42 CFR, Part 2, Sec. 2.31 of PL-93-282). The Federal rules prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person whom it pertains, or as otherwise permitted by 42 CFR Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

For further information, please contact
Williams County Adult Probation
#1 Courthouse Square
Bryan, Ohio 43506
(419)636-4722
(telephone, letter, etc.)

NOTICE OF CANCELLATION:

Date: _____
Time: _____
Mode of Cancellation: _____

Signature of person receiving Notice of Cancellation

Renewal of Expired Authorization

This authorization if renewed effective _____

The new expiration date is: _____

Signature and Date: _____

Witness and Date: _____

Revoked Authorization

Client/Guardian has revoked this authorization as

Of (date): _____

Signature and Date: _____

Witness and Date: _____

RECOVERY SERVICES OF NORTHWEST OHIO AUTHORIZATION FOR RELEASE OF INFORMATION

Note: All matters relating to alcohol or drug abuse records are considered privileged and confidential and are treated as such by the employees of the program. Information regarding such matters cannot be given out without the consent of the client. Section 2.31 of the P.L. 96-282, Part 2, requires the following information:

Recovery Services of Northwest Ohio is hereby granted my permission to exchange information with:

(Name of person, institution or agency)

(Complete Address) _____

Such information as may be necessary regarding the treatment of:

(Full name of client)

(Date of Birth)

Purpose or need for disclosure: Please check applicable item(s)

___ Continuity of care xx Resolution of legal matters

Specific information to be disclosed: Please check applicable item(s):

(INITIAL each item requested)

___ Assessment	___ Behavioral data	___ Diagnosis & Prognosis
___ Recommendations	___ Referrals	___ Attendance
___ Progress	___ Progress notes	

Amount of information to be disclosed: Information covering the previous three months _____
Information covering the most recent admission _____, Other (specify) _____

This consent (unless expressly revoked earlier) expires on: termination of supervision
(Specific date, event, or condition upon which it will expire)

I understand that I may cancel this release in writing at any time, except to the extent to which the information has already been released. My refusal to sign this authorization will NOT affect my ability to obtain treatment, payment, or enrollment in a health plan.

As required by section 2.32(a). Prohibition on Disclosure:

"This information has been disclosed to you from records Protected By Federal Confidentiality rules. The Federal rules prohibit you from Making any further disclosure of this information unless further Disclosure is expressly permitted by the written consent of the person to whom it Pertains or as otherwise permitted by 42 C.F.R., Part 2. A general authorization for Release of medical information is not sufficient for this purpose. The Federal rules Restrict the use of any information to criminally investigate or prosecute any alcohol Or drug abuse client."

(signature of client or person authorized to consent)

(Relationship)

(Date signed)

For Office Use Only	Date:
Staff Person Releasing Information: <i>Agency Authorized Staff Only</i>	

DRUG COURT CASE PLAN (ORIENTATION)

Name: _____ Date: _____

Orientation

The Williams County Drug Court Program is an 18-month intensive program. The primary goals of this phase are to introduce you to the program and the program expectations. You are entering the orientation phase and will be expected to complete the requirements of the Drug Court Program listed below. Successful completion of this phase will be based upon your performance, compliance, and the recommendations of the Drug Court Treatment Team.

Tasks to consider for the orientation phase include the following:

During this phase, you will meet with the Drug Court Coordinator or Probation Officer. During this time frame, releases of information will be signed to the treatment agencies you are attending and to any other places you attend for assistance. You will also go over the requirements of the Drug Court and sign any other additional paperwork for your case. You will be given the dates of the Status Review hearings, the frequency of random drug and alcohol testing will be determined, prescribed medications identified, and the frequency for medication compliance monitoring determined (if necessary). During your first Status Review, you will be introduced to team members and begin to engage in the treatment plan process if not already done. This phase will last a minimum of two weeks.

Participant requirements to consider for orientation phase include:

- _____ Follow Drug Court Case Plan.
- _____ Attend all required Drug Court status review hearings – two times per month: 2nd and 4th Thursdays of each month, unless otherwise notified by the court.
- _____ Attend Orientation Meetings.
- _____ Sign necessary Release(s) of Information.
- _____ Verbalize an understanding of the program expectations and participant handbook.
- _____ Set up weekly PO meeting.
- _____ Verbalize an understanding of the probation terms.
- _____ Abide by all rules of the Drug Court program.
- _____ Commit no new criminal offenses.
- _____ Submit to all drug and alcohol testing.
- _____ Complete behavioral and mental health screenings and evaluations (if needed).
- _____ Attend all mental health and substance abuse treatment sessions and activities.
- _____ Attend all appointments with doctor, psychiatrist, and psychologist.
- _____ Comply with all prescription medication requirements.
- _____ Receive education on 12-step or other support groups and how to obtain a sponsor.
- _____ Review and complete the individualized treatment plan.

Non-compliance may mean daily check in, house arrest, or jail. The team will monitor progress and require documentation.

Graduation to the next phase includes the following:

- _____ Have participated in drug/alcohol treatment.
- _____ Written recommendation by providers.
- _____ Recommendation by Treatment Team.
- _____ Provide a drug screen.
- _____ No sanctions for last two weeks.
- _____ No new convictions.
- _____ Make an application for next phase as directed.

I have received my copy of the Orientation Phase of the Drug Court Program. The Drug Court Coordinator has explained the above-mentioned areas and indicated that I am ordered to comply with these areas in order to successfully complete the program. I understand that it is my responsibility to comply with the program's requirements. I acknowledge that I am entering the Drug Court Program. I understand that a probation officer will check off the above-mentioned areas as they are completed. I also acknowledge that failure, on my part, to comply with the above-mentioned, checked terms may result in my removal from the program. If removed from the program due to non-compliance, I will have not completed the program successfully.

Defendant Signature

Date

Date Completed:

Probation Officer's Initials

**DRUG COURT CASE PLAN
(PHASE I)**

Name: _____ Date: _____

Phase I

The primary goals of this phase are to stabilize your symptoms through appropriate treatment placement and obtain compliance with the Drug Court Program requirements. You are entering Phase I and will be expected to complete the requirements of the Program listed below. Successful completion of this phase will be based upon your performance, compliance, and the recommendations of the Treatment Team.

Tasks to consider for this phase include the following:

Ensure court obligations are being met, such as developing payment schedules for fines, court costs, and victim restitution, assigning appropriate community service, or serving mandatory jail time, if applicable. You will be placed in a level of care determined by your alcohol/drug assessment. This could mean Intensive Outpatient treatment or Residential treatment. Complete all other assessments and inventories determined necessary by the Treatment team, including housing, education, vocational, employment, and life skill. This phase will last a minimum of 12 weeks.

Participant requirements to consider for Phase I include:

- _____ Comply with Drug Court Case Plan.
- _____ Attend all required Drug Court status review hearings – two times per month: 2nd and 4th Thursdays of each month, unless otherwise notified by the court.
- _____ Sign necessary Release(s) of Information.
- _____ Attend weekly PO meeting.
- _____ Comply with probation terms as evidenced by behaviors.
- _____ Abide by all rules of the Drug Court program as evidenced by behaviors.
- _____ Commit no new criminal offenses.
- _____ Submit to all drug and alcohol testing.
- _____ Complete behavioral and mental health screenings and evaluations (if needed).
- _____ Attend all mental health and substance abuse treatment sessions and activities.
- _____ Attend all appointments with doctor, psychiatrist, and psychologist.
- _____ Comply with all prescription medication requirements.
- _____ Attend and engage in 12-step or support groups.
- _____ Obtain AA/NA sponsor.
- _____ Go over payment plans
- _____ Complete assignments, if given.

Non-compliance may mean daily check in, house arrest, or jail. The team will monitor progress and require documentation.

Graduation to the next phase includes the following:

- _____ Participation in Phase I for a minimum of 16 weeks.
- _____ Engage in drug/alcohol treatment and actively participate.
- _____ Written recommendation by providers.
- _____ Recommendation by Treatment Team.
- _____ Completion of any assignments given.
- _____ Attending 12-step meeting or support groups.
- _____ Negative drug screens for 112 days.
- _____ No sanctions for last four weeks.
- _____ No new convictions in past 90 days.
- _____ May have satisfactory home visits with PO.
- _____ Make an application for next phase as directed.

I have received my copy of Phase I of the Drug Court Program. The Drug Court Coordinator has explained the above-mentioned areas and indicated that I am ordered to comply with these areas in order to successfully complete the program. I understand that it is my responsibility to comply with the program's requirements. I acknowledge that I am entering the Drug Court program. I understand that a probation officer will check off the above-mentioned areas as they are completed. I also acknowledge that failure, on my part, to comply with the above-mentioned, checked terms may result in my removal from the program. If removed from the program due to non-compliance, I will have not completed the program successfully.

