

WASHINGTON COUNTY COMMON PLEAS COURT RULE 40

Public File and Family File. In accordance with Rule 44(C)(2)(h) of the Ohio Rules of Superintendence, the Clerk of Courts shall maintain a public file and a confidential family file for each DR, DC, DF, DS, and VI case as set forth herein.

- A. "Case document" means a document submitted to the Court or filed with the Clerk of Courts in a judicial action or proceeding, including exhibits (subject to the limitations set forth below), pleadings, motions, orders, and judgments and any documentation prepared by the Court or Clerk of Courts in the judicial action or proceeding, such as journals, dockets, and indices. Case documents shall be filed and maintained by the Clerk of Courts in a public file.**
- B. The term "case document" does not include the following:**
- 1. Health care documents, including but not limited to physical health, psychological health, psychiatric health, mental health, and counseling documents;**
 - 2. Drug and alcohol use assessments, pre-disposition treatment facility reports and drug test reports;**
 - 3. Guardian ad Litem reports, including collateral source documents attached to or filed with the reports;**
 - 4. Home Investigation reports, including collateral source documents attached to or filed with the reports;**
 - 5. Child custody evaluations and reports, including collateral source documents attached to or filed with the reports;**
 - 6. Domestic violence risk assessments;**
 - 7. Supervised parenting time or companionship or visitation records and reports, including exchange records and reports;**
 - 8. Financial disclosure statements regarding property, debt, taxes, income, and expenses, including collateral source documents attached to or filed with records and statements;**
 - 9. Asset appraisals and evaluations;**
 - 10. Health Insurance Affidavits;**
 - 11. Affidavits in support of Motions which include specific references to information contained in the confidential documents set forth herein; and**

- C. The documents submitted to the Court or filed with the Clerk of Courts excluded from the definition of "case document" as listed in section (B) shall be kept in the same file, but located on the left side of the file under cover marked "family file," known as the "family file," to be maintained by the Clerk of Courts in such manner as the Clerk deems appropriate.
- D. Upon motion of any party or upon the Court's own motion, other documents containing sensitive personal information may be ordered to be kept in the family file. If there are documents which are to be filed in the public file containing social security numbers or any other individual identifying information, the same shall be redacted on those documents in the public file.
- E. The public file shall contain, in place of the document contained in the family file, a Notice of Filing, reflecting the filing of the document maintained in the family file and the date thereof (e.g. "Notice is hereby given that on [date of filing] a [name of document] was filed by [person or party filing document], which shall be maintained in the family file").
- F. Contents of the family file shall be available for inspection and review by Court personnel and Guardians ad Litem in the performance of their required duties, or as the Court may direct. Contents of the family file may be inspected and reviewed by the parties, an attorney of record in the case, representatives of the Child Support Enforcement Agency, and representatives of Children Services Board. Should others request access to the case file, the Clerk of Courts shall remove the contents of the family file prior to allowing access to the file.
- G. Review of the family file may be permitted by others upon motion to the Court and for good cause shown. A prescribed form will be made available for that purpose. Authorized viewers may take notes while reviewing the documents in the family file, but they are strictly prohibited from copying those documents, distributing those documents or showing those documents to unauthorized individuals, and are further prohibited from removing those documents from the Office of the Clerk of Courts, absent further Order of the Court. Upon written motion, for good cause shown, the Court may enter an order permitting a person who is not permitted access to a court file under section (E) of this rule to copy documents in a family file. Such motion shall set forth specific reasons which demonstrate why the interests of justice necessitate the copying of a document in the family file, and shall specify the particular documents to be copied and the arrangements under which the copying shall take place.
- H. This rule shall take effect on 7-29-16. The provisions of this rule restricting public access to certain documents shall apply only to those relevant documents filed on or after 7-29-16.