

JOURNAL ENTRY

FILED

STATE OF OHIO  
COUNTY OF LAKE

IN THE COURT OF COMMON PLEAS  
JUVENILE DIVISION

2023 NOV 16 A 9:43  
IN PLEAS COURT  
LAKELAND, OHIO

JUDGE MICHAEL DELEONE

IN THE MATTER OF:

AMENDED RULE IX  
OF THE RULES OF THE COURT OF COMMON PLEAS,  
JUVENILE DIVISION OF LAKE COUNTY

EFFECTIVE DATE: NOVEMBER 20, 2023

It is ordered that the following rule is hereby amended, effective November 20, 2023, for the governance of the practice and procedures in the Court of Common Pleas, Juvenile Division, Lake County, Ohio, until otherwise provided, pursuant to Article IV, Section (5) of the Ohio Constitution, Rule 45 of the Ohio Rules of Juvenile Procedure and the Rules of Superintendence promulgated by the Supreme Court of Ohio.

IX. ELECTRONIC FILING STANDARDS

A. FILINGS BY ELECTRONIC TRANSMISSION

1. The provisions of this local rule are adopted under Rule 8 of the Ohio Rules of Juvenile Procedure, subject to the provisions and exceptions set out below.
2. Pleadings and other papers may be filed with the Clerk of the Juvenile Court by facsimile transmission to 440-350-2724 or email to **Juv\_electronicfiling@lakecountyohio.gov**
3. These rules apply to all proceedings in the Lake County Juvenile Court.
4. **No email filing shall exceed 10 MB in size. All pages of a document must be fully contained in a single email attachment. All documents electronically filed by email shall be submitted in**

**Portable Document Format (PDF) format, paper size 8.5 x 11 inch, and in portrait layout mode. When more than one document is contained within a single email, each document shall be a separate, readily identifiable attachment.**

**B. ORIGINAL FILING**

1. A document filed by fax or email shall be accepted as the effective original filing. The person making a fax or email filing need not file any source document with the Clerk of Court, but must, however, maintain in his or her records and have available for production on request by the Court the source document filed by fax or email, with original signatures as otherwise required under the applicable rules, together with the source copy of the facsimile or email cover sheet used for the subject filing.
2. The source document filed by fax or email shall be maintained by the person making the filing until the case is closed and all opportunities for post judgment relief are exhausted.

**C. EXCEPTIONS**

1. Facsimile or email filing of Complaints in delinquency and unruly cases shall be accepted only when an emergency exists requiring an immediate hearing and no officer is available to deliver the original Complaint. The Court will accept such facsimile or email filing upon the condition that an original shall be filed within twenty-four hours.
2. In the event an original signed pleading is not received in delinquency or unruly cases, within the twenty-four-hour period, then the facsimile or email filing shall be considered null and void and will be dismissed sua sponte.

**D. DEFINITIONS**

As used in these rules, unless the context requires otherwise:

1. A "facsimile transmission" means the transmission of a source document by a facsimile machine that encodes a document into optical or electrical signals, transmits and reconstructs the signals to print a duplicate of the source document at the receiving end.
2. A "facsimile machine" means a machine that can send and receive a facsimile transmission.
3. "Fax" is an abbreviation for "facsimile" and refers, as indicated by the context, to facsimile transmission or to a document so transmitted.

4. **“Email” means a message distributed by electronic means from one computer user to one or more recipients via a network or is a method of exchanging digital messages from an author to one or more recipients.**

E. COVER PAGE

1. The person filing a document by fax or email shall also provide therewith a cover page containing the following information (see sample cover page form attached):
  - a. Name of the Court;
  - b. Title of the case;
  - c. Case number;
  - d. Name of the Judge;
  - e. Title of the document being filed (e.g. Defendant Jones' Answer to Amended Complaint; Plaintiff Smith's Response to Defendant's Motion to Dismiss; Plaintiff Smith's Notice of Filing Exhibit "G" to Plaintiff Smith's Response to Defendant's Motion to Dismiss);
  - f. Date of transmission;
  - g. Transmitting fax number or email address;
  - h. An indication of the number of pages included in the transmission, including the cover page;
  - i. If a case number has not been assigned, state that fact on the cover page;
  - j. Name, address, telephone number, fax number, Supreme Court registration number, if applicable, and e-mail address of the person filing the fax or email document if available; and
  - k. If applicable, a statement explaining how costs are being submitted.
2. If a document is sent by fax or email to the Clerk of Court without the cover page information listed above, the Clerk may, at its discretion:
  - a. Enter the document in the Case Docket and file the document;  
or
  - b. Deposit the document in a file of failed faxed or emailed documents with a notation of the reason for the failure; in this instance, the document shall not be considered filed with the Clerk of Court.
  - c. The Clerk of Court is not required to send any form of notice to the sending party of a failed fax or email filing. However,

if practicable, the Clerk of Court may inform the sending party of a failed fax or email filing.

F. SIGNATURE

1. A party who wishes to file a signed source document by fax or email shall either:
  - a. Fax or email a copy of the signed source documents; or
  - b. Fax or email a copy of the document without the signature but with the notation "/s/" followed by the name of the signing person where the signature appears in the signed source document.
  - c. A party who files a signed document by fax or email represents that the physically signed source document is in his/her possession or control.