Defendant Signature

Date

Date Completed:

Probation Officer's Initials

DRUG COURT CASE PLAN (PHASE II)

Name: _____ Date: _____

Phase II

Congratulations! You have successfully completed Phase I of the Drug Court Program. You are now entering Phase II of the Drug Court Program and will be expected to complete the requirements listed below. Successful completion of this phase will be based upon your performance, compliance, and the recommendations of the Treatment Team.

After you have remained stable for a designated period of time, other needs can begin to be addressed. During this period, ancillary service needs can be assessed, including health, dental, optical, clothing, housing needs, vocational training, and any other areas identified by the Treatment Team. This phase will last a minimum of 16 weeks.

Tasks to be considered for this phase include the following:

Ensure court obligations are met, such as compliance with payment schedules for fines, court costs, victim restitution, and community service requirements. Continue random drug and alcohol testing at a frequency determined by the Treatment Team. Continue medication compliance monitoring. Continue with linkages with housing, educational, vocational, and employment opportunities. Make referrals for other ancillary service needs not yet addressed.

Participant requirements to consider for the community reintegration phase include:

- _____ Comply with Drug Court Case Plan.
- _____ Attend all required Drug Court status review hearings – two times per month: 2nd and 4th Thursdays of each month, unless otherwise notified by the court.
- _____ Attend bi-monthly PO meeting.
- _____ Comply with probation terms as evidenced by behaviors.
- _____ Abide by all rules of the Drug Court program as evidenced by behaviors.
- _____ Commit no new criminal offenses.
- _____ Submit to all drug and alcohol testing.
- _____ Attend all mental health and substance abuse treatment sessions and activities.
- _____ Attend all appointments with doctor, psychiatrist, and psychologist.
- _____ Comply with all prescription medication requirements.
- _____ Attend and engage in 12-step or support groups.
- _____ Engage in meaningful activity.
- _____ Make payments towards court ordered obligations.
- _____ Follow through on housing, educational, vocational, financial, and employment referrals.
- _____ Complete assignments, if given.

Non-compliance may mean daily check in, house arrest, jail or return to Phase I. The team will monitor progress and require documentation.

Graduation to the next phase includes the following:

- _____ Participation in Phase II for a minimum of 16 weeks.
- _____ Written recommendation by providers.
- _____ Recommendation by Treatment Team.
- _____ Completion of any assignments given.
- _____ Attending 12-step meeting or support groups.
- _____ Negative drug screens for 112 days.
- _____ No sanctions for last 8 weeks.
- _____ No new convictions in past 180 days.
- _____ May have satisfactory home visits with PO.
- _____ Make an application for next phase as directed and include strategies to achieve long-term goals.
- _____ The participant shall be able to identify several criminal thinking errors.

I have received my copy of Phase II of the Drug Court Program. The Drug Court Coordinator has explained the above-mentioned areas and indicated that I am ordered to comply with these areas in order to successfully complete the program. I understand that it is my responsibility to comply with the program's requirements. I acknowledge that I am entering the Drug Court Program. I understand that a probation officer will check off the above-mentioned areas as they are completed. I also acknowledge that failure, on my part, to comply with the above-mentioned, checked terms may result in my removal from the program. If removed from the program due to non-compliance, I will have not completed the program successfully.

Defendant Signature

Date

Date Completed:

Probation Officer's Initials

DRUG COURT CASE PLAN (PHASE III)

Name: _____ Date: _____

Phase III

Congratulations! You have successfully completed Phases I and II of the Drug Court Program. You are entering the final Phase III of the Drug Court Program and will be expected to complete the requirements listed below. Successful completion of this final phase will be based upon your performance, compliance, and the recommendations of the Drug Court Program.

(Phase III)

This phase is focused on you adhering to and sustaining the structure and discipline developed in earlier phases. By the time you graduate to this phase, you have successfully and faithfully adhered to the alcohol/drug treatment requirements including: medication compliance, integrated structure into your life by obtaining permanent housing; pursuing employment; educational or vocational opportunities; developing a functional support system' abstaining from usage of drugs and alcohol' and avoiding additional involvement with the criminal justice system. The amount of case management will lessen as you build your capacity to engage with service providers without the necessity of a facilitating party. At the discretion of the Treatment Team, appearances at Drug Court status review hearings are reduced even further. The Treatment Team will act in a support role, monitoring your "maintenance." With any regression, the Treatment Team will act swiftly to have you back on track. The length of this phase varies, depending on the individual needs of the participant. The minimum length is 16 weeks.

Participant requirements to consider for the maintenance phase include:

- _____ Comply with Drug Court Case Plan.
- _____ Attend all required Drug Court status review hearings – one time per month:
2nd Thursdays of each month, unless otherwise notified by the court.
- _____ Attend monthly PO meeting.
- _____ Comply with probation terms as evidenced by behaviors.
- _____ Abide by all rules of the Drug Court program as evidenced by behaviors.
- _____ Commit no new criminal offenses.
- _____ Submit to all drug and alcohol testing.
- _____ Attend all mental health and substance abuse treatment sessions and activities.
- _____ Attend all appointments with doctor, psychiatrist, and psychologist.
- _____ Comply with all prescription medication requirements.
- _____ Attend a 12-step or support groups.
- _____ Engage in meaningful activity.
- _____ Active participation in a structured daily activity.
- _____ Maintain stable housing.
- _____ Obtain/Maintain employment.
- _____ Demonstrate improved family relationships.
- _____ Complete relapse prevention plan.

Non-compliance may mean daily check in, house arrest, jail, or return to Phase II. The team will monitor progress and require documentation.

In order to graduate, the following must be completed:

- _____ Participated in Phase III for a minimum of 16 weeks.
- _____ Written recommendation by providers.
- _____ Recommendation by Treatment Team.
- _____ Completion of any assignments given.
- _____ Attending 12-step meeting or support groups.
- _____ Negative drug screens for 180 days.
- _____ No sanctions for past 12 weeks.
- _____ No new convictions in past 180 days.
- _____ May have satisfactory home visits with PO.
- _____ Provide court with relapse prevention plan and list of supports.
- _____ Paid all court obligations in full unless payment is waived by the court for good cause.
- _____ Participant makes application for graduation by completing an essay.
- _____ Exhibited responsibility for behaviors.
- _____ Demonstrates the ability to identify and eliminate criminal thinking errors.
- _____ Complete exit survey.

I have received my copy of Phase III of the Drug Court Program. The Drug Court Coordinator has explained the above-mentioned areas and indicated that I am ordered to comply with these areas in order to successfully complete the program. I understand that a probation officer will check off the above-mentioned areas as they are completed. I also acknowledge that failure, on my part, to comply with the above-mentioned, checked terms may result in my removal from the program. If removed from the program due to non-compliance, I will have not completed the program successfully.

Defendant Signature

Date

Date Completed:

Probation Officer's Initials

TREATMENT PLAN AND REVIEW

Client Name: (First, MI, Last): _____ Case #: _____

Goal # _____ Date Started: _____ Target Completion Date: _____

Client Statement of Needs or Desired Results (in client's own words) _____

Problem Areas as related to goal _____

Client Strengths as related to goal _____

Goal: _____

Incremental Objectives (reflective of age, disorder, and culture):

Therapeutic Services Provided _____
Frequency of Interventions _____

Describe Interventions:

Staff Person Signature: _____ Date: _____

Client/Guardian's Signature: _____ Date: _____

OUTCOMES EVALUATION

3-MONTH REVIEW

10 9 8 7 6 5 4 3 2 1 0
MAJOR PROGRESS MODERATE PROGRESS SOME PROGRESS NO PROGRESS

Describe Outcomes

Client/Guardian's Initials: _____ Date: _____
Staff Initials: _____ Date: _____

6-MONTH REVIEW

10 9 8 7 6 5 4 3 2 1 0
MAJOR PROGRESS MODERATE PROGRESS SOME PROGRESS NO PROGRESS

Describe Outcomes

Client/Guardian's Initials: _____ Date: _____
Staff Initials: _____ Date: _____

9-MONTH REVIEW

10 9 8 7 6 5 4 3 2 1 0
MAJOR PROGRESS MODERATE PROGRESS SOME PROGRESS NO PROGRESS

Describe Outcomes

Client/Guardian's Initials: _____ Date: _____
Staff Initials: _____ Date: _____

12-MONTH REVIEW

10 9 8 7 6 5 4 3 2 1 0
MAJOR PROGRESS MODERATE PROGRESS SOME PROGRESS NO PROGRESS

Describe Outcomes

Client/Guardian's Initials: _____ Date: _____
Staff Initials: _____ Date: _____

2015 Drug Court Calendar

January

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June

S	M	T	W	T	F	S
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September

S	M	T	W	T	F	S
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Drug Court will be held on the 1st and 3rd Wednesdays of each month beginning at 2:00 p.m., unless otherwise notified by the court. Treatment team meetings will begin at 1:00 p.m.

