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DOMESTIC RELATIONS
INSTITUTE**

**News from the Summit County
Domestic Relations Court**

Presented By:

Attorney Kenneth Teleis, Randy Flick &
Sue Tucker

What's New at Domestic Relations Court



Domestic Violence

- DV Petitions up 30% over last year
- Seeing more parents/grandparents filing
- Victim Assistance Advocate in Clerk's office
- Dedicated Battered Womens' Shelter staff
- Improved safety protocols

Parentage Cases

- Working with Summit County Fatherhood Initiative and Legal Aide to improve service access to fathers
- Increase in parentage cases
- Parentage cases with attorneys now go through traditional track rather than Working Together program

Opiates

- Many new cases where overdose has occurred
- Working with providers to educate staff and improve access and affordability of testing
- Increase in criminal charges against parents that have to be dealt with

Dockets

- Family Court Services extremely busy
- More GAL only cases being assigned
- Trying to recruit new Guardians
- Caseloads for Magistrates heavy with increased FV petitions

Trotwood



IF THE EX PARTE IS NOT GRANTED

Contact Victim Assistance at 330-376-0040 or Battered Women's Shelter, at 330-374-0740 to see what other services may be available.

WHAT HAPPENS IF A CIVIL PROTECTION ORDER IS VIOLATED?

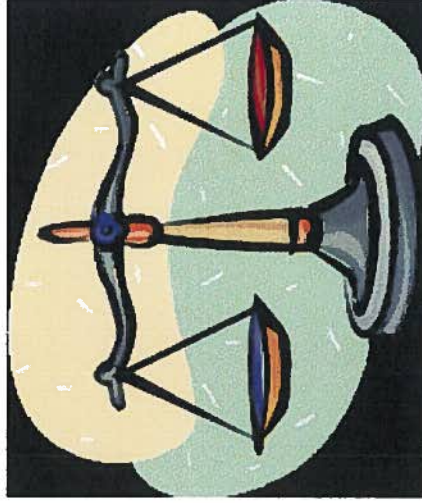
Violation of Civil Protection Orders can lead to criminal prosecution, depending on the severity of the violation. A Respondent who violates a CPO may be subject to contempt of court, criminal prosecution, jail, or prison. The Summit County Domestic Relations court issues wallet cards with the names of the respondent, all protected parties and the details of the full order, including the term of the final CPO. Victims can keep the cards with them at all times, and call police if the CPO is violated. It is important to call police if the respondent violates the CPO, and to seek assistance and safety when necessary.

A Civil Protection will not keep a victim safe from further harm. It is important that victims of violence take precautions to safeguard themselves and any children who are protected. Remaining vigilant and aware is imperative. Reaching out for help, from the Victim Assistance Program, or the Battered Women's Shelter may provide answers, support and services can make the difference in moving on from the stressful nature of the events surrounding domestic violence.

For further assistance or information at the Summit County Domestic Relations Court, contact the Community Outreach Director, at 330-643-2359

Summit County Domestic Relations Court
205 South High Street, 2nd Floor
Akron, OH 44308-1663

Understanding Civil Protection Orders



Summit County Domestic Relations Court

Judge Carol J. Dezso
Judge John P. Quinn



330-643-2355
www.drcourt.org

WHAT IS A CIVIL PROTECTION ORDER?

A Civil Protection Order (CPO) is issued by Domestic Relations Court to protect individuals who are physically abused or threatened with harm by a family or household member - person living in your home, even if not related to you by marriage or blood. (This by definition is known as Domestic Violence).

The Civil Protection Order will last from 1 – 5 years and will legally prevent the person who is causing you harm to communicate with you in any way. This includes seeing, calling, e-mailing, texting, or sending message through a third party. As a Temporary Protection Order will expire once the case is closed, individuals are encouraged to apply for a Civil Protection Order if safety remains a concern.