G. EXHIBITS

1. Each exhibit to a facsimile or email produced document that cannot be accurately transmitted via facsimile or email transmission for any reason must be replaced by an insert page describing the exhibit and why it is missing. Unless the Court otherwise orders, the missing exhibit shall be filed with the Court, as a separate document, not later than five (5) Court days following the filing of the facsimile or email document. Failure to file the missing exhibits as required by this paragraph may result in the Court striking the document and/or exhibit.
2. Any exhibit filed in this manner shall be attached to a cover sheet containing the caption of the case which sets forth the name of the Court, title of the case, the case number, name of the Judge and the title of the exhibit being filed (e.g. Plaintiff Smith's Notice of Filing Exhibit "G" to Plaintiff Smith's Response to Defendant's Motion to Dismiss), and shall be signed and served in conformance with the rules governing the signing and service of pleadings in this Court. (See sample exhibit cover sheet attached.)

H. TIME OF FILING

1. Subject to the provisions of these rules, all documents sent by fax or email and accepted by the Clerk shall be considered filed with the Clerk of Court as of the date and time the fax or email transmission was received by the Clerk of Court. The office of the Clerk of Court will be deemed open to receive facsimile or email transmission of documents on the basis of 24 hours per day, seven days per week, including holidays. Each page of any document received by the Clerk will be automatically imprinted with the date and time of receipt. The date and time imprinted on the document will determine the time of filing, provided the document is deemed accepted by the Clerk.

2. Fax or email filings may NOT be sent directly to the Court for filing but may only be transmitted directly through the facsimile equipment operated by the Clerk of Court or emailed to [Juv\\_electronicfiling@lakecountyohio.gov](mailto:Juv_electronicfiling@lakecountyohio.gov)

I. RISK OF TRANSMISSION

1. The risks of transmitting a document by fax or email to the Clerk of Court shall be borne entirely by the sending party. Anyone using facsimile or email filing is urged to verify receipt of such filing by the Clerk of Court through whatever technological means are available.
2. The Clerk of Court may, but need not, acknowledge receipt of a facsimile or email transmission.

J. BLURRED OR SEMI-CLEAR FILINGS

1. In the event a fax or email filed document or page thereof is received in a blurred or semi-clear state, the Clerk shall notify **the filing party** immediately upon receipt thereof. If **the filing party** is able to clarify the document, either by retransmitting or filing an original on the same date, such clarification shall be accepted without further action.
2. If **the filing party** cannot clarify the document as set out in paragraph (J) (1), it shall be **the filing party's** sole responsibility to contact the Court to resolve the issue.

K. FILING FEE

1. Any document filed by fax or email that requires a filing fee may be rejected by the Clerk of Court unless the filer has established a mechanism for payment of filing fees with the Clerk of Court prior to the transmission.
2. No additional fee shall be assessed for facsimile or email filings.

L. LENGTH OF DOCUMENT

Facsimile or email filings shall not exceed twenty pages in length. Service copies shall not be transmitted by facsimile or email, unless otherwise provided for by the Ohio Rules of Civil Procedure or Juvenile Procedure.

M. EFFECTIVE DATE

These local rules shall be effective April 1, 2005, and shall govern all proceedings in actions brought after they take effect and also further proceedings in pending actions, except to the extent that, in the opinion of the Court, their application in a particular action pending on the effective date would not be feasible or would work an injustice, in which event, the former procedure applies.

IN THE COURT OF COMMON PLEAS  
\_\_\_\_\_ COUNTY, OHIO

JOHN SMITH, Plaintiff,

V.

Case No.: 1234567

BILL JONES, Defendant.

Judge \_\_\_\_\_ *(in the alternative a notation here that the case is not yet assigned)*

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PLAINTIFF SMITH'S NOTICE OF FILING EXHIBIT "G"  
TO  
PLAINTIFF SMITH'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS

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Plaintiff Smith, through counsel, hereby files Exhibit "G" to Plaintiff Smith's Response to Defendant's Motion to Dismiss. The referenced pleading was filed by **electronic** transmission with the Court on [date]. Exhibit "G" could not be accurately transmitted **electronically** and is therefore being timely filed as a separate document with the Court pursuant to Local Rule XX.X.

Respectfully Submitted,

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Attorney Name (Sup. Crt. Reg. No.)  
Office/Firm  
Address  
Telephone  
Facsimile  
E-mail

Counsel for Plaintiff John Smith

CERTIFICATE OF SERVICE

I certify that a copy of this Notice of Filing Exhibit "G" was sent by ordinary U.S. mail on [date] to counsel for defendant Bill Jones, [name and address of recipient].

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Attorney Name  
Counsel for Plaintiff John Smith

**FACSIMILE FILING COVER PAGE**

**RECIPIENT INFORMATION:**

NAME OF COURT: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

**EMAIL ADDRESS** \_\_\_\_\_

**SENDING PARTY INFORMATION:**

NAME: \_\_\_\_\_

SUPREME COURT REGISTRATION NO. (if applicable): \_\_\_\_\_

OFFICE/FIRM: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE NO.: \_\_\_\_\_

FAX NUMBER: \_\_\_\_\_

E-MAIL ADDRESS (if available): \_\_\_\_\_

**CASE INFORMATION:**

TITLE OF THE CASE: \_\_\_\_\_

CASE NUMBER\*: \_\_\_\_\_

TITLE OF THE DOCUMENT: \_\_\_\_\_

\_\_\_\_\_

JUDGE\*: \_\_\_\_\_

**FILING INFORMATION:**

DATE OF FAX TRANSMISSION: \_\_\_\_\_

NUMBER OF PAGES (including this page): \_\_\_\_\_

STATEMENT EXPLAINING HOW COSTS ARE BEING SUBMITTED (if applicable)

\_\_\_\_\_

\_\_\_\_\_

\* If a judge or case number has not been assigned, please state that fact in the space provided

IT IS SO ORDERED.

A handwritten signature in blue ink, appearing to read "Michael DeLeone", written over a horizontal line.

MICHAEL DELEONE, JUDGE