Month _____ Date Started _____

MONTHLY CLIENT OUTCOMES REPORT

Client Name _____

Court Ordered Yes _____ No _____
 _____ Williams County Common Pleas _____ Williams County Drug Court
 _____ Bryan Municipal Court _____ Williams County Juvenile Court
 _____ Other court or agency (specify) _____

1) Treatment Attendance Goal: Client attends at least 90% of scheduled treatment sessions with no unannounced absences.

Client attended _____ of _____ scheduled individual counseling sessions
 Client attended _____ of _____ scheduled case management sessions
 Client attended _____ of _____ scheduled treatment group sessions
 Number of no shows _____ Number of cancellations _____ (at least 24 hrs notice)

2) Treatment Participation Goal: Client shows active participation in treatment as measured by the following criteria: (rate on scale of 1-5, with 5 being most positive)

_____ Client verbalized and demonstrated understanding of addiction
 _____ Client verbalized and demonstrated understanding of changes necessary to sustain recovery
 _____ Client initiated life style changes
 _____ Client initiated sober supports

3) Drug Testing Goal: Client complies with court or agency required alcohol/drug testing and tests negative every time.

Number of alcohol/drug tests administered _____
 Number of positive results _____

4) Peer Support Goal: Client attends at least three peer support 12-step (AA, NA, HA) meetings per week.

Number of meetings required _____ Number of meetings attended _____

5) Abstinence Goal: Client remains abstinent for the duration of treatment.

Longest period of abstinence during month _____

6) Medication Assisted Treatment Goal (as applicable): Client receives monthly Vivitrol injection at scheduled place and time.

Yes _____ No _____

Comments/Explanation _____

 Staff _____ Date _____

This information has been disclosed to you from records whose confidentiality is protected by Federal Laws. Federal Regulations (42 CFR Part 2) prohibit you from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 CFR Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The Federal Rules restrict any use of this information to criminally investigate or prosecute any alcohol or drug abuse patient.

Williams County Common Pleas Court

Drug Court Exit Survey

Date: _____

Offender Name: _____

1. I was highly motivated to change my previous lifestyle when assigned to the Drug Court.

Strongly Agree Agree Disagree Strongly Disagree

2. Prior to entering the Drug Court Program, the program requirements were explained to me so I could understand them.

Strongly Agree Agree Disagree Strongly Disagree

3. The Drug Court Treatment Team treated me with respect.

Strongly Agree Agree Disagree Strongly Disagree

4. I always thought the Drug Court Treatment Team was there to help me be successful.

Strongly Agree Agree Disagree Strongly Disagree

5. I would rate my overall Drug Court experience as beneficial to my success.

Strongly Agree Agree Disagree Strongly Disagree

6. Drug testing helped me refrain from using drugs.

Strongly Agree Agree Disagree Strongly Disagree N/A

7. My substance abuse treatment was beneficial to my success.

Strongly Agree Agree Disagree Strongly Disagree N/A

Williams County Common Pleas Court

Drug Court Exit Survey

8. What benefited you the most during your time in the Drug Court Program?

9. If there were things in the Drug Court Program could have changed to better serve you, what would be they be?

10. Were you honest when answering this survey?

Yes No Somewhat I told you what you wanted to hear

11. Additional Comments or Suggestions:

WILLIAMS COUNTY DRUG COURT

Visitor Confidentiality Agreement

I understand that for safety and for legal reasons, all information pertaining to anyone who seeks or has received the services of the Williams County Drug Court must be kept confidential. This includes the identity of those who seek services, their names, gender, age, number of children, addresses, types of services received, places where services were sought or received, and any other information that could identify the individual. I understand that this information is NOT to be shared with anyone including other agencies, treatment providers, law enforcement, etc.

I will maintain the confidentiality of those people I meet in this Drug Court, including personal details of the participant, court staff, or representatives from various local agencies.

I understand that my confidentiality obligation is on-going and it does not end when my visit to or relationship with this Drug Court ends.

I agree to abide by the guidelines above. I understand that failure to respect these confidentiality guidelines may result in me being barred from Drug Court hearings. In addition, depending upon the impact of my confidentiality breach, I may also be subject to civil or criminal liability. This confidentiality agreement was created to ensure the safety and privacy of program recipients, staff and representatives from local agencies. I agree to notify the Drug Court Officer immediately if I have questions or concerns regarding this agency confidentiality agreement.

Visitor Printed Name _____

Date: _____

Visitor Signature _____

WILLIAMS COUNTY PROBATION DEPARTMENT

Drug Testing Policy

Officers of the Williams County Adult Probation Department are permitted to test offenders who are under supervision, defendants out on bond, and any other individuals as ordered by the court for the presence of drugs or alcohol use.

The Williams County Adult Probation Department utilizes various oral and urine drug screening kits, and probation officers shall follow the guidelines and procedures authorized by the drug test kit provider. For any drug test kits that need further analysis, the probation officer shall follow the guidelines and procedures authorized by the testing laboratory or drug test kit provider and send the sample to the respective laboratory. The participant will be responsible for any costs associated with the analysis of a refuted drug test or the cost of a second drug test.

The probation officer is responsible for closely observing the offender so that foreign substances or another person's urine is not placed in the test cup. Once the sample has been collected, the probation officer shall follow the manufacturer's directions for the test cup. Probation Officers shall only monitor offenders of the same sex when collecting a urine sample.

The supervising probation officer is responsible for recording and documenting the results of each test for his/her offenders or as otherwise directed. If a negative result is given, the sample may be disposed. If it is positive and necessary, the sample can be placed in a plastic evidence bag, properly labeled, and stored in the probation department refrigerator for future reference or testing. The length of storage time depends on the offender's admission or denial of use and the possible consequences.

Drug and/or Alcohol Screening Services

Drug and/or alcohol screening services are laboratory testing of client specimens to detect the presence of alcohol and/or drugs.

Trained staff members will collect the specimens at the agency facility or in the client's natural environment (home, worksite, etc.). Services are provided in a manner that protects the privacy and confidentiality of the client when possible and assures the security of the specimen being collected and/or shipped to the appropriate laboratory.

Drug Testing

1. The client shall be administered a drug test by agency staff within 24 hours of referral. Testing consists of collecting a urine sample and sending the sample to a federally certified laboratory where the sample is tested for 10 illegal drugs or conducting a "rapid" drug test which shows results at the point of testing.
2. If the initial results of the drug test are negative (no drugs detected), no additional testing is conducted and the drug test is considered negative.
3. If the drug test report is negative, the report will be placed in the client's record and reported to the client and applicable referral source.
4. If the initial results of the drug test are positive (drugs detected), the laboratory may conduct a second confirmatory test. If the confirmatory test confirms the presence of drug(s) at a predetermined level, the drug test is considered positive.
5. If the drug test final report is positive, the report will be placed in the client's record, and the client and applicable referral source will be notified.
6. Specimens shall be collected in a manner to minimize falsification or mis-identification, and containers for specimens shall be labeled to reflect the identification of the person from whom the specimen was obtained and the date the specimen was obtained.
7. Agency staff shall follow the "chain of custody" procedures that track who handled the specimen and how/when the specimen was transferred or delivered to another staff or to a laboratory (delivery service).

**Williams County Drug Court
Confirmation of Drug Test**

On _____, I submitted to an instant drug test as a condition of my participation in the Williams County Drug Court Program.

The results returned negative for any drugs.

Participant Signature	Printed Name	Date/Time
Witness Signature	Printed Name	Date/Time

ADMISSION OF POSITIVE DRUG TEST

The results were **POSITIVE** for the following drug(s):

- | | |
|--|---|
| <input type="checkbox"/> Marijuana (THC) | <input type="checkbox"/> Amphetamine (AMP) |
| <input type="checkbox"/> Methamphetamine (mAMPH) | <input type="checkbox"/> Benzodiazepine (BZO) |
| <input type="checkbox"/> Cocaine (COC) | <input type="checkbox"/> Opiates (OPI) |
| <input type="checkbox"/> Oxycodone (OXY) | <input type="checkbox"/> Phencyclidine (PCP) |
| <input type="checkbox"/> Barbiturates (BAR) | <input type="checkbox"/> Morphine (MOP) |
| <input type="checkbox"/> Methodone (MTD) | <input type="checkbox"/> Propoxyphene (PPX) |
| <input type="checkbox"/> Methylenedioxymethamphetamine | <input type="checkbox"/> Other: |

I certify that the above results are an accurate reflection of my recent drug usage. I understand that by so certifying, I am admitting to a violation of Rule #7 of my Conditions of Supervision and further understand that my Supervising Officer may impose sanctions upon me, including requesting the revocation of my release/imposition of a prison term sanction by a representative of the Parole Board at a Release Violation Hearing. Furthermore, I understand that by admitting to this violation, a confirmation test of the urine sample I submitted will not be conducted. I sign this admission knowingly, voluntarily, and intelligently.

