

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

FILED

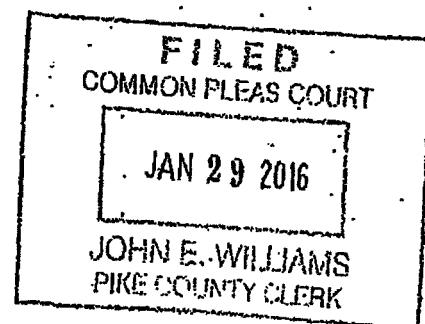
JUL 15 2019

RE: LOCAL RULE OF COURT RE: FAMILY FILES

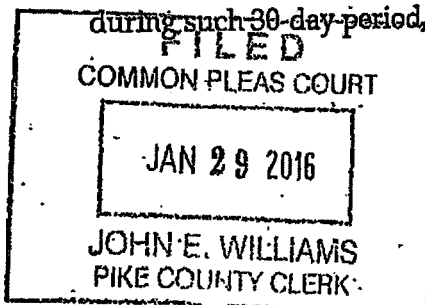
CLERK OF COURT  
SUPREME COURT OF OHIO


Pursuant to Article IV, Section 5(B), of the Constitution of the State of Ohio, and Rule 5 of the Rules of Superintendence For The Courts of Ohio, the following Local Rule of Practice is hereby adopted for the Court of Common Pleas, Pike County, Ohio, General Division:

- A. Documents filed in any domestic relations case containing sensitive personal information shall be kept in a "family file" separate from the public case file otherwise maintained by the Clerk of Courts. The family file shall be maintained by the Clerk of Courts in such manner and in such location as the Clerk deems appropriate.
- B. The family file shall contain items as follows:
1. Financial records and financial disclosure statements regarding property, debts, taxes, income and expenses, including collateral source documents attached to or filed with records and statements, including, but not limited to, income tax returns;
  2. Health care documents, including, but not limited to, physical health reports, psychological assessments and any other mental health or counseling documents;
  3. Drug and alcohol assessments, screens and reports;
  4. Guardian *ad litem* reports, including collateral source documents attached to or filed with the reports;
  5. Home studies, including collateral source documents attached to or filed with the studies;
  6. Custody evaluations, including collateral source documents attached to or filed with the evaluations;
  7. Domestic violence assessments, reports and screens;
  8. Supervised parenting time/companionship/visitation records and reports;
  9. Genetic testing results;
  10. Asset appraisals/valuations;
  11. Other items as directed by the Court.



- C. Upon motion of any party or upon the Court's own motion, other documents containing sensitive personal information may be ordered to be maintained in the family file. If there are documents which are to be filed in the public case file containing social security numbers or any other individual personal identifiers, the same shall be redacted on those documents in the public case file.
- D. The public case file shall contain, in place of the document contained in the family file, a Notice of Filing prepared by the Clerk reflecting the filing of the document maintained in the family file and the date thereof.
- E. Contents of the family file may be inspected by the parties, an attorney for the parties or a Guardian *ad litem* upon request filed with the Clerk. A prescribed form will be made available for that purpose.
- F. Inspection of family files may be permitted by others upon motion to the Court and for good cause shown. A prescribed form will be made available for that purpose. Authorized viewers may take notes while reviewing confidential reports and documents, but they are strictly prohibited from copying those documents, distributing them or showing them to unauthorized individuals, or from removing them from the Courthouse. Upon completing a review of the family file, these documents are to be returned immediately to the Court or to the designated Deputy Clerk.
- G. Notwithstanding the provisions of this rule, the Court may order certain confidential documents to be filed under seal by the Clerk. Said documents would not be assessable to any person without permission of the Court.
- H. The Court hereby determines that there is an immediate need for this Rule in order to provide for appropriate filing and handling of sensitive personal information in domestic relations cases, and this Rule is therefore adopted immediately, and shall be effective as of February 1, 2016. The Clerk of Courts is directed to post a copy of this Rule for a period thirty (30) consecutive days, commencing February 1, 2016, at the following locations: at the office of the Assignment Commissioner of the Court of Common Pleas, General Division, Pike County, Ohio, and at the office of the Clerk of Courts, Pike County, Ohio (legal department); and the Clerk of Courts is further directed to furnish a copy of this Rule forthwith to attorneys at law who maintain offices in Pike County, Ohio, by ordinary U.S. Mail or by placing a copy hereof in said attorneys' mail boxes in the office of the Pike County Clerk of Courts. Comments concerning this Rule may be made in writing to the Court of Common Pleas, Pike County, Ohio, General Division, Pike County Court House, Waverly, Ohio 45690, during such 30-day period, ending March 2, 2016.



  
RANDY D. DEERING, JUDGE

01-29-2016

# COURT OF COMMON PLEAS, PIKE COUNTY, OHIO

**RE: LOCAL RULE AND ORDER OF THE COURT ESTABLISHING THE PROCEDURE FOR PROCESSING APPLICATIONS FOR CERTIFICATES OF QUALIFICATION FOR EMPLOYMENT ("CQE") FILED PURSUANT TO SECTION 2953.25 OF THE OHIO REVISED CODE AND ADMINISTRATIVE RULE 5120-15-01 ESTABLISHED BY THE OHIO DEPARTMENT OF REHABILITATION AND CORRECTIONS, AND ESTABLISHING A REQUIRED COURT COST DEPOSIT FOR THE SAME.**

1. Pursuant to Article IV, Section 5(B), of the Constitution of the State of Ohio, and Rule 5 of the Rules of Superintendence For The Courts of Ohio, the following Local Rule of Practice is hereby adopted for the Court of Common Pleas, Pike County, Ohio, General Division.
2. The purpose of this local rule is to establish the procedural requirements to be used in determining applications for certificates of qualification for employment ("CQE") as set forth in Ohio Revised Code Section 2953.25 and Administrative Rule 5120-15-01 established by the Department of Rehabilitation and Corrections (DRC), and establishing a required court cost deposit to be paid to the Clerk of Courts upon the filing of each such Petition.
3. In order to request a CQE, a Petitioner who resides in Pike County, Ohio, shall file the Cover Sheet ["Petition for Certificate of Qualification for Employment (RC 2953.25)" - Form A- attached] with the Clerk of Courts of Pike County. The Petitioner shall include the DRC Electronic Petition Number on the Cover Sheet, and shall attach a copy of the fully completed Electronic Petition.
4. All Petitions submitted through the DRC shall include electronic access to the Department of Rehabilitation and Corrections CQE Summary (CQE Summary).
5. Before any action is required to be taken on the Petition, the Petitioner must pay a court cost deposit to the Clerk of Courts in the amount of \$250.00. Payment of this deposit may be made in any form otherwise accepted by the Clerk of Courts for the filing of civil actions. For good cause shown, a Judge of this Court may order a waiver of, or a reduction of, the required court cost deposit otherwise required by this Rule. The Petitioner may submit an Affidavit of Indigency in a form acceptable to the Clerk of Courts, or other relevant information for the Court's consideration, in support of a request by the Petitioner for a waiver of, or reduction of, the required court cost deposit.
6. All social security numbers and other information that must be excluded from public record shall be redacted in accordance with the rules of this court and the Rules of Superintendence. Records or information received by the court to assist the court with making its decision under Section 2953.25 of the Revised Code, including information included on a petition, shall retain their character as public or non-public records, as otherwise provided in law.

**FILED**  
COMMON PLEAS COURT

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JOHN E. MILLER

7. Upon receipt of a Petition and the required court cost deposit, the Clerk of Courts shall assign the Petition a miscellaneous civil case number and refer the case to the Judge.
8. The Court shall obtain a criminal history for the Petitioner, either through the investigation ordered in support of the Petition, or otherwise.
9. The Court shall attempt to determine all other courts in the state in which the Petitioner has been convicted of or pleaded guilty to an offense through review of the Petitioner's criminal history or other investigation. The Clerk of Courts shall send a "Notice to Court Regarding Petition for Certificate of Qualification for Employment" [Form B - attached] and "Submission of Information Regarding Petition for Certificate of Qualification for Employment" [Form D - attached] to each court so identified. Each such Notice shall be sent via ordinary US mail.
10. The Clerk of Courts shall also send a "Notice to Prosecutor Regarding Petition for Certificate of Qualification for Employment" [Form C - attached] and "Submission of Information Regarding Petition for Certificate of Qualification for Employment" [Form D - attached] to the Prosecuting Attorney of Pike County.
11. The Court 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.
12. The Court may order any report, investigation or disclosure by the Petitioner that the Court believes is necessary for the court to reach a decision on whether to approve the Petition.
13. The Court shall issue a decision and judgment entry, either granting or denying the Petition, within sixty (60) days after the Court has received all information requested by the Court and that the Court believes is necessary for the Court to reach a decision on whether to approve the Petition; provided, however, that the Court may extend the period within which a decision and judgment entry granting or denying the Petition shall issue, upon request of the Petitioner.
14. The Clerk of Courts shall provide a written notice to the Petitioner of the Court's Decision and Judgment Entry. If the Petition is denied, the written notice to the Petitioner shall include the conditions, if any, placed on the Petitioner's filing of any subsequent petition for a certificate of qualification for employment, and shall include language notifying the Petitioner that the denial of the Petition is a final, appealable order. The Clerk of Courts shall also notify the Ohio Department of Rehabilitation and Corrections ("DRC") of the disposition of the Petition as required under the Administrative Rules, and, if the Petition is granted, of the Court's order that the DRC distribute the CQE to Petitioner.
15. The Court hereby determines that there is an immediate need for this Rule in order to establish the procedural requirements to be used in determining applications for certificates of qualification for employment ("CQEs") as set forth

COMMON PLEAS COURT

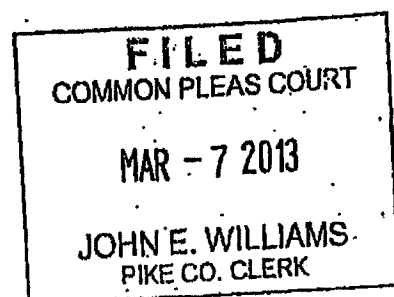
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in Revised Code 2953.25 and Administrative Rule 5120-15-01 established by the Department of Rehabilitation and Corrections (DRC), and to establish a required court cost deposit to be paid to the Clerk of Courts upon the filing of each such Petition, and this Rule is therefore adopted immediately, and shall be effective as of March 8, 2013. The Clerk of Courts is directed to post a copy of this Rule for a period thirty (30) consecutive days, commencing March 8, 2013, at each of the following locations: at the office of the civil case Assignment Commissioner of this Court, at the office of the criminal case Assignment Commissioner of this Court, and at the office of the Clerk of Courts, Pike County, Ohio (legal department); and the Clerk of Courts is further directed to furnish a copy of this Rule forthwith to attorneys at law who maintain offices in Pike County, Ohio, by ordinary U.S. Mail or by placing a copy hereof in said attorneys' mail boxes in the office of the Pike County Clerk of Courts. Comments concerning this Rule may be made in writing to the Court of Common Pleas, Pike County, Ohio, General Division, Pike County Court House, 100 East Second Street, Waverly, Ohio 45690, during such 30-day period, ending April 7, 2013.

