

**COURT OF COMMON PLEAS  
JUVENILE DIVISION  
CARROLL COUNTY, OHIO**

**Valinda Imes**  
Chief Deputy Clerk

**Dawn Lefevre**  
Deputy Clerk

**Rachel L. Rinkes**  
Court Administrator

**JUDGE JOHN S. CAMPBELL**  
119 S. Lisbon Street, Suite 202  
Carrollton, OH 44615  
(330) 627-2323 / Fax (330) 627-6004

**Wendy Boggess**  
Probation Officer

**Charles R. Collier**  
Probation Officer

**Jessie Kirkpatrick**  
Probation Officer

**Nick Yingling**  
Probation Officer

**ADDENDUM OF LOCAL RULES  
FOR THE  
COURT OF COMMON PLEAS  
PROBATE/JUVENILE DIVISIONS  
OF CARROLL COUNTY**

**FILED**

**MAY 25 2017**

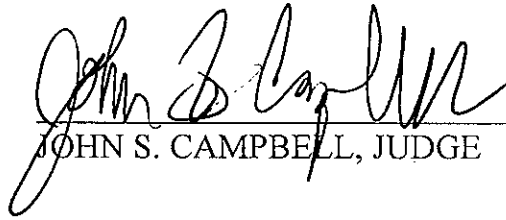
**JOHN S. CAMPBELL**  
Judge Probate and Juvenile Division  
Court of Common Pleas  
Carroll County, Ohio

**EFFECTIVE DATE: JUNE 1, 2017  
HONORABLE JOHN S. CAMPBELL, JUDGE**

**CARROLL COUNTY COMMON PLEAS  
PROBATE/JUVENILE COURT  
119 S. LISBON ST.  
CARROLLTON, OHIO 44615**

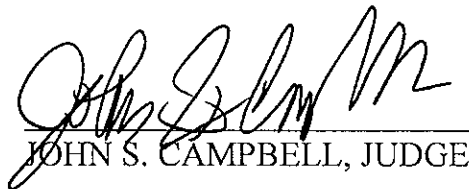
A one hundred and 00/100 (\$100.00) deposit is required per person on any request for publication on all cases in the Court of Common Pleas Juvenile Division.

These supplemental rules concerning local practice in this Probate and Juvenile Division of this Court have been this date adopted by me thus superceding all previously adopted local rules until this Court adopts other rules.

  
\_\_\_\_\_  
JOHN S. CAMPBELL, JUDGE

Certificate

In accordance with CPSupR 44, I have this date caused these rules to be filed with the Supreme Court by forwarding them via e-mail.

  
\_\_\_\_\_  
JOHN S. CAMPBELL, JUDGE

Date: May 25, 2017

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**ADDENDUM OF LOCAL RULES  
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**FILED**

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**JOHN S. CAMPBELL**  
Judge Probate and Juvenile Division  
Court of Common Pleas  
Carroll County, Ohio

**EFFECTIVE DATE: JUNE 1, 2017  
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**CARROLL COUNTY COMMON PLEAS  
PROBATE/JUVENILE COURT  
119 S. LISBON ST.  
CARROLLTON, OHIO 44615**

Under authority of Article IV, Section 5(B) of the Ohio Constitution and Rule 5 of the Rules of Superintendence for Courts of Common Pleas, IT IS ORDERED that the following local rule applying to transcripts be added.

**A fifty dollar (\$50.00) deposit is required at the time of filing a request for transcript.**

**Transcript fees are set at two and 75/100 (\$2.75) per page for original pages and one and 50/100 (\$1.50) per page for copies; transcript fees for indigent clients shall be two dollars (\$2.00) per page for original pages and one dollar (\$1.00) per page for copies.**

**Transcripts will not be released until payment in full has been made to the Deputy Clerk.**

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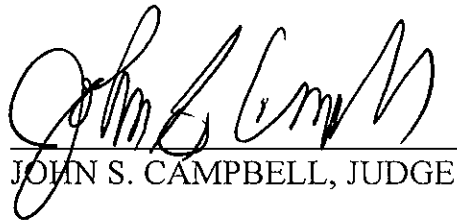


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JOHN S. CAMPBELL, JUDGE

Certificate

In accordance with CPSupR 44, I have this date caused these rules to be filed with the Supreme Court by forwarding them via e-mail.