Offender Signature:	Date:
Parole Officer/Witness Signature:	Date:

VOLUNTARILY ADMISSION

Any admission recorded below was given voluntarily and without duress. I, _____, do voluntarily admit to using the substance(s) checked below on or about this date: _____.

- | | |
|--|---|
| <input type="checkbox"/> Marijuana (THC) | <input type="checkbox"/> Amphetamine (AMP) |
| <input type="checkbox"/> Methamphetamine (mAMPH) | <input type="checkbox"/> Benzodiazepine (BZO) |
| <input type="checkbox"/> Cocaine (COC) | <input type="checkbox"/> Opiates (OPI) |
| <input type="checkbox"/> Oxycodone (OXY) | <input type="checkbox"/> Phencyclidine (PCP) |
| <input type="checkbox"/> Barbiturates (BAR) | <input type="checkbox"/> Morphine (MOP) |
| <input type="checkbox"/> Methodone (MTD) | <input type="checkbox"/> Propoxyphene (PPX) |
| <input type="checkbox"/> Methylenedioxymethamphetamine | <input type="checkbox"/> Other: |

Offender Signature:	Date:
Parole Officer/Witness Signature:	Date:

WILLIAMS COUNTY DRUG COURT PROGRAM TREATMENT TEAM

Judge J.T. Stelzer, Chairperson
Drug Court Judge
Williams County Common Pleas Court
One Courthouse Square, 3rd Floor
Bryan, Ohio 43506

Allen Rutter
Executive Director
Shalom Counseling & Mediation Services
108 W. High Street
Bryan, Ohio 43506

Lori Bolton-Sell
Chief Probation Officer
Williams County Adult Probation
One Courthouse Square, 1st Floor
Bryan, OH 43506

Anna Meyers
Social Services Supervisor
Williams County Department of Job and
Family Services
117 W. Butler Street
Bryan, Ohio 43506

Megan Bowser
Recovery Services of Northwest Ohio
200 VanGundy Drive
Bryan, OH 43506

Megan Hall
Social Services Supervisor
Williams County Department of Job &
Family Services
117 W. Butler Street
Bryan, Ohio 43506

Danyel Parker
Registered Nurse
Health Partners
200 VanGundy Drive
Bryan, OH 43506

Lori Geiser
CSEA Supervisor
Williams County Department of Job &
Family Services
117 W. Butler Street
Bryan, Ohio 43506

(Case manager)
Northwest Community Corrections Center
1740 E. Gypsy Lane Road
Bowling Green, Ohio 43402

RULE 32

SPECIALIZED DOCKET Williams County Drug Court Program

The Williams County Court of Common Pleas, as authorized by Rules of Superintendence for the Courts of Ohio Rule 36.02 through Rule 36.28, hereby creates in its criminal division, a specialized docket named the "Williams County Drug Court Program". The Court adopts and incorporates, as Rule 32 of this Court, all policies and procedures of the program set forth in Appendix 16.

32.01 Mission Statement of Drug Court Program. To divert drug and/or alcohol dependent participants in court-monitored treatment, to achieve accountability, and to rehabilitate male and female defendants who have addictions with substances; thereby decreasing criminal activity and the need for incarceration.

32.02 Program Goals. The Williams County Drug Court Program will work with eligible defendants with drug and alcohol addictions to engage them in treatment with close supervision in lieu of processing them through the traditional criminal justice system. The Drug Court shall operate to allow the judiciary, prosecution, bar association, probation, law enforcement, addiction treatment, mental health and social service communities to work together to help non-violent offenders.

The Williams County Drug Court Program has among its additional goals the following:

- a) Consolidation and removal of a class of cases that places significant demands on court resources;
- b) Law enforcement's action in arresting for crimes involving or relating to drug and alcohol abuse being taken seriously, because a drug court program causes offenders to be monitored more closely and squarely places responsibility on the offender to make positive choices or face immediate consequences for not doing so;
- c) Early identification of potential drug court participants resulting in reduced jail population and cost savings to the county; and
- d) Facilitating greater coordination and more effective use of public services for criminal justice cases in the treatment system.

WILLIAMS COUNTY COMMON PLEAS DRUG COURT PROGRAM
PARTICIPANT'S HANDBOOK

Program Overview

What is the Williams County Common Pleas Drug Court?

The Drug Court works within the framework of the existing Common Pleas Court. It is intended to serve a target population and to accomplish specific criminal justice objectives. The program is for persons charged with felonies in the court and who suffer from alcohol and/or other drug addiction(s). The goals of the program are to divert these defendants into court-monitored treatment, achieve accountability, and rehabilitate male and female defendants who have problems with substances, thereby decreasing criminal activity and the need for incarceration. The Drug Court Program provides the defendants with an opportunity to address their substance dependency/addiction issues with support from the judge, probation officers, and their substance abuse counselor. The Drug Court is a highly structured program that requires responsibility and demands accountability. The defendant will be expected to follow specific rules established by the court in an effort to achieve recovery from addiction.

What is the Purpose of the Drug Court?

The purpose of the Drug Court is to empower you through treatment, and provide accountability and responsibility, to assist you in achieving rehabilitation from drug or alcohol addiction.

You have been referred to the Drug Court Program because you have demonstrated symptoms of addiction and are willing to change. This court-supervised substance dependence intervention program involves an approximate 18-month supervision period during which you will progress through each of four (4) phases. It is the court's philosophy that a comprehensive and court-supervised approach to substance abuse treatment will assist you in becoming a responsible and law abiding member of the community. In addition to creating a healthier lifestyle, improving family and social relationships, and living a clean and sober lifestyle, the purpose of this program is to focus on your individual counseling and treatment needs while addressing the issues of safety within the community. The treatment services provided through this program are based on abstinence from all illegal drugs, including "street drugs", unlawfully obtained prescription drugs, and alcohol. The Drug Court Treatment Team will be working to assist you in successfully completing this program. However, whether you do so is based on your dedication to maintain a crime and substance abuse free lifestyle. You

will be offered access to a range of alcohol and drug treatment services, referrals to area local agencies to assist with job skills, housing, education and employment. You will build a relationship with the Drug Court Program team and receive rewards for complying with the programs rules and expectations.

Some of the basic rules and expectations are to abstain from alcohol and drugs, attend the court sessions, attend all appointments with treatment providers and probation officer, comply with the requirements, submit to drug and alcohol testing, comply with any sanctions for not complying with program rules, engage in a sober support community, and refrain from getting new law violations. This handbook details your rights and responsibilities in the Drug Court Program.

ELIGIBILITY CRITERIA

1. Clinical Eligibility Criteria

- The person has been diagnosed as substance dependent and completed a drug/alcohol assessment by a certified license provider.
- The person is able to understand and comply with program requirements.

2. Other Eligibility Criteria

- No physical or mental health issues which might hinder participation in the program. (will be reviewed on a case-by-case basis)
- Must be on supervision in Williams County.
- The participant is open to receiving treatment.
- Judge has the sole discretion to determine admissibility to the Drug Court Program.
- Must be a case assigned to Williams County Common Pleas Court.

3. Legal Criteria

- The person is charged with a pending Williams County felony offense less serious than a felony of the second degree which is not a drug trafficking offense higher than a felony of the fifth degree, a sex offense, a felony OMVI, or has a mandatory prison sentence;
- The person is serving a Community Control Sanctions sentence for which there is a Notice of Violation of Community Control Sanction Sentence pending; or, upon recommendation of Probation Officer, has agreed to participate; or
- The person is sentenced to Drug Court as part of Community Control Sentence, including one imposed through the granting of judicial release.

REFERRAL AND SCREENING

Once you have been before the Drug Court Judge, you will then be referred to meet with the Drug Court Coordinator for screening into the Drug Court Program. Your attorney or probation officer will complete the referral form and provide it to the Drug Court Coordinator. You will need to contact the Drug Court Coordinator as soon as you are finished in court. At the time you meet with your coordinator, you will go over the program requirements and provide some background information. You will also be referred to Recovery Services of Northwest Ohio for a drug and alcohol assessment if you and your attorney have not done so already. Within this time frame you must also complete a presentence investigation which will be provided to the court. The assessment must be completed within two weeks of your court appearance. Failure to complete the assessment in the appropriate time could result in consequences from the judge. In the event that you have any problems obtaining your assessment you will need to notify the Drug Court Coordinator.