BENEFITS OF HAVING A CIVIL PROTECTION ORDER:

- A Magistrate may issue the protection order for up to five (5) years
- A Magistrate may order the petitioner to maintain custody of the child(ren)
- A Magistrate may order the respondent to pay child support
- A Magistrate may issue a visitation order to allow the respondent to visit the child(ren)
- A Magistrate may order the respondent to engage in counseling or treatment

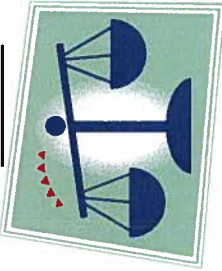
WHO CAN ASK FOR A CIVIL PROTECTION ORDER?

You may apply for a CPO if any of the following are true:

- You are related to the respondent by blood or marriage
- You are living or have lived with the respondent during the past five years
- You were previously married to the respondent
- You have a child with the respondent
- You have a valid photo ID

COMMON TERMS IN THE CPO PROCESS

Petitioner: The individual(s) being harmed or threatened.



Respondent: The individual causing harm or threat of harm to another.

Advocate: A professional, victim's rights who will provide free assistance and support through this process. **A Victim Advocate is stationed in the Clerk's Office to assist petitioners in completing forms.**

Ex Parte Order: A legal order mandating individuals to stop communicating / seeing one another. The order is active until the final outcome of the Evidentiary hearing.

Magistrate: An appointed judicial officer of the court who handles certain criminal and civil matters. The Magistrate is 'supervised' by the elected Judge.

Clerk of Courts: Located on the first floor of the Domestic Relations Courthouse at 205 S. High Street, Akron, Ohio.

WHAT IS THE PROCESS FOR OBTAINING A CIVIL PROTECTION ORDER

1. Obtain and complete a **Petition for Domestic Violence Civil Protection Order** from the Summit County Clerk's Office, Domestic Relations Division, or from Victim Assistance Program (330-376-0040). If children are involved, you must also obtain and complete: **Information for Parenting Affidavit**, and an **Application for Child Support Services**. You may request the assistance of a domestic violence advocate to assist you. **Beginning the process after 3:00 PM, may delay your ability to file the ExParte Order with the Clerk, until the following business day. The Clerk's office closes at 4:00 PM**

2. If children are involved, you must also obtain and complete the following:

1. **Information for Parenting Affidavit**
2. **Application for Child Support Services**

3. Complete the required forms to the best of your ability. The following is a list of mandatory information that must be included:

- **Your name and address where you are currently residing**
- **The name and address of the respondent**
- **The date of the incident**
- **What happened, where it happened**
- **You must show imminent danger for yourself and or your children**

4. File the petition by bringing your completed paperwork to the Summit County Clerk of Courts Office and they will notarize it.

5. Go to the Domestic Relations Court located on the 3rd floor of the Court house. Tell the bailiff you are there for an Ex Parte hearing for a protection order. You will be instructed to sit and wait for the magistrate. Please anticipate waiting for more than an hour as there is an only one magistrate assisting individuals.

6. Once you are called in by the Magistrate, you will provide testimony and submit documentation as to why you are seeking a protection order. (The respondent will not be there).

IF AN EX PARTE CPO IS GRANTED:

1. Go to the second floor of the courthouse and speak to a person at the front desk, who will make copies of the order for you and walk you down to the Clerk's office, where the order will be filed.
2. Take copies of the order to the Sheriff's office located in the basement of the courthouse, next to the cafeteria. A deputy will then serve the order on the respondent.
3. An Evidentiary hearing will take place in seven to ten days, with the respondent present.

How is Trotwood Used?

Trotwood may be scheduled to attend any In Camera interview involving a child. Prior to using Trotwood, parents are asked if the child has any allergies or fear of dogs. Trotwood is usually waiting for the child as he or she enters the courtroom. The child is encouraged to pet Trotwood, and feed him some treats. Trotwood will then sit or lay next to the child during the entire interview. At any time that a child needs or wants to pet or play with Trotwood, it is permitted. At the end of the interview, the child may again give



Trotwood a treat. "Our hope is that Trotwood will help to reduce the stress and trauma children feel; give them a positive memory of their court experience; and help them move forward with their lives."

