

CAROLYN A. DUVELIUS
Chief Magistrate

ANDREW L. SIEVERS
JENNA L. SEITZ
JEFFREY W. STUEVE
Magistrates


JOSEPH W. KIRBY, JUDGE
Warren County Common Pleas Court
Probate Juvenile Division
900 Memorial Drive • Lebanon, Ohio 45036

LAURA A. SCHNECKER
Court Administrator

MEGAN M. DAVENPORT
Staff Attorney

Dear Attorney/Guardian ad litem:

Sup. R. 48 is applicable in all domestic relations and juvenile cases in the Courts of Common Pleas where a court appoints an attorney and/or guardian ad litem to protect and act in the best interest of a child.

In order to serve as a court appointed attorney or guardian ad litem, an applicant shall have at a minimum:

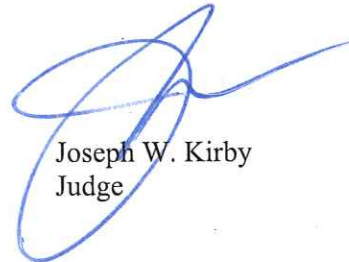
1. Successful completion of a pre-service training course to qualify for appointment; and thereafter;
2. Successful completion of continuing education training in each succeeding calendar year to qualify for continued appointment.

Should you desire to serve as a court appointed attorney and/or guardian ad litem, please complete and return WCJC Form 14.0, Application to Serve as Court Appointed Counsel; Certification of Compliance with State Standards for Appointment of Counsel and/or Compliance with State Standard for Appointment of Counsel - Appeals ("Certifications") (Appendices VIII & IX) and Application to Serve as Guardian ad Litem (if applicable), attaching all requisite documents. The completed documents may be forwarded to Sharon Eisenhut, Administrative Assistant to Judge, at 900 Memorial Drive, Lebanon, Ohio 45036 or Laura Schneckner, Court Administrator, also at 900 Memorial Drive, Lebanon, Ohio 45036.

If I may be of further assistance to you in this matter, please do not hesitate to contact me.

Respectfully submitted.

WARREN COUNTY PROBATE/JUVENILE COURT



Joseph W. Kirby
Judge

**Warren County Common Pleas Court
Probate-Juvenile Division
900 Memorial Drive • Lebanon, Ohio 45036**

**APPLICATION TO SERVE AS COURT APPOINTED COUNSEL
AND/OR
AS GUARDIAN AD LITEM**

NAME: _____ (_____)
First Middle Last Attorney Registration Number

ADDRESS: _____
Firm Name

Street/Suite/P.O. Box

City, State, Zip

Email

TELEPHONE NUMBERS: _____
Primary Facsimile

Secondary

ADMITTED TO PRACTICE: _____
Year of admission to Ohio Bar Other states where licensed and year

INDICATE CASES WILLING TO TAKE ASSIGNMENT ON:

JUVENILE

- _____ Abuse/Neglect/Dependent
- _____ Child Support
- _____ Custody
- _____ Delinquency
- _____ Permanent Custody

Date

Signature

APPENDIX VI

**JUVENILE COURT SHADOWING REQUIREMENTS FOR
NEW ATTORNEYS ON THE COURT-APPOINTED LIST**

- MUST BE COMPLETED BY COURT-APPOINTED APPLICANTS WHO ARE SEEKING CASES INVOLVING DEPENDENCY, NEGLECT AND ABUSE (“DNA”) WHO HAVE LESS THAN ONE YEAR OF EXPERIENCE AS AN ATTORNEY

- OPTIONAL TO ALL OTHER APPLICANTS WHO DESIRE TO GAIN JUVENILE COURT EXPERIENCE

Hearings Required	Date	Time	Hearing Officer
Adjudication of DNA case			
Disposition of a DNA case			

In order to schedule your shadowing requirements, please contact the Assignment Commissioner at 513-695-1774 *or* the Assistant Chief Deputy Clerk at 513-695-1136.

This form shall be completed and returned to the Court Administrator if you have been licensed for less than one year and desire to be placed on the Court-appointed List for Dependency, Neglect and Abuse cases.

