

The Supreme Court of Ohio

MEMORANDUM

TO: Chief Justice Maureen O'Connor

CC: Michael L. Buenger, Administrative Director
Stephanie Hess, Director, Court Services Division

FROM: Judge Deborah A. Alspach, Marion County Family Court
Jennifer Justice, Deputy Director, Ohio Department of Job and
Family Services, Office of Families and Children
Co-Chairs of the Advisory Committee on Children and Families

DATE: January 23, 2015

SUBJECT: 2015 Annual Report on the Advisory Committee on Children and Families

In compliance with the Operating Guidelines for the Advisory Committee on Children, Families, and the Courts we are pleased to present our annual summary detailing the Committee's activities and accomplishments during 2015.

The Advisory Committee was created in 2002 with the purpose to provide ongoing advice to the Court and its staff regarding the promotion of statewide rules and uniform standards concerning the establishment and operation of programs for children and families in Ohio courts, the development and delivery of services to Ohio courts on matters involving children and families, including training programs for judges and court personnel, and the consideration of any other issues the advisory committee deems necessary to assist the Court and its staff regarding children and families in Ohio courts. The Advisory Committee on Children and Families has continued to be an active body. Detailed below, the activities have continued to address a broad spectrum of issues including child protection, kinship care, adult guardianship, and domestic relations and juvenile rules.

The Subcommittee on Responding to Child Abuse, Neglect, and Dependency (CAND), chaired by Director Pam Meermans, Clark County Job and Family Services, continued its work on the Ohio Differential Response Project, and implementation of the Safe and Together training model. CAND has identified three focus areas for upcoming work: multidisciplinary training, pieces of the CHIPS legislation, and parent representation. The Juvenile guard ad litem (GAL) Workgroup has met several times and conducted surveys to assess the needs of the courts, youth, GALs, and other parties. A Courts' Response to Trafficking of Children workgroup has been formed to address juvenile courts' response to human trafficking of children in Ohio, and will meet for the first time in January 2016.

The Subcommittee on Family Law Reform Implementation, co-chaired by Judge Matt Staley, Allen County Domestic Relations Court and Chief Magistrate Serpil Ergun, Cuyahoga County Domestic Relations Court was formed to implement recommendations from the Advisory Committee's 2005 Report and Recommendations on Family Law Reform. The Workgroup on Confidential Files drafted an amendment to Sup.R. 44 that provides specific guidance for domestic relations and juvenile courts in their usage of confidential "family files". These files often contain mental health, medical documents, and parenting recommendations germane to court proceedings, but deemed as inappropriate for a public record file. This rule strives to minimize parental conflict and protect the family and child. This amendment underwent public comment from December 20 until February 20, 2015. The justices approved the amendment to Sup.R. 44 and it became effective January 1, 2016. The domestic relations (DR) guard ad litem (GAL) workgroup reviewed Sup.R. 48 regarding guardians ad litem in domestic relations cases and has drafted amendments to the rule. The Workgroup will meet with the Juvenile GAL workgroup. A Legislative Reform Workgroup was formed to focus on R.C. 3109.04 language that reflects the continuing roles and responsibilities of both parents when they are not living together, and to make Ohio's statutes involving parenting issues more child-centered.

The Subcommittee on Adult Guardianship, chaired by Judge Dixilene Park, Stark County Probate Court, was formed to make recommendations for standards of practice, data collection, and monitoring protocols in adult guardianship matters. Sup.R. 66 was presented to the justices on February 3, 2015, and the justices approved this rule and it became effective June 1, 2015. A small workgroup of subcommittee members continue to work with the Judicial College on the education for the standards of practice for adult guardianship Sup.R. 66. The Judicial College has educated thousands of guardians regionally across Ohio. Another small workgroup is planning the Ohio Guardianship Summit at the Doubletree Worthington on March 22, 2016.

The Subcommittee on Juvenile Justice was formed in 2015. The first issue that was tackled is the draft and proposal of Juvenile Restraint Sup.R. 5.01. This rule would require local courts to adopt a local rule banning indiscriminate shackling of youth in courtroom proceedings. Sup.R. 5.01 was approved for public comment. The public comment period ran from December 7, 2015, to January 7, 2016. The comments will be reviewed. Also, bench cards will be drafted to support new local judges on juvenile justice. Finally, some members of this Subcommittee will also participate on the Courts' Response to Trafficking of Children workgroup.

Thank you for your support and the continued opportunity to improve the delivery of court services to Ohio's children and families. We welcome your feedback and suggestions on the Advisory Committee's work.