ACCEPTANCE INTO THE DRUG COURT PROGRAM

All eligibility information is to be reviewed by the Drug Court Treatment Team. ***Written legal and clinical eligibility and termination criteria do not create a right to participate in the drug court program.*** The judge has the final decision regarding your entrance into the Drug Court Program based on the written eligibility criteria. At sentencing/and or your first hearing before the judge, you will sign the participation agreement and also be placed on Community Control (supervision, including Intervention in Lieu and Diversion). In addition to complying with the Drug Court Program, you will also be required to comply with the following additional conditions:

- No new law violations.
- Report all contact with law enforcement.
- Must remain in the State Of Ohio.
- No firearms or weapons.
- Report as directed.
- Random urine screens.
- Submit to searches.
- No change in address without prior permission.
- No controlled substances.
- Obtain permission from Supervising Officer before filling prescriptions.
- No alcohol, no entrance into bars.
- Must abide by a curfew.
- Must obtain GED and be employed.

- The participant must seek counseling where appropriate.
- The participants may be subject to house arrest and perform community service.
- Participants may not associate with any individuals on parole, probation, PRC, Community Control or known drug users or sellers.

Once you have been accepted into the Drug Court Program, you will be required to fill out additional paperwork for the docket court. You will also be assigned a probation officer to whom you will report.

The following is a list of basic treatment services provided to you from Recovery Services of Northwest Ohio and other agencies:

Early Recovery Skills Group: This group is designed for clients who are new to recovery and focus on basic skill building. It provides extra tutoring in how to stop using alcohol and drugs. The purpose of the group is the following: 1) teach cognitive skills on how to reduce cravings, 2) teach the nature of classically-conditioned cravings, 3) teach how to schedule your time, 4) teach the need to discontinue the use of secondary substance and 5) to connect clients with community support services to broaden their recovery network to build a successful recovery. Criteria for admission include: tested positive for a substance in the past 30 days; limited vision of recovery and sober support network; recently discharged from residential care of the jail/prison-limited time and experience in applying newly learned skills in the community.

Relapse Prevention Group: This group is designed with the focus of helping clients STAY in sobriety. The purpose of this group is to provide a setting where information about relapse and long term sobriety can be learned and shared. The following are areas that are focused on: 1) behavioral change and putting energy into developing a sober lifestyle, 2) changing the client's cognitive/affective orientation and working with them on developing healthy relationships and communication, 3) connecting clients to sober support networks and utilizing resources that will assist them in staying sober long term. Criteria for admission include: period of abstinence (6-10 weeks), has a vision of recovery and has been able to implement some skills in an outpatient setting – worked on application of skills in daily life, has initiated a sober support network, struggled with a “lapse” or “slip.”

Aftercare: This group is a voluntary group designed for clients who have been able to maintain a level of sober and clean time, however feel as though the group process and support is beneficial to them in achieving long term recovery. These individuals recognize that recovery is a process and continued support is beneficial. Criteria for admission include: negative drug screens in the past three months or more,

implementing and engaging in a recovery lifestyle, may continue to experience ongoing concerns with family/friends/occupation/any sobriety threatening concerns.

Outpatient Services: These services include ongoing individual and group counseling sessions for as long as the treatment team and court deems necessary. Since they are an integrated behavioral health provider, a wide range of ongoing outpatient services can be provided for Drug Court participants, including AoD counseling, mental health assessment and counseling, dual diagnosis (MH/AoD) services, psychiatric services, case management, and crisis intervention.

Correctional Counseling: including Character Development, How to Escape Your Prison, and Relapse Prevention: This program is designed to provide the necessary tools to start a new life. It addresses beliefs, attitudes and behaviors, reinforces positive behavior and habits. It focuses on positive identity formation and enhancement of self-concept while decreasing hedonism. It helps in development of frustration tolerance, and development of higher stages of moral reasoning - all positive attributes that lead to better living.

In addition to the above services, you may be referred for other services to assist you in your recovery such as: vocational or educational training, employment services, parenting classes, physical, mental and/or health services.

WHO IS THE DRUG COURT TEAM?

Judge

The judge is the leader of the team. He is the ultimate decision maker concerning, incentives, sanctions, phase advancement as well as admission, termination, or successful completion of the program. The judge discusses the progress of the participant at the Status Review Hearings. The judge has the discretion to decide on who participates in the Drug Court Program and that legal, clinical, and other criteria do not create the right to enter into the Drug Court. He is here to support you with your recovery and will discuss your progress at the Status Review Hearings.

Probation Officer

The Probation Officer monitors the compliance with supervision plans and the Court Treatment Plan; he/she conducts random alcohol/drug screening and reports all tests to the Drug Court Treatment Team; he/she monitors sanctions; performs home visits; attends the Drug Court Treatment Team Meetings and Status Review Hearings; provides the Drug Court Treatment Team progress reports and recommendations to the

Drug Court Treatment Team; advises of any violations; advises the Drug Court Treatment Team whether the participant is following treatment plans, Court Case Plans and Court Orders; participates in discussions around incentives, sanctions, phase advancement, successful completion, and termination. A Probation Officer further assists the participant with case management services regarding additional needs. He/she is also here to support and assist your recovery.

Treatment Providers

The Drug Court Treatment providers must be certified through the Ohio Department of Drug and Alcohol Addiction and trained to deliver appropriate services to the participants. The treatment provider is the participant's counselor/therapist. The treatment provider conducts diagnostic assessments, provides clinical diagnosis, develops the treatment plan, provides written documentation to the court prior to the Drug Court Treatment Team meeting regarding the participant's progress in treatment and compliance with the treatment plans, including attendance and urine test results, attends Drug Court Treatment Team Meetings and Status Review Hearings giving treatment updates and making recommendations regarding treatment needs, and participates in the discussions regarding incentives, sanctions, phase advancement, successful completion, and termination from the program. It should be noted that the treatment team may consider the treatment plan and diagnosis but is not obligated to follow them. They are also here to support and assist your recovery.

Prosecutor

The prosecutor's distinct role is in pursuing justice and protecting public safety and victims' rights. The prosecutor may play an active role on the Drug Court Advisory Committee and can provide input into the acceptance of a participant in the Drug Court Program. As the docket is primarily post-conviction, he will not participate in treatment team meetings.

Defense Attorney

Defense counsel's primary role is to preserve the constitutional rights of the participant as a member of the Advisory Committee. The attorney will be explaining what rights are waived by entering the program, possible sanctions the participant may receive, the circumstances that may lead to termination, and the effects of termination. The attorney will assist with the decision-making regarding the participant's entry in the Drug Court Program. They will also be a referral source for the program. The participant's personal

defense counsel may take part at the request of the participant in the portion of the treatment team meeting concerning the participant.

Other members may include, but are not limited to: Job and Family Services, Child Support Enforcement Agency, and local law enforcement, depending on each individual's case.

STATUS REVIEW HEARINGS

The status review hearing is a way for the judge to meet with you and the treatment team to discuss your compliance with the program. The judge will give you an explanation of responses to compliance and noncompliance, as well as the criteria for termination. You will be meeting with the same judge in a group setting with other participants in addition to the treatment team. The review hearing will be more frequent when you first enter into the Drug Court Program and will be decreased over time as you do well. These review hearings must be attended and you must be on time. If you miss a review hearing, a sanction will be given and/or a warrant depending on the severity. You will be required, as well as other parties involved, to sign waivers and consent forms to discuss your progress in open court.

DRUG COURT PROCESS

The length of your Drug Court Phases is dependent upon your behavior and performance in the treatment plan. There are no guaranteed timelines to complete the phases of the Drug Court.

You will progress through each phase of treatment as determined by your needs and your participation in the treatment and supervision process. Passing through the phases will be from restrictive to least restrictive. You may initially enter into either a Residential Substance Abuse Counseling facility or receive Outpatient Counseling, or you may have been in a Community Based Correctional Facility. You may, in addition, to the above, attend individual sessions with your counselors, attend gender-specific programs, attend family therapy, receive medication and medication monitoring, receive mental health counseling, and case management. You may also be referred to other agencies to assist you with additional needs you may have such as employment, education, and housing. Please note that the referrals are based on your needs or recommendations from the Drug Court Treatment Team. There are specific goals and requirements within each phase, which must be successfully completed in order to ultimately satisfy all Drug Court requirements. You will be monitored by following the check list for each phase.