APPENDIX VIII

WARREN COUNTY COURT OF COMMON PLEAS Juvenile Division

Certification of Compliance with State Standards for Appointment of Counsel

By signing this certification, I represent that I am a licensed attorney in good standing with state requirements governing the legal profession. I am requesting to be considered for court appointments in Warren County Juvenile Court. I understand the following standards must be complied with to obtain court appointments on cases pursuant to Revised Code Chapter 120, Ohio Administrative Code Section 120-1-10, and the Local Rules of Court.

_____ **Dependency, Neglect and Abuse:** counsel must have shadowed an attorney and observed an adjudication and disposition and documented same to the Court Administrator using the form provided under Appendix VI.

_____ **Unruly, Truancy, Violation of Court Order, and Misdemeanors:** counsel must have: Minimum six hours of CLE in Juvenile Delinquency practice and procedure OR successful completion of clinical education program on juvenile law OR one year experience as an attorney.

_____ **'Misdemeanor OVI:** counsel must have: Minimum of six hours of continuing legal education focused on OVI practice and procedure.

In all **Aggravated Murder or Murder** cases, the Judge must approve the appointment in advance of the arraignment.

_____ **Aggravated Murder or Murder:** counsel must have: Within two years prior to appointment, minimum 12 hours CLE in criminal practice and procedure, at least six of which must be in juvenile delinquency practice and procedure AND at least three years of experience as attorney practicing in juvenile delinquency law AND within 10 years preceding appointment, prior experience as lead trial counsel in at least four bench trials in juvenile court, at least three of which involved a felony-level charge OR as lead counsel in three bench trials, two of which involved a felony-level charge AND as co-counsel in three additional bench trials.

All Attorneys appointed to represent indigent clients in felony cases must meet the following requirements: Within two years prior to the appointment, completion of a minimum of twelve hours of continuing legal education in criminal practice and procedure, at least six of which must be in Juvenile Delinquency practice and procedure; AND

____ **Third, Fourth or Fifth degree felony:** counsel must have: At least one year of experience as an attorney practicing in the area of Juvenile Delinquency law.

____ **First and Second degree felony:** counsel must have: (1) At least two year of experience as an attorney practicing in the area of Juvenile Delinquency law; and (2) Within ten years preceding the appointment, prior experience as lead trial counsel in at least two bench trials in Juvenile court, at least one of which involved a felony level charge OR as lead counsel in one felony level bench trial AND co-counsel in two additional bench trials.

____ **Bindover and Serious Youthful Offender (SYO):** counsel must have: Requisite experience to be appointed to a Juvenile case based upon the highest degree of charge in the case AND requisite experience to be appointed to an adult case based upon the highest degree felony charged.

By my signature, I certify that I have read and understand these requirements for appointment of counsel. I have initialed where appropriate the categories for which I am eligible for appointment under these standards. I will notify the Court if an appointment is made in a category where I do not meet the above requirements by immediately filing a Motion and (Proposed) Entry to Withdraw as Counsel.

I understand I may be requested to document my qualifications for appointment.

I understand I have a continuing obligation to update this certification annually by December 31st, or as my circumstances or qualifications change.

I certify that I have malpractice insurance.

Date

Printed Name

Signature

APPENDIX IX

WARREN COUNTY COURT OF COMMON PLEAS Juvenile Division

Certification of Compliance with State Standards for Appointment of Counsel (Appeals)

By signing this certification, I represent that I am a licensed attorney in good standing with state requirements governing the legal profession. I am requesting to be considered for court appointments in Warren County Juvenile Court. I understand the following standards must be complied with to obtain court appointments on cases pursuant to Revised Code Chapter 120, Ohio Administrative Code Section 120-1-10, and the Local Rules of Court. For all Appellate cases, filing of an *Anders* brief does not count as prior experience.

_____ **Dependency, Neglect and Abuse:** counsel must have shadowed an attorney and observed an adjudication and disposition and documented same to the Court Administrator using the form provided under Appendix VI.

_____ **Unruly, truancy, violation of a court order, misdemeanors, and felonies of the third, fourth, and fifth degree:** counsel must have: Completed a minimum of nine hours of continuing legal education, certified by the Ohio Supreme Court Commission on continuing legal education, in the areas of appellate practice and procedure and juvenile delinquency practice and procedure; OR successfully completed a clinical education program focusing on appellate practice and procedure and a minimum of six hours of continuing legal education in the area of juvenile delinquency practice and procedure; OR successfully completed a clinical education program focusing on juvenile delinquency practice and procedure and a minimum of six hours of continuing legal education in the area of appellate practice and procedure.

