

IN THE COURT OF COMMON PLEAS
COLUMBIANA COUNTY, OHIO

-vs-

Plaintiff

Defendant

)
)
)
)
)
)
)

CASE NO. _____

JUDGE: _____

CHANGE OF CONTACT INFORMATION

I notify the Court / Counsel that the following contact information for me has changed effective now.

Date

Signature



Common Pleas Court of Columbiana County, Ohio

DESIGNATION FORM TO BE USED TO INDICATE THE CLASSIFICATION OF THE CAUSE

Plaintiff _____

Vs. _____

Defendant _____

Case Number: _____

Date: _____

Has this case been previously filed and dismissed? Yes No

Case #: _____ Judge: _____

Is this case related to any new cases now pending or previously filed? Yes No

Case #: _____ Judge: _____

CIVIL CLASSIFICATIONS: Place an (X) In ONE Classification Only.

Professional Torts:

- 1311 Medical Malpractice
- 1315 Dental Malpractice
- 1316 Optometric Malpractice
- 1317 Chiropractic Malpractice
- 1312 Legal Malpractice
- 1313 Other Malpractice

Product Liability:

- 1330 Product Liability

Other Torts:

- 1310 Motor Vehicle Accident
- 1314 Consumer Action
- 1350 Misc. Tort

Workers Compensation:

- 1550 Workers Compensation
- 1531 Workers Comp. Asbestos

Foreclosures:

Utilize Separate Foreclosure Designation Form

Commercial Docket:

- 1386 Commercial Docket
- 1387 Commercial Docket with Foreclosure

Administrative Appeals:

- 1540 Employment Services
- 1551 Other

Other Civil:

- 1500 Replevin/Attachment
- 1382 Business Contract
- 1384 Real Estate Contract
- 1388 Consumer Debt
- 1390 Cognovit
- 1391 Other Contracts
- 1490 Foreign Judgment
- 1491 Stalking Civil Protection Order
- 1501 Misc. Other
- 1502 Petition to Contest Adam Walsh Act
- 1503 Certificate of Qualification for Employment

Amount of Controversy:

- None Stated
- Less than \$25,000
- Prayer Amount _____

Parties have previously attempted one of the following prior to filing:

- Arbitration
- Early Neutral Evaluation
- Mediation
- None

I certify that to the best of my knowledge the within case is not related to any now pending or previously filed, except as noted above.

Firm Name (Print or type) _____

Attorney of Record (Print or Type) _____

Address _____

Supreme Court # _____

Address _____

Email Address _____

Phone _____

Signature _____

Columbiana County Clerk of Courts Online Access System User Agreement

In order to register for an account with the Columbiana County Clerk of Courts ("Clerk") for access to the Clerk's system for purposes of viewing case documents and filing electronically ("e-filing"), you must accept the terms of the following User Agreement. Failure to accept these terms and provide the information required herein will result in you being denied access to e-filing and document viewing (hereafter referred to collectively as "online access").

Each attorney who has been approved to use the Clerk's online access system agrees to be solely responsible for the security and use of his or her user name and password. Any online access from the Clerk's system utilizing that user name and password shall be deemed to be made by the owner of the user name and password.

As an authorized user of Clerk's online access system, you agree to comply with the Administrative Orders and/or Local Rules of the Court governing e-filing and confidentiality as are then in effect in the applicable court at the time of each filing.

Service of pleadings and other documents filed electronically using the online access system shall be governed by Administrative Orders and/or Local Rules governing e-filing in effect on the date of the filing of the pleadings or documents to be served. In accordance with those rules and orders, all attorneys registered and approved to file documents electronically may be served with notices and copies of documents filed subsequent to a Complaint or Third-Party Complaint in electronic format. By accepting the terms of this User Agreement, you are consenting to receive notices and copies of documents electronically via e-mail, and waive the right to receive by first class mail notice of any document filed electronically subsequent to the Complaint or Third-Party Complaint. You are solely responsible for ensuring that the Clerk has your current and valid email address.

Each authorized user of the Clerk's online access system agrees not to use the system to engage in criminal activity or to commit fraud or identity theft. Each authorized user of the Clerk's online access system also agrees not to upload or submit prohibited content into the system. As used in this agreement, "prohibited content" includes, but is not limited to, the following examples of items, with the sole exception that this type of material may only be submitted when such material is a sworn exhibit to a case:

- Documents, articles, links or other materials that promote racism, bigotry, hatred or physical harm of any kind against any group or individual;
- Documents, articles, links or other materials that are or could be harmful to minors, exploit persons under 18 years of age in a sexual or violent way, or solicit personal information from anyone under 18 years of age;
- Documents, articles, links or other materials that harass or advocate harassment of another person or are abusive, threatening, or obscene;

- Documents, articles, links or other materials that involve the transmission of "junk mail," "chain letters," unsolicited mass mailing or "spamming;"
- Documents, articles, links or other materials that promote or contain information known to be false;
- Documents, articles, links or other materials that promote or encourage illegal activities or conduct, or provide instructional information about illegal activities such as making or buying illegal weapons, violating someone's privacy, or providing or creating computer viruses;
- Documents, articles, links or other materials that display pornographic materials or images of any kind; and
- Documents, articles, links or other materials that solicit passwords or personal identifying information from other users for commercial or unlawful purposes.