Magistrate Ron Cable

For more information contact Sue Tucker, Community Outreach Director, at 330-643-2359 or at stucker@drccourt.summitoh.net

Summit County Domestic Relations Court
205 South High Street, 2nd Floor
Akron, OH 44308-1663

Meet Trotwood Summit County Domestic Relations Court



**Magistrate Ron Cable
Magistrate Maureen Foley
Trotwood**



330-643-2355

www.drccourt.org

Custody and Parenting Time

Each year, hundreds of parents initiate custody and parenting time cases in the Summit County Domestic Relations Court. Custody is the process of decision making regarding children's issues after the court case is over. In Ohio, parents are awarded either full custody, where one parent makes all of the decisions, or shared parenting, where parents make the major decisions regarding the parenting of the children together.

Parenting time is the time the children spend with either parent. Some parents follow the Standard Order of Parenting Time of the Summit County Domestic Relations Court; and some parents develop their own time sharing plans.

Most parents are able to agree on custody and parenting time through one of the court's mediation programs. For some families, those issues can cause high conflict and require additional services, such as custody evaluations and Guardians ad Litem. In addition to evaluations, some parents demand that the court speak to the children directly. This process is called an In Camera interview.

What is an in camera interview?



In Camera interviews take place at the request of either parent, or their attorney. An In Camera interview is conducted with a judge or magistrate in the courtroom, in private, away from attorneys or parents. A social worker or Guardian Ad Litem is sometimes present for the interview. Information obtained from the child is not shared with the parties, in order to protect the child from additional questioning or conflict.

When children come into the court, they have usually been pulled out of school, disrupting their normal routine. Meeting with an adult, in a black robe, can be disturbing and frightening. Judge and Magistrates try to provide services to make the testimony unnecessary; understanding that speaking in the court can cause stress and loyalty conflicts for children. Sometimes, however, a child's presence is required. This is where Trotwood comes in. Trotwood is a therapy dog who can assist children in interviews.

Trotwood the Therapy Dog

Trotwood is a three year old Golden-doodle. He will be providing comfort to children in stressful situations.

Trotwood is available to the Magistrates and Judge's at the Summit County Domestic Relations Court, for child interviews.



The idea behind the use of Trotwood came from Magistrate Ron Cable. Cable had long struggled with ways to make interviewing children about sensitive family issues a more positive experience. "It is really difficult for kids to come into the court and talk about problems within their family. Talking about private matters, while worrying about how mom or dad is going to feel about things can cause an awkward situation into a traumatic event. The idea we had behind using Trotwood, was to give kids something fun and positive to remember about the experience, and to ease the tension and stress." So far it is working!

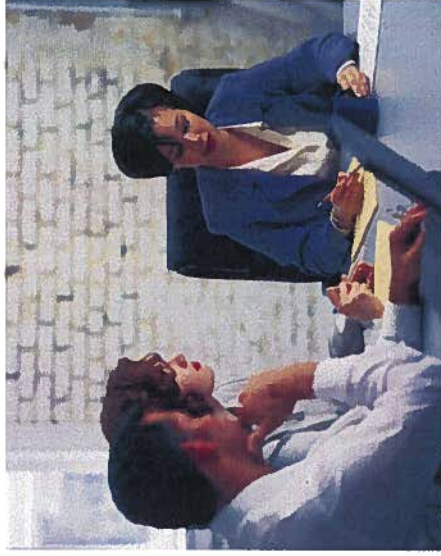
How Much Does It Cost to Have a Guardian?
The Guardian Ad Litem fee is a \$1,200 for 16 hours of work, and **must be paid before the Guardian can begin their work.** The fee is usually split according to the parties' income. Parties are given fourteen (14) business days to pay the fees. Fee are paid to the Summit County Clerk of Court. The Clerk's Office will only accept cashier's checks, money orders, or credit cards. **No personal checks are accepted.** Payment plans may be arranged in certain circumstances, but the fees must be paid before the Guardian can start their work. In rare cases, additional fees may be ordered

What Happens When a Guardian Is Appointed?

