



Lorain County Court of Common Pleas

Domestic Relations Court

Juvenile Division

Judge Sherry L. Glass
Judge Frank J. Janik
Judge Lisa I. Swenski

NOTICE OF CHANGE TO JUVENILE LOCAL RULES

The Judges of the Lorain County Court of Common Pleas, Juvenile Division, have considered and approved modifications to the Juvenile Division Local Rules. The new language of each Rule is available on the Court's website: www.lcdrc.org

Pursuant to Sup. R. 5(A)(2), there is an immediate need for these rules; therefore, the Court will adopt these rules immediately but will still afford the opportunity for public comment. Comments by members of the bar and any other citizen may be submitted by letter or email, no later than March 4, 2024, to:

Emily Kirsch
Court Administrator
Domestic Relations Division
225 Court Street, 4th Floor
Elyria, Ohio 44035
Emily.Kirsch@lcfct.org

All comments will be given reasonable consideration by the Judges of the Lorain County Court of Common Pleas, Domestic Relations Court, Juvenile Division. If there are any modifications to the proposed rules as a result of comments, the proposed rule will be made available for comment for an additional 30 days.

JUVENILE LOCAL RULES

Amendment to Rule 3. Assignment of Cases

The amendment removes the language from Rule 3(C)(2), which has been commonly referred to as the “Co-Defendant Rule” in all delinquency cases. By removing this rule, all case assignments on juvenile delinquency cases will be by random draw or by subsection (C)(4) if a history exists for the juvenile.

3. ASSIGNMENT OF CASES

C. Cases will be assigned by random draw, with the following exceptions:

1. Refiling of dismissed cases of the same action or filing of subsequent actions involving the same parties will be assigned to the initial Judge on the dismissed action, regardless of any transfers of the cases to another Judge subsequent to the initial filing.

~~2. In Delinquency cases with a co-defendant, the Judge assigned on the case first filed will be the assigned Judge for the co-defendants through adjudication and will be transferred to the originating Judge for disposition, unless the originating Judge and the Judge presiding over the codefendant’s case decide the Judge presiding over the codefendant’s case should be the assigned Judge through disposition.~~

2. **Custody, Paternity, Support, or Grandparent Powers of Attorney:** If a history exists involving the same parties, the case will be assigned to the Judge assigned in the first historical filing. If no history exists involving the same parties, but if there is an open delinquency case involving the child who is the subject of the new case, the judge assigned to the delinquency case will be assigned. If a third-party files an action in which there is an existing case involving the same parties except for the third party, the case will be assigned to the same Judge.

In the event siblings have different Judge history, the Judge assigned to the first case filed will be the Judge assigned to case(s) for the siblings.

If the children at issue are the subjects of a case in the Domestic Clerk’s office, it is the movant’s responsibility to inform the clerks of the existence of said case for purposes of Judge assignment.

3. **Dependent, Neglect or Abuse Cases, or Permanent Custody filing.** If a history exists for the child on the Complaint, cases should be assigned following the hierarchy below. Additionally, if the case involves a sibling group, as identified in

the Complaint, the Judge assignment will be based upon any of the children's history starting from the oldest sibling to the youngest sibling, following the hierarchy below:

- a. LCCS filing exists for said child;
- b. LCCS filing exists for full sibling of child;
- c. LCCS filing exists for half-sibling on maternal side;
- d. LCCS filing exists for the parent as a minor mother, and the parent was adjudicated no more than 4 years prior to the current filing;
- e. Paternity, Support, Custody, or POA/CAA exists for said child;
- f. Delinquent case exists in which said child was adjudicated and received a disposition.

4. **Delinquency:** If a history exists, a Judge will be assigned by following the hierarchy below:

- a. Open delinquency case exists for said child;
- b. Delinquent case exists in which said child was adjudicated and received a disposition;
- c. LCCS filing exists for said child;
- d. Paternity, Support, Custody, or POA/CAA exists for said child;
- e. Prior Juvenile Civil Protection Order filing exists for said child.

5. **Traffic:** If a juvenile has a history of traffic case(s), any open delinquency action pending, or has been adjudicated delinquent, the same Judge will be assigned.

6. **Juvenile Civil Protection Orders:** If a history exists on the Respondent, the same Judge will be assigned. Should the Respondent file a protection order against the same Petitioner the matter shall be assigned to the Judge with the original case.

Amendment to Rule 4. Service of Copies and Notice

In Rule 4(A), language was added to provide guidance for service when the continuing jurisdiction of the Court is being filed by motion in the original action. The language added in this subsection mirrors that of the Civil Rules of Procedure.

4. SERVICE OF COPIES AND NOTICE

- A. All service of copies and notice to parties must comply with Juvenile Rules 16 and 20 and Civil Rules 4 through 4.6 and 5. **The continuing jurisdiction of the Court shall be invoked by motion filed in the original action, notice of which shall be served in the manner provided for the service of process under Civ. R. 4 to 4.6 or Juv.R.16.**
- B. Waiver of service of summons by a party must be notarized or be upon the record.
- C. Pursuant to Ohio Rules of Juvenile Procedure, Rule 16(A) Service by publication, service shall be made by newspaper publication. In the event that the party requesting service by publication is indigent, then service by publication shall be made by posting and mail. The following locations have been designated for the posting of notices in accordance with this Rule:
 - 1. Lorain County Justice Center
 - 2. Elyria Municipal Court
 - 3. Lorain Municipal Court, Lorain City Hall

Repeal Rule 26. Specialized Dockets

As of January 1, 2024, The Juvenile Court has discontinued all specialized docket programs.

Amendments to Rule 31. Truancy Complaint Process

RULE 31. TRUANCY COMPLAINT FILINGS.

- A. **Complaint Information and Required Documents.** A sworn Complaint must be filed with the Lorain County Juvenile Clerk's Office. All Complaints must indicate if there are Additional Filings, or Joint Filings, against a student and the student's parent, guardian, and/or custodian.
- B. **Filing Requirements.** ~~The information above must be e-filed through the Lorain County Juvenile Court's e-filing system.~~ The Complaint must be e-filed through the Lorain County Juvenile Court's e-filing system. Joint filings will only be accepted when both the Juvenile Complaint and the Adult Complaint are sufficiently electronically filed.