 03-07-2013

**RANDY D. DEERING, JUDGE  
COURT OF COMMON PLEAS,  
PIKE COUNTY, OHIO  
GENERAL DIVISION**



**EXHIBIT "A"**

IN THE COURT OF COMMON PLEAS

\_\_\_\_\_ COUNTY, OHIO

IN RE: \_\_\_\_\_

CASE NO:

DRC ELECTRONIC PETITION NO:

**PETITION FOR**

**CERTIFICATE OF QUALIFICATION FOR EMPLOYMENT (RC 2953.25)**

The undersigned hereby petitions for a Certificate of Qualification for Employment (see attached Exhibit A) with the Court of Common Pleas where the Petitioner resides. 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

\_\_\_\_\_  
Name

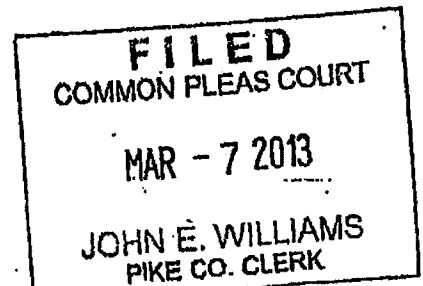
\_\_\_\_\_  
Street

\_\_\_\_\_  
City, State Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Fax Number (if any)

\_\_\_\_\_  
Email



**EXHIBIT "B"**

IN THE COURT OF COMMON PLEAS

\_\_\_\_\_ COUNTY, OHIO

IN RE: \_\_\_\_\_

CASE NO:

DRC ELECTRONIC PETITION NO:

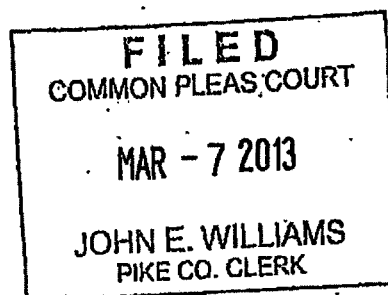
JUDGE:

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

You are hereby notified that a Petition for Certificate of Qualification for Employment was filed by the above captioned Petitioner in this Court (see Attached Exhibit A). If you are interested in providing any information regarding this petition, please complete the attached form and file with the undersigned clerk of courts within fourteen days.

CLERK OF COURTS,

\_\_\_\_\_  
Signature  
Street  
City, State Zip  
Phone Number  
Fax Number  
Email



**EXHIBIT "C"**

IN THE COURT OF COMMON PLEAS

\_\_\_\_\_ COUNTY, OHIO

IN RE: \_\_\_\_\_

CASE NO:

DRC ELECTRONIC PETITION NO:

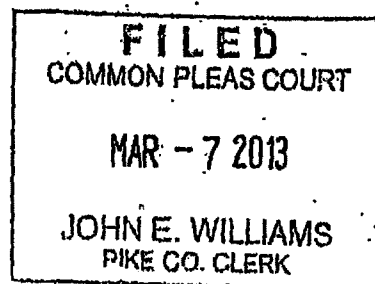
JUDGE:

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

You are hereby notified that a Petition for Certificate of Qualification for Employment was filed by the above captioned Petitioner in this Court (see Attached Exhibit A). If you are interested in providing any information regarding this petition, please complete the attached form and file with the undersigned clerk of courts within fourteen days.

CLERK OF COURTS,

\_\_\_\_\_  
Signature  
Street  
City, State Zip  
Phone Number  
Fax Number  
Email





# EXHIBIT "D"

IN THE COURT OF COMMON PLEAS

\_\_\_\_\_ COUNTY, OHIO

IN RE: \_\_\_\_\_

CASE NO: \_\_\_\_\_

DRC ELECTRONIC PETITION NO: \_\_\_\_\_

JUDGE: \_\_\_\_\_

## RESPONSE TO REQUEST FOR INFORMATION REGARDING PETITION FOR CERTIFICATE OF QUALIFICATION FOR EMPLOYMENT (RC 2953.25)

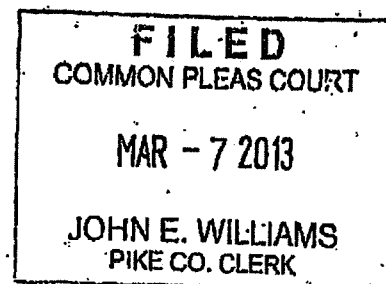
The undersigned voluntarily submits the following information regarding the above captioned Petition. NOTE: It is not necessary to submit any or all of the information listed below.

1. Please check one of the following:

- I recommend the Petitioner receive a CQE.
- I do not recommend the Petitioner receive a CQE.
- I have no opinion.

If you marked "recommend" or "do not recommend," please comment below:

2. The Petitioner did/did not (circle one) successfully completed community control sanctions. Comments:



3. The Petitioner does/does not (circle one) owe any outstanding monies.

Comments:

4. Additional Comments:

Respectfully Submitted,

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of Person Submitting Information

\_\_\_\_\_  
Position (if victim, indicate here \_\_\_\_\_)

\_\_\_\_\_  
Name of Organization: Court, Prosecutor's  
Office, Other

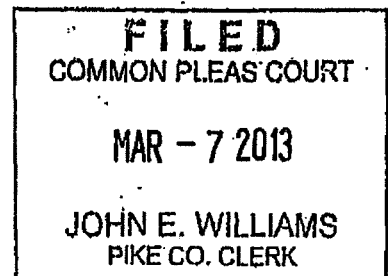
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Street

\_\_\_\_\_  
City, State Zip

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Phone Number

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Fax Number

\_\_\_\_\_  
Email



**IN THE COURT OF COMMON PLEAS, PIKE COUNTY, OHIO  
GENERAL DIVISION**

**RE: LOCAL RULE AND ORDER OF COURT CONCERNING THE ESTABLISHMENT OF A GENERAL SPECIAL PROJECTS FUND FOR THE GENERAL DIVISION OF THE COURT OF COMMON PLEAS, PIKE COUNTY, OHIO, AND ORDERING THAT A FEE BE CHARGED, IN ADDITION TO ALL OTHER COURT COSTS, ON THE FILING OF EACH CRIMINAL CAUSE, CIVIL ACTION OR PROCEEDING, OR JUDGMENT BY CONFESSION, FOR DEPOSIT INTO THE GENERAL SPECIAL PROJECTS FUND OF THE GENERAL DIVISION OF SAID COURT.**

The Court of Common Pleas, Pike County, Ohio (hereinafter referred to as "Court"), hereby determines that, for the efficient operation of the General Division of said Court, additional funds are necessary to acquire and pay for special projects of the General Division of said Court, as permitted by law, and including, but not limited to, the rehabilitation of existing facilities, the acquisition of equipment, the hiring and training of staff, and community service programs.

It is therefore ordered, pursuant to Section 2303.201(E) of the Ohio Revised Code, that, commencing on June 15, 2012, the Clerk of Courts shall charge a fee of twenty-five dollars (\$25.00), in addition to all other court costs, on the filing of each criminal cause, civil action or proceeding, or judgment by confession in the General Division of said Court.

It is further ordered that all moneys collected as fees under this Rule and Order shall be paid to the County Treasurer of Pike County, Ohio, for deposit into a general special projects fund of the General Division of the Court, and shall be disbursed upon an order of the General Division of said Court, subject to an appropriation by the Board of County Commissioners of Pike County, Ohio.

It is further ordered that the County Auditor of Pike County, Ohio, shall establish a separate general special projects fund for the General Division of the Court.

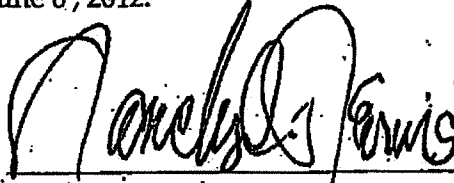
The Court hereby determines that there is an immediate need for this Rule in order that funds may be made available for the general special projects fund of the General Division of the Court, and this Rule is therefore adopted immediately, and shall be effective as of June 15, 2012, and shall continue until further order of the General Division of the Court.

The Clerk of Courts is directed to post a copy of this Rule and Order for a period of thirty (30) consecutive days, commencing May 7, 2012, at each of the following locations: at the office of the civil case Assignment Commissioner of the General Division of the Court, at the office of the criminal case Assignment Commissioner of the General Division of the Court, and at the office of the Clerk of Courts, Pike County, Ohio (legal department). The Clerk of Courts is further directed to furnish a copy of this Rule and Order forthwith to attorneys at law.

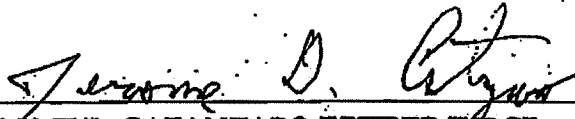
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**COMMON PLEAS COURT**  
**MAY - 3 2012**  
**JOHN E. WILLIAMS**  
**PIKE CO. CLERK**

VOL 226 PG 0694

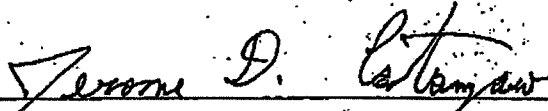
who maintain offices in Pike County, Ohio, by ordinary U.S. Mail or by placing a copy hereof in said attorneys' mail boxes in the office of the Pike County Clerk of Courts. Comments concerning this Rule may be made in writing to the Court of Common Pleas, Pike County, Ohio, General Division, Pike County Court House, 100 East Second Street, Waverly, Ohio 45690, during such 30-day period, ending June 6, 2012.



