

RULE 28: Complaints

A. Filing of Complaints

When a complainant requests an emergency hearing to take a child into custody pursuant to R.C. 2151.31 and 2151.314 for a complaint alleging a child is neglected, dependent or abused, the party alleging the conduct shall file a complaint pursuant to R.C. 2151.27 and Juv. R. 10 no later than one hour prior to the scheduled start of the hearing. For an emergency hearing scheduled less than two hours from the time of the request, the complaint shall be filed within one hour of obtaining the time for the hearing.

For all other initial hearings scheduled for a complaint alleging a child is neglected, dependent or abused, the party alleging the conduct shall file a complaint pursuant to R.C. 2151.27 and Juv. R. 10 no later than one business day prior to the scheduled start of the hearing.

To ensure compliance with Rule 45 of the Rules of Superintendence for the Courts of Ohio, the complainant shall underline and use bold font for all references to a child's name in all complaints, motions and supporting affidavits for any child who is the subject of a complaint alleging the child is neglected, dependent or abused.

B. Information Form

The party filing a complaint alleging a child is neglected, dependent or abused, shall provide the Court, the Guardian ad Litem Division of the Hamilton County Office of the Public Defender and ProKids, with a copy of the Information Form when contacting the Court to schedule the initial or an emergency hearing on the complaint in order to facilitate the appointment of Attorneys/Guardians as Litem and to assist in coordinating transportation for any parent or custodian who may be incarcerated in a local institution. The Information Form may be transmitted to the Court by personal delivery, email or facsimile. A copy of the Information Form is available in the Clerk's Office or on the Court's website.

C. Copy of Birth Certificate Required

A copy of the child(ren)'s birth certificate shall be filed with the complaint or within 60 days if unavailable at the time of filing.

D. Notice of Emergency Hearing

The party requesting an initial or emergency hearing on a complaint alleging a child is neglected, dependent or abused, shall be responsible to provide notice of the date, time and location of the scheduled hearing to all parties, including all counsel and Guardians ad Litem who have been appointed or entered an appearance in the case number associated with the filing. Notice to the parties, including all counsel and Guardians ad Litem, shall be initiated by the complainant within one hour of obtaining the date, time

and location of the hearing from the Court. For an emergency hearing scheduled less than two hours from the time of the request, the complainant shall make good faith efforts to provide notice to the parties, including all counsel and Guardians ad Litem. The party requesting the hearing shall provide certification to the Court, prior to or at the start of the hearing, that notification was provided to the party, the means by which notification was made, and/or the efforts that were made to notify the parties, including all counsel and Guardians ad Litem who have been appointed or entered an appearance in the case number associated with the filing.