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HENRY COUNTY
COMMON PLEAS COURT

2014 JUN 30 A 9:44

CONNIE L. SCHITKEY
CLERK OF COURTS

IN THE COURT OF COMMON PLEAS OF HENRY COUNTY, OHIO
DOMESTIC RELATIONS AND JUVENILE DIVISIONS

In the matter of:

Case No.:

Domestic Abuse Screening Rule

Judgment Entry

This matter came on for consideration of the Domestic Violence Interview Guide (hereinafter referred to as "the Guide") which was developed for use in family court matters by the Battered Women's Justice Project based upon findings of the *Report of the Henry County, Ohio Child Custody and Domestic Violence Safety and Accountability Audit* (hereinafter referred to as "the Audit Report") dated January 2011 promulgated by Praxis International with the support of the Office of Violence Against Women, U.S. Department of Justice; the National Council of Juvenile and Family Court Judges; the Battered Women's Justice Project; and the Association of Family and Conciliation Courts.

Finding

Upon review of the Audit Report, the Court makes the following findings:

1. Domestic abuse is a serious, ongoing problem in many families.
2. Domestic abuse can affect the ability of parents to adequately parent and care for their children.
3. The presence of domestic abuse in a family can make parenting time exchanges dangerous for parents and children.
4. The presence of domestic abuse in a family can lead parents to make decisions that may not be in the best interests of their children.

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5. The presence of domestic abuse in a family can make it difficult for parties to effectively and appropriately negotiate proper terms for the termination of their marriage or for the care and control of their children.
6. In many instances, parties do not divulge the presence of domestic abuse in their families and the Court is otherwise unaware of issues that are important to consider in making decisions for the family. In addition, in these instances, the parties often do not receive information about community-based services that could assist them.
7. The Battered Women's Justice Project has developed the Guide to assist family court professionals detect domestic abuse and make appropriate referrals for families involved in court proceedings regarding the allocation of parental rights and responsibilities and parenting time.

Judgment

Now, therefore, based upon the findings set out above, it is hereby **ORDERED, ADJUDGED** and **DECREED**, commencing July 1, 2014, as follows:

First: Prior to the time any proceeding regarding the allocation of parental rights and responsibilities, parenting time, custody, visitation and companionship, or a complaint for divorce or legal separation, or petition for dissolution of marriage, or responsive pleading thereto (including an entry of appearance by counsel) is filed, each attorney representing a party shall screen his or her client for domestic abuse issues using the Guide or other comparable domestic abuse screening protocol. A copy of the Guide is attached hereto.

Second: In cases in which a party is represented by an attorney, at such time as the first filing is made in the case by said attorney, it shall be accompanied by a certification signed by the attorney in the following form:

I, _____, certify that I have screened my client for
(attorney's name)
domestic abuse issues using the Domestic Violence Interview Guide or other comparable
domestic abuse screening protocol; that I have fully discussed the ramifications of the
screening, if any, with my client; and that I have provided my client with a copy of the
Court's guide to community-based resources and referrals.

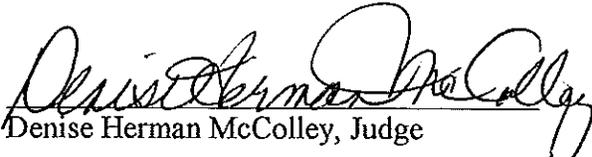
Third: If a litigant is not represented by counsel, said screening shall be conducted by
court personnel at a time to be scheduled by said court personnel. Each unrepresented party shall
be given notice, by ordinary mail, of the time assigned for said screening. If the assigned
screening time is inconvenient for said party, he or she shall reschedule his/her appointment
within one week. The screening shall be confidential, in the nature of mediation screening, and
any records thereof shall be retained as a mediation record. In the event that a mediation,
arbitration, early neutral evaluation or parenting coordinator referral is made following the
screening, said screening instrument with responses shall be provided to Northwest Ohio Court
Mediation Services. Any screening of parties shall be conducted separately and in private.

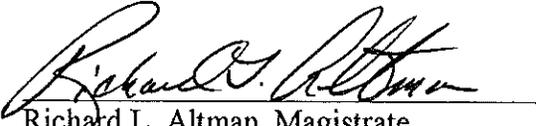
Fourth: Following the screening, the court personnel who conducted the screening shall
provide the party with information about relevant community-based programs and services,
including but not limited to those which may assist in resolving the case (mediation, early neutral
evaluation, arbitration or parenting coordinator services), those that may provide assistance to
families (victim advocate, Department of Job and Family Services, counseling, Health
Department, or Child Support Enforcement Agency), those that may provide legal assistance
(private attorney or Pro Bono Clinic), and those that may provide assistance in determining the
allocation of parental rights and responsibilities (Court Appointed Special Advocate/Guardian ad

Litem program or private guardian ad litem). In addition, the court personnel who conducted the screening may recommend that the case proceed directly to Court for immediate legal action.

Fifth: All information about community-based programs and services shall be communicated by court personnel to the parties privately by telephone with a follow-up in writing. If the parties are still residing together, and/or they do not have separate mailing addresses, the parties shall be asked to pick up the information at the Court or provide another mailing address to which the information may be sent.

Sixth: Any recommendation by court personnel for referral to court services or action (mediation, early neutral evaluation, arbitration, parenting coordination, immediate court action, or appointment of a guardian ad litem or CASA) shall be made in writing to the Court. In those instances, no reason shall be indicated for such recommendation. The Court shall then determine whether the referral is appropriate.


Denise Herman McColley, Judge


Richard L. Altman, Magistrate