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JOHN S. CAMPBELL, JUDGE

Date: May 25, 2017

ADDENDUM OF LOCAL RULES  
FOR THE  
COURT OF COMMON PLEAS  
PROBATE/JUVENILE DIVISION  
OF CARROLL COUNTY

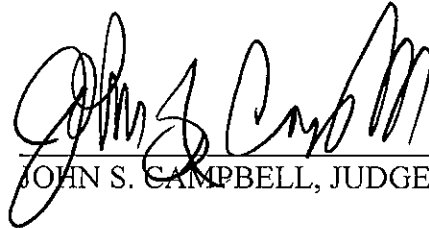
EFFECTIVE DATE: JUNE 1, 2017  
HONORABLE JOHN S. CAMPBELL, JUDGE

CARROLL COUNTY COURT OF COMMON PLEAS  
PROBATE/JUVENILE DIVISION  
119 S. LISBON STREET  
CARROLLTON, OHIO 44615  
330.627.2323

FILED  
MAY 25 2017

JOHN S. CAMPBELL  
Judge Probate and Juvenile Division  
Court of Common Pleas  
Carroll County, Ohio

These supplemental rules concerning local practice in this Probate and Juvenile Division of this Court have been this date adopted by me thus superseding all previously adopted local rules until this Court adopts other rules.

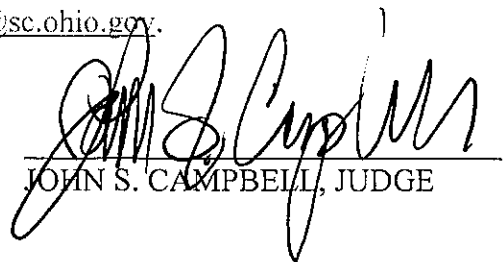


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JOHN S. CAMPBELL, JUDGE

CERTIFICATE

In accordance with CPSupR44, I have this date caused these rules to be filed with the Supreme Court by forwarding them *via email*, [localrules@sc.ohio.gov](mailto:localrules@sc.ohio.gov).



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JOHN S. CAMPBELL, JUDGE

## Appointed Counsel and Guardians ad Litem

### (A) Right to Counsel

Every party shall have the right to be represented by counsel, as provided in R.C.2151.352, and may have the right to appointed counsel, if indigent. The court shall maintain a list of private attorneys willing to accept appointments for Juvenile Court cases. No attorney will be assigned to defend any indigent person in a Juvenile Court case unless his or her name appears on one of the approved trial counsel lists as designated in paragraphs (A)(1)-(10) of this rule.

The approved trial counsel lists shall remain in effect for a period of two years ending on December 31 of odd-numbered calendar years. Counsel whose name appears on the approved trial counsel lists may file an application for renewal to serve as appointed counsel to sustain eligibility. The renewal application shall be filed no earlier than three months prior to, and no later than, the expiration of the approved trial counsel list then in effect. Counsel who fails to timely file an application for renewal, shall be removed from the new approved trial counsel lists. Reinstatement shall occur upon the filing of an original application to serve as assigned counsel and approval by the Judges. For good cause, the Judges may decline to accept any application for inclusion on any list or remove the name of any lawyer from any list.

To remain eligible to receive guardian ad litem appointments, each calendar year attorneys accepting guardian ad litem appointments must successfully complete a continuing education training which must be at least three hours in length and be provided by the Supreme Court of Ohio or with prior approval of the Judges, be a training that complies with Ohio Rule of Superintendence 48(E)(5).

If a guardian ad litem fails to complete a three hour continuing education course within any calendar year, that person shall not be eligible to serve as a guardian ad litem until this continuing education requirement is satisfied. If the person's gap in continuing education is three calendar years or less, the person shall qualify to serve after completing a three hour continuing education course. If the gap in continuing education is more than three calendar years that person must complete a six hour pre-service education course to qualify to serve.

