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LOCAL RULE FOR CLINTON COUNTY JUVENILE COURT:
Rule 8.2 - Facsimile Filing

Pleadings and other papers may be filed with the Clerk of the Clinton County Juvenile Court by facsimile transmission to (937) 383-0823 as provided in this rule.

1. Applicability:
 - a. This rule applies to proceedings in the Clinton County Juvenile Court.
 - b. The following documents will NOT be accepted for facsimile filing: Original Delinquency, Unruly, Traffic (not including e-citation), Abuse, Neglect, Dependency, any documents under seal or Actions under 2151.85, 2151.34 or 3113.31.
 - c. If a proposed filing requires a filing fee, the filing shall not be accepted by the Clerk until court costs and fees have been paid.
 - d. The proposed filing shall not be in excess of 20 pages (excluding the cover page).
 - e. The proposed filing may contain more than one document (subject to the above total page limit), but may not apply to more than one case number per transmission.
 - f. Parties who are represented by counsel are not permitted to fax file pleadings or other papers on their own behalf. Such filings shall be rejected.
2. Original Filing:
 - a. A document filed by fax shall be accepted as the effective original filing. The person filing a document by fax shall not file the source document with the Clerk, but rather maintain the source document in his/her records and have available for production on request by the Court the source documents filed by fax, with original signatures as otherwise required under the applicable rules, as well as the source copy of the cover sheet used for the filing.
 - b. The source document filed by fax shall be maintained by the person making the filing until the case is closed and all opportunities for post judgment relief are exhausted.
3. Definitions. As used in this rule:
 - a. "Facsimile transmission" means the transmission of a source document by a facsimile machine. Facsimile transmission does not include transmission by email.
 - b. "Fax" is an abbreviation for facsimile.
4. Cover Page:
 - a. The person filing a document by fax shall also include a cover page containing ALL of the following information: Name of the court, title of the case, case number, name of judicial officer to whom the case is assigned (if known), title/description of document being filed, date of transmission, transmitting fax number, number of pages (including cover page) and the name, address, telephone and fax number of the person filing (and Supreme Court number if applicable).
 - b. If the document is sent by fax to the Clerk without the cover page information listed above, the Clerk may EITHER docket and file the document OR not accept the document for filing. The Clerk is not required to notify the sender (person attempting to file by fax) if the document is deficient for filing or acknowledgement of receipt. It is the responsibility of the sender (as detailed below) to verify receipt and/or confirm the document has been filed.
5. Signature

A party who files a signed document by fax represents that the physically signed source document is in his/her possession or control. Any signature contained on the faxed

document(s) shall be considered that of the party or attorney it purports to be for all purposes, in conformity with Civ.R. 5 and Juv.R. 8. If it is later established that the document(s) were transmitted without authority or are otherwise found to be fraudulent, the Court shall order the filing stricken from the record.

6. Exhibits

- a. Each exhibit to a fax filed document that cannot be accurately transmitted via fax for any reason shall be replaced by an insert page describing the exhibit and why it is missing. Unless otherwise ordered by the Court, the missing exhibit shall be filed with the Clerk as a separate document no later than five (5) Court days following the filing of the fax document. The Court may strike any document or exhibit, or both, if missing exhibits are not filed as required by this section.
- b. Any exhibit filed pursuant to this section shall include a cover sheet or notice of filing that contains the case caption, case number, and the title of the exhibit being filed (i.e. Defendant's Exhibit "A" to the Motion to Dismiss). The cover sheet or notice of filing shall be signed and served in accordance with the Civil Rules.

7. Risk of Transmission

- a. The risks of transmitting a document by fax to the Clerk shall be borne entirely by the sending party. It is the responsibility of the sender to verify receipt and the sending party is on notice that there can be technological issues with the fax machine from time to time. Anyone attempting to file a document by fax is urged to verify receipt of such document by the Clerk and follow-up to see if the document was accepted for filing.

8. Time of filing

- a. Subject to the provisions of this Local Rule, all documents sent by fax and received by the Clerk shall be considered filed by the Clerk as of the date and time the Juvenile Clerk time-stamps the document during regular hours, as opposed to the date and time of the fax transmission imprinted by the fax machine. If a document is faxed and received by the Clerk at any time on a weekend or holiday, or received after 4:30 p.m. on a regular business day, the document shall be filed on the next regular business day for the Clerk. Thus, for purposes of any filing deadline, a pleading will be deemed filed on the date and time when the Clerk time-stamps the document.

9. Additional Copies

- a. The filing of a document by fax does not relieve the requirement of filing additional copies as required by any applicable rules. The party filing the document by fax shall not transmit copies by fax to the Clerk for service, but shall provide service directly upon all necessary parties (unless service of summons is required, in which case the party must provide the Clerk with sufficient copies to effectuate service and the copies shall not be provided to the Clerk by fax or other electronic means).

10. When filing by fax, parties must still conform to the Ohio Rules of Civil Procedure and Juvenile Procedure.