Redaction:

Rules 44 and 45 of the Rules of Superintendence for the Courts of Ohio provide that parties and their attorneys should not include, or must redact where inclusion is necessary, certain personal identifiers in order to protect personal privacy. Rule 44(H) defines personal identifiers to mean "social security numbers, except for the last four digits; financial account numbers, including but not limited to debit card, charge card, and credit card numbers; employer and employee identification numbers; and a juvenile's name in an abuse, neglect, or dependency case, except for the juvenile's initials or a generic abbreviation such as 'CV' for 'child victim.'" Other personal identifiers, such as driver's license numbers, medical records, or other items may also be entitled to redaction. Personal identifiers shall be omitted or redacted from all case documents filed electronically through the online access system unless otherwise ordered by the Court.

By accepting this User Agreement, the user accepts sole responsibility for redacting personal data identifiers on all documents filed electronically by him or her through the online access system. The Clerk will not review documents for compliance with this rule or redact documents.

Payment Policy:

Some e-filings will require payment of filing fees. For e-filings that require payment of filing fees, the user will be required to pay the filing fee using a credit card at the time of filing. The filing fee amount will be confirmed at time of filing. Use of e-filing constitutes your consent to charge the credit card you supply with the standard fees based on the type of filing and the information you provide with the filing.

Access to Case Documents:

Each authorized user will also have online access to view and copy case documents filed in cases in which that attorney is counsel of record. Any abuse of this privilege will be cause to forfeit your individual log-in and online access to the Clerk's system. The user acknowledges that there may be confidential case documents that may not be available through the online access system.

Violations:

Each authorized user understands and agrees that, in the event the user violates the provisions of this User Agreement, the user's online access may be terminated at the sole discretion of the Court and/or the Clerk. Each authorized user also understands and consents to the removal of any prohibited content from the system at the discretion of the Court and/or the Clerk.

Waiver of Warranties and Release of Liability:

While every effort is made to assure the data within the Clerk's system is accurate and current, it must be accepted and used by the recipient with the understanding that no warranties, expressed or implied, concerning the accuracy, reliability or suitability of this data have been made.

Each authorized user agrees that, under no circumstances, including negligence, shall anyone involved in the creating and maintaining of the Clerk's online access be liable for any direct, indirect, incidental, special, or consequential damages or lost profits that result from the use or inability to use the Clerk's system, website, and/or any other website linked to the Clerk's website. The website and online access system will have periodic maintenance and outages, both scheduled and unscheduled. Online access, including ability to e-file, will be unavailable during these instances. In the event the online access system is unavailable for any reason, the Columbiana County Clerk of Courts assumes no responsibility to restore the online access system within any predetermined period of time.

By accepting this User Agreement, each authorized user agrees to hold Columbiana County, including its officials and employees, harmless from any and all losses, damages, liability, omissions, or claims which may arise directly or indirectly from information obtained from the online access system or use of the system itself.

I hereby certify that I have read the above information and agree to abide by the requirements and terms as stated in this agreement.

Signature of Attorney: _____ Date: _____

Printed Name: _____ Supreme Court No: _____

Law Firm/Company: _____

Email Address: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____ Fax Number: _____

COLUMBIANA COUNTY CLERK OF COURTS OFFICE
NEW ADVANCE DEPOSIT SCHEDULE

Security for Costs**EFFECTIVE JULY 1, 2019****CIVIL FEES**

All Civil Complaints and/or Petitions, Cognovits	\$ 250.00
Additional fee for Foreclosure cases for Sheriff processing	\$ 300.00
Fee for Jury Demand(once ordered by court)	\$ 500.00
Notice of Appeal of Arbitrator's Decision	\$ 250.00
For Arbitration Fee	\$ 350.00
Answer and Cross or Third Party Complaint with Request	\$ 60.00
Publication for Service	\$ 600.00
Publication (Upon the Filing of an Order of Sale)	\$ 600.00
Additional fee for reactivation (Alias, Pluries, etc.)	\$ 100.00
Appraiser's Fees (Upon the Filing of an Order of Sale)	\$ 200.00
To File a Certificate of Judgment (Other Court)	\$ 40.00
To File a Certificate of Judgment from this Court	\$ 45.00
To Make a Certificate of Judgment for Transfer	\$ 5.00
Release of Judgment	\$ 5.00
Notice of Appeal to the 7th District Court of Appeals	\$ 125.00
Execution (Foreign and from Other Courts)	\$ 85.00
Execution (Certificate of Judgment previously filed)	\$ 45.00
Proceedings in Aid of Execution	
Debtor's Exam	\$ 45.00
(each additional defendant)	\$ 5.00
Precipe for Execution	\$ 295.00
For Filing a Garnishment Action	\$ 60.00
Precipe for Writ of Possession, Order of Possession, Writ of Restitution	\$ 200.00
Out of County Service - Sheriff Fees	\$ 50.00
Motion for Expungement	\$ 150.00
DOMESTIC RELATIONS FEES	
Dissolution of Marriage, Divorce, Alimony, Micellaneous DR Cases	\$ 300.00
All Post Decree Motion Filings	\$ 100.00
Filing a Qualified Domestic Relations Order	\$ 50.00
Publication for Service	\$ 600.00
Answer and Cross or Third Party Complaint with Request	\$ 60.00
Out of County Service - Sheriff Fees	\$ 50.00

