

CLERMONT COUNTY MUNICIPAL COURT  
CLERMONT COUNTY, OHIO

FILED

2016 AUG -2 AM 7:44

TIMOTHY R. RUDD  
CLERK OF MUNICIPAL COURT  
CLERMONT COUNTY, OHIO

IN RE: Local Rule 49 – Use of Child Restraints

Physical restraint of a child in court proceedings shall 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 the child represents a current and significant threat to the safety of the child's self or other persons in the courtroom, or there is a significant risk the child will flee the courtroom.

The child who is the subject of a municipal court proceeding, the child's spouse, if any, the child's parent or parents, or if the parent of a child is a child, the parent of that parent, in appropriate cases, the child's custodian, guardian or guardian ad litem, the child's counsel, the state, court security staff, detention personnel, probation officers, and any other person specifically designated by the court shall have the right upon written or verbal request to be heard on the issue of whether the use of physical restraint is necessary for that particular child at that particular proceeding. The juvenile may attend the restraint hearing or may be excused from the hearing on the child's request.

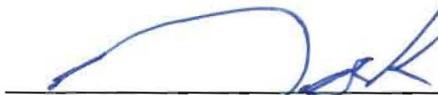
If the judge or magistrate determines that physical restraint is necessary, the restraint shall be the least restrictive means necessary to meet the risk requiring the restraint as determined by the judge or magistrate. Such restraint should not unnecessarily restrict the movement of the child's hands.

This rule shall not prohibit the use of restraints during transportation to and from the court or in the court buildings either before or after hearings.

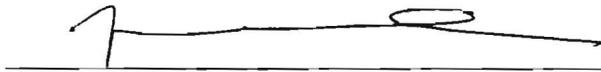
7/11/16  
Date

  
\_\_\_\_\_  
Judge Kevin T. Miles  
Administrative Judge

7/21/16  
Date

  
\_\_\_\_\_  
Judge Anthony W. Brock

7/11/16  
Date

  
\_\_\_\_\_  
Judge Jason E. Nagel

