

PROPOSED RULE II, VI and XVII
OF THE RULES OF THE COURT OF COMMON PLEAS
JUVENILE DIVISION OF LAKE COUNTY

PUBLIC COMMENT PERIOD THRU: DECEMBER 14, 2014

EFFECTIVE DATE: DECEMBER 15, 2014

NOTICE: The court has adopted the following rules, or proposed revisions to our local rules, as a draft dated November 17, 2014, to be effective on December 15, 2014, and hereby affords attorneys and other interested persons an opportunity to comment on the existing rules, any proposed revisions, and any suggested revisions. The close of the comment period is December 14, 2014 at midnight. Comments may be sent directly to Director of Administration, Chris Simon, at csimon@lakecountyohio.gov

II. CLERK OF COURT

C. SERVICE BY PUBLICATION BY POSTING AND MAIL (Proposed Amendment)

In accordance with the provisions of Ohio Rules of Juvenile Procedure #16 (A), service by publication shall be made in all cases by posting and mail.

~~Posting shall be in a conspicuous place in the Lake County Juvenile Justice Center, as well as in the following additional two public places: the Willoughby Municipal Court located at One Public Square, Willoughby, Ohio 44094; and the Mentor Municipal Court located at 8500 Civic Center Boulevard, Mentor, Ohio 44060.~~

Posting shall be made on the website of the Lake County Juvenile Court in a section to be designated for such purpose.

The Clerk of Court no longer will perform service by publication in a newspaper.

In the event a party should desire such service, it shall be the responsibility of such party to arrange for publication with the newspaper. Upon completion of service by newspaper publication, proof of same shall be submitted to the Clerk of Court for filing.

VI. ORAL HEARINGS

B. OBJECTIONS TO MAGISTRATE'S DECISIONS (Proposed Amendment)

2. ~~In an attempt to control the extensive amounts being expended on transcripts from the County General Fund, the Court will, at such time as appropriate recording equipment is obtained, determine factual objections by reviewing the audio or video tape. Copies of such tapes shall be provided to all counsel.~~
 - a. ~~Counsel shall, in their written briefs, indicate the exact point on the tape at which the claimed factual discrepancy can be found.~~
2. The Court may, upon its own motion or written motion, and at such times as appropriate, determine factual objections by reviewing the audio or video tape of the proceeding. If the Court determines that the use of audio or video tape is appropriate, copies of such tapes shall be provided to all counsel.

XVII. USE OF ELECTRONICALLY PRODUCED TICKETS (Proposed New Rule)

Pursuant to Rule 3F of the Ohio Traffic Rules the use of electronically produced tickets is hereby permitted provided that the ticket conforms in all substantive respects, including lay-out and content, to the "Ohio Uniform Traffic Ticket."

Further if a ticket is issued at the scene of an alleged offense, the issuing officer shall provide the defendant with a paper copy of the ticket.

Any law enforcement officer who files a ticket electronically shall be considered to have certified the ticket and shall have the same rights, responsibilities, and liabilities as with all other tickets issued pursuant to the Ohio Traffic Rules.