

Marion County Court of Common Pleas Family Division

222 West Center Street Marion Ohio 43302

Judge Deborah A. Aspach

Judge Robert D. Fragale

Magistrate
Malcolm Goodman

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January 24, 2014

Chief Justice Maureen O'Connor
The Supreme Court of Ohio
65 South Front Street
Columbus, OH 43215

Steven C. Hollon, Administrative Director
The Supreme Court of Ohio
65 South Front Street
Columbus, OH 43215

Dear Chief Justice O'Connor and Mr. Hollon:

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 2013.

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, Families & the Courts 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 guardianships, and uniform domestic relations and juvenile forms.

The Subcommittee on Responding to Child Abuse, Neglect, and Dependency, chaired by Rhonda Reagh, Ph.D. (Greene County), continued its work on the Ohio Differential Response Project. There are currently 77 counties implementing differential response, with complete statewide implementation planned by July 2014. During 2013, 18 new counties were added to the project. The subcommittee continued its study of kinship care in Ohio. Specifically, it is considering inconsistencies between court jurisdictions with the goal of creating a clear and consistent legal pathway for child custody in kinship care situations. Additionally, the subcommittee is discussing several issues raised in the 2013 report of the Attorney General's Advisory Group on Foster Care. These topics include foster youth participation in court hearings, ensuring that substitute caregivers are provided with notice and an opportunity to be heard at

court hearings, and juvenile court implementation of Sup.R. 48 regarding guardians ad litem in juvenile cases. Recommendations are expected during 2014.

The Subcommittee on Family Law Reform Implementation, co-chaired by Judge Matt Staley (Allen County) and Chief Magistrate Serpil Ergun (Cuyahoga County) was formed to implement recommendations from the Advisory Committee's 2005 Report and Recommendations on Family Law Reform. A Workgroup on Uniform Domestic Relations Forms presented 23 recommended pleadings, post decree motions, and other domestic relations and juvenile forms to the court in the fall of 2012. The subcommittee revised the forms based on public comment. The revised forms were submitted to the justices for further consideration in early 2013, and adopted by the justices with an effective date of July 1, 2013. A new workgroup was formed for 2013 to recommend a court rule with specific guidance for domestic relations courts in their usage of confidential "family files". These files often contain mental health and medical documents and parenting recommendations germane to court proceedings, but deemed as inappropriate for a public record file. The workgroup hopes to complete its deliberations during 2014, and have a draft rule for submission to the justices. A Legislative Workgroup was formed to focus on 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 Legislative Workgroup will begin reviewing Sup.R. 48 regarding guardians ad litem in domestic relations cases.

The Subcommittee on Adult Guardianship, chaired by Judge Dixilene Park (Stark County), was formed to make recommendations for standards of practice, data collection, and monitoring protocols in adult guardianship matters. A small group of subcommittee members have been working with staff to format the recommended standards of practice for adult guardianship for consideration by the commission on the Rules of Superintendence. Similar to the standards for guardians ad litem which became effective in March 2009, the proposed probate court guardian standards address areas such as duties, ethics, training, record keeping, and minimum required contacts with a ward. The subcommittee has suggested content for guardian education and the Ohio Judicial College will convene a workgroup to develop and pilot an education program in 2014. The subcommittee is discussing ways to better interface with various federal agencies on guardianship issues. It has reached out to the Social Security Administration and Veterans Administration to discuss common challenges.

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.

Sincerely,



Deborah A. Alspach
Judge, Marion County Family Court
Co-Chair



Jennifer Justice
Deputy Director, Ohio Department of Job and
Family Services, Office of Families and Children
Co-Chair