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CARROLL COUNTY
MUNICIPAL COURT

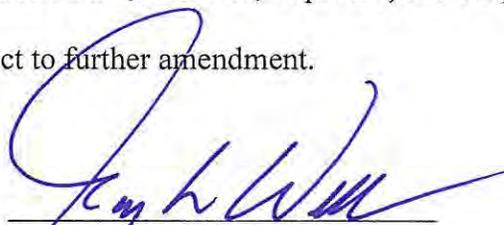
STATE OF OHIO)
)§
CARROLL COUNTY)

IN THE CARROLL COUNTY
MUNICIPAL COURT

IN THE MATTER OF THE ADOPTION OF RULES OF COURT JUDGMENT ENTRY

The Supreme Court of Ohio, pursuant to Article 4, Section 5, of the Ohio Constitution, prescribes certain rules of practice and procedure. This Court finds that it is necessary to adopt additional such rules, not inconsistent with the various rules promulgated by the Ohio Supreme Court, for local practice.

Therefore, the following Local Rules of Court shall be adopted effective January 1, 2016 (pursuant to Ohio Constitution Art. 4, Sec. 5-B; Sup. R. 5) and all prior versions of same are hereby replaced and vacated; subject to further amendment.



JUDGE GARY L. WILLEN

Dated: December 30, 2015

General Rules of Court

Hours and Sessions of Court.

The office of the Clerk of the Court shall be open Monday through Friday from 8:00 A.M. and 4:00 P.M. subject to the availability of personal. All sessions of the court shall begin promptly at 8:30 A.M. and 1:00 P.M. unless otherwise directed by the judge. The court shall close for all legal holidays observed by the public offices of Carroll County, Ohio or when the Carroll County Courthouse and/or the Municipal County Courthouse are otherwise closed. The Court may be closed or its hours of operation changed at any time without prior notice by the order of the Court.

Audio Record.

Unless otherwise provided in these rules, all proceedings before this Court shall be recorded by an audio electronic recording device provided by the Court. A party may provide a stenographic court reporter at the party's cost and expense. No record shall be required of any proceeding in the small claims division of this Court.

Judicial Steps.

All criminal and traffic cases shall be managed in the following judicial steps: Arraignment. All criminal and traffic arraignments shall be held at 1:00 P.M. Mondays and Thursdays.

Rule #1 – General Provisions

A) The Carroll County Municipal Court, Carroll County, Ohio shall be divided into divisions, to wit: Civil, Criminal, Small Claims, and Traffic.

Rule #2 – Court Cost Deposits

The deposit for costs required for filing actions in ALL DIVISIONS of the Carroll

County Municipal Court are as follows effective January 1, 2016:

A) Complaint for Judgment <u>with jury demand</u>	\$ 319.00
(Each Additional Defendant)	\$ 15.00
B) Complaint for Judgment <u>non-jury</u>	\$ 100.00
(Each Additional Defendant)	\$ 15.00
C) Forcible Entry and Detainer	\$ 100.00
(Each Additional Defendant)	\$ 15.00
D) Bureau of Motor Vehicle Suspension Appeal	\$ 65.00
E) Fore closure/Land Contract	\$ 100.00
(Each Additional Defendant)	\$ 15.00
F) Post-Judgment Execution, Attachment, Garnishment	\$ 70.00
G) Bank Attachment (plus \$1.00 payable to Bank)	\$ 39.00
H) Motion with proof of service attached	\$ 24.00
I) Motion requiring Clerk's service	\$ 34.00
J) Transfer by Certificate of Judgment	\$100.00
(Each Additional Defendant)	\$ 15.00
K) Notice of Appeal	\$ 70.00
L) All Service by Publication requires additional	\$ 100.00
M) Writ of Restitution (To be determined by Sheriff)	
N) Expungement	\$ 94.00
O) Debtor's Exam	\$ 24.00
P) Trusteeships	\$ 65.00
Q) Request for Certificate of Judgment Lien	\$ 15.00
R) Certified Copies	\$ 2.00
S) All photocopies (per page)	\$ 0.25
T) Criminal Complaint	\$ 70.00
U) Small Claims Complaint	\$ 43.00
(Each Additional Defendant)	\$ 15.00
V) Replevin	\$100.00
(Each Additional Defendant)	\$ 15.00
W) Revival of Judgment	\$100.00
(Each Additional Defendant)	\$ 15.00
X) Certificate of Transfer	\$ 15.00
Y) Occupational Driving Privileges	
Initial Request	\$ 30.00
Subsequent Change	\$ 20.00
Premature Termination	\$ 30.00
Z) Issuance of License Forfeiture/Warrant Block	\$ 20.00

(Note: \$10.00 of traffic & criminal cases, \$15.00 of civil cases is hereby assigned for computerization, \$9.00 of traffic cases, \$19.00 of criminal cases, & \$10.00 of civil cases to special projects, and \$5.00 of traffic & criminal, \$10.00 of civil cases is assigned for Victims' Assistance Special Project.)