RANDY D. DEERING, JUDGE 05-03-12  
COURT OF COMMON PLEAS, PIKE COUNTY,  
OHIO, GENERAL DIVISION



JEROME D. CATANZARO, RETIRED JUDGE,  
ASSIGNED AS JUDGE OF THE COURT OF  
COMMON PLEAS, PIKE COUNTY, OHIO,  
PROBATE DIVISION



JEROME D. CATANZARO, RETIRED JUDGE,  
ASSIGNED AS JUDGE OF THE COURT OF  
COMMON PLEAS, PIKE COUNTY, OHIO,  
JUVENILE DIVISION

VOL 226 PG 0695

**FILED**  
COMMON PLEAS COURT  
MAY - 3 2012  
JOHN E. WILLIAMS  
PIKE CO. CLERK

COURT OF COMMON PLEAS, PIKE COUNTY, OHIO  
GENERAL DIVISION

RE: LOCAL RULE OF COURT ESTABLISHING  
APPRAISERS' FEES

Pursuant to Section 2335.02 and 311.10 of the Ohio Revised Code, in all actions in which the appraisal of real property is ordered for the purpose of conducting a judicial sale, the fees of the appraisers shall be taxed as costs in the action, and each appraiser so appointed by the Court or designated by the Sheriff shall be allowed compensation in the amount of fifty dollars (\$50.00) for each parcel separately appraised and for which a separate appraisal value is returned to the Court, provided, however, that the total fees to be paid to any one appraiser shall not exceed three hundred dollars (\$300.00) for each action in which an appraisal is ordered, unless approval of additional appraiser's fees for that action is granted by the Court through Journal Entry issued in advance of the appraisal.

The Court hereby determines that there is an immediate need for this Rule in order to compensate appraisers in actions involving judicial sales of real property, and this Rule is therefore adopted immediately, and shall be effective as of May 15, 2012. The Clerk of Courts is directed to post a copy of this Rule for a period thirty (30) consecutive days, commencing May 7, 2012, at each of the following locations: at the office of the civil case Assignment Commissioner of this Court, at the office of the criminal case Assignment Commissioner of this Court, and at the office of the Clerk of Courts, Pike County, Ohio (legal department); and the Clerk of Courts is further directed to furnish a copy of this Rule forthwith to attorneys at law who maintain offices in Pike County, Ohio, by ordinary U.S. Mail or by placing a copy hereof in said attorneys' mail boxes in the office of the Pike County Clerk of Courts. Comments concerning this Rule may be made in writing to the Court of Common Pleas, Pike County, Ohio, General Division, Pike County Court House, 100 East Second Street, Waverly, Ohio 45690, during such 30-day period, ending June 6, 2012.

VOL 226 PG 0691

**FILED**  
COMMON PLEAS COURT  
MAY - 3 2012  
JOHN E. WILLIAMS  
PIKE CO. CLERK

*[Signature]*  
JUDGE 05-03-12

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

RE: LOCAL RULE OF COURT CONCERNING PAYMENT  
OF ADVANCE CASH DEPOSITS IN CIVIL ACTIONS

Pursuant to Article IV, Section 5(B), of the Constitution of the State of Ohio, and Rule 5 of the Rules of Superintendence For The Courts of Ohio, the following Local Rule of Practice is hereby adopted for the Court of Common Pleas, Pike County, Ohio, General Division:

(A) Effective June 15, 2012, except as otherwise provided in divisions (B) and (C), below, of this Rule, the Clerk of Courts of Pike County, Ohio, shall require payment of advance cash deposits in conformity to the following schedule and shall not accept for filing any applicable documents in the Court of Common Pleas, Pike County, Ohio, General Division, unless such cash deposits are paid to the Clerk of Courts in advance:

- (1) Complaints/Petitions in all civil actions and proceedings, including, without limitation, actions for money judgment based upon tort or contract, actions for declaratory judgment, actions for injunction, actions in replevin, actions for foreclosure, actions for divorce, actions for dissolution of marriage, and actions for legal separation (with the exception, only, of Petitions for Domestic Violence Civil Protection Orders and Petitions For Protection Orders by persons alleged to be victims of menacing by stalking).....\$250.00
- (2) Counterclaims, Cross-Claims, Counter-Petitions and Cross-Petitions in all civil actions, including actions transferred to the Court of Common Pleas, Pike County, Ohio, as the result of the filing of a cross-claim exceeding the monetary jurisdiction of the Pike County Court.....\$250.00
- (3) All Motions reopening an action.....\$125.00
- (4) Issuance of Certificate of Judgment.....\$5.00
- (5) Filing of Certificate of Judgment.....\$20.00
- (6) Release of Certificate of Judgment.....\$5.00
- (7) Garnishment.....\$100.00

Upon the motion of any party, or the court's own motion, the Court may require any deposit to be increased from time to time, so as to secure all costs that may accrue in the action, or may require personal security to be given.

The Clerk shall cause the amount of \$25.00 from each such advance cash deposit paid pursuant this Rule to be deposited immediately into the Mediation Fund of the Court of Common Pleas of Pike County, Ohio. With the exception, only, of that portion of each advance cash deposit paid into the Mediation Fund, unless the court costs of an action are otherwise paid, the Clerk of Courts shall apply the balance of the advance cash deposits made in each action to the actual costs accrued in such action at the termination of the litigation, or when otherwise authorized to do so by order of the Court. The costs shall be assessed by journal entry pursuant to Civ. R. 54(D).

FILED  
MAY - 3 2012  
JOHN E. WILLIAMS  
PIKE CO. CLERK

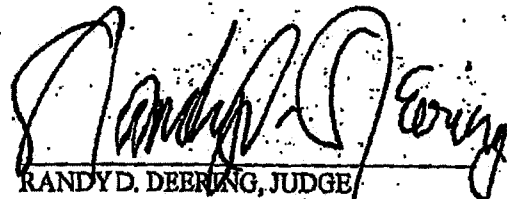
VOL 226 PG 0692

(B) The Clerk of Courts shall not require an advance cash deposit before accepting for filing a Petition for Domestic Violence Civil Protection Order or a Petition For Protection Order by a person alleged to be a victim of menacing by stalking.

(C) The Clerk of Courts shall accept in any civil action, in lieu of a cash deposit, an affidavit of inability either to prepay or to give security for costs, pursuant to Section 2323.31 R.C. Each such affidavit shall state the reasons for inability to prepay or to give security for costs. Each such affidavit shall be subject to review by the Court at any stage of the proceedings in which such affidavit is filed.

(D) This Rule shall supersede all prior local rules of the Court of Common Pleas, Pike County, General Division, concerning the same subject matter, all of which prior local rules concerning the same subject matter are hereby rescinded.

(E) The Court hereby determines that there is an immediate need for this Rule, and this Rule is therefore adopted immediately, and shall be effective as of June 15, 2012. The Clerk of Courts is directed to post a copy of this Rule for a period thirty (30) consecutive days, commencing May 7, 2012, at each of the following locations: at the office of the civil case Assignment Commissioner of this Court, at the office of the criminal case Assignment Commissioner of this Court, and at the office of the Clerk of Courts, Pike County, Ohio (legal department); and the Clerk of Courts is further directed to furnish a copy of this Rule forthwith to attorneys at law who maintain offices in Pike County, Ohio, by ordinary U.S. Mail or by placing a copy hereof in said attorneys' mail boxes in the office of the Pike County Clerk of Courts. Comments concerning this Rule may be made in writing to the Court of Common Pleas, Pike County, Ohio, General Division, Pike County Court House, 100 East Second Street, Waverly, Ohio 45690, during such 30-day period, ending June 6, 2012.

  
RANDY D. DEERING, JUDGE

05-03-

VOL 226 PG 0593

**FILED**  
COMMON PLEAS COURT  
MAY - 3 2012  
JOHN E. WILLIAMS  
PIKE CO. CLERK

THE COURT OF COMMON PLEAS, PIKE COUNTY, OHIO  
GENERAL DIVISION

RE: LOCAL RULE OF COURT CONCERNING CLASSES FOR PARTIES IN DOMESTIC  
RELATIONS ACTIONS INVOLVING ALLOCATION OF PARENTAL RIGHTS  
AND RESPONSIBILITIES FOR THE CARE OF MINOR CHILDREN

Pursuant to Article IV, Section 5(B), of the Constitution of the State of Ohio, and Rule 5 of the Rules of Superintendence For The Courts of Ohio, the following Local Rule is hereby adopted for the Court of Common Pleas, Pike County, Ohio, General Division:

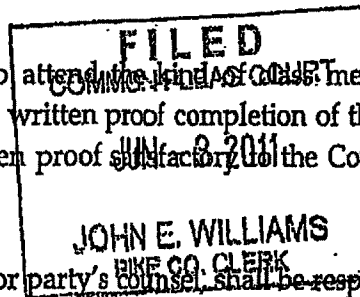
(A) Except only as otherwise provided in this Rule, in any action for divorce, dissolution of marriage, legal separation, or annulment, commenced on or after the effective date of this Rule, in which the allocation of parental rights and responsibilities for the care of one or more minor children is involved ("new parenting proceeding"), and in any proceedings upon any Motion filed on or after the effective date of this Rule, requesting modification in any respect of one or more prior orders of the Court concerning the allocation of parental rights and responsibilities for the care of one or more minor children ("motion to modify"), any parent and all other parties having or seeking parental rights and responsibilities in the action, and, if ordered by the Court, any other party in such action, shall attend a class approved by the Court designed to help families involved in such actions. For the purpose of application of this Rule, the Court hereby approves the "Families In Transition" class administered by The Child Protection Center, 138 Marietta Road, Suite E, Chillicothe, Ohio 45601, and the "Crossroads of Parenting & Divorce" class administered by the Pike County Partnership Against Domestic Violence, 14534 U.S. 23 N., Waverly, Ohio 45690.

(B) Notwithstanding the provisions of division (A) of this Rule, the Court, by entry, may excuse a parent or other party from attending the kind of class mentioned in division (A), upon proof satisfactory to the Court that such parent or other party has attended such a class, or a class that the Court finds to be sufficiently similar to the kind of class mentioned in division (A), within two (2) years of the filing of the initial pleading in a new parenting action, or within two (2) years of the filing of the motion to modify, or for any other reason that the Court finds sufficient, upon motion of the party seeking excuse from attendance.

(C) Each parent, and any other party ordered to attend the kind of class mentioned in division (A) of this Rule, shall attend the class within 60 days after the filing of the complaint in the new parenting proceeding or within 60 days after the filing of the motion to modify, or at least seven (7) days prior to hearing on the merits on such complaint or motion to modify, whichever is earlier.

(D) Each parent and other party ordered to attend the kind of class mentioned in division (A) of this Rule shall furnish the Court with written proof completion of the class, in the form of a certificate of completion, or other written proof satisfactory to the Court, within seven (7) days after that party completes the class.

(E) Each parent or other party, or such parent or party's counsel, shall be responsible for contacting the agency or office administering any class approved by the Court, and making





arrangements for timely attendance and completion of the class, and for payment of any required fees for the class. Such fees for the class shall be paid directly to the appropriate agency or office administering the class, and not to the Court or Clerk of the Court.