In the interest of justice in a specific case, for good cause, the trial Court may remove an assigned attorney as defense counsel.

The experience and qualifications identified in (B) of this rule shall be a prima facie basis for the inclusion of a lawyer on the lists designated below:

#### List 1. Guardians ad litem

- (a) Attorneys who will serve as Guardian ad Litem in a Domestic Relations or Private Juvenile Custody action.
- (b) Attorneys who will serve in a dual capacity as attorney and guardian ad litem, or solely as guardian ad litem for children in Dependency, Neglect and Abuse cases.
- (c) Attorneys who will serve as Guardian ad Litem in a Delinquent or Unruly action.

- (d) Attorneys who will serve as Guardian ad Litem for a parent or custodian in a Dependency, Neglect or Abuse case.

List 2. Attorneys who will serve as counsel for parties in Dependency, Neglect and Abuse cases.

- (a) Attorneys who will serve as counsel for parties in Dependency, Neglect and Abuse cases on Appeal.

List 3. Attorneys who will represent children charged with Unruly, Truancy, Violation of court order, and Misdemeanors.

List 4. Attorneys who will represent children charged with Misdemeanor OVI.

List 5. Attorneys who will represent children charged with 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Degree Felonies.

List 6. Attorneys who will represent children charged with 1<sup>st</sup> and 2<sup>nd</sup> Degree Felonies.

List 7. Attorneys who will represent children charged with a Bindover or Serious Youthful Offender (SYO) offense.

List 8. Attorneys who will represent children charged with Murder or Aggravated Murder.

List 9. Attorneys who will represent children on the following offenses on Appeal:

- (a) Attorneys who will represent children charged with Unruly, truancy, violation of court order, misdemeanors, and 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> Degree Felonies on Appeal.
- (b) Attorneys who will represent children charged with 1<sup>st</sup> and 2<sup>nd</sup> Degree Felonies on Appeal.
- (c) Attorneys who will represent children charged with a Bindover or Serious Youthful Offender (SYO) offense on Appeal.

List 10. Attorneys who will represent adults facing Contempt actions.

#### (B) Application and List Requirements

(1) In order to be approved and maintain placement on any of the court's list of attorneys or guardians ad litem, an attorney must meet the following standards:

- (a) Licensed Ohio attorney in good standing;
- (b) Inform the court of any prior disciplinary complaints against the attorney which resulted in sanctions;
- (c) Maintain a working telephone with a local telephone number or toll free long distance number, with a secretary and/or voicemail/service to be able to respond to calls from the court or client; provide an email address.
- (d) Attorneys are under an ongoing duty to notify the court of changes in their status, address, or telephone number.

(2) Attorneys desiring to be placed on the appointment list shall apply in writing on a form promulgated by the court, to the Judges specifying the list(s) from which (s)he is willing to accept appointments. The application shall be accompanied by a resume stating the applicant's training, experience and expertise demonstrating the applicant's ability to successfully perform the duties and responsibilities of an attorney or guardian ad litem.

(3) Prior to being placed on the appointment list attorneys must fulfill the following requirements:

(a) Guardian ad Litem – List 1 (a)-(d)

In order to serve as a guardian ad litem, an applicant shall have, at a minimum, the following training:

(i) Successful completion of a pre-service training course to qualify for appointment and thereafter, successful completion of continuing education training in each succeeding calendar year to qualify for continued appointment.

(ii) The pre-service training course must be the six hour guardian ad litem pre-service course provided by the Supreme Court of Ohio.

(b) Attorneys – List 2 and 2(a)

Applicants wishing to receive List 2 appointments must have: Minimum of six hours of training in Dependency, Neglect and Abuse.

Applicants wishing to receive List 2 (a) appointments must have: Minimum of six hours of training in Dependency, Neglect and Abuse.

(c) Attorneys – List 3

Applicants wishing to receive List 3 appointments must have: Minimum six hours of CLE in Juvenile Delinquency practice and procedure OR successful completion of clinical education program on juvenile law OR one year experience as an attorney.

(d) Attorneys - List 4

Applicants wishing to receive List 4 appointments must have: Minimum of six hours of continuing legal education focused on OVI practice and procedure.