APPLICATION FOR FILMING AND RECORDING OF TRIALS

TO: _____, Judge of the Court of Common Pleas of Columbiana County, Ohio

RE: _____ -vs- _____

CASE NUMBER: _____

In accordance with Superintendence Rule 12, and Loc. R. Ct. 3.04,

(Name of person requesting permission)

(Name, Address and Telephone Number of Agency)

request(s) permission to _____ broadcast, _____ televise, _____ record, _____ videotape, or _____ photograph _____

in the Courtroom during the trial of this matter.

(Date)

(Signature)

*****:*****

The above Application is _____ this _____ day of _____, 20 _____.

FILED
COLUMBIANA COUNTY
COURT OF COMMON PLEAS

MAY - 7 2015

ANTHONY J. DATTILIO
CLERK (CAPY)
AD

IN THE COMMON PLEAS COURT
COLUMBIANA COUNTY, OHIO

Misc. Journal
2015 MJ 64

IN RE: ORDER OF COMPENSATION: FEES FOR EXPEDITED
TRANSCRIPTS FOR OFFICIAL COURT REPORTERS PURSUANT TO O.R.C.
§2301.24.

Effective immediately, it is ordered that the expedited page rate will be an amount quoted by the Official Court Reporter and agreed to by requesting counsel, *but in the absence of approval by the applicable trial judge*, shall not exceed twice the regularly established page rate of \$4.00.

All this until further order of the Court.



C. ASHLEY PIKE
Administrative Judge

Date: May 6, 2015

ORIGINAL

**IN THE COMMON PLEAS COURT
COLUMBIANA COUNTY, OHIO**

Misc. Journal
12 MJ141

**IN RE: ORDER OF COMPENSATION: FEES FOR TRANSCRIPTS FOR
OFFICIAL COURT REPORTERS PURSUANT TO O.R.C. §2301.24.**

FILED
COLUMBIANA COUNTY
COURT OF COMMON PLEAS


Effective immediately for any transcripts to be filed hereafter, it is ordered that the per page fees charged for all original civil and criminal transcripts be \$4.00.

NOV 01 2012
ANTHONY J. DATTILIO
CLERK (CEB)

Those transcripts deemed by the court reporters to be expedited shall be \$4.50.

All copies shall be furnished electronically only and at no charge.

All this until further order of the Court.


C. ASHLEY PIKE
Administrative Judge

Date: November 1, 2012



APPENDIX H

SAMPLE MEDIATION REFERRAL JUDGMENT ENTRY FORM

**IN THE COURT OF COMMON PLEAS
COLUMBIANA COUNTY, OHIO**

SAM SMITH, ET AL.)	CASE NO. 2020 CV 999
)	
PLAINTIFFS)	
)	
-vs-)	
)	JUDGMENT ENTRY
TOM JONES, ET AL.)	
)	
DEFENDANTS)	

This case is hereby referred to mediation which shall take place at the First United Methodist Church, 114 E. Washington St., Lisbon, Ohio (one block south of the courthouse) on _____ at _____ .m. Counsel and the parties should enter the church parking lot directly behind the structure and go up one floor into the Sunday school wing of the building. Watch for the sign "Enter Here for Mediations."

The Mediation will be conducted by the Court's Mediator, Attorney David Tobin, whose e-mail address is dave@paynelaw.net. No later than two days before the scheduled mediation, counsel for all parties shall e-mail to the Mediator a pretrial statement in a form consistent with Appendix to Local Rule 2.0 (Local Rules of Court may be found at www.columbianacountylawlibrary.org or through the link at www.ccclerk.org).

Requests to continue or cancel mediations are not favored and will be considered only if timely made and based on extraordinary circumstances.

Counsel, parties, and any insurance adjusters are directed to attend the mediation in person. Any un-excused non-appearance by any of the foregoing may result in sanctions that are appropriate under the circumstances, including payment of attorney fees and/or expenses of an opposing party, and/or payment or reimbursement of the mediator's fees.

If this case settles prior to the mediation, counsel shall notify Attorney Tobin and the Court's Bailiff immediately. If notice of settlement is not provided at least one day prior to the scheduled mediation, the mediator's fees shall be taxed as costs.

If you have any questions about mediation, please contact the Bailiff of the Court of Common Pleas at (330) 424-7777.

IT IS SO ORDERED.

Judge

Dated: _____, 2020

cc: Jane Doe, Esq.
Charles Henry, Esq.