Orientation Phase:

During this phase you will meet with the Drug Court Coordinator. During this time frame releases of information will be signed to the treatment agencies you are attending and to any other places you attend for assistance. You will also go over the requirements of Drug Court and sign any other additional paperwork for your case. You will be given the dates of the Status Review hearings (two per month). During your first Status Review you will be introduced to team members and begin to engage in the treatment plan process if not already done. You will also review the Court Case Plan for each phase. This phase will last a minimum of two weeks. In order to move on to the next phase the participant will have to complete the following:

- Have participated in drug/alcohol treatment.
- Written recommendation by providers.
- Recommendation by Treatment Team.
- Completed any assignments given.
- Provide a drug screen.
- No sanctions for two weeks.
- No new convictions.
- Make an application for next phase as directed.

Phase I:

You may be placed in a Residential Treatment facility, a Community Based Correctional Facility (CBCF), and/or a half-way house during Phase I of the Drug Court Program. Residential treatment provides comprehensive alcohol/drug use monitoring and treatment. This holistic approach is based on your individual counseling needs and addresses sobriety, family reintegration, educational needs, and employment. The estimated length of residential placement is based on your progress and focus on treatment as well as recommendations from your counselor. Many residential programs, such as a CBCF, are up to six months long and have requirements to attend their aftercare program. Some programs may have a minimum stay of thirty (30) days. You will be required to attend all status review hearings (two per month), attend all treatment sessions, attend all appointments with your Probation Officer, comply with all conditions of supervision, attend sober support meetings, provide daily urine screens, and follow through on all other referrals made. After successful completion, you will advance to the next phase and continue to participate in the program until completion of all Drug Court Program requirements.

You will begin the Drug Court Program by engaging in outpatient counseling. Outpatient counseling involves an individualized treatment program designed to address substance abuse treatment needs, psychological, social, medical, employment, and family issues. Outpatient counseling typically involves individual counseling, and/or intensive outpatient treatment, and/or group counseling, along with community support groups. The specific requirements of counseling vary from individual to individual and will be determined by your counselor. You will be required to attend all status review hearings, attend all treatment sessions, attend all appointments with your Probation Officer, comply with all conditions of supervision, attend sober support meetings, provide daily urine screens and follow through on all other referrals made. The actual length of outpatient counseling is determined by your progress through the treatment process as well as recommendations from the counselor, court and the probation officer. After successful completion, you will advance to the next phase and continue to participate in the program until completion of all Drug Court Program requirements.

Phase I will last a minimum of 16 weeks. This is an approximate figure again based on your motivation and progress in treatment. In order to move on to the next phase these items need to be completed:

- Engaged in drug/alcohol treatment and actively participated.
- Written recommendation by providers.
- Recommendation by Treatment Team.
- Completion of any assignments given.
- Attending 12-step meeting or support groups (other support groups must be approved).
- Negative drug screens for 16 weeks.
- No sanctions in past 4 weeks.
- No new convictions in past 90 days.
- May have satisfactory home visits with probation officer.
- Make an application for next phase as directed.

Phase II:

Relapse prevention and aftercare counseling services are provided in outpatient treatment or individual counseling during Phase II. The specific requirements of aftercare counseling vary from individual to individual and will be determined by your counselor and your probation officer. You will be required to attend all status review hearings (two per month), attend all treatment sessions, attend all appointments with your Probation Officer, comply with all conditions of supervision, attend sober support meetings, provide random urine screens, and follow through on all other referrals made.

After successful completion, you will advance to the next phase and continue to participate in the program until completion of all Drug Court Program requirements.

Phase II will last a minimum of twelve weeks. This is an approximate figure again based on your motivation and progress in treatment. In order to move on to the next these items need to be completed:

- Participated in Phase II for a minimum of 16 weeks.
- Written recommendation by providers.
- Recommendation by Treatment Team.
- Completion any assignments given.
- Attending 12-step or supportive groups (other support groups must be approved).
- Negative drug screens for 112 days.
- No sanctions for past 8 weeks.
- No new convictions in past 180 days.
- May have satisfactory home visits with probation officer.
- Make application for next phase as directed.
- Be able to identify criminal thinking errors.

Phase III:

This is the last phase of the Drug Court Program. When you reach this phase you have put a lot of hard work into your recovery. You have faithfully complied with all requirements of the court and treatment. You are working towards graduation from the program. At this point you may be finishing treatment, have maintained sobriety, finished community service, have obtained a sponsor, are active in sober support meetings, have displayed decreased criminal thinking errors, maintained consistent employment, displayed positive thinking and attitudes, maintained twelve months sobriety, and most importantly taken responsibility for your behaviors. You will have paid your costs, fines, restitution (if applicable) and treatment costs. You will also be required to write an essay and present it to the court outlining your recovery and requesting to graduate. You will attend Status Review hearings one time per month.

Phase III will last a minimum of twelve weeks. This is an approximate figure again based on your motivation and progress in treatment. In order to graduate these items need to be completed:

- Participated in Phase II for a minimum of 16 weeks.
- Written recommendation by providers.
- Recommendation by Treatment Team.

- Completion of any assignments given.
- Attending 12-step meetings and has sponsor or other approved support system.
- Negative drug screens for 180 days.
- No sanctions for past 12 weeks.
- No new convictions in past 180 days.
- May have satisfactory home visits with probation officer.
- Provide court with relapse prevention plan and list of supports.
- Pay all court obligations in full.
- Make application for graduation by completing an essay.
- Exhibited responsibility for behaviors.
- Demonstrates the ability to identify and eliminate criminal thinking errors.
- Completed exit survey

Continuum of Sanctions and Rewards

In order to assist and encourage you to maintain compliance with program rules and expectations, a variety of consequences for failing to comply have been established by the court. Sanctions are ordered as a result of your failure to comply and rewards are given as a result of individuals meeting and exceeding those expectations set forth by the court. Sanctions and rewards can be applied at the discretion of the court based on your participation and performance in the Drug Court Program.

Rewards for positive behavior changes (including but not limited to):

When you comply with the conditions of the Drug Court Program, such as attend all court appearances, attend all treatment appointments, abstain from alcohol/drugs, appear for all your drug tests you will be rewarded for your hard work and encouraged to continue that hard work. Some examples of the rewards are as follows and are not inclusive:

- Words of encouragement and acknowledgement of positive progress;
- Reduction of curfew;
- Permission to travel with family;
- Decreasing number of office visits;
- Decreasing number of urine tests;
- Removal of sanctions that were previously ordered;
- Reduction in the probation term;
- Graduation to next phase;
- Graduation from drug court;
- Decrease in status review hearings; and/or

- Suspension or reduction jail or prison time.

Sanctions for negative behavior (including but not limited to):

Sanctions are given in order to reduce the negative behaviors that you may exhibit. All sanctions are immediate and graduated. You can receive sanctions for not attending status review hearings, treatment, office visits with your officer, using alcohol/drugs, diluting your drug tests, not providing a drug test, not following the rules, and not changing your behavior, as well as receiving new charges. Some examples of the sanctions are as follows and are not inclusive:

- Verbal warnings and caution from the judge;
- Placed back on an earlier phase;
- Increase in alcohol and drug testing;
- Increase court appearances;
- Refusing specific requests;
- Decreasing special privileges;
- Community Service;
- Curfew;
- Increased periods of jail time or home detention;
- Filing of a Community Control Violation; and/or
- Termination from Drug Court Program.

****All sanctions and rewards are individualized****

UNSUCCESSFUL TERMINATION

Common behaviors that can lead to unsuccessful termination include, but are not limited to, the following:

- On-going non-compliance with treatment;
- Resistance to treatment;
- New serious criminal conviction;
- A serious Drug Court Program violation or series of violations; and/or
- A serious Community Control violation or a series of Community Control violations.

The negative consequences of a termination include:

- Loss of future eligibility for the Drug Court Program;

- Further legal action including Notice of Violation; and/or
- Depending on the circumstances, you may be subject to prison, jail or other penalties.

The judge has the sole discretion to decide termination from the Drug Court Program in accordance with the written eligibility criteria for the docket.

DRUG TESTING

During your placement in the Drug Court Program you will be required to submit to drug screens. Drug screens will be individualized, frequent, observed, and random. All drug tests will be direct observation collections. You may be drug tested by several departments, including probation, or Recovery Services of Northwest Ohio. The type of testing, such as urine, saliva, blood, or breath, is subject to each department and their policies and procedures for drug testing the participant. You may at any time receive a call from a probation officer or representative of the treatment team advising you of instructions on where to report for a drug screen. You may be placed on a random, color-coded drug screening program. If you are late for a test or miss a test, it will be considered a positive test for drugs/alcohol and you will be immediately sanctioned. If you refuse to submit to a drug test, it will be reported as a refusal to test and considered positive. Again, you will be sanctioned. You must provide a sample which is negative for all drugs or you will be immediately sanctioned. If you fail to produce a specimen or if the sample provided is not of sufficient quantity, it will be considered as a positive test for drugs/alcohol and you will be immediately sanctioned. You will be allowed to provide only one (1) urine sample for analysis. If you are unable to provide a test sample within two hours of signing in, it will also be considered a positive test. If you fail to submit to testing, submit an adulterated sample, submit the sample of another individual, or dilute the sample; it will be treated as a positive test and will result in immediate sanctioning and may be grounds for revocation from the Drug Court Program. The judge will be informed of all test results as well as treatment team members. The judge will reinforce the sanctions. It should be noted that you may not take some over the counter medications as well.