(F) Notice of the requirement of completion of the kind of class mentioned in division (A) of this Rule, and information regarding the phone number of the person who may be contacted to schedule attendance at the "Families In Transition" class administered by The Child Protection Center and the phone number of the person who may be contacted to schedule attendance at the "Crossroads of Parenting & Divorce" class administered by the Pike County Partnership Against Domestic Violence shall be provided to each parent or other party by the Clerk of Courts and shall be served with summons in any new parenting proceeding or with the motion to modify, as applicable. In dissolution of marriage actions, where one party is represented by counsel and the other party is not represented by counsel, the attorney for the represented party shall be responsible for furnishing this required notice to such attorney's client and to the other, unrepresented party. In dissolution of marriage actions in which neither party is represented by counsel, the Clerk of Courts shall furnish the notice and information to the party, or parties, filing the dissolution.

(G) Failure to attend a class required by the provisions of this Rule in a timely manner may result in delay in the scheduling of hearing, in the continuance or vacation of any previously scheduled hearing, in a finding of contempt of court, or in other sanctions that the Court deems appropriate.

(H) This Rule shall supersede all prior local rules of the Court of Common Pleas, Pike County, General Division, concerning the same subject matter, all of which prior local rules concerning the same subject matter are hereby rescinded.

(I) The Court hereby determines that there is an immediate need for this Rule in order to provide help to families involved in actions for divorce, dissolution of marriage, legal separation, or annulment in which the allocation of parental rights and responsibilities for the care of one or more minor children is involved, or who are involved in proceedings upon one or more Motions requesting modification of prior orders concerning the allocation of parental rights and responsibilities for the care of one or more minor children, and this Rule is therefore adopted immediately, and shall be effective as of June 6, 2011. The Clerk of Courts is directed to post a copy of this Rule for a period thirty (30) consecutive days, commencing June 6, 2011, at each of the following locations: at the office of the Assignment Commissioner of the Court of Common Pleas, Pike County, Ohio, General Division, and at the office of the Clerk of Courts, Pike County, Ohio (legal department); and the Clerk of Courts is further directed to furnish a copy of this Rule forthwith to attorneys at law who maintain offices in Pike County, Ohio, by ordinary U.S. Mail or by placing a copy hereof in said attorneys' mail boxes in the office of the Pike County Clerk of Courts. Comments concerning this Rule may be made in writing to the Court of Common Pleas, Pike County, Ohio, General Division, Pike County Court House, Waverly, Ohio 45690, during such 30-day period, ending July 6, 2011.

JUN - 3 2011  
JOHN E. WILLIAMS  
PIKE CO. CLERK

  
RANDY D. DEERING, JUDGE

Style of Case: \_\_\_\_\_

Case No. \_\_\_\_\_

Date: \_\_\_\_\_

**COURT OF COMMON PLEAS, PIKE COUNTY, OHIO**

**NOTICE OF REQUIREMENT OF ATTENDANCE AT CLASS**

To all parties involved in a new parenting action or motion to modify prior parenting orders:

You are hereby notified that a Local Rule of the Court of Common Pleas, Pike County, Ohio, General Division, requires that, unless excused by the Court, all parents involved in new parenting actions or in motion(s) to modify prior orders of the court concerning the allocation of parental rights and responsibilities for the care of minor children are required to complete a class approved by the Court designed to help families involved in such actions.

The required class must be completed within 60 days after the filing of the complaint or motion, or at least 7 days prior to hearing on the merits, whichever is earlier, and completion of the class must be evidenced in writing to the Court.

Attendance in an approved class may be scheduled by contacting either of the following offices:

The Child Protection Center  
138 Marietta Road, Suite E  
Chillicothe, Ohio 45601  
Phone: (740) 779-7431

Pike County Partnership Against  
Domestic Violence  
14534 US 23 N  
Waverly, Ohio 45690  
Phone: (740) 947-1611

Attendance in any class other than one of the classes specified in the above paragraph may not result in credit for compliance with the Court Rule, unless prior approval of the class is obtained from the Court.

\_\_\_\_\_  
JOHN E. WILLIAMS  
Clerk of Courts, Pike County, Ohio

By: \_\_\_\_\_  
Deputy Clerk

**PLEASE NOTE: THE COURT MAY NOT SCHEDULE A HEARING IN YOUR CASE, OR MAY NOT AWARD YOU PARENTAL RIGHTS IN YOUR CASE, UNTIL YOU HAVE FILED A CERTIFICATE OF COMPLETION OF THE CLASS, OR OTHER SUFFICIENT EVIDENCE OF COMPLETION OF THE CLASS, WITH THE OFFICE OF THE CLERK OF COURTS, 100 E. SECOND STREET, WAVERLY, OHIO 45690.**

PARENTING TIME SCHEDULE  
PIKE COUNTY COMMON PLEAS COURT

FILED  
FEB 07 2007  
W.M. WRAY BEVENS  
JUVENILE JUDGE

Parenting time is a time for children to do things with the parent they do not live with. Activities you can do with them or skills you can teach them help the time be rewarding. Helping the children find friends in your neighborhood helps make it like home for them.

Liberal parenting time is encouraged, as contact with both parents is important to the children. Specific items in the Journal Entry take precedence over this schedule. Changes or modifications can be made by the Court if need for such is shown. This schedule does not affect support payments.

Please be advised that this schedule is merely a guideline for parenting time. It is each party's responsibility to tailor this schedule as necessary to meet the best interests of their children.

PARENTING TIME SHALL TAKE PLACE AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE, BUT THIS WILL NOT BE LESS THAN:

- Weekends:** Alternate weekends from Friday at 6:00 p.m. until Sunday at 6:00 p.m. This alternating weekend schedule shall not change, even if interrupted by holiday and birthday, summer and/or vacation visitation (the beginning and ending times may be varied to accommodate the work schedule of the parties).
- Weekdays:** One-two weekday evenings per week from 5:00 p.m. to 8:00 p.m. during the school year, and one weekday overnight during summer vacation.
- Extracurricular Activities:** Regardless of where the children are living, their participation in existing and renewed extracurricular activities, school related or otherwise, shall continue uninterrupted. The parent with whom they are residing at the time of the activity shall provide the physical and economic cost of transportation to these activities. The residential parent shall provide the non-residential parent with notice of all extracurricular activities, school related or otherwise, in which the children participate, schedules of all extracurricular activities (handwritten by the residential parent if no formal schedule is provided by the activity) and the name of the activity leader.
- Pre-School Aged:** Pre-school age children follow the same schedule of school age children in the school district where they live regardless of whether or not other school age children live in the family.
- Holidays and Birthdays:** In odd-number years, mother has New Year's Day, Spring Break, Memorial Day, Labor Day, Christmas Eve, and the first half of Christmas Break. In odd-number years, father has Martin Luther King Jr.'s Day, Easter, Fourth of July, Thanksgiving, Christmas Day and the second half of Christmas Break. In even-numbered years, the schedules are reversed.

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FILED  
COMMON PLEAS COURT  
FEB -9 2007

FEB 07 2007

W.M. WRAY BEVENS  
JUVENILE JUDGE

- a. A holiday that falls on a weekend should be spent with the parent who is supposed to have the children for that holiday. The rest of the weekend is spent with the parent who would normally have that weekend. These do not have to be made up.
  - b. Mother's Day and Father's Day, and the parent's birthdays only when they fall on a Saturday or Sunday, are to be spent with the appropriate parent. These are as agreed or 10:00 a.m. to 7:00 p.m. These do not have to be made up.
  - c. Other days of special meaning, such as religious holidays, should be decided together and alternate each year, as follows: \_\_\_\_\_ These do not have to be made up.
  - d. Hours for parents who cannot agree are as follows: New Year's Day (9:00 a.m. to 7:00 p.m.); Martin Luther King Jr's Day (9:00 a.m. to 7:00 p.m.); Spring Break (6:00 p.m. the Friday school is out to 7:00 p.m. the day before school recommences, to be coincidental with the days of the school vacation and not to interfere with school); Memorial Day and Labor Day (6:00 p.m. Friday to 6:00 p.m. Monday); July 4<sup>th</sup> (9:00 a.m. to 9:00 p.m.); Thanksgiving (9:00 a.m. to 9:00 a.m. the next day); Christmas Eve (9:00 a.m. December 23 to 9:00 p.m. December 24); Christmas Day (9:00 p.m. December 24 to 9:00 p.m. December 25); Christmas Break (first half commences at 8:00 a.m. the day Christmas Break begins, continuously, unless interrupted by Christmas Eve and Christmas Day, through half of the vacation break, which may be at noon if the number of days in Christmas vacation are an odd number or 9:00 p.m. the last day of the first half of the break if the break has an even number of days to 9:00 a.m. New Year's Day).
  - e. Forty-eight (48) hour notice should be given by the parent with whom the holiday is being spent for any arrangements for out of town travel on the holidays or of a change in pick-up/return times.
  - f. The children's birthdays should be alternated per child, between the parents, and on an annual basis. Hours for parents who cannot agree are 4:00 p.m. to 8:00 p.m., brothers and sisters attend the birthday event. These do not have to be made up.
6. **Transportation:** The parties shall divide the transportation equally. The parent who is exercising their parenting/visitation right shall pick up the children.
7. **Waiting:** The residential parent and children shall be present at the residential home for the scheduled pick up by the visiting parent. If the residential parent and children are not present, the visiting parent shall wait 30 minutes for the residential parent and children to return. A residential parent, who is late, must provide additional visitation during the next similar visitation period, i.e. if he/she is late for weekend visitation, the visiting parent shall be entitled to additional visitation during the next weekend visitation. The residential parent shall wait thirty (30) minutes for the visiting parent to pick up the children. If the visiting parent does not arrive by the end of the thirty (30) minute period, visitation for the missed time shall be forfeited and shall not be made up. If the visiting parent is to be more than thirty (30) minutes late for pick-up of the children, but still plans to pick up the children within a reasonable time (not to exceed half of the scheduled visitation's remaining time), he/she must give notice to the residential parent at least one (1) hour before the scheduled visitation's remaining time if at least half of the scheduled visitation remains.

