

IN THE COURT OF COMMON PLEAS, JUVENILE DIVISION, GEauga COUNTY, OHIO  
Judge Timothy J. Grendell

Information Sheet  
Resource Center

---

**WARNING**

This Information Sheet is intended to provide you with an overview of the subject matter, effective as of the date noted in the upper left-hand corner. This Information Sheet is not intended to provide you with all legal information that may be necessary for you to decide upon a course of action, and the information provided may not be error-free, complete, or accurate. Moreover, this Information Sheet may not accurately describe the cited sections of the Ohio Revised Code or cited case law. Finally, this Information Sheet is not intended as a substitute for legal advice from a competent licensed attorney, who is familiar with all of the relevant facts of your case, and therefore the Help Center recommends that you seek legal advice from a competent licensed attorney that you select before taking any action. While the Help Center can provide you with a limited amount of general legal information, neither the Help Center staff nor any other Court employee can give you any legal advice.

---

**Background.**

The Resource Center is an office within the Juvenile Division of the Geauga County Common Pleas Court that is staffed by highly trained court employees. The Resource Center staff members are located at either the Courthouse or 470 Center St., Building 5-D, Chardon, Ohio 44024. The Resource Center staff members perform four functions or services for the benefit of the Court and typically those persons who have pending cases before the Court. As is true for all court employees, the Resource Center staff cannot offer or provide any legal advice. The four primary functions of the Resource Center are (1) Case Management, (2) Mediation, (3) Family Services, and (3) the Post Adjudicatory Support System.

**Case Management.**

Background. The Case Management function of the Resource Center is to assist family members in a private custody case or an abuse, neglect, or dependency case that is ongoing or after a final order has been issued by the Court in three areas, which are (1) court order compliance, (2) parenting or companionship time (i.e., "visitation rights"), and (3) Linkage to other service agencies.

Court Order Compliance.

Regarding those cases that the Court assigns to Case Management, a staff member will be assigned to review all court orders, for the purpose of causing full compliance with those orders, using the following methods or functions:

- Communicate with all interested parties to assure compliance with each court order;
- Work with the parties to minimize, if not eliminate, any noncompliance, disputes or other issues concerning the court orders, including court orders regarding custody, parenting time, or child support – in effect, engage in problem-solving techniques when the parties fail to cooperate; and
- Inform the Court periodically through the preparation and filing of reports.

### Parenting Time.

A substantial portion of the time devoted by Case Management is compliance with court orders regarding parenting time (formerly called visitation). There are different types of parenting time orders, including both “unsupervised” and “supervised.” Typically, parenting time is granted to the non-custodial parent when there is not a shared parenting plan in place.

- Unsupervised Parenting Time. Ideally, all parenting time would be “unsupervised.” Essentially, unsupervised parenting time is parenting time that is exercised by the non-custodial parent without third-party intervention – typically a person trained and referred to as a Supervised Visitation Coordinator.<sup>1</sup> However, even with unsupervised parenting time, disputes may arise between the parents regarding the meaning and exercise of parenting time rights. Accordingly, the assigned Case Management staff member will intervene, from time to time, to resolve disputes between the parents. That staff member will meet with or otherwise communicate with the parents and perhaps other family members to create a solution, and report to the Court as necessary, especially if a resolution cannot be obtained. In some cases the custodian of the child(ren) could be a person other than a parent, such as a grandparent or other family member. In such cases that custodian of the child(ren) will be treated as a residential parent.
- Supervised Parenting Time. For any number of reasons, including: substance abuse, mental illness, anger management, criminal activity, or domestic violence, the Court may award parenting time to a non-custodial parent, but require that the parenting time be supervised. This typically means the presence of a Supervised Visitation Coordinator during the parenting time. In those cases, Case Management will perform the following functions:
  - Training. Case Management will select and train persons as a Supervised Visitation Coordinator to ensure that such persons qualify in terms of background and training. Case Management staff will periodically meet with and monitor the Supervised Visitation Coordinators to ensure that they remain qualified and are working effectively in the best interest of the child(ren).
  - Assignment and Safety. Case Management will assign a Supervised Visitation Coordinator to a case and provide sufficient information about the case, including

---

<sup>1</sup> See Juvenile Local Rules 39.

information concerning the parents and the child(ren) ensuring the safety of those persons involved during the parenting time is of primary importance, and the parenting time is conducted in the best interest of the child(ren).