If you contest a positive urine screen, it may be sent to the lab for confirmation.

You understand that it is your responsibility to inform all treating physicians of your recovery from drugs/alcohol before you are given an addictive medication. Only under limited circumstances, if a doctor believes that it is necessary to prescribe the medication such as narcotic pain medication or any other medication that will yield a positive urine screen, the physician must submit a letter to the Drug Court Coordinator

stating that he/she is aware of your status as a recovering addict/alcoholic and the need for this medication outweighs the risks. You **MUST** have a letter **PRIOR** to taking any medication that will cause a positive screen. If you test positive and do not have a letter from your doctor, you will be sanctioned immediately.

In cases of emergency room care, all emergency room orders and discharge information will be made available to the Drug Court Coordinator no more than seven (7) days upon release from the hospital and all prescription will have to be cleared by a primary care physician to continue taking the medications without sanctions. A pattern of visits to the emergency room for ailments that require opiate treatment may be brought back before the court at the discretion of the Drug Court Treatment Team.

All participants will receive a baseline urine test at intake. The results of the test will not result in a sanction. Relapses will be addressed through the treatment provider to verify if the use is a continued use, or a relapse. You will be reassessed and be placed in the appropriate level of care to address the positive screen and to re-engage or re-stabilize you. The treatment provider as well as the Drug Court Treatment Team will be notified of the positive drug screen. Sanctions for the relapse will be: increased Status Review hearings, homework assignments pertaining to relapse/use, increased office visits, and possibly jail.

CONFIDENTIALITY

Due to the nature of information that will be shared by participants within group counseling settings and the Drug Court sessions, it is imperative that participants maintain confidentiality of the information shared by other participants. You are also required to comply with confidentiality rules established by your counselor and/or treatment facility. Generally, this means that you are not to discuss any information acquired during a group counseling session with other persons. Failing to abide by the confidentiality guidelines could result in your termination from the Drug Court Program.

SUCCESSFUL TERMINATION

What does successful completion of the Drug Court Program mean to you? Upon successful completion of all requirements, including payment of restitution, court costs, and probation supervision fees, the charge(s) or the Notice of Violation pending against you will be dismissed (after you have provided twelve months of clean drug screens) or you will be released from Community Control earlier than normal.

What does successful completion of the Drug Court Program mean to your family and community? You will be better able to provide for your family, serve as a role model for your children and others, and contribute to the welfare and good of the community by leading a productive and law-abiding life.

RECEIVED:

WITNESS:

Printed Name of Participant

Title of Witness

Signature of Participant

Signature of Witness

APPENDIX I

SPECIALIZED DOCKET STANDARDS

Overview.

The following standards are established to guide courts of common pleas, municipal courts, and county courts and divisions of these courts in the planning and implementation of all specialized dockets. The standards set forth minimum requirements for the certification and operation of all specialized dockets. Accompanying the standards are recommended practices that each specialized docket is encouraged to follow. While the standards seek to create a minimum level of uniform practices for specialized dockets, they still allow local specialized dockets to innovate and tailor their specialized docket to respond to local needs and resources.

Standard 1. Planning Process.

A specialized docket shall utilize a comprehensive and collaborative planning process that results in all of the following:

- (A) An agreement among relevant parties setting forth the terms of the specialized docket operations. Relevant parties may include, but are not limited to, the specialized docket judge; the court; the prosecutor; defense counsel; licensed treatment providers; children services for family dependency treatment dockets; and, for criminal and juvenile specialized dockets, the probation department, the parole authority, and law enforcement agencies.
- (B) An advisory committee and a treatment team. The specialized docket judge shall attend and chair advisory committee and treatment team meetings.
- (C) A program description that contains written policies and procedures defining the goals and objectives for the specialized docket, identifying the target population, detailing program entry and case flow, and providing written roles and responsibilities of each treatment team member;
- (D) A written participation agreement and participant handbook detailing the rights and responsibilities of participants in the specialized docket.

Recommended Practices

(A) Advisory committee

- (1) An advisory committee should be comprised of key officials and policymakers to provide input on specialized docket policies and operations and to communicate regularly with local officials.

(2) An advisory committee should typically take three to six months to plan and prepare for implementation of a specialized docket. This amount of time allows for a cohesive team to effectively and collaboratively reach consensus on the variety of issues inherent in the implementation of a specialized docket.

(3) An advisory committee should develop a written agreement or memorandum of understanding setting forth the terms of a specialized docket and the responsibilities of relevant parties to specialized docket operations.

(B) Treatment team members

A treatment team is responsible for implementing daily operations of a specialized docket. In addition to the specialized docket judge, the treatment team may include, but is not limited to, the following members:

- (1) Probation officers;
- (2) Parole officers;
- (3) Licensed treatment providers;
- (4) A prosecutor;
- (5) Defense counsel;
- (6) A specialized docket program coordinator;
- (7) Case managers;
- (8) Law enforcement personnel;
- (9) Jail, prison, or juvenile detention personnel;
- (10) Children services personnel;
- (11) Representatives of other community-based stakeholders.

(C) Membership term

For consistency and stability in specialized docket operations, treatment team members should serve on the treatment team for a minimum of one year.

(D) Community outreach

A treatment team should work with local community members to ensure the best interests of the community are considered. Treatment team members should engage in community outreach activities to build partnerships that will improve outcomes and support specialized docket sustainability. The advisory committee should develop and regularly review a community outreach and education plan.

(E) Sustainability plan

An advisory committee should develop and annually review a written sustainability plan.

Standard 2. Non-Adversarial Approach.

A specialized docket shall incorporate a non-adversarial approach while recognizing all of the following:

- (A) A prosecutor's distinct role in pursuing justice and protecting public safety and victim's rights;
- (B) A defense counsel's distinct role in preserving the constitutional rights of the specialized docket participant;
- (C) The participant's right to request the attendance of defense counsel during the portion of a specialized docket treatment team meeting concerning the participant;
- (D) A participant's right to a detailed, written participation agreement and participant handbook outlining the requirements and process of the specialized docket.

Recommended Practices

For consistency in the non-adversarial approach, prosecutors and defense counsel should be trained in specialized docket processes.

Standard 3. Legal and Clinical Eligibility and Termination.

(A) Criteria

A specialized docket shall have written legal and clinical eligibility, completion, termination, and neutral discharge criteria that have been collaboratively developed, reviewed, and agreed upon by the relevant parties identified in Standard 1(A) of these standards.

(B) Decision on admission or termination

A specialized docket judge shall have discretion to decide the admission into and termination from a specialized docket in accordance with the written criteria for the specialized docket.

(C) No right to participate

The written legal and clinical eligibility and termination criteria do not create a right to participation in a specialized docket.

Recommended Practices

(A) Legal eligibility screening

A specialized docket should have legal eligibility screening based on established written criteria.

(B) Eligibility criteria factors

In developing eligibility criteria, an advisory committee should take into consideration all of the following factors:

- (1) A process to consider the inclusion of eligible repeat and high-risk participants;
- (2) A provision to evaluate mitigating and aggravating circumstances of current or prior court involvement;
- (3) Careful examination of the circumstances of prior juvenile adjudications and the age of the participant at the time of the offense;
- (4) The age of prior disqualifying offenses;
- (5) A forensic assessment to determine if the individual is legally competent to participate in the specialized docket program, should the mental health competence of the individual be in question.

(C) Unsuccessful termination and neutral discharge

As part of the written termination criteria, a specialized docket should have clear policies regarding unsuccessful termination and neutral discharge.

Standard 4. Assessment and Referral.

A specialized docket shall promptly assess individuals and refer them to the appropriate services. The assessment and referral shall meet all of the following requirements:

- (A) All chemical dependency, mental health, and other programming assessments shall include available collateral information to ensure the accuracy of the assessment;
- (B) The participant or the participant's guardian shall complete a release of information form to provide for communication about confidential information, participation/progress in treatment, and compliance with the provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," 42 U.S.C. 300gg-42, as amended, and R.C. 2151.421 and 2152.99;
- (C) Participants shall be placed as soon as possible in appropriate treatment services and programs and under reporting supervision to monitor compliance with court requirements;

(D) All screenings and assessments for treatment determinations shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession.