IN THE COURT OF COMMON PLEAS
COLUMBIANA COUNTY, OHIO

)	CASE NO. _____
)	
Plaintiff)	JUDGE: _____
-vs-)	
)	MEDIATION STATEMENT
)	
Defendant)	

- (1) Brief description of case (e.g. pedestrian struck while crossing in crosswalk):
- (2) Brief description of injuries or damages (e.g. fractured leg or front end damage, etc.),
- (3) List items by item ascertainable damages such as medical expenses, lost wage, property damage, etc., that have been provided to you:

<u>ITEM OF DAMAGE</u>	<u>AMOUNT</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL	\$ _____

- (4) Report on the status of the following:
 - Depositions;
 - Interrogatories;
 - Physical Examinations;
 - Exchange of medical reports;
 - Exchange of expert witness reports;
 - Wage or employment verification;

- (5) State any special problems with respect to trial of case:

- (6) Stipulations:

_____ Date _____ Counsel for Plaintiff/Defendant

APPENDIX J

FORECLOSURE MEDIATION REQUEST FORM

*You MUST return this form to the Clerk of Courts office at 105 South Market Street, Lisbon, Ohio, 44432, within twenty-eight (28) days of the date you receive the summons. This form does not guarantee that your case will be sent to mediation. The Court will give the opposing party a chance to respond to your request. If the opposing party objects, your case may not be mediated.

You are strongly urged to seek legal counsel immediately. For additional information please refer to the Foreclosure Mediation Packet available at the Clerk's website.

Case Number: _____

(if applicable)

Your Name: _____

Attorney's Name: _____

Your Address: _____

Attorney's Address: _____

Day Time Phone: _____

Attorney's Phone: _____

Evening Phone: _____

Cell Phone: _____

Email: _____

Home Phone: _____

- 1. Is this property your home ? _____
- 2. Are you currently living in this property ? _____
- 3. Is this property your only home ? _____
- 4. Are you interested in trying to remain in this property ? _____
- 5. Are you in bankruptcy ? _____

Print the name of the person requesting foreclosure mediation:

X _____
Signature

X _____
Signature

Date: _____

*This request must be received within twenty-eight (28) days of the date you received the summons.

COURT OF COMMON PLEAS
COLUMBIANA COUNTY
DOMESTIC RELATIONS
CASE DESIGNATION FORM

PLEASE TYPE

Case No.
Judge

Please list any Pending, closed or previously filed and dismissed Domestic Relations' Case(s) between the parties, list case number and Judge: _____

I certify that to the best of my knowledge the within case is not related to any now pending or previously filed, except as noted above.

- ANNULMENT
- APPLICATION TO ESTABLISH FAMILY CASE
- APPLICATION TO ADOPT ADMINISTRATIVE ORDER
- DISSOLUTION - CHILDREN
- DISSOLUTION - NO CHILDREN
- DIVORCE - CHILDREN
- DIVORCE - NO CHILDREN

- DOMESTIC VIOLENCE
- DATING VIOLENCE
- LEGAL SEPARATION - CHILDREN
- LEGAL SEPARATION - NO CHILDREN
- UCCJEA - PARENTING REGISTRATION
- UIFSA - PATERNITY ESTABLISHMENT
- UIFSA - SUPPORT ESTABLISHMENT
- UIFSA - SUPPORT REGISTRATION

Service: Certified Mail Waiver Personal Publication FedEx

Plaintiff's Length of Residence In: Columbiana County _____ Ohio _____

PARTY 1			PARTY 2		
FULL NAME:			FULL NAME:		
ALIAS NAME:			ALIAS NAME:		
DATE OF BIRTH:			DATE OF BIRTH:		
NUMBER OF THIS MARRIAGE:			NUMBER OF THIS MARRIAGE:		
ADDRESS:			ADDRESS:		
CITY:	STATE:	ZIP:	CITY:	STATE:	ZIP:
HOME PHONE:	CELL PHONE:		HOME PHONE:	CELL PHONE:	
EMAIL:			EMAIL:		

DATE OF MARRIAGE: _____ PLACE OF MARRIAGE: _____

CHILDREN'S NAMES:	M	F	DATE OF BIRTH:	AGE

Attorney of Record (Print or Type) _____

Signature _____

Ohio Supreme Court Registration Number _____

Email Address _____

Address: _____

City: _____ State: _____ Zip: _____

Office Phone _____

Cell Phone _____

Witness: _____ Address: _____

(COURT USE ONLY)

SET FOR HEARING ____ / ____ / ____

DATE OF FINAL JOURNAL ENTRY _____

MISCELLANEOUS NOTES:

Rule 9.4 Uniform Local Companionship Plan**COLUMBIANA COUNTY GUIDELINE PARENTING SCHEDULE****1. GENERAL PARENTING PRINCIPLES**

During and after a divorce, there is often a crisis period (from several months to years) during which families are under great stress because of loss, conflict, and change. Most studies show and psychologists uniformly agree that the children who do best following divorce are from those families, which maintain a low level of conflict. The absence of conflict is even more critical than the amount of time either parent spends with the child. Children, however, clearly profit by continued meaningful contact with both parents. Children need the continuing and regular involvement of both parents to feel loved. No specific schedule will satisfy the change in needs of both children and parents over the years. Critical to the success of any schedule is that each parent be flexible, based upon the changing needs of a child, as the child grows older.