VOL 169PG0256

FILED  
COMMON PLEAS COURT

FEB -9-2007

JOHN E. WILLIAMS  
CLERK CO. CLERK

FEB 07 2007

WIL WRAY BEVENS  
JUVENILE JUDGE

8. **Illness:** If a child is ill, the residential parent should give twenty-four (24) hour notice, if possible, so appropriate plans can be made. However, if more than one (1) day of any visitation, weekend holiday/birthday, or vacation is missed due to non-emergency and/or non-critical illness, then any missed visitation shall be made up as soon as practicable.
9. **Summer:** The non-residential parent shall have visitation with the children for the last half of the summer each year. The summer school vacation commences the day after the children are out of school and continues until seven (7) days before school begins. The number of intervening weeks (full and/or partial) shall be divided in half, and the non-residential parent shall have the last half of the summer as visitation with the children. During the summer visitation, the residential parent receives weekday and alternating weekend visitation as afforded the non-residential parent the rest of the year.
10. **Vacations:** Each parent may arrange an uninterrupted vacation of not more than two weeks with the children. Each parent shall schedule this vacation during his/her half of the summer. A general itinerary of the vacation shall be provided for the other parent including dates, locations, addresses, and telephone numbers. Holiday and birthday celebrations with either parent shall not be missed, requiring scheduling of the vacation around these events or that the missed occasion be made up. Alternate weekends are missed during vacation, and are therefore not required to be made up.
11. **Moving:** Upon either parent learning or determining, whichever first occurs, that he/she will be moving, he/she shall immediately notify the other parent except in those circumstances wherein notice is not required by RC 3109.051(G), and provide the other parent with the moving date, new residence address and telephone number, and such other pertinent information necessary to effectuate a smooth move for the children. The parents shall attempt, in good faith, to renegotiate an appropriate and beneficial new visitation schedule.
12. **Telephone Access:** Telephone communications by the children with the parent with whom they are not residing shall occur not less than three times per week for not less than 15 minutes. Children can call the other parent as often as the parent and child agree, at reasonable times, so long as the call is collect if it is a long distance call. The non-possessory parent shall be allowed to communicate with children not less than one time per week for not less than ½ hour by either calling or having the children call him/her. Possessory parent shall not interfere with or stop the telephone communication.
13. **Make-up Visitation:** Any make-up visitation required by this schedule shall occur the first weekend of the other parent immediately following the missed visitation and shall continue during the other parent's weekends until made up in full, including partial weekends.
14. **Current Address and Telephone Number:** Except as provided in the court order, each parent shall keep the other informed of his/her current address and telephone number at all times. **Emergency Contact:** Both parents shall at all times, regardless of whether the children are with him/her, provide the other parent with a telephone number for contact in the event of an emergency.

VOL 169 PG 0257

FEB -9 2007

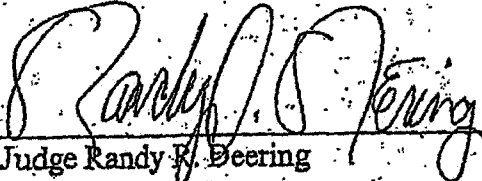
JOHN E. WILLIAMS  
PIKE CO. CLERK

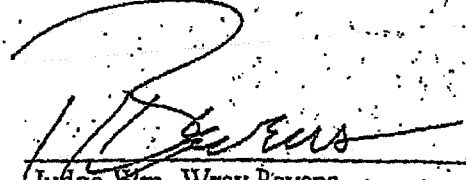
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W.M. WRAY BEVENS  
JUVENILE JUDGE

15. **Car Seat:** For any and all children required by law to ride in a car seat, if each parent does not own an individual car seat, the parents shall transfer the car seat with the child as visitation occurs.
16. **Clothing:** The residential parent is responsible for providing sufficient, appropriate, clean clothing for every visitation period. All clothing sent by the residential parent must be returned immediately after the visitation period. If the visitation period is in excess of four (4) days, then the clothing returned must be washed and cleaned.
17. **Parenting Time:** Parenting time does not include picking the children up and leaving them with a non-family member while the visiting parent pursues his/her own pleasures, nor does it include taking the children to inappropriate places for minors. Violations shall be deemed to be cause for curtailment of parenting time.
18. **Removal of Children from County:** The residential parent shall not remove the children from Pike County to permanently reside, or in the event said children are not presently in Pike County to a situs more distant from Pike County than their present situs without first obtaining the permission of the Court by Judgment Entry.
19. **Communication Between Parent and Child:** The parents shall encourage free communications between the children and the other parent and shall not do anything to impede or restrict communications by phone or mail between the children or the other parent, whether initiated by the children or the parent. Mail between the children and parent shall be strictly confidential between them and that parent, and shall not be opened or read by the other parent.
20. **Criticizing:** Both parents shall refrain from criticizing the other parent in the presence of the children.
21. **Modifications of Religious Practice:** Neither party shall attempt to modify the religious practice of the children without first having consulted each other and the Court.

NO. 169PC0258

Effective Date February 7, 2007

  
Judge Randy F. Deering  
Common Pleas Court

  
Judge Wm. Wray Bevens  
Juvenile Court

FILED  
COMMON PLEAS COURT  
FEB - 9 2007  
JUN MS

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

RE: LOCAL RULE OF COURT CONCERNING  
"FAMILIES IN TRANSITION" CLASSES

Pursuant to Article IV, Section 5(B), of the Constitution of the State of Ohio, and Rule 5 of the Rules of Superintendence For The Courts of Ohio, the following Local Rule is hereby adopted for the Court of Common Pleas, Pike County, Ohio, General Division:

(A) Effective April 21, 2006, except only as otherwise provided in this Rule, in any action for divorce, dissolution of marriage, legal separation, or annulment, commenced after April 15, 2006, in which the allocation of parental rights and responsibilities for the care of one or more minor children is involved ("new parenting proceeding"), and in any proceedings upon any Motion filed on or after April 21, 2006, requesting modification in any respect of one or more prior orders concerning the allocation of parental rights and responsibilities for the care of one or more minor children ("motion to modify"), both parents, or, if ordered by the Court, any other party in such action, shall attend a class approved by the Court designed to help families involved in such actions. For the purpose of application of this Rule, the Court hereby approves the "Families In Transition" class administered by The Child Protection Center, 138 Marietta Road, Suite B, Chillicothe, Ohio 45601.

(B) Notwithstanding the provisions of division (A) of this Rule, the Court, by entry, may excuse a party from attending the kind of class mentioned in division (A), upon proof satisfactory to the Court that such party has attended such a class, or a class that the Court finds to be sufficiently similar to the kind of class mentioned in division (A), within two (2) years of the filing of the initial pleading in a new parenting action, or within two (2) years of the filing of the motion to modify, or for any other reason that the Court finds sufficient, upon motion of the party seeking excuse from attendance.

(C) Both parents, and any other party ordered to attend the kind of class mentioned in division (A) of this Rule, shall attend the class within 60 days after the filing of the complaint in the new parenting proceeding or motion to modify, or at least seven (7) days prior to hearing on the merits on such complaint or motion, whichever is earlier.

(D) Each party completing the class shall furnish the Court with proof of such party's completion in the form of a certificate of completion, or other written proof to the satisfaction of the Court, in the name of such party, within seven (7) days after that party completes the class.

(E) Each party, or such party's counsel, shall be responsible for contacting The Child Protection Center, or the administrator of any other class approved by the Court, directly, and making arrangements for timely attendance and completion of the class, and for payment of any required fees for the class. Such fees for the class shall be paid directly to the appropriate agency administering the class, and not to the Court or Clerk of the Court.

(F) Notice of the requirement of completion of the kind of class mentioned in division (A) of this Rule, and information regarding the phone number of the person who may be contacted to schedule attendance at the "Families In Transition" class administered by The Child Protection Center shall be provided by the Clerk of Courts and shall be served with summons in any new parenting proceeding or with the motion to modify, as applicable, in dissolution of marriage actions, where one party is represented by counsel and the other party is not represented.

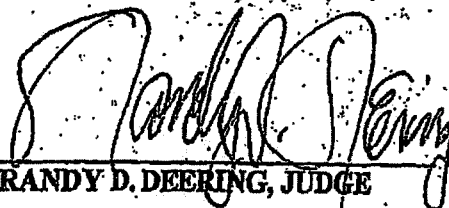
APR 19 2006  
J. E. Williams

by counsel, counsel for the represented party shall be responsible for furnishing this required notice to the other, unrepresented party. In dissolution of marriage actions in which neither party is represented by counsel, the Clerk of Courts shall furnish the notice and information to the party or parties filing the dissolution.

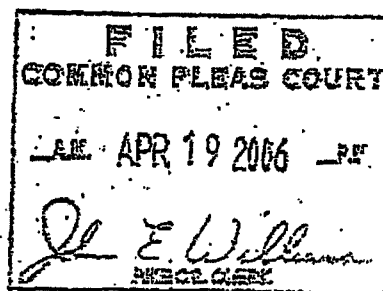
(G) Failure to attend a class required by the provisions of this Rule in a timely manner may result in delay in the scheduling of hearing, in the continuance or vacation of any previously scheduled hearing, in a finding of contempt of court, or in other sanctions that the Court deems appropriate.

(H) This Rule shall supercede all prior local rules of the Court of Common Pleas, Pike County, General Division, concerning the same subject matter, all of which prior local rules concerning the same subject matter are hereby rescinded.

(I) The Court hereby determines that there is an immediate need for this Rule in order to provide help to families involved in actions for divorce, dissolution of marriage, legal separation, or annulment in which the allocation of parental rights and responsibilities for the care of one or more minor children is involved, or who are involved in proceedings upon one or more Motions requesting modification of prior orders concerning the allocation of parental rights and responsibilities for the care of one or more minor children, and this Rule is therefore adopted immediately, and shall be effective as of April 21, 2006. The Clerk of Courts is directed to post a copy of this Rule for a period thirty (30) consecutive days, commencing April 21, 2006, at each of the following locations: at the office of the Assignment Commissioner of the Court of Common Pleas, Pike County, Ohio, General Division; and at the office of the Clerk of Courts, Pike County, Ohio (legal department); and the Clerk of Courts is further directed to furnish a copy of this Rule forthwith to attorneys at law who maintain offices in Pike County, Ohio, by ordinary U.S. Mail or by placing a copy hereof in said attorneys' mail boxes in the office of the Pike County Clerk of Courts. Comments concerning this Rule may be made in writing to the Court of Common Pleas, Pike County, Ohio, General Division, Pike County Court House, Waverly, Ohio 45690, during such 30-day period, ending May 21, 2006.

  
RANDY D. DEERING, JUDGE

4-19-06





IN THE COURT OF COMMON PLEAS  
PIKE COUNTY, OHIO

IN THE MATTER OF  
ADOPTION OF RULES OF PRACTICE  
FOR DOMESTIC RELATIONS PROCEEDINGS

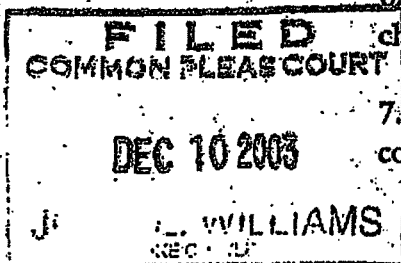
ORDER

It is the order of the Court that the following Rule of Practice is hereby adopted in addition to the existing Rules of Practice for Domestic Relations Proceedings, effective December 10, 2003, pursuant to Article IV, Section 5 (B) of the Ohio Constitution, and Rule 9 of the Rules of Superintendence for Courts of Common Pleas.

