



INFORMAL PROCEEDINGS

WHAT IS THE PURPOSE OF AN INFORMAL PROCEEDING?

PURPOSE: Parenting and children's issues are different from many other disputes that occur in a family's life. The more that parents and legal custodians (the "parties") can resolve issues concerning the minor child(ren) between themselves, the more likely the parties will maintain a positive relationship with the child(ren) and avoid costly legal battles. This of course is in the best interest of the child(ren). Through the use of mediation, many parties can solve issues that arise after a final entry or decree is entered on a case. Parties with a sincere interest in the well-being of the child(ren) can develop a workable plan for their new normal.

WHAT IS AN INFORMAL PROCEEDING?

An Informal Proceeding is a process in which the parties meet for one free mediation session to work out agreements on minor issues or disputes as they relate to their current court order, without filing a formal motion. This program is a **voluntary** process meaning neither party can be forced to attend.

The Informal Proceedings program is available for parties experiencing minor issues in complying with their current order. This includes issues regarding relocation, transportation, school/extracurricular activities, scheduling issues, vacation time, parent communication problems, etc. Informal proceedings help parties come up with joint agreements on child-related issues.

An Informal Proceeding is **not** a counseling process.

It is an opportunity for parties to discuss and resolve problems that can come up after a case is closed.

WHAT ARE THE BENEFITS?

- Mediation takes place in a safe, neutral, confidential setting;
- Time and cost of litigation may be avoided : only \$50.00 if an Agreed Entry is filed;
- Parties are more likely to keep agreements and work together to co-parent the child(ren);
- Empowers Parties to control the outcome, and engage in creative problem solving.
- Parties come away committed to and focused on the child(ren)'s best interests.

WHO CAN REQUEST AN INFORMAL PROCEEDING?

The Informal Proceedings Program is available in **post decree cases only**. This includes divorce, dissolution, legal separation, parentage as well as legal custody **cases that are closed and have no pending motions**. In addition, Parties **must have a current order issued by or registered with the Summit County Domestic Relations Court** that allocates parental rights and responsibilities or legal custody to be eligible for the Informal Proceedings program.

The Informal Proceedings program is available **for parties experiencing minor issues in complying with their current order. Financial issues or reallocation of parental rights and responsibilities are not addressed** in the Informal Proceedings program. The parties may participate in the **Informal Proceedings program only once in any 12 month period**.

In any case where there has been a finding of domestic violence against any of the parties involved, the Court will determine whether Informal Proceedings is appropriate and can proceed in a safe manner and, if so, under what terms and conditions. **The Informal Proceedings process may not be used to modify or terminate a civil protection orders.**



Summit County Domestic Relations Court

Administrative Judge Katarina Cook
Judge Kani H. Hightower

HOW DO I START AN INFORMAL PROCEEDING?

To request an Informal Proceeding, complete **Local Form 111 - INFORMAL PROCEEDING REQUEST** and submit to Summit County Domestic Relations Court, Family Court Services Department.

Make sure that addresses, phone numbers, and e-mails are current for both parties. If we are not able to reach the other party, the informal proceeding will be denied.

If you are unsure whether your case is eligible for Informal Proceedings, review Local Rule 32.04 located on the Summit County Domestic Relations Court website www.drcourt.org or call Family Court Services at (330) 643-2355.

Once Family Court Services receives the Informal Proceedings request, a meeting between both parties and the mediator will be scheduled. Both parties will receive an appointment letter further explaining the process, and a copy of the Informal Proceedings request.

*Please note: If a motion or complaint is filed prior to the Informal Proceedings conference, the Informal Proceeding will be cancelled.

WHAT HAPPENS AFTER THE MEDIATION?

IF NO AGREEMENT IS REACHED

If no agreement is reached during an Informal Proceedings (Informal Mediation) the mediator will notate that the parties came to mediation (or did not) and that no agreement was reached in the Court's file (SABER).

IF AN AGREEMENT IS REACHED

If an agreement is reached as a result of the Informal Proceeding (Informal Mediation) the mediator will notate that the parties came to mediation and that an agreement was reached in the Court's file (SABER).

The Mediator will also draft a memorandum of understanding that will be sent to the parties memorializing the terms of the agreement.

Parties may then submit a proposed Agreed Entry for the judge's signature after paying the \$50 Agreed Entry filing fee at the Clerk of Courts. The receipt must be attached to the proposed Agreed Entry.

205 S. High Street, Akron, OH 44308
www.DRCourt.org
330-643-2365