This Guideline Parenting Schedule takes into account the changing developmental needs of children. It is recognized that each situation and each child is different. It is preferred that parents tailor the parenting schedule to meet the specific needs of their children. In all cases, including requests for 75(M) orders, the court will strive to adopt a parenting schedule that is in the child(ren)'s best interests. Any request to deviate from the following parenting schedule shall be supported by the filing of the proper affidavits/evidence. The factors contained in ORC 3109.051(D) shall be considered in any proposed deviation from the guideline-parenting schedule. Absent a request for deviation and the filing of affidavits/evidence in support thereof, the court will impose the guidelines set forth below. A good parenting schedule developed for a family should be based upon the following considerations:

- A. The developmental needs and age of each child.
- B. The psychological attachments of each child.
- C. The way child rearing tasks were shared during the marriage.
- D. The preservation or development of a close relationship with each parent.
- E. A consistent and predictable schedule that minimizes the transition between the households, especially where young children are involved. Failure to consistently exercise parenting time may result in modification of the parenting schedule.
- F. Each child's temperament and ability to handle change.
- G. Parents' career demands and work schedules.
- H. The need for periodic review of the plan, noting trouble signs and revising as each child's needs and circumstances change.

For purposes of exercising this parenting schedule, _____ is designated the residential parent and _____ is designated the non-residential parent.

The policy of the following time allocation is to provide a schedule which is best suited for the particular age of that child(ren).

2. WEEKLY SCHEDULE

A. Birth to Six Months

The non-residential parent shall have parenting time weekly as follows: Tuesday afternoon and Thursday afternoon for a period not to exceed three hours. Alternate Saturdays and Sundays from 9:00 A.M. until 6:00 P.M. The Court will consider modifications to an overnight schedule as the child's age increases. The Schedule shall continue on a weekly basis until modified by the parties.

B. Ages Six months through 18 years

Week A: Tuesday or Wednesday afternoon consistent with the non-residential parent's work schedule and/or the child(ren)'s school schedule if school is in session, and Friday from 6:00 P.M. until Sunday at 6:00 P.M.

Week B: Tuesday and Thursday afternoons consistent with the non-residential parent's work schedule and/or the child(ren)'s school schedule if school is in session. The parenting time on Tuesday and Thursday afternoons shall consist of not less than three hours, however, shall conform with the child(ren)'s bedtimes.

Parents should respect a teenager's need to spend time with peers and in organized activities, and less time with each parent, especially during weekends and summer holidays. Quality of time is more important than a rigid schedule. Flexibility in scheduling is necessary. When possible, it is preferable to consider the teenager's wishes, as long as the parents agree.

3. ADDITIONAL PARENTING TIME

In the event of a conflict, the following is the order of preference: 1st - holidays; 2nd - extended periods; 3rd - weekends; 4th - midweek days. The two-week uninterrupted parenting time shall take precedence over summer holidays.

A. Holidays

HOLIDAY	Even # Years	Odd # Years	Schedule
New Years	Mother	Father	1/1 at 9:00 AM to 1/1 at 6:00 PM
Martin Luther King	Father	Mother	Sunday 6:00 PM to Monday 6:00 PM
President's Day	Mother	Father	Sunday 6:00 PM to Monday 6:00 PM
Easter	Father	Mother	Saturday 8:00 PM to Sunday 6:00 PM
Memorial Day	Mother	Father	Sunday 6:00 PM to Monday 6:00 PM
Fourth of July	Father	Mother	4:00 PM to 9:00 AM on July 5th
Labor Day	Mother	Father	Sunday 6:00 PM to Monday 6:00 PM
Halloween	Father	Mother	5:00 PM to 9:00 PM
Thanksgiving	Mother	Father	Wednesday 6:00 PM to Friday 6:00 PM
Christmas Eve	Father	Mother	12/23 Noon to 12/24 9:00 PM
Christmas Day	Mother	Father	12/24 9:00 PM to 12/26 6:00 PM
Mother's Day	Mother	Mother	10:00 AM to 9:00 PM
Father's Day	Father	Father	10:00 AM to 9:00 PM

For all other holidays, including religious holidays celebrated by the family which are not included in the above list, the parties shall alternate from year to year with the mother having the even numbered years and the father having the odd numbered years on those particular holidays. For holidays that extend for more than a one-day period, the parties shall divide the days as equally as possible to permit both parties to spend that holiday time with the children.

For school districts who have Fridays or Mondays off that are not listed in the holiday schedule, that Friday or Monday, the parent whose weekend it is shall have the option of extending their weekend companionship to include the extra day.

B. Extended Time

1. Each parent shall be entitled to two weeks of consecutive, uninterrupted parenting time each year. This consecutive two weeks shall not extend the summer parenting time and may be taken during the school year if the parties agree and appropriate arrangements have been made to comply with school regulations.

2. The non-residential parent may be entitled to one half of the summer vacation each year during the summer, two weeks of which may be consecutive and uninterrupted. If the parents are unable to agree as to the summer schedule, the non-residential parent shall be entitled to the first half of the summer. The summer vacation is defined as commencing the day after the children get out of school and continuing until seven (7) days before school begins. During summer companionship, each parent receives weekday companionship as afforded the non-residential parent during the rest of the year. The alternating weekends continue during the summer companionship without interruption except for the two weeks of consecutive uninterrupted parenting time.

3. The child(ren)'s spring break from school (every other year) and one-half Christmas break (every year) shall also be spent with the non-residential parent. The school schedule where the residential parent for school purposes resides shall be used even if there are no school age children. The parent who has Easter shall have spring break in the same year.