(e) Attorneys – List 5

Applicants wishing to receive List 5 appointments must have: Within two years prior to appointment, minimum 12 hours CLE in criminal practice and procedure, at least six of which must be in juvenile delinquency practice and procedure AND at least one year of experience as an attorney practicing in the area of Juvenile Delinquency law.

(f) Attorneys – List 6



Applicants wishing to receive List 6 appointments must have: Within two years prior to appointment, minimum 12 hours CLE in criminal practice and procedure, at least six of which must be in juvenile delinquency practice and procedure AND at least two years' experience as attorney practicing in juvenile delinquency law AND within 10 years preceding the appointment, prior experience as lead trial counsel in at least two bench trials in juvenile court, at least one of which involved a felony-level charge OR as lead counsel in one felony bench trial AND co-counsel in two additional bench trials.

(g) Attorneys – List 7

Applicants wishing to receive List 7 appointments must have: Within two years prior to appointment, minimum 12 hours CLE in criminal practice and procedure, at least six of which must be in juvenile delinquency practice and procedure AND requisite experience to be appointed to a juvenile case based upon the highest degree of charge in the case AND requisite experience to be appointed to an adult case based upon the highest degree felony charged OR co-counsel who meets the adult-case training and experience requirements must also be appointed.

(h) Attorneys – List 8

Applicants wishing to receive List 8 appointments must have: Within two years prior to appointment, minimum 12 hours CLE in criminal practice and procedure, at least six of which must be in juvenile delinquency practice and procedure AND at least three years' experience as attorney practicing in juvenile delinquency law AND within 10 years preceding appointment, prior experience as lead trial counsel in at least four bench trials in juvenile court, at least three of which involved a felony-level charge OR as lead counsel in three bench trials, two of which involved a felony-level charge AND as co-counsel in three additional bench trials.

(i) Attorneys-List 9 (a)-(c)

9 (a) Applicants must have: Completed a minimum of nine hours of continuing legal education, certified by the Ohio Supreme Court Commission on continuing legal education, in the areas of appellate practice and procedure and juvenile delinquency practice and procedure; OR successfully completed a clinical education program focusing on appellate practice and procedure and a minimum of six hours of continuing legal education in the area of juvenile delinquency practice and procedure; OR successfully completed a clinical education program focusing on juvenile delinquency practice and procedure and a minimum of six hours of continuing legal education in the area of appellate practice and procedure.

9 (b) Applicants must have: Within two years immediately prior to appointment, minimum 12 hours CLE, at least six of which in delinquency practice and at least six of which in appellate practice AND at least two years' experience as attorney in juvenile delinquency and appellate law AND within six years preceding appointment, filed appeals in three juvenile delinquency cases.

9 (c) Applicants must have: Requisite training required to handle the appeal of a juvenile case based upon the highest degree of felony charged AND requisite experience to handle the appeal of a juvenile case based upon the highest degree of felony charged AND requisite experience to handle the appeal of an adult case based upon the highest degree of felony charged OR co-counsel who meets the adult-case training and experience requirements must also be appointed.

For all Appellate cases, filing of an *Anders* brief does not count as prior experience.

(j) Attorneys-List 10

Applicants must have: Minimum six hours of CLE in Juvenile Delinquency or Criminal practice and procedure OR successful completion of clinical education program on Juvenile or Criminal law OR one year experience as an attorney

(C) Appointments

(1) Private attorneys who are qualified to receive appointments may, during an enrollment period determined by the court, volunteer to be present for Emergency Shelter Care Hearings to receive available appointments. Attorneys volunteering to be present will receive confirmation of the date(s) the attorney is assigned to be present for Emergency Shelter Care Hearings. Absent an emergency, attorneys who fail to appear for an assigned Emergency Shelter Care Hearing will not be eligible to volunteer to be present for Emergency Shelter Care Hearings during the subsequent enrollment period. Appearing for an Emergency Shelter Care Hearing does not guarantee that an attorney will receive an appointment.