Recommended Practices

A treatment team should consider, but is not obligated to follow, clinical assessments or treatment recommendations.

Standard 5. Individualized Needs and Evidence-Based Practices.

A specialized docket shall have a plan to provide services that meet the individualized needs of each participant and incorporate evidence-based strategies for the participant population. Such plans shall take into consideration services that are gender-responsive and culturally appropriate and that effectively address co-occurring disorders.

Recommended Practices

(A) Appropriateness and clinical necessity of case plans and services

Case plans and services should be appropriate and clinically necessary to the degree that available resources allow.

(B) Ancillary services

Ancillary services should include all of the following:

- (1) Education;
- (2) Vocational training;
- (3) Employment;
- (4) Transportation;
- (5) Housing;
- (6) Domestic violence programming;
- (7) Physical, mental, and dental health.

Standard 6. Participant Monitoring.

A specialized docket shall monitor each participant's performance and progress and incorporate all of the following:

- (A) Regular treatment team meetings prior to the status review hearings;
- (B) Status review hearings, as established by Standard 7 of these standards;
- (C) Ongoing communication among the treatment team members, including frequent exchanges of timely and accurate information about the participant's overall performance;
- (D) Progression through the specialized docket based upon the participant's performance in the treatment plan and compliance with requirements of the specialized docket phases. A participant's progress through the specialized docket phases is not to be based solely upon preset timelines.
- (E) Explanation to the participant of responses to compliance and noncompliance, including criteria for termination.

Recommended Practices

(A) Appearance at single court session

Having a significant number of specialized docket participants appear at a single court session gives the opportunity to educate the participant as to the benefits of court compliance and consequences for noncompliance.

(B) Sharing of decision making and conflict resolution

Mechanisms for sharing decision making and resolving conflicts among treatment team members should be established, emphasizing professional integrity, confidentiality, and accountability.

Standard 7. Status Review Hearings.

(A) Ongoing judicial interaction

A specialized docket shall incorporate ongoing judicial interaction with each participant as an essential component of the docket.

(B) Appearance before specialized docket judge

(1) At a minimum, a specialized docket participant shall appear before the specialized docket judge at least twice monthly during the initial phase of the specialized docket.

(2) Thereafter, a specialized docket participant shall regularly appear before the specialized docket judge to review the participant's progress through the specialized docket.

Recommended Practices

(A) Appearances before specialized docket judge during initial phase

A specialized docket participant should appear weekly before the specialized docket judge during the initial phase of the specialized docket and, thereafter, at least monthly. Frequent status review hearings establish and reinforce the specialized docket's policies and ensure effective supervision of the participant.

(B) Judicial knowledge of treatment and programming methods

The specialized docket judge should be knowledgeable about treatment and programming methods and their limitations.

(C) Hearings before the same specialized docket judge

Hearings should be before the same specialized docket judge for the length of each participant's time in the specialized docket.

Standard 8. Substance Monitoring.

A specialized docket shall monitor a specialized docket participant's substance use by random, frequent, and observed alcohol and other drug testing protocols which include all of the following:

(A) Written policies and procedures for sample collection, sample analysis, and result reporting. The testing policies and procedures shall address elements that contribute to the reliability and validity of the testing process.

(B) Individualized drug and alcohol testing plans. All testing shall be random, frequent, and observed.

(C) Clearly established plans for addressing a participant who tests positive at intake or who relapses. The plans shall include treatment guidelines and sanctions, when appropriate, that are enforced and reinforced by the specialized docket judge.

(D) Immediate notification of the court when the participant tests positive, fails to submit to testing, submits an adulterated sample or the sample of another individual, or dilutes the sample. Failure to submit to testing, submitting an adulterated sample or the sample of another individual, or diluting the sample shall be treated as positive tests and immediately sanctioned.

(E) Testing sufficient to include the participant's primary substance of dependence, as well as a sufficient range of other common substances.

Recommended Practice

When testing for alcohol, specialized dockets should strongly consider devices worn by the specialized docket participant, portable breath tests, saliva tests, and the use of scientifically validated technology used to detect ethyl alcohol.

Standard 9. Treatment and other Rehabilitation Services.

(A) Prompt access

A specialized docket shall provide prompt access to a continuum of approved treatment and other rehabilitation services.

(B) Treatment plan and activities record

A specialized docket shall maintain a current treatment plan and record of activities.

(C) Licensing and training

All required treatment and programming shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of their profession.

Recommended Practices

(A) Treatment team knowledge

Treatment team members should make reasonable efforts to observe all required specialized docket service provider programs to gain confidence in the services provided and to better understand the treatment and programming process.

(B) Separate tracks for specialized docket participants

Whenever possible, service providers should have separate tracks for specialized docket participants.

Standard 10. Incentives and Sanctions.

Immediate, graduated, and individualized incentives and sanctions shall govern the responses of a specialized docket to a specialized docket participant's compliance or noncompliance.

Recommended Practices

(A) Adjustment in treatment services

Adjustment in treatment services, as well as participation in community-based mutual support meetings, should be based upon the clinically informed interests of the participant.

(B) Revision of time between status review hearings

Time between status review hearings should be increased or decreased based upon compliance with treatment protocols and progress observed.

(C) Incentives for compliance

Incentives for a specialized docket participant's compliance vary in intensity and may include, but are not limited to, the following:

- (1) Encouragement and praise from the specialized docket judge;
- (2) Ceremonies and tokens of progress, including advancement in specialized docket phases;
- (3) Reduced supervision contacts;
- (4) Decreased frequency of court appearances;
- (5) Reduced fines or fees;
- (6) Increased or expanded privileges;
- (7) Encouragement to increase participation in positive activities the participant finds pleasurable, such as writing, art work, or other positive hobbies;
- (8) Gifts of inspirational items, including books, pictures, and framed quotes;
- (9) Assistance with purchasing clothing for job interviews;
- (10) Gift cards for restaurants, movie theaters, recreational activities, or personal care services;
- (11) Gifts of small personal care items, hobby or pet supplies, plants, or small household items;
- (12) Dismissal of criminal charges or a reduction in the term of probation;
- (13) Reduced or suspended jail, prison, or juvenile detention days;
- (14) Graduation from the specialized docket.

(D) Sanctions for noncompliance

Sanctions for a specialized docket participant's noncompliance vary in intensity and may include, but are not limited to, the following:

- (1) Warnings and admonishment from the specialized docket judge;

- (2) Demotion to an earlier specialized docket phase;
- (3) Increased frequency of drug or alcohol testing and court appearances;
- (4) Refusal of specific requests, such as permission to travel;
- (5) Denial of additional or expanded privileges or rescinding privileges previously granted;
- (6) Increased supervision contacts and monitoring;
- (7) Individualized sanctions, such as writing essays, reading books, or performing other activities to reflect upon unacceptable behavior;
- (8) Imposition of suspended fines and costs;
- (9) Community service or work programs;
- (10) Jail or out-of-home placement, including detention for juveniles;
- (11) Community control or probation violation;
- (12) Termination from the specialized docket.

Standard 11. Professional Education.

A specialized docket shall assure continuing interdisciplinary education of treatment team members to promote effective specialized docket planning, implementation, and operations.

Recommended Practices

(A) Continuing education plan

A specialized docket should establish and maintain a viable continuing education plan for specialized docket personnel.

(B) Assessments and reviews

At a minimum of once every two years, a specialized docket should assess specialized docket team functionality, review all policies and procedures, and assess the overall functionality of the specialized docket.

(C) Treatment team member transition

A specialized docket should plan for the transition of a treatment team member and provide sufficient training and program documentation for new treatment team members.

(D) Mentor courts

A specialized docket should identify and build a relationship with a mentor court of its specific model.

(E) **Observation of other specialized dockets**

A specialized docket should regularly observe other specialized dockets.

(F) **Ohio Specialized Dockets Practitioner Network**

Specialized docket personnel should participate in the Ohio Specialized Dockets Practitioner Network by attending sub-network meetings, trainings, and the annual conference.

Standard 12. Effectiveness Evaluation.

A specialized docket judge shall evaluate the effectiveness of the specialized docket by doing each of the following:

(A) Reporting data as required by the Supreme Court, including information to assess compliance with these standards;

(B) Engaging in on-going data collection in order to evaluate whether the specialized docket is meeting its goals and objectives.

Recommended Practices

To evaluate effectiveness, a specialized docket judge should establish a formal data collection plan. The plan should identify who is collecting the data, how the data is collected, and the time frames for conducting program reviews based on the data. Treatment team members should provide data. The specialized docket should develop policies concerning protection of confidential information and identities when collecting data.