RULE 7

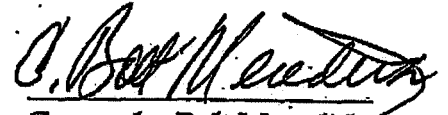
D. MOTION TO VACATE PREMISES. A motion to vacate the premises must be accompanied by an affidavit and may not be granted ex-parte, but may be granted after a temporary hearing if the Court determines that one or more of the following circumstances exists:

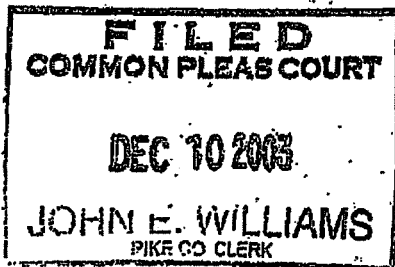
1. A party attempted to cause or recklessly caused bodily injury by acts of physical violence;
2. A party placed a family member, by threat of force, in fear of imminent serious physical harm;
3. A party committed any act with respect to a child, which would result in the child being an abused child as defined in R.C. 2151.031;
4. A party engages in conduct or creates an environment which causes or is likely to cause emotional and/or mental stress to the spouse and/or children of the parties as defined in R.C. 3113.31;
5. A party engaged in conduct which creates or is likely to create an environment which significantly endangers the spouse's and/or minor children's physical health or mental, moral or emotional development; or
6. A party engaged in conduct abusive to the spouse and/or minor children whether by physical acts or verbally.
7. The party has been absent from the premises for more than 30 continuous days immediately preceding the filing of the motion and the



moving party has resided in the premises during that time. Absence from the premises means the party is no longer residing at the premises. The motion must be accompanied by an affidavit setting forth the date on which the absent party left the premises, the number of days of continuous absence immediately preceding the filing of the motion and affirmatively stating the movant has resided in the premises during the entire 30 day period immediately preceding the filing of the motion.

IT IS SO ORDERED.

  
Cassandra Bolt-Meredith  
Judge



IN THE COURT OF COMMON PLEAS OF PIKE COUNTY, OHIO

IN THE MATTER OF  
AMENDMENT OF RULES OF  
PRACTICE FOR DOMESTIC RELATIONS  
PROCEEDINGS

ORDER

It is the Order of the Court that the following Rule be added to the Rules of Practice for the Domestic Relations Division of the Court of Common Pleas of Pike County, Ohio pursuant to Article IV Section 5 (B) of the Ohio Constitution, to include the following after RULE 5:

RULE 5.1 PARENTING PROCEEDINGS SUPPORT WORKSHEET

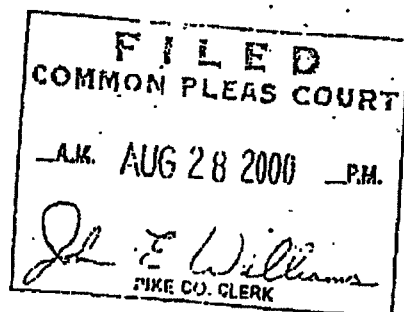
A. The First pleading or motion to invoke the continuing jurisdiction of the Court of a party in a parenting proceeding as defined in ORC 3109.21 (C) shall be accompanied a Child Support Worksheet pursuant to ORC 3113.21.5.

B. The Clerk may reject such pleadings or motions for filing until the Worksheet is included. When it comes to the attention of the Court that the required Worksheet has not been timely filed, the Court shall immediately dismiss the action, pleading or motion without prejudice for lack of jurisdiction, assessing costs to the non-complying party.

IT IS SO ORDERED.



Cassandra Bolt-Meredith,  
JUDGE



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IN THE COURT OF COMMON PLEAS OF PIKE COUNTY, OHIO

IN THE MATTER OF  
AMENDMENT OF RULES OF  
PRACTICE FOR DOMESTIC  
RELATIONS PROCEEDINGS

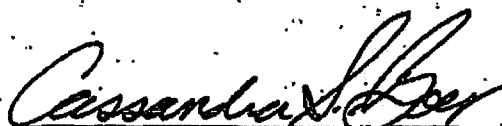
ORDER

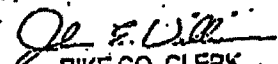
It is the Order of the Court that Rule 9 of the Rules of Practice for the Domestic Relations Division of the Court of Common Pleas of Pike County, Ohio, pursuant to Article IV, Section 5(B) of the Ohio Constitution, and Rule 9 of the Rules of Superintendence for Courts of Common Pleas is hereby amended effective May 6, 1998 to include the following subsection C.:

**RULE 9 DOMESTIC VIOLENCE**

C. All petitions for Domestic Violence shall be filed separately from Complaints for Divorce and shall have separate case numbers.

IT IS SO ORDERED.

  
Cassandra S. Bolt, Judge

FILED	
COMMON PLEAS COURT	
AM	MAY - 6 1998
	
PIKE CO. CLERK	

Vol 102 pg 593  
Pg 1081

IN THE COURT OF COMMON PLEAS OF PIKE COUNTY, OHIO

IN THE MATTER OF  
ADOPTION OF RULES OF  
PRACTICE FOR DOMESTIC  
RELATIONS PROCEEDINGS

ORDER

INTRODUCTION

It is the order of the Court that the following Rules of Practice are hereby adopted for the Domestic Relations Division of the Court of Common Pleas of Pike County, Ohio, effective 7/11/97, pursuant to Article IV, Section 5 (B) of the Ohio Constitution, and Rule 9 of the Rules of Superintendence for Courts of Common Pleas.

RULE 1 PLEADINGS AND MOTIONS

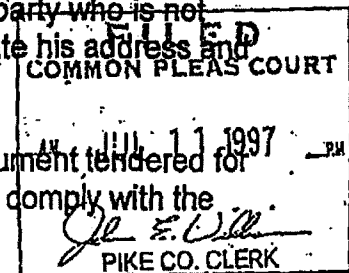
A. All pleadings, motions, and other filings shall comply in form and content with the Ohio Rules of Civil Procedure and these Rules.

B. Every pleading and motion to invoke the continuing jurisdiction of the court shall contain a caption setting forth: 1. that it is IN THE COURT OF COMMON PLEAS OF PIKE COUNTY, OHIO; 2. the name, mailing address including zip code, Social Security Number, and date of birth of each spouse; 3. the case number; 4. and a designation identifying the pleading or nature of the motion. If any required information is not known, and cannot with reasonable diligence be ascertained, a certificate to that effect shall be set forth in the pleading or motion.

C. All original pleadings, motions to invoke the continuing jurisdiction of the Court and journal entries shall be neatly and legibly typewritten or typeset by a standard typographic, word processing, or desktop process using black medium on opaque, unglazed white paper, 8 1/2 by 11 inches in size, without backing or cover. Lines of text should be double spaced, except quoted matter which should be single spaced. Consecutive sheets shall be stapled or otherwise firmly attached at the upper left margin.

D. Every original pleading or motion of a party represented by an Attorney shall be signed by at least one Attorney in his/her individual name, whose business address, phone number and Attorney registration number shall be stated. A party who is not represented by an Attorney shall sign his pleading or motion and state his address and daytime phone number.

E. The Clerk shall reject the original and any copies of a document tendered for filing unless the original and copies are clearly legible and otherwise comply with the requirements of these rules.



## RULE 2 VENUE

A. The Court will not authorize a waiver of venue for any contested domestic relations matter or any case involving allocation of parental rights and responsibilities or periodic payment of spousal support.

B. When it appears that another Ohio county where venue is proper is a more appropriate forum to determine issues in a domestic relations case, the Court may order the case transferred to that county for further proceedings.

## RULE 3 COSTS

A. The Clerk shall require an advance deposit for filing any Domestic Relations action or proceeding (other than petitions alleging Domestic Violence) as required by the schedule established by the Court.

B. The Clerk shall not require an advance deposit if the filing party makes a sworn statement by affidavit establishing inability to prepay costs, and acknowledging responsibility for and agreeing to promptly pay any costs that may ultimately be assessed.

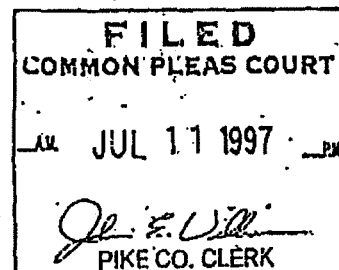
C. The Clerk shall not accept or file a pleading, motion or request for a hearing of a party who has failed to pay costs previously assessed against him or her by the Court.

D. The Clerk shall not provide copies of documents to a party who has failed to pay costs assessed against him or her by the Court in the case in which such documents are filed.

## RULE 4 SERVICE OF SUMMONS

A. If a service of summons upon a motion to invoke the continuing jurisdiction of the Court or upon a petition pursuant to the Uniform Reciprocal Enforcement of Support Act (URES A) is not made upon the adverse party within the period indicated below after filing the motion or petition, and the party on whose behalf such service was required cannot show good cause why such service was not made within that period, the motion or petition shall be dismissed without prejudice upon the Court's own initiative with the notice to such party or upon motion:

- |   |          |
|---|----------|
| 1. Change of Custody                      | 3 months |
| 2. Visitation Enforcement or Modification | 3 months |
| 3. Support Enforcement or Modification    | 4 months |
| 4. Uresa                                  | 1 month  |
| 5. All Others                             | 2 months |



## RULE 5 PARENTING PROCEEDING AFFIDAVIT

A. The first pleading or motion to invoke the continuing jurisdiction of the Court of a party in a parenting proceeding as defined in ORC 3109.21 (C) shall be accompanied by the affidavit required by ORC 3109.27.

B. When it comes to the attention of the Court that the required affidavit has not been timely filed, the Court shall immediately dismiss the action, pleading or motion without prejudice for lack of jurisdiction, assessing costs to the non-complying party.

## RULE 6 TEMPORARY RESTRAINING ORDERS

### A. General

1. Temporary restraining orders shall be granted pursuant to Civ. R. 75 (H).

2. Affidavits in support of a motion for temporary restraining orders shall comply with the requirements of Civ. R. 75 (H) (2).

3. A party seeking a temporary restraining order shall submit a proposed order which shall comply with the requirements of Civ. R. 65 (D).

4. Unless otherwise directed by the Court, temporary restraining orders shall be served in the manner provided for service of process under Civ. R. 4 through 4.3 and Civ. R. 4.6.