- Reporting. Supervised Visitation Coordinators will prepare a report following each parenting time session and deliver the report to Case Management. The assigned staff member will then review the reports.
- Other Parenting Time Duties. The assigned staff member will perform other duties to ensure compliance with the court orders and the case plan regarding parenting time, including periodic visits to the custodian's residence and the non-custodial parent, to ensure safety for the child(ren) and all others involved.
- Companionship Time. In some cases, a nonparent (e.g., grandparent) is granted visitation rights, which is known as "Companionship Time." Case management may assist the custodial parent and the nonparent, to resolve disputes and increase cooperation, for the benefit of the child.

Link to other Outside Services. An assigned staff member can serve as a link to other service providers in order to assist the parents. The goal of Case Management is eliminating as many barriers as possible for all family members to obtain needed resources and services, and thus maintain a healthy parent and child relationship, all in the best interest of the child(ren). Such services include those that assist with mental health issues, substance abuse, anger management, and domestic violence.

## **Mediation.**

Background. The formalities of a court hearing, and the time required by the Court to issue a court order can be daunting, especially for a litigant who does not have an attorney. The Resource Center has established a mediation process that has staff members trained through The Supreme Court of Ohio guidelines. Mediation is a process where a trained facilitator assists the disputing parties (the "mediation parties"), through communication and negotiation, to reach a voluntary settlement agreement regarding their dispute. **For more information regarding the mediation process, please review the Help Center's juvenile information sheet titled "Mediation."** Below are a few considerations.

How is Mediation Started? If there is a legal proceeding initiated, then in disputes regarding custody and parental rights issues, the mediation process is started by a court order that requires the parties to mediate. The Court may order mediation on its own, or at the request of one or both of the parties. However, when determining whether mediation is appropriate, the Court shall consider whether one or both of the parents are guilty or have pleaded guilty to certain crimes regarding domestic violence or child abuse, or are subject to a civil protection order ("CPO"). If one or both parents have such a criminal record or are subject to a CPO, then the Court may order mediation only if: (1) the Court determines that mediation is in the best interest of the parties, and (2) the Court makes specific findings of fact to support its determination.

With few exceptions, the Court will order mediation for all new filings in either a private custody case, or an abuse, neglect, or dependency case that involves the issues of custody, parenting, or companionship time.

Finally, mediation is available to persons (typically the parents) to resolve disputes concerning child custody or parenting time even if no legal proceeding is pending before the Court.

Privilege and Confidentiality. To encourage open communication needed to reach a mutual settlement, the law provides significant requirements regarding confidentiality and privilege. With few exceptions, all communications during the mediation are privileged. That means that all participants may choose not to disclose any such information at a later time, and all participants may take necessary legal action to prevent the disclosure of such information.<sup>2</sup> Except as required by law, all communications are confidential to the extent agreed to by the parties.<sup>3</sup> Additionally, with few exceptions, the Mediator will not provide the Court with any reports, findings, evaluations, findings, or recommendations, except a report required by the Court that mediation has occurred, terminated, or a settlement agreement is signed.

Exceptions. In the following circumstances, mediation communication is not privileged, and the mediator may have a duty to disclose a communication that:<sup>4</sup>

- alleges abuse, neglect, abandonment, or exploitation of a person, including a minor child;
- concerns a crime or criminal activity; or
- alleges a threat or plan to cause bodily injury or violence (including threat of suicide).

Conflict of Interest. In order for mediation parties to be confident in the mediation process, the mediator must inform the parties of any known conflict of interest before entering into the mediation process or during the process if learned by the mediator. A conflict of interest includes any possibility of financial gain by the mediator, a personal interest in the outcome, or a present or past relationship with a mediation party.<sup>5</sup>

Mediation Cost. The cost of mediation is assessed by the Court on a case by case basis.

Enforcement of Mediation Decision. If the Court orders mediation and if the parties are able to reach an agreement, then the mediator will report that agreement to the Court and the Court may accept the agreement and order compliance with that agreement. If at a future date one of the parties violates the court order, then the other party may seek enforcement of that order by filing a motion with the Court. However, if the mediation results from a voluntary mediation without a court order, then the parties should review the Help Center information sheet titled “Mediation Agreement Enforcement.”