4. Extended periods of time are to be arranged as follows: for extended time at Spring Break, by February 15th each year, for extended time in the summer, by May 15th of each year, and for extended time at Christmas, by November 1 of each year. Each parent shall notify the other parent in writing of the times desired for these extended periods.

5. Alternating weekends and weekdays shall not be included in the calculation of the Christmas and spring breaks.

6. Birthdays

In even number years the mother shall have the children for their birthdays on the following schedule: if the child is in school on that day, the time will be 5:00 p.m. to 9:00 p.m., if the child is not in school on that day, from 9:00 a.m. to 9:00 p.m. The father shall have the children in odd numbered years on the same time schedule. The parenting time for birthdays shall include all children of the marriage, not just the child celebrating his/her birthday.

The child/ren shall spend each parent' birthday with that parent unless otherwise ordered by the court or agreement of the parties.

4. MISCELLANEOUS

A. The child(ren) and/or residential parent have no duty to wait for more than 30 minutes for the non-residential parent to arrive for parenting time. The non-residential parent who is more than 30 minutes late for a particular parenting time shall forfeit that time. An exception shall be made if the tardiness of the

non-residential parent is for just cause (i.e. work schedule) and the residential parent receives both prompt notice and a reasonable estimated arrival time.

B. The non-residential parent who is more than 30 minutes late in returning the child(ren) without calling to make arrangements and without just cause may be subject to contempt.

C. If either parent will be unavailable during his/her scheduled parenting time, regardless of the age of the child(ren), he/she shall offer that parenting time to the other parent. Unavailable means that parent will be gone from his/her home overnight.

D. Make up time shall be given if the child(ren) or non-residential parent is unavailable at the scheduled time or if the residential parent denies access to the child(ren) without just cause. All make up days shall be rescheduled within 30 days.

E. If the parents are unable to reach an agreement regarding transportation, and unless otherwise provided by court order, the non-residential parent shall provide transportation at the commencement of the visitation period and the residential parent shall provide transportation at the termination of the parenting period. **A responsible, licensed adult known to both parents may provide transportation if the parent is unavailable.** Any person transporting a child(ren) shall use the proper child restraint seat and/or seat belts as required by law. No person shall consume alcohol or use illegal drugs immediately prior to or during the transportation of a child(ren).

F. Each parent shall have reasonable telephone contact with the child(ren). Reasonable is defined as one time per day.

G. Car Seat: For all child(ren) required by law to ride in a car seat, the parents shall transfer the car seat with the child(ren) as companionship changes occur.

H. Extracurricular Activities: Regardless of where the child(ren) are living, their continued participation in extracurricular activities, school related or otherwise, shall continue uninterrupted. It shall be the responsibility of the parent who has the child(ren) at the time of the activity to 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 child(ren) 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 and the name of the activity leader (including address and telephone number if reasonably available to the residential parent). Failing to do so may result in a finding of contempt with appropriate sanctions. The residential parent shall provide the non-residential parent with a copy of the school calendar.

5. STATUTORY NOTICES

A. RELOCATION NOTICE: Pursuant to ORC 3109.051 (G), the parties hereto are hereby notified as follows:

If the residential parent intends to move to a residence other than the last residence of court record, he/she shall file a notice of intent to relocate with this Court. Except as provided in ORC 3109.051(G) (2), (3) and (4), a copy of such notice shall be mailed by the Court to the nonresidential parent. On receipt of the notice, the Court, on its own motion or on the motion of the non-residential parent, may schedule a hearing with notice to both parties to determine whether it is in the best interest of the child(ren) to revise the visitation schedule for the child(ren). Said notice shall be filed 60 days prior to the relocation.

B. RECORDS ACCESS NOTICE: Pursuant to ORC 3109.051(h) and 3319.321(b) (5) (a), the parties are notified as follows: Except as specifically modified or otherwise limited by court order, and subject to ORC 2301.35(G) (2) and 3319.321(F), the non-residential parent is entitled to access under the same terms and conditions as the residential parent to any record that is related to the children and to which the residential parent is legally provided access, including school records. Any keeper of a record, public or private, who knowingly fails to comply with this order, is in contempt of Court.

Both parents shall have access to the children's school records. Both parents are encouraged to participate in parent-teacher conferences, school trips, school programs and other school events in which parents are invited to participate. The parent receiving the grade card shall give a copy to the other parent within a reasonable time.

C. DAY CARE CENTER ACCESS NOTICE: Pursuant to ORC 3109.051(I), the parties hereto are hereby notified as follows:

Except as specifically modified or otherwise limited by court order, and in accordance with ORC 5104.011, the non-residential parent is entitled to access to any day care center that is or will be attended by the children with whom visitation is granted, to the same extent that the residential parent is granted access to the center.

D. SCHOOL ACTIVITIES NOTICE: Pursuant to ORC 3109.051(J), the parties hereto are hereby notified as follows:

Except as specifically modified or otherwise limited by the court order, and subject to ORC 3119.321, the non-residential parent is entitled to access, under the same terms and conditions as the residential parent

to any student activity that is related to the children to which the residential parent legally is provided access.