A magistrate or judge will issue an order with the Guardian's name and the fee distribution. After the fees are paid, the Guardian will contact both parties and any relevant professionals. The Guardian will send the parties a questionnaire asking for information about the family members and any professionals involved with the family. The Guardian will also ask each party to give several names of individuals the parent would like the Guardian to speak with. It is important to fill out the questionnaire and return it to the Guardian timely. The Guardian will meet with each party individually and with the children; with the children alone, outside of the presence of either parent; a follow up with collateral resources. The Guardian will then write a report and submit it to the court. The Guardian will attend the hearings and be available for testimony. Guardian reports are not released by the court. If a party has an attorney, the attorney will review the report. If a party is representing themselves, they must file a motion with the judge of record to review the report. **For additional information contact the court at 330-643-2359.**

Summit County Domestic Relations Court
205 South High Street, 2nd Floor
Akron, OH 44308-1663

Summit County Domestic Relations Court Guardians



Ad Litem

Judge Carol J. Dezso
Judge John P. Quinn



330-643-2355
www.drcourt.org

Parents and the Court

Many of the cases that come before the Summit County Domestic Relations Court involve parties with children. Whether those parties are divorcing, or have never married, custody and parenting time are major issues. The Summit County Domestic Relations Court's approach to these issues is to assist parents in making those decisions in the best interest of the children. The court provides many programs and opportunities to help parents understand their children's needs, before, during and after the process ends. Most parents who come through the court avail themselves of the



education and mediation services offered, and are able to make the decisions in a collaborative way, minimizing the conflict and stress on the family.

Some parents are unable to make those decisions and proceed with custody litigation. Parents who are in conflict over parenting issues, especially custody, are referred to the Family Court Services department. Family Court Services is the social services department within the court. FCS Evaluators meet with parents, and sometimes their children; gather information from collateral sources; and make recommendations to the magistrate or judge as to what is in the best interest of the children.

Guardians Ad Litem

On occasion, some custody or parenting cases may be more complex and require an in-depth investigation. When a case requires evaluation of the home environment, consultation with relatives,

social service or counseling professionals and in-depth contact with parents and children, the court may appoint a Guardian ad Litem. Guardians ad Litem are degreed professionals who go into the home and community to assess the functioning of both homes, speak

directly to significant people in the children's lives and review agency, criminal and legal records. Guardians have access to all professionals and records for parents

and children involved in the case. Guardians conduct their investigation, write a report outlining the dynamics in the case and make recommendations to the court regarding the best interests of the children. A Guardian's job is to put together all the pieces of information in a child's life and make recommendation in their best interest.

What Do Guardians Do?

Guardian responsibilities are spelled out both in Local Rule 34 and in Sup. Rule 48. Those responsibilities include:

- Provide information to the court relevant to the best interest of the child/ren
- Meet directly with both parents individually
- Meet with children with parents, and individually outside the presence of parents whenever practicable
- Review all records and collateral sources pertaining to the case
- Observe children in each parent's home if possible

- Speak directly to all professionals involved with the family pertaining to the case, whenever possible
- Request and/or recommend mental health or substance abuse treatment for family members when appropriate
- File or cause to be file motions and pleadings relevant to the case.
- Provide an in-depth written report to the court, including recommendations pertaining to the best interests of the child/ren
- Be available for all court proceedings and provide testimony when necessary
- Provide a detailed statement of activities and time spent on cases to court, parties and legal counsel.

What are the Guardian's Qualifications?