_____ **Felonies of the first and second degree:** counsel must have: Within two years immediately prior to the appointment, completed a minimum of twelve hours of continuing legal education, certified by the Ohio Supreme Court Commission on continuing legal education, at least six of which must be in the area of juvenile delinquency practice, and at least six of which must be in the area of appellate practice; AND at least two years of experience as an attorney practicing in the area of juvenile delinquency and appellate law; AND within six years preceding the appointment, filed appeals of three juvenile delinquency cases.

_____ **Bindover and Serious Youthful offender (SYO):** counsel must have: The requisite experience under this rule to handle the appeal of a juvenile case based upon the highest degree of the charge in the case; AND the requisite experience under this rule to handle the appeal of an adult case based upon the highest degree felony charged.

By my signature, I certify that I have read and understand these requirements for appointment of counsel. I have initialed where appropriate the categories for which I am eligible for appointment under these standards. I will notify the Court if an appointment is made in a category where I do not meet the above requirements by immediately filing a Motion and (Proposed) Entry to Withdraw as Counsel.

I understand I may be requested to document my qualifications for appointment.

I understand I have a continuing obligation to update this certification annually by December 31st, or as my circumstances or qualifications change.

I certify that I have malpractice insurance.

Date

Printed Name

Signature

ADDENDUM TO

Certification of Compliance with State Standards for Appointment of Counsel

I have previously submitted to the Court my “wish list” of the category of cases that I wanted to undertake for court appointments in Warren County Juvenile Court.

For some of the categories, I already have the qualifications necessary to accept those cases.

For the other category of cases that I want to be considered for, but do not have the qualifications already completed, I pledge that I will work towards meeting the requirements by completing the appropriate training/continuing legal education courses as soon as I reasonably can.

This **ADDENDUM** applies to:

- Trial Court Appointments
- Appeals

Date

Printed Name

Signature

APPLICATION TO SERVE AS GUARDIAN AD LITEM

EXPERIENCE AND EXPERTISE:

In addition to having obtained the educational requirements set forth below, I have the following experience and expertise that demonstrate my ability to successfully perform the job as Guardian ad litem.

1. Estimated Number of Cases where I have served as Guardian ad litem in:
 - A. Warren County Juvenile Court _____
 - B. Warren County Domestic Relations Court _____
2. Estimated Number of Cases where I have represented litigants in Family Law cases in the State of Ohio: _____

3. Any Specialized education or training in social work:

4. Any other relevant experience:

5. Any specialized education or training in social work:

6. Any other relevant experience:

QUALIFICATIONS: (Check all that apply.)

- I have read Rule 48 of the Ohio Rules of Superintendence;
- I have read Local Rule 5;
- I attended 12 hours of pre-service training (at least 6 hours shall be obtained via a live education program and 6 hours may be satisfied by online education). Documentation of such training is attached hereto;
- I understand my obligation to attend an annual six (6)-hour continuing education course (3 hours shall be obtained via a live education program and 3 hours may be satisfied by online education) and notify the Court upon attendance of the same;
- I have served as a Guardian ad litem for this Court during the five (5) years immediately preceding March 1, 2009 and commit to attending the pre-service training program;
- Attached is a copy of my resume or curriculum vitae.

FOREIGN LANGUAGE

ABILITY:

Language/Dialect

I hereby apply to serve as a Guardian ad litem for the Warren County Common Pleas Court, Juvenile Division. I certify that I am familiar with all rules governing Guardians ad litem including Ohio Rule of Superintendence 48 and Local Rule 5 and that I will abide by such rules.

I am unaware of any circumstances that would disqualify me from serving as Guardian ad litem.

I hereby state that all of the above information is accurate.

I hereby agree to provide the Court prompt notice of any complaint that may hereafter be filed against me with the Warren County Juvenile Court, Warren County Bar Association an/or the Supreme Court of Ohio and any disciplinary action taken by either entity.

I am aware that the Court is required to complete a criminal and civil background check and complete an investigation of information relevant to my fitness to serve as a Guardian ad litem.