6. SPECIAL CIRCUMSTANCES

A. Domestic Violence: The Companionship Plan may need to be adjusted when there has been domestic violence. Please refer to the most recent revision of the law or consult with an attorney regarding this special circumstance.

B. Re-establishment of Parent-Child Relationship after a Long Absence: When the visitation has not taken place for an extended period of time, both parents should consider the possible adverse effects upon the child(ren) and gradually re-introduce an appropriate access plan for the non-custodial parent. A separate schedule has been developed for this purpose. (Rule 9.42)

C. Travel with the Child(ren): Whenever the child(ren) travels with either parent, one of the following will be provided to the other parent: an itinerary of travel dates, destinations, and places where the child(ren) or traveling parent can be reached; or the name and telephone number of an available third person who would be knowledgeable of the child(ren)'s whereabouts.

D. Out of Town Access: Plans regarding out of town access are more difficult to suggest because of the effect of such facts as distance, parents' employment schedule, parents' financial ability to pay for more or less frequent trips, and the availability of child care while child(ren) are visiting from out of town. These and many other facts necessitate specific arrangements be made. In general, visits would be less often and of longer duration.

E. Travel of Child(ren) Alone: Travel alone of a child(ren) under the age of 12 years is not recommended.

F. Access to Address and Phone Number: Both parties shall provide each other with their current address and phone number unless doing so would endanger either the child(ren) or the parent. If an address or phone number cannot be provided, then the name and number of an available third party would/can reach the child(ren) or inaccessible parent in the event of an emergency should be provided.

G. Emergency Medical Treatment: In the event that the child(ren) is/are in need of emergency medical treatment, it shall be the responsibility of either party to obtain treatment for the child(ren) and immediately notify the other parent.

Appendix K-2 Uniform Long Distance Companionship Schedule

Rule 9.41 Uniform Long Distance Companionship Schedule

Liberal companionship arrangements are encouraged, as contact with both parents is important to the children. Specific items in the Judgment Entry take precedence over this schedule. Changes or modifications can be made by the Court if need for such is shown. Support payments are not affected by the schedule unless ordered by the Court.

THE NON-RESIDENTIAL PARENT SHALL RECEIVE PARENTING TIME AT SUCH TIMES AND PLACES AS THE PARTIES MAY AGREE.

IF THE PARTIES CANNOT AGREE UPON A PARENTING TIME SCHEDULE THE NON-RESIDENTIAL PARENT SHALL BE ENTITLED TO NOT LESS THAN THE FOLLOWING SCHEDULE:

1. Christmas: Christmas vacation will be divided in half and alternated annually, by half, between the parents. If the parties cannot agree, the Mother will have the first half during odd-numbered years, and the Father will have the first half in even-numbered years. Christmas vacation shall begin the day school is out and shall terminate the day before school resumes in the public school district where the residential parent resides.
2. Spring Break: In odd-numbered years school vacation (the Friday school is out to the day before school recommences, to be coincidental with the days of the school vacation and not to interfere with school) in odd-numbered years of the Saturday before Easter to the Saturday after Easter for preschoolers with no school-aged siblings.
3. Additional holidays as agreed upon by the parties.
4. Summer: One-half of the school summer vacation. Summer school necessary for the child(ren) to pass to the next grade must be attended. The residential parent shall notify the non-residential parent by March 15 of when the summer vacation begins and ends. The non-residential parent must notify the residential parent as to their intentions by April 15.
 - a. If the parties cannot agree which half of the summer they prefer, in the even numbered years, the first half of the summer shall be spent at the nonresidential home, and in odd-numbered years, the second half.
 - b. A general itinerary should be provided to either parent if more than two days will be spent away from either home when the children are in that parent's care.
5. Telephone: The children must be allowed to have reasonable communication by telephone at least one time per day, with both parents, regardless of with whom the child is currently living. Reasonable shall be

defined as one time per day. The nonresidential parent shall pay for calls on the weekdays and the residential parent shall pay for calls on the weekends. The child(ren) shall call the non-residential no less than every Sunday evening of each and every week.

6. Vacations: Each parent may arrange an uninterrupted vacation of not more than two weeks with the children. A general itinerary of the vacation shall be provided for the other parent, including dates, locations, addresses and telephone numbers. "Vacation" is defined as a trip away from the parent's home. It does not include a parent's vacation time off from work where that parent spends it at home.

7. Additional Companionship:

a. A once a month weekend visit to the non-residential home will be permitted if the child's traveling time does not exceed three hours one way. The residential parent must be notified at least one week in advance.

b. Father's Day and Mother's Day can always be spent with the appropriate parent.

c. The non-residential parent shall notify the residential parent at least two days in advance of any time the non-residential parent will be in the area and wants a companionship period. Absent extra ordinary circumstances, this companionship shall occur.

d. The residential parent must notify the non-residential parent at least two days in advance when the residential parent and child(ren) will be in the area of the non residential parent, and companionship must be allowed.