---

<sup>2</sup> R.C. 2710.03.

<sup>3</sup> R.C. 2710.07.

<sup>4</sup> R.C. 2710.05 and 2710.07.

<sup>5</sup> R.C. 2710.08.

**Family Services.** Unmarried parents of minor children may have problems parenting their children or working and coordinating with each other. The Resource Center can provide services to assist those parents either individually or together. The available services, which are provided at no cost to the parents include the following.

Individual Parenting Skills and Education Support. On an individual basis, a staff member can meet with an unmarried parent and help identify the parent's needs regarding their parenting skills and work with them to improve those skills and offer support and encouragement. Those sessions with a staff member may be in-person or by electronic communication.

Individual Co-parenting Skills and Education. Again, on an individual basis, a staff member can meet with an unmarried parent and help identify the needs that parent may have regarding co-parenting skills (i.e., working with the other parent in a cooperative manner) and to improve those skills for the benefit of the minor child.

Formal Classes. The Resource Center will conduct classes, from time to time, to provide education on parenting skills regarding minor children and co-parenting skills.

Parenting Coordination. In addition to education, the Resource Center, on a case-by-case basis, will work with unmarried parents to resolve disputes on a variety of matters, rather than have them engage in a more formal mediation process.

### **Post Adjudicatory Support System (the "PASS Program").**

Background. The Resource Center has a post adjudicatory support system to provide assistance to parents who are parties to an abuse, neglect, or dependency proceeding ("A.N.D. proceeding"), typically initiated by the Geauga County Job and Family Services ("JFS").<sup>6</sup> Unlike a private custody case, which typically involves issues of custody or parenting time, and not problems regarding the care and welfare of the minor child(ren), an A.N.D. proceeding requires evidence that a minor child is abused, neglected, or dependent, as defined in the Ohio Revised Code. After the Court concludes the A.N.D. proceeding at a final hearing (i.e., "the adjudicatory hearing"), the Court may order one or both parents to engage in certain activities or obtain certain services, which may include mental health treatment, anger management, parenting or co-parenting education, alcohol or drug abuse treatment, domestic violence treatment etc. Following the adjudicatory hearing, often parents have difficulty, for a variety of reasons, following court orders. The Pass Program is designed to assist the parents or other family members to maintain their stability and provides a well-structured program for a gradual wind down of the court ordered services by providing monitoring, support, and guidance by Resource Center staff members. That assistance may include the following.

- Random drug testing;
- Linking to other services, perhaps not included in the court order;
- Monitoring compliance with court ordered services;
- Monitoring compliance with the court order;
- Scheduling parenting (or companionship) time;

---

<sup>6</sup> It must be noted that an A.N.D. proceeding may be initiated by any interested person (e.g., a grandparent) who is concerned about the welfare of a minor child, although the Court is likely to add JFS as a party.

- Conducting home visits;
- Co-parenting coordination;
- Mediation; and
- Monitoring family electronic communications through website applications, including the Court's "Family Wizard" program

**LEGAL PRACTICE IN THE JUVENILE COURT IS RESTRICTED BY LAW TO ATTORNEYS WHO ARE LICENSED BY THE SUPREME COURT OF OHIO AND INDIVIDUALS WHO ARE HANDLING THEIR OWN LEGAL MATTERS. IF AN INDIVIDUAL WISHES TO HANDLE HIS OR HER OWN CASE, THAT PERSON MAY ATTEMPT TO DO SO, HOWEVER DUE TO THE COMPLEXITY OF THE LAW AND THE DESIRE TO AVOID COSTLY ERRORS, MANY PERSONS WHO HAVE MATTERS BEFORE THE COURT ARE REPRESENTED BY AN ATTORNEY.**

**IF YOU CHOOSE TO REPRESENT YOURSELF AND USE THE COURT'S FORMS, BE AWARE THAT STATE LAW PROHIBITS THE JUDGE, MAGISTRATE, AND EMPLOYEES OF THE GAUGA COUNTY JUVENILE COURT, INCLUDING THE HELP CENTER STAFF, FROM PROVIDING YOU WITH LEGAL ADVICE. IF YOU NEED LEGAL ADVICE, THEN YOU SHOULD CONTACT AN ATTORNEY OF YOUR CHOOSING.**