

JUN 29 2016

Arthur, CLERK
OF COMMON PLEAS COURT

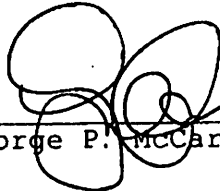
In the Athens County Court of Common Pleas

General Division

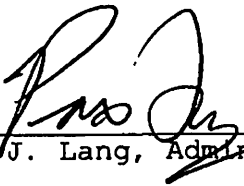
Athens, Ohio

In re: Adoption of Local **32** : Judge George P. McCarthy
 Child Restraint Rule : Judge Patrick J. Lang
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 : JOURNAL ENTRY
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It is ordered that the following Rule be, and hereby is, adopted for the governance of the practice and procedure in the General Division of the Court of Common Pleas, Athens County, Ohio, until otherwise provided, pursuant to Article IV, Section 5(B) of the Ohio Constitution, Rule 83 of the Ohio Rules of Civil Procedure, Rule 57 of the Ohio Rules of Criminal Procedure, and the Rules of Superintendence promulgated by the Supreme Court of Ohio.



 George P. McCarthy, Judge



 Patrick J. Lang, Adm. Judge

JOURNALIZED

JUN 29 2016

JR: 712
PG: 973



LOCAL
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RULES
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RULE 32 OF THE ATHENS COUNTY COURT OF COMMON PLEAS, GEN. DIV.

(Eff. July 1, 2016)

RULE 32 Child Restraint Rule.

This Rule shall govern the use of physical restraints on children appearing in court proceedings before the Athens County, Ohio, Court of Common Pleas, General Division.

(A) There shall be a presumption that physical restraint not be utilized unless the judge or magistrate before whom the child is appearing makes an individualized determination on the record that there is no less restrictive alternative to the use of physical restraint and that the physical restraint of the child is necessary because of either of the following:

(1) The child represents a current and significant threat to the safety of the child's self or other persons in the courtroom;

(2) There is a significant risk the child will flee the courtroom.

(B) The judge or magistrate shall permit any party to the proceeding to be heard on the issue of whether the use of physical restraint is necessary for that particular child at that particular proceeding.

(C) If physical restraint is found necessary by the judge or magistrate, the restraint shall be the least restrictive necessary to meet the risk requiring the restraint and in a manner which does not unnecessarily restrict the movement of the child's hands.