8. STATUTORY NOTICES

A.) RELOCATION NOTICE: Pursuant to ORC 3109.051 (G), the parties hereto are hereby notified as follows:

If the residential parent intends to move to a residence other than the last residence of court record, he/she shall file a notice of intent to relocate with this Court. Except as provided in ORC 3109.051(G) (2), (3) and (4), a copy of such notice shall be mailed by the Court to the non-residential parent. On receipt of the notice, the Court, on its own motion or on the motion of the non-residential parent, may schedule a hearing with notice to both parties to determine whether it is in the best interest of the children to revise the visitation schedule for the children. Said notice shall be filed 60 days prior to the relocation.

B.) RECORDS ACCESS NOTICE: Pursuant to ORC 3109.051(h) and 3319.321(b) (5) (a), the parties are notified as follows:

Except as specifically modified or otherwise limited by court order, and subject to ORC 2301.35(G) (2) and 3319.321(F), the non-residential parent is entitled to access under the same terms and conditions as the residential parent to any record that is related to the children and to which the residential parent is legally provided access, including school records. Any keeper of a record, public or private, who knowingly fails to comply with this order, is in contempt of Court. Both parents shall have access to the children's school records. Both parents are encouraged to participate in parent-teacher conferences, school trips, school programs and other school events in which parents are invited to participate. The parent receiving the grade card shall give a copy to the other parent within a reasonable time.

C.) DAY CARE CENTER ACCESS NOTICE: Pursuant to ORC 3109.051(I), the parties hereto are hereby notified as follows:

Except as specifically modified or otherwise limited by court order, and in accordance with ORC 5104.011, the non-residential parent is entitled to access to any day care center that is or will be attended by the children with whom visitation is granted, to the same extent that the residential parent is granted access to the center.

D.) SCHOOL ACTIVITIES NOTICE: Pursuant to ORC 3109.051(J), the parties hereto are hereby notified as follows:

Except as specifically modified or otherwise limited by the court order, and subject to ORC 3119.321, the non-residential parent is entitled to access, under the same terms and conditions as the residential parent to any student activity that is related to the children to which the residential parent legally is provided access.

10. Current Address and Telephone Number: Each parent must keep the other informed of his/her current address and telephone number at all times.

11. Modifications: This schedule can be changed or modified by the Court if change is shown to be in the best interests of the child(ren).

12. Car Seat: For any and all child(ren) required by law to ride in a car seat, the parents shall transfer the car seat with the child(ren) as companionship exchanges occur.

13. Transportation: Responsibility for transportation costs should be decided in advance and should be incorporated into an order of the Court. The costs of transportation, in the appropriate case, may be a basis for deviation from the child support schedule.

If the parents are unable to reach an agreement regarding transportation, and unless

otherwise provided by court order, the non-residential parent shall provide transportation at the commencement of the visitation period and the residential parent shall provide transportation at the termination of the parenting period. **A responsible, licensed adult known to both parents may provide transportation if the parent is unavailable.** Any person transporting the child(ren) shall use the proper child restraint seat and/or seat belts as required by law. No person shall consume alcohol or use illegal drugs immediately prior to or during the transportation of a child(ren).

The school schedule where the residential parent for school purposes resides shall be used, if there are no school age child(ren).

Appendix K-3 Transitional Schedule for Companionship

Rule 9.42 Transitional Schedule for Companionship

When the visitation has not taken place for an extended period of time, both parents should consider the possible adverse effects upon the child(ren) and gradually re-introduce an appropriate access plan for the non-custodial parent. The Court will strive to adopt a parenting schedule in all cases that is in the child(ren)'s best interest.

Any request to deviate from the following parenting schedule shall be supported by the filing of the proper affidavits/evidence. The factors contained in the ORC §3109.051(D) shall be considered in any proposed deviation from the guideline-parenting schedule.

For purposes of exercising this parenting schedule, _____ is designated the residential parent and _____ is designated the nonresidential parent.

The policy of the following time allocation is to provide a schedule which is best suited for the particular age of that child(ren).

(A) For an initial four-week period commencing Saturday/Sunday _____, the Non-Residential Parent shall visit with the child(ren) each Saturday/Sunday from 2:00 P.M. to 4:00 P.M. in the Residential Parent's home, or at such alternate time or location as is mutually agreed to by the parties.

(B) For the following four-week period, commencing _____, the Non-Residential Parent shall have companionship each Saturday/Sunday from 1:00 P.M. to 5:00 P.M. outside of the Residential Parent's presence at the Non-Residential Parent's home or that of a member of his or her family.

(C) For the following four-week period, commencing _____, the Non-Residential Parent shall have overnight companionship each Friday/Saturday night from 6:00 P.M. Friday/Saturday to 6:00 P.M. Saturday/Sunday.

(D) At the end of the above twelve-week period, the Non-Residential Parent shall have

companionship in accordance with the Court's Companionship Order. The Court reserves the right to extend the transitional time in the best interests of the child(ren).

Should the Non-Residential Parent fail to observe the schedule set forth in (A), then companionship shall not expand as set forth in (B). Should there be a failure to observe the schedule as set forth in (B), then companionship shall not expand as set forth in (C). Should there be a failure to observe the schedule set forth in (C), then companionship shall not expand as set forth in (D). In order to exercise companionship under the Court's Companionship Order, it is expected that the Non-Residential Parent will provide appropriate accommodations for the child(ren), including but not limited to a car seat and crib if needed.

