

## **Rule 12. Citizens review board**

### **(A) Appointment.**

In accordance with [R.C. 2151.417](#) and [Juvenile Rule 36](#), the Court may appoint members of the community to serve on a Citizens Review Board to conduct review hearings under R.C. Chapter 2151 in lieu of a magistrate. Appointments to the Citizens Review Board require the successful completion of a background check under [R.C. 2151.86](#). A Citizens Review Board Member shall serve a renewable three (3) year term. A person who serves on the Citizens Review Board is considered an agent of the judiciary and is immune from suit and shall not be held liable in any civil action for recommendations made or activities performed in the course of his/her duties under this Rule, [Juvenile Rule 36](#) or R.C. Chapter 2151.

### **(B) Training.**

A volunteer must complete the Citizens Review Board orientation program established by the Court and take an oath of office prior to undertaking his/her responsibilities under this rule. Each Citizens Review Board Member is required to participate in on-going training each year as established by the Court.

### **(C) Conflict of interest.**

Whenever a member of a board has a potential conflict of interest in a case being reviewed, the member shall declare to the board the nature of the potential conflict prior to participating in the case review. The declaration shall be recorded in the official records of the board and disclosed to all parties participating in the review. If the potential conflict of interest may prevent the member from fairly and objectively reviewing the case, or if after disclosure is made, one of the parties requests it, the board may remove the member from participation in the review of the case.

### **(D) Board review - Scope and authority.**

- (1)** The Citizens Review Board is empowered and authorized to conduct hearings and recommend judgments and orders on official cases referred to them as the Court shall direct. A Citizens Review Board may agree to hear from any person who formally requests to be heard at a child's case review, as long as the person has some connection with or knowledge of the child or family situation. If the child is present to give information, the Board may speak to the child privately, if this would facilitate the child's ability to communicate. The Citizens Review Board may recommend approval or modification of the case plan or case plan amendments.
- (2)** The Review shall include, but not be limited to, consideration and evaluation of:
  - (a)** The appropriateness of the goals and objectives of the case plan;
  - (b)** The extent of compliance with the case plan;
  - (c)** Whether reasonable efforts were made to prevent the removal or the continued removal of the child;

(d) The extent of progress made toward alleviating or mitigating the causes necessitating the placement;

(e) The child's health and safety;

(f) The appropriateness of the services provided to the child and his/her parent(s), custodian or guardian;

(g) The appropriateness of the child's current placement, custody or parenting time arrangement; and,

(h) The appropriateness of the permanency plan.

**(E) Access to records.**

The Citizens Review Board shall have access to any records of the Court, of the Department of Children and Family Services or other agencies, including school records and reports of private service providers contained in the records of the Department or other agencies pertaining to the child or his/her parents, custodian or guardian.

**(F) Recommendations to the court.**

(1) The Citizens Review Board shall submit written recommendations and findings for approval to the assigned judge. Within fourteen days of the filing of a Citizens Review Board recommendation a party may file written objections with the Clerk of Court. The written objection shall state clearly the grounds for such objection and the relief sought. Otherwise, any recommendation approved by the assigned judge shall become effective when adopted by the Court and entered in the Court's journal. The Court may approve a Citizens Review Board recommendation and enter judgment without waiting for timely objections by the parties, but the filing of timely written objections shall operate as an automatic stay of execution of that judgment until the court disposes of those objections and vacates, modifies or affirms the judgment previously entered. Recommendations by the Citizens Review Board and any objections filed regarding such shall only be reviewed and approved or denied by the assigned judge.

(2) The Citizens Review Board may make the following orders without judicial approval:

(a) Orders for the appointment of an attorney or guardian ad litem,

(b) Continuances, and,

(c) Other orders as necessary to regulate the proceedings.

(3) Recommendations by the Citizens Review Board shall be reached by consensus. When consensus is not possible, the recommendation shall be based upon a majority decision.

**(G) Removal.**

The Court may remove a board member for:

- (1) Non-participation in reviews or training;
- (2) Violating the duty of confidentiality; or,
- (3) Other good cause as necessary for the administration of the program.