(2) To equalize appointments among attorneys and Guardians on the various appointment lists, all appointments will be assigned on a rotating basis. Excluded from the rotating appointments are companion cases, cases that are dismissed and refiled, multiple cases involving the same client, appointments made from the bench, reappointment of a Guardian ad Litem, and reappointment of an attorney for a probation violation. Attorneys who will be unavailable for designated periods of time may notify the Deputy Clerk of the dates of their unavailability. Once such notification is received, the attorney will not be appointed to any cases during the specified period of unavailability. Appointments shall be reviewed quarterly by the Deputy Clerk to ensure equitable distribution.

(3) Attorneys and guardians ad litem shall promptly advise the court of any grounds for disqualification or unavailability to serve, and shall certify annually they are unaware of any circumstances that would disqualify them from serving and to report the training they have attended to comply with any applicable division of this rule.

(D) Removal and Reinstatement

Attorneys and guardians ad litem may be removed from the court appointment list(s) with the approval of the Judges of Carroll County Juvenile Court. After losing eligibility for any reason, an attorney or guardian ad litem must submit a new application requesting reinstatement.

Attorneys and guardians ad litem losing eligibility may also be required to complete additional requirements prior to reinstatement.

(E) Annual Review and Evaluation

At least annually, the court shall conduct a review of its list to determine that all individuals are in compliance with the training and education requirements of this rule, that they have performed satisfactorily on all assigned cases during the preceding calendar year and are otherwise qualified to serve.

(F) Complaints

Written or oral complaints regarding Guardians ad Litem shall be directed to the Deputy Clerk.

(G) Fees and Indigent Defendants

(1) The following is a suggested MAXIMUM schedule of fees to be allowed to attorneys who have been appointed to represent indigent Defendants. The amounts are, as indicated, merely suggested MAXIMUM amounts, but are intended as a guide to the Judges in the allowance of fees, it being further suggested that, because of the number of days required to try a case or because of an extraordinary amount of investigation work, the Judge, in the Judge's discretion, may allow an amount greater than the suggested amount.

(2) Expenses must be approved by the Judge before incurred and itemized when presented for payment. The terms of appointment and suggested fees are as follows:

(a) Payment and/or reimbursement shall be made on the basis of forty dollars (\$40.00) per hour of representation out of Court and fifty dollars (\$50.00) per hour of representation in Court, up to the following amounts for the following offense classifications and other proceedings:

Juvenile Proceedings:

Delinquency Offenses \$750

Guardian Ad Litem \$150

All Others \$300

(b) Payment and/or reimbursement for entrance of pleas should be on the basis of Forty Dollars (\$40.00) per hour out of Court and Fifty Dollars (\$50.00) per hour in Court, up to the prescribed maximums for each offense classification.

(c) Payment and/or reimbursement for expenses associated with providing representation shall be made when submitted with the attorney's fee certificate (OPD-1026), Affidavit of Indigency, Journal Entry of Appointment and approved by the trial Judge. Expenses include, but are not limited to, such items as expert witness fees, polygraph examination costs, parking and meal expenses, long distance telephone calls, copying, and other necessary items as approved in the discretion of the Court. Appointed counsel are reminded that the County is partially reimbursed for such expenditures when

the fee certificates are submitted in a timely manner. The Judge of the Court of Common Pleas, Juvenile Division, may refuse to approve any fee certificates submitted for approval of the court beyond sixty (60) days after the end of the calendar month in which the case was finally disposed of or terminated, pursuant to O.R.C. Section 120.33(A)(4) except when the attorney intends to file a motion for appeal, a motion for a new trial, or a motion for early release. In these instances, the date is extended to sixty (60) days beyond the date of this post trial action.

(D) Additional payment and/or reimbursement for extraordinary cases will only be made with approval of the trial court.

(E) Payment and/or reimbursement for appellate representation shall be made on the basis of Forty Five Dollars (\$45.00) per hour for in or out of court representation since appellate proceedings generally consume less than one hour of oral argument time. Payment and/or reimbursement shall be made when submitted with the appropriate certificate (OPD-E-204), approved by the Appellate Court, up to the following maximum amounts for these offense classifications:

Other/Juvenile \$300