



## Ohio Administrative Code Rule 5139-68-12 Constructive journalization.

Effective: October 20, 2014

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The purpose of this rule is to provide consistent guidelines and criteria on the release authority constructive journalization process.

(A) At least thirty days prior to a youths POA, the regional office shall forward a copy of the supervised release plan to the placement juvenile court requesting that the plan be journalized.

(B) Within fifteen days after receiving a copy of the supervised release plan, the placement juvenile court shall pursuant to section 5139.51 of the Revised Code:

(1) Enter the plan in its journal as submitted; or,

(2) Enter the plan in its journal with additional terms and conditions provided that they do not:

(a) Decrease the level or degree of supervision specified by the release authority; or,

(b) Substantially increase the financial burden of supervision; or,

(c) Alter the placement specified in the plan; or,

(3) Not enter the plan in its journal.

(C) When the placement juvenile court does not journalize the plan, the regional administrator or designee shall have three business days to work with the court to resolve the issues that are preventing the journalization of the plan.

(D) If at the end of the three day period, the regional office and the court remain at an impasse, the regional administrator shall notify the chair of the release authority in writing within two business days that there is an impasse.



(E) Within five business days of receipt of the notification from the regional office, the chair shall send a constructive journal entry letter to the juvenile court judge of the placement county with copies sent to:

- (1) The youth from a representative of the IDT;
  - (2) The institution;
  - (3) The regional office;
  - (4) The youths custodial parent(s) or legal guardian;
  - (5) The committing juvenile court;
  - (6) The office of victim services if applicable;
  - (7) The prosecutor; as required by the Ohio Revised Code; and
  - (8) Local law enforcement agency, as required by the Ohio Revised Code;
- (F) The youth shall be released on his/her POA.