### B. Health Insurance

1. Temporary restraining orders prohibiting cancellation or termination of health insurance coverage for a spouse or dependents shall if requested be granted to insure compliance with ORC 3105.71.

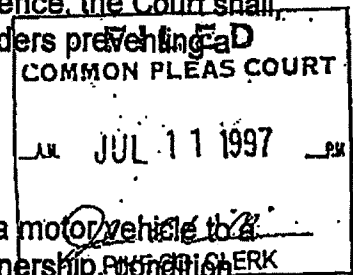
### C. Vacating Marital Residence

1. Ex parte temporary restraining orders requiring a spouse to vacate the marital residence shall not be granted.

2. When it is made to appear, by affidavit, that the parties have separated and either one or both spouses have established a separate residence, the Court shall, upon a showing of sufficient cause, grant temporary restraining orders preventing a spouse from entering the other's residence.

### D. Motor Vehicles

1. Ex parte temporary orders granting exclusive use of a motor vehicle to a spouse shall be granted only after information regarding need, ownership, and



insurance coverage, status of driver's license and customary use of the parties' vehicles has been presented by affidavit.

#### E. Emergency Parenting Orders

1. Emergency ex parte orders designating a party as residential parent and legal custodian pending issuance of temporary orders pursuant to Civ. R. 75 (M) shall not be granted. Upon a showing of sufficient cause, the Court will issue appropriate Temporary Restraining Orders for the protection of children.

2. If child abuse or neglect is alleged, the appropriate Children's Services Agency shall be notified as required by ORC 2151.421.

#### RULE 7 TEMPORARY ORDERS

##### A. General

1. Requests for allowance of spousal support pendente lite and/or for temporary orders allocating parental rights and responsibilities during the pendency of the action shall be made by separate motion with supporting affidavits served as required by the Civil Rules, and shall be determined by the Court pursuant to Civ. R. 75 (M).

2. Motions requesting temporary orders shall contain a Notice in capital letters and bold-face type in substantially the following form:

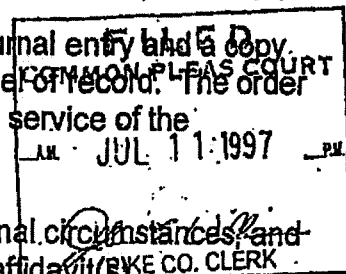
**COUNTER AFFIDAVITS MUST BE FILED WITH THE COURT WITHIN  
FOURTEEN (14) DAYS FROM THE SERVICE OF THIS MOTION.**

3. No temporary order shall be issued by the Court until the requesting party delivers to the Assignment Commissioner a written Request and Notice indicating that service of the appropriate documents has been completed and the time has passed for filing counter-affidavits.

4. If a written request and notice is received and service of appropriate documents has not been completed or sufficient time has not elapsed for issuance of an order, the request will be ignored and no further action thereon shall be taken, until another request is delivered to the Assignment Commissioner.

5. The decision of the Court will be in the form of a journal entry and a copy will be sent to each counsel, or to the parties if there is no counsel of record. The order may relate back and be effective as of the first Monday following service of the request/motion, unless otherwise specified by the Court.

6. Oral hearings should be requested only in exceptional circumstances and shall be confined to controverting matter contained in opposing affidavit.





7. No oral hearing will be granted to a party who has failed to timely file affidavit(s) as requested by these Rules.

8. All temporary orders issued pursuant to this rule are reviewable at the final hearing.

#### B. Allocation of Parental Rights and Responsibilities

1. A Motion requesting allocation of parental rights and responsibilities during the pendency of the action shall be accompanied by:

- a. A sworn statement that the requesting party has timely filed the parenting proceeding affidavit required by ORC 3109.27; and
- b. A sworn statement that the parties are separated, indicating the date of separation; and
- c. A sworn statement identifying the marital home, indicating which party is residing there; and
- d. A sworn statement indicating which party has actual physical possession of the child(ren); and
- e. A completed child support computation worksheet with documented verification of current and past income and personal earnings and other worksheet entries.

2. No order allocating parental rights and responsibilities during the pendency of the action shall issue so long as the parties continue to reside together.

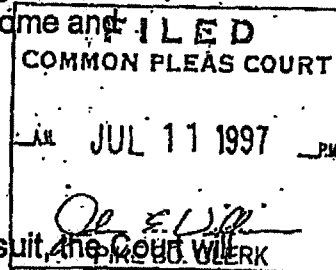
#### C. Spousal Support

1. A motion requesting spousal support pendente lite shall be accompanied by affidavit(s):

- a. Stating whether the parties are separated, indicating the date of separation; and
- b. Identifying the marital home, indicating which party is residing there; and
- c. Setting forth the living expenses of the requesting party; and
- d. Setting forth the average monthly net disposable income or personal earnings of both parties for the preceding 12 months, with documented verification of current and past income and personal earnings and mandatory deductions.
- e. Setting forth any other relevant facts.

#### D. Modification of Temporary Order

1. When a change of circumstances has occurred during suit, the court will consider motions to modify temporary orders in the same manner as provided for the issuance of original temporary orders.



## RULE 8 PRE-TRIAL CONFERENCE

### A. Initial Pre-Trial Conference and Report

1. Within 45 days after service of process, the parties, in an action for divorce, annulment or legal separation, shall attend a pre-trial conference to be scheduled by the parties at their convenience. The purpose of the conference shall be to identify all areas of agreement or dispute; to identify, characterize and list all property and debt of the parties; and to verify by appropriate documentation all information required by the child support computation worksheets.

2. The parties shall bring with them to the conference any and all DOCUMENTS either in their possession or which they may readily obtain to verify and establish: 1. current and past income and personal earnings (and child support worksheet entries if applicable); 2. health insurance coverage; 3. ownership of property including real estate, motor vehicles, accounts, etc; 4. Current debts with payments and balances; and 5. pension or retirement benefits.

3. At the conclusion of the conference the parties shall prepare a written preliminary report detailing their progress which shall be on a form(s) prepared by the Court. The report, signed by both parties, shall be filed with the domestic relations assignment commissioner within 5 working days after the conference.

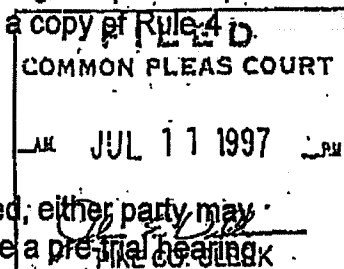
4. If a party fails to attend the pre-trial conference or fails to cooperate in preparing and filing the preliminary report, the complying party may prepare and file the report. Thereafter, the non-complying party may not challenge any information contained in the preliminary report.

5. If no report is filed within 50 days after service of process, the case shall be dismissed without prejudice.

6. Upon the filing of a complaint for divorce, annulment or legal separation, the Clerk shall deliver a copy of Rule 4 (A) to the plaintiff, and serve a copy of Rule 4 (A) upon the defendant with the summons.

### B. Final Pre-Trial Hearing, Report and Proposal

1. After the preliminary report required by Rule 4 (A) is filed, either party may request the domestic relations assignment commissioner to schedule a pre-trial hearing with the Court which shall be attended by the parties. The purpose of the hearing shall be to identify what issues remain in dispute, to finalize the preliminary report, to submit written proposals for disposition of all matters to be determined by the Court and to schedule the final hearing.



2. The parties shall appear and report to the assignment commissioner at least one hour prior to the scheduled hearing. During this time, the parties shall negotiate unresolved issues, and finalize their report and proposals. The final report, signed by both parties, together with their written proposals shall be filed with the Court at the pre-trial hearing.

3. If a party fails to attend the pre-trial hearing, or fails to cooperate in preparing and filing the final report, or fails to file a written proposal, the complying party may prepare and file the report and his or her proposal and request that a final hearing be scheduled as "uncontested". Thereafter, the noncomplying party may not challenge any information contained in the final report or object to the proposal submitted by the complying party.

4. If no report and/or proposal is filed at the pre-trial hearing, the case shall be dismissed without prejudice.

5. If a report is filed indicating the parties are in complete agreement, they may waive notice and request the Court to convert the pre-trial to a final hearing.

6. Once the final report and proposal(s) are filed, the assignment commissioner shall schedule a final hearing.

7. Information omitted from the final report and written proposals shall not be considered by the Court at the final hearing.

#### RULE 9 DOMESTIC VIOLENCE

A. The Court shall consider petitions alleging domestic violence in accordance with ORC 3113.31 et seq as follows:

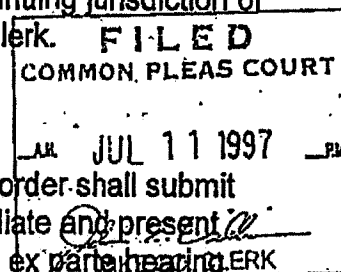
1. The Court will not modify parental rights and responsibilities determined by this or any other Court; and

2. Allegations of child abuse shall be referred to the appropriate Children's Services Agency as required by ORC 2151.421.

3. A petition alleging Domestic Violence shall be filed separately from a complaint for divorce, legal separation, or motion to invoke the continuing jurisdiction of the Court, and shall be assigned a separate Case Number by the Clerk.

#### B. Ex Parte Orders

1. A person requesting an ex parte temporary protection order shall submit an affidavit(s) with the petition setting forth facts establishing immediate and present danger of domestic violence to a family or household member. The ex parte hearing shall be confined to a review of the petition and supporting affidavit(s).



2. The petitioner shall submit a proposed Temporary Protection Order directing the respondent to refrain from abusing the family or household member(s); directing the Clerk to issue a copy of the order to the petitioner, the respondent, and to all law enforcement agencies that have jurisdiction to enforce the order; scheduling a full hearing on the petition within the time required by law; setting forth the expiration date of the order; and directing the Sheriff to deliver a copy of the order to the respondent on the same day that the order is entered. In addition, the order should contain a notice setting forth the sanctions for violating the order.

#### RULE 10. CHILD SUPPORT

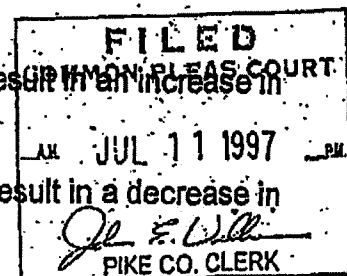
A. If children who are the subject of a support order are the beneficiaries of any form of means tested public assistance, the Court will not order an amount of child support that is less than the amount that would otherwise result from the use of the basic child support schedule and the applicable worksheet. "Means tested public assistance" includes, but is not limited to, aid to families with dependent children (AFDC), supplemental security income (SSI), food stamps, medicaid (medical card), and subsidized housing. However, if payment of support would result in the loss of a medical card for a child with an extraordinary medical condition, the Court will consider a deviation that would permit continued eligibility for medicaid.