- Advanced degree in law, psychology, social work or related fields
- Five (5) years of experience with Domestic Relations Court
- Completed mandatory six (6) hour Supreme Court Guardian Ad Litem training before application
- Completed BCI criminal background check and civil background check
- In depth knowledge of child and family development; knowledge of the dynamics in parentage and divorce cases; knowledge of issues surrounding family violence, (e.g. domestic violence, child abuse, etc); knowledge of mental health diagnosis and treatment; and substance abuse.
- Extensive knowledge and experience in interviewing adults and children
- Six (6) hours of Guardian specific continuing education annually.



Children Need:

- Parents who listen and care
- Parents who spend time with them
- Parents who set limits and enforce rules
- Parents who are dependable and reliable
- Parents who are respectful of them and to the other parent
- Parents who put their children's needs above their own feelings and desires
- Parents who support them emotionally, physically and financially

Working Together

Working together to cooperate in parenting your children is the most important investment parents can make in the future of their children as well as the community in which we live. The Working Together program gives parents the opportunity to learn together their rights and responsibilities. The program also gives parents the opportunity to meet with a neutral professional to resolve their differences and plan together on the best way to meet the challenges ahead.

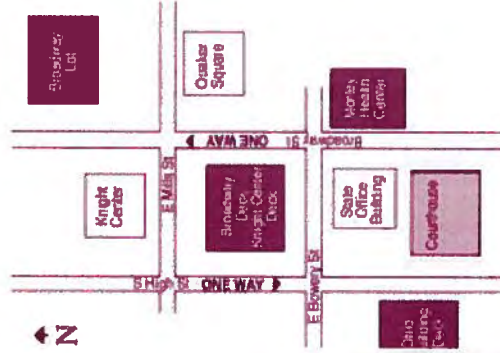


Time:

Sessions are held on the second Saturday of each month from 9:00 a.m. to noon and the fourth Thursday of each month from 4:00 - 7:00 p.m.

Location:

The Domestic Relations Court is located at 209 South High Street, across the street from the Morley Health Center parking deck. Sessions are held on the second floor of the Courthouse Annex. Enter from Broadway.



Summit County Court of Common Pleas
Domestic Relations Division
Judge Carol J. Dezso • Judge John P. Guinn
209 South High Street
Akron, OH 44308-1663



01/04

Working Together



An Educational Program for Never Married Parents

Summit County
Court of Common Pleas
Domestic Relations
Division



Judge Carol J. Dezso
Judge John P. Guinn
(330) 643-2355
www.drcourt.org



This program is funded through a grant from the Akron Community Foundation.

Being a Parent

Having a child is one of the biggest decisions a parent can make. Parenting brings many challenges. Mothers and Fathers have different strengths and skills that children need in order to grow. Parents also have certain rights and responsibilities regarding their children. Never married parents frequently have questions about these rights and responsibilities when it comes to custody, visitation and child support. The Working Together program, sponsored by the Summit County Domestic Relations Court, is designed to help parents better understand the answers to these questions and work together to give their child the guidance and love they need to grow up healthy and strong.

Parents Rights:

- Ongoing and regular contact with their children
- Respect from their children and the other parent
- Love and care for their children without interference from the other parent
- Build a strong, supportive relationship with their children
- Information about their children's school, medical and emotional health records
- Follow their own spiritual, discipline and moral beliefs, within reason, in raising their children
- Live a separate and private life
- Cooperation from the other parent

Parents Responsibilities

- Providing medical and mental health care for their children
- Making wise decisions about about children's discipline and daily activities
- Insuring a peaceful relationship with the other parent
- Sharing their children's time with the other parent
- Communicating openly and honestly with the other parent about issues regarding the children
- Supporting their children physically, emotionally and financially
- Making sure their children are safe at home and with the people in their lives
- Spending quality time, on a regular basis, with their children to build a strong positive relationship

Working together to cooperate in parenting your children is the most important investment parents can make in the future of their children as well as the community in which we live.



"I always wanted to know my dad, but my mom said I don't need him."



"I hate it when my parents fight!"



"How come my dad doesn't visit? I think there must be something wrong with me."



"I love my Mom and my Dad."