B. If the Court has authorized a deviation that is less than the amount of child support that would otherwise result from the use of basic child support schedule and applicable worksheet, the support order shall contain, in addition to the findings required by law, the following language: "In the event the children who are the subject of this support order become the beneficiaries of any form of means tested public assistance including, but not limited to aid for families with dependent children (AFDC), supplemental security income (SSI), food stamps, medicaid (medical card), or subsidized housing, then the person obligated to pay support shall pay an amount of child support that results from the use of the basic child support schedule and applicable worksheet beginning the first month for which public assistance benefits are paid."

C. In the event a party fails to report any information required to be reported by the support order, including a change of income, then, in addition to any other sanction authorized by law or the support order, the Court may order a retroactive modification of the support amount to the date of the first payment due after the unreported change in the following circumstances:

1. When an obligor fails to report a change that would result in an increase in the support amount; and

2. When an obligee fails to report a change that would result in a decrease in the support amount.



#### RULE 11 CHILD SUPPORT AND HEALTH CARE MODIFICATION

A. Requests for review or modification of orders for child support, including orders providing for health care, shall be made in writing to the Pike County Child Support Enforcement Agency (CSEA). The parties to a child support order shall cooperate fully with the CSEA administrative review process. The parties shall provide to the CSEA all documentation necessary to verify and establish the information required for the preparation of a current child support computation worksheet, and to determine the availability and extent of any health insurance coverage.

B. If, at the hearing before the Court of Common Pleas, it is determined that the party requesting the hearing failed to cooperate with the CSEA administrative review process, the Court shall dismiss the request.

C. Upon receiving a request for review or modification of an order for child support, the CSEA shall promptly notify the other party(ies) of the request, and document the date and manner of notice. Notice by regular mail shall be deemed completed 3 days after mailing and shall be verified by certificate of mailing. The notice provided by the CSEA shall be in compliance with the notice required by ORC 3313.21 (M) (4) to establish the effective date of any modification or revision of the support amount.

D. A party requesting a Court hearing on a revised amount of child support as determined in the CSEA shall be required to make a deposit to secure payment of Court costs with the Clerk. The Clerk shall require the same deposit as required for the filing of a motion to invoke the continuing jurisdiction of the Court in domestic relations cases. The request shall not be perfected until the required cost deposit is made.

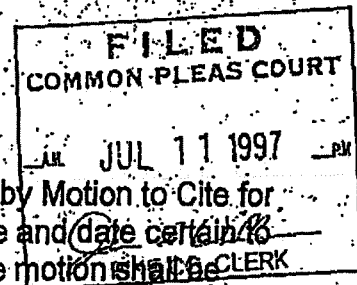
E. The Court shall dismiss a motion to modify a child support or health care order that does not include a certificate of the movant that he or she has exhausted the administrative review process through the CSEA, and the time for requesting a Court hearing has not expired.

## RULE 12 CONTEMPT

### A. General

1. Requests for the sanction of contempt shall be made by Motion to Cite for Contempt together with an Order that the accused appear at a time and ~~date certain~~ show cause why he/she should not be punished for contempt. The motion shall be accompanied by an affidavit(s) setting forth facts constituting the alleged contempt and the order(s) claimed to be violated. The Order shall contain a notice that failure of the accused to appear as required may result in the issuance of a warrant for his/her arrest.

2. The Clerk shall cause a copy of the Motion, affidavit(s), and Order to be served upon the accused in the manner required for service of process pursuant to the Civil Rules.



## B. Support and Visitation

1. In addition to the Motion, affidavit(s), and Order required by this Rule, the special summons required by ORC 2705.031 in a contempt action for failure to pay support, or failure to comply with, or an interference with, a visitation order shall be served upon the accused. It shall be the responsibility of the party filing the motion to insure that the Clerk issues the required summons, and notes its issuance upon the docket.

2. When it comes to the attention of the Court that the required summons has not been issued, the motion will be dismissed without prejudice with costs to the movant.

## RULE 13 WITNESSES

A. Except for good cause shown by motion and affidavit filed at least five days prior to trial, upon the trial of any matter, no more than two (2) lay witnesses (in addition to the parties) shall be permitted to testify for each party. The testimony of each party shall be limited to 30 minutes for direct examination and 30 minutes for cross examination. The testimony of all other witnesses shall be limited to 15 minutes for direct examination and 15 minutes for cross examination.

## RULE 14 INTERVIEW OF CHILDREN

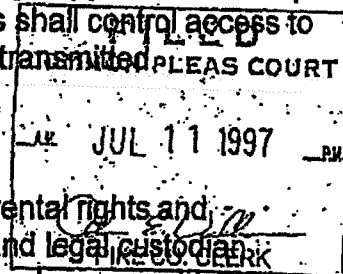
A. When the Court interviews a child pursuant to ORC 3109.04 (B) or 3109.051 (C), the interview shall be recorded as other proceedings in the case. The interview shall be confidential, and no person, other than the child's attorney and necessary Court personnel, shall be permitted to know the content of the interview or obtain a transcript or otherwise review the recording of the interview without Court authorization.

B. If an appeal transcript is prepared, the Court Reporter shall separate and seal the interview portion, and file it together with the balance of the original appeal transcript with the Clerk. The interview shall be deleted from any copy of the transcript provided to the parties or their attorneys. The Court of Appeals shall control access to the interview portion of the appeal transcript after the record is transmitted.

## RULE 15 PARENTING EVALUATION

A. Whenever the parties are contesting allocation of parental rights and responsibilities with respect to selecting the residential parent and legal custodian and/or providing visitation rights, the parties and children shall undergo a residential parenting evaluation to be conducted by the Scioto Paint Valley Mental Health Center.

B. The written report and recommendations of the examiner shall be admitted into evidence. However, either party may question the examiner regarding the contents of the report and recommendations. It shall be the responsibility of the parties to



secure the examiner's testimony at trial.

C. A party failing to cooperate with the evaluation process shall be deemed to have consented to a cooperating party's proposal for allocation of parental rights and responsibilities. If both parties fail to cooperate with the evaluation process, the matter will be dismissed without prejudice.

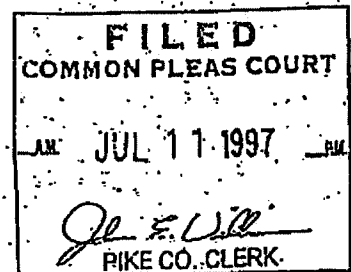
**RULE 16 JUDGEMENT ENTRIES**

A Judgement Entry (or Entries) reflecting the decision of the Court and/or the agreement of the parties and incorporating all requirements of law and these Rules, shall be prepared by the attorney designated by the Court or as otherwise agreed by the parties and their attorneys. The proposed Entry (or Entries) shall be submitted to the Court withing 14 days after the date the decision and/or agreement was announced.

IT IS SO ORDERED.



Cassandra Shoemaker Bolt, Judge



IN THE COURT OF COMMON PLEAS  
CIVIL DIVISION

PIKE COUNTY COURTHOUSE  
100 EAST SECOND ST.  
WAVERLY, OHIO 45690

RULES OF COURT OF COMMON PLEAS

CASSANDRA S. BOLT-MEREDITH, JUDGE

**FILED**  
COMMON PLEAS COURT  
\_AM\_ MAY -5 1999 \_PM\_  
*John E. Williams*  
PIKE CO. CLERK

4/100 1/10/99 107



IN THE COURT OF COMMON PLEAS  
PIKE COUNTY, OHIO  
CIVIL DIVISION

IN THE MATTER OF THE ADOPTION  
OF RULES OF COURT OF COMMON PLEAS

JOURNAL ENTRY

The Supreme Court of Ohio, pursuant to Article 4, Section 4, Section, 5 of the Ohio Constitution, prescribes certain rules of practice and procedure. The Court finds that it is necessary to adopt additional rules not inconsistent with the rules promulgated by the Supreme Court for local practice.

NOW THEREFORE, the following rules shall be adopted.

*Cassandra Bolt Meredith*

Cassandra Bolt Meredith  
Judge

FILED  
COMMON PLEAS COURT  
-AM- MAY -5-1999 -PM  
*J. E. Williams*  
PIKE CO. CLERK

1111 no. 101 1111

PUBLICATIONS

Publication costs shall be paid directly to the newspaper when any and all Legal Notices of Publication are presented to be published. Proof of publication and receipt of payment will be filed with the Clerk by the newspaper. If costs of publication are assessed to another party in the action, publication reimbursement will be billed as Court costs to the party owing same.

**FILED**  
**COMMON PLEAS COURT**  
-AM. MAY -5 1999-PM.  
*J. E. Williams*  
PIKE CO. CLERK

9/10/109002/109

**COURT OF COMMON PLEAS  
CRIMINAL DIVISION**

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**Pike County Courthouse  
100 East Second Street  
Waverly, Ohio 45690**

**RULES OF COURT**

**Cassandra S. Bolt, Judge**

**FILED**  
**COMMON PLEAS COURT**  
OCT 20 1997  
*J. F. [Signature]*  
PIKE CO. CLERK

IN THE COURT OF COMMON PLEAS  
PIKE COUNTY, OHIO  
CRIMINAL DIVISION

IN THE MATTER OF THE ADOPTION  
OF RULES OF COURT

JOURNAL ENTRY

The Supreme Court of Ohio, pursuant to Article 4, Section 4, Section 5, of the Ohio Constitution, prescribes certain rules of practice and procedure. The court finds that it is necessary to adopt additional rules not inconsistent with the rules promulgated by the Supreme Court for local practice.

NOW THEREFORE, the following Rules shall be adopted.



CASSANDRA S. BOLT  
JUDGE, Common Pleas  
Court, Pike County, Ohio

FILED  
COMMON PLEAS COURT  
OCT 20 1997  
PIKE CO. CLERK

10/20/97 3:17  
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## INACTIVE CRIMINAL CASES

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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 by the Court's own motion and shall 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.

## GENERAL ENTRIES

Unless the trial judge otherwise directs, counsel for the party in whose favor an order or judgment is rendered shall, within five (5) days thereafter, prepare the proper journal 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 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 her shall then be filed with the Clerk. If counsel are unable to agree upon the entry, it shall be submitted to the trial judge, who will direct what entry shall be made.

If counsel fail to present an entry within fourteen (14) days after the order 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.

Counsel shall promptly submit an entry of dismissal to the trial judge following settlement of any cause. If counsel fail to present such entry to the trial judge within fourteen (14) 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.