These deposits for costs may be excused upon a showing of indigence or other hardship as approved by the Court. However, an Affidavit of Income, Expenses and Financial Disclosure and Personal Background must be filled out and filed with the Court to provide the Court with information to determine if deposits will be excused. However, the Clerk may refuse to accept for filing any pleading or other document to which no appropriate deposit is tendered therewith, absent a showing of indigence or other approved hardship.

Additional court cost may be charged depending on documents filed and services performed by the Clerk. Unless otherwise ordered, all final court costs assessed by the Clerk are due and payable within thirty (30) days from the date of the hearing. Failure to timely remit may result in the issuance of a contempt citation.

Rule #3 – Traffic Division

Court costs are as follows:

All arresting agencies \$70.00

Court costs are to be disbursed by the Clerk according to the Ohio Revised Code. See Local Rule 3(A).

(NOTE: \$10.00 of the Court Costs is hereby assigned for computerization, \$9.00 for special projects and \$5.00 for Victims Assistance).

Local Rule #3(A) – Method of Assigning Payments Pursuant to O.R.C. 2949.111

Pursuant to O.R.C. 2949.111, the Clerk of the Court shall assign payments as follows:

1. If the court ordered the offender to pay any court costs, the offender's payment shall be assigned toward the satisfaction of those court costs until they have been entirely paid.
2. If the court ordered the offender to pay any reimbursement and if all of the court costs that the court ordered the offender to pay have been paid, the remainder of the offender's payment shall be assigned toward the satisfaction of the reimbursement until they have been entirely paid.
3. If the court ordered the offender to pay any restitution and if all of the court costs and reimbursements that the court ordered the offender to pay have been paid, the remainder of the offender's payments shall be assigned toward the satisfaction of the restitution until it has been entirely paid.
4. If the court ordered the offender to pay any fine and if all of the court costs and reimbursements, and restitution that the court ordered the offender to pay have been paid, the remainder of the offender's payment shall be assigned toward the satisfaction of the fine until it has been entirely paid.
5. If the Court ordered the offender to pay any state fines or costs and if all of the court costs, reimbursements, restitution, and any fine that the court ordered the offender to pay have been paid, the remainder of the offender's payment shall be assigned on a pro rata basis toward the satisfaction of the state fines and costs until they have been entirely paid.

If a person who is charged with a misdemeanor is convicted of or pleads guilty to the offense and if the court orders the offender to pay any combination of court costs, reimbursements, restitution, fines and state fines or costs, the court, at the time it orders the offender to make those payments, may prescribe an order of payments that differs from the order set forth in sections 1 through 5 of this Rule by entering in the record of the case the order so prescribed. If a different order is entered in the record, on receipt of any payment, the Clerk of the Court shall assign the payment in the manner prescribed by the court.

LOCAL RULE 3B – USE OF ELECTRONICALLY PRODUCED TICKETS

The use and filing of a ticket that is produced by computer or other electronic means is hereby authorized in the Carroll County Municipal Court. The electronically produced ticket shall conform in all substantive respects to the Ohio Uniform Traffic Ticket. If an electronically produced ticket is issued at the scene of an alleged offense, the issuing officer shall provide the defendant with a paper copy of the ticket

Local Rule 3C – On-line Payment System

The Carroll County Municipal Court authorizes payments for fines, costs, restitution, and probation fees for traffic and criminal cases to be paid through the website of www.carrollcountycourt.org

Rule #4 – Criminal Division

If any law enforcement agency files a criminal complaint, there will be no filing fee charged.

If a criminal complaint is filed by a private individual, a \$70.00 deposit is required.

The deposit may be excused upon a showing of indigence or other hardship as approved by the Court. However, the Clerk may refuse to accept for filing any pleading or other document to which no appropriate deposit is tendered therewith, absent a showing of indigence or other approved hardship.

(Note: \$10.00 of the deposit is hereby assigned for computerization, \$19.00 for special projects, and \$5.00 for Victims Assistance).

Rule # 5 – Small Claims Division

The filing fee for a small claims complaint is \$43.00. Additional court costs may be assessed, if a subpoena, request for sheriff's service, or additional service by certified mail.

(NOTE: \$10.00 of the filing fee is hereby assigned for computerization, \$5.00 for special projects and \$5.00 for Victims Assistance).

Rule #6 – Civil Division

The filing fee for a civil action is \$100.00. Additional court costs may be assessed, if a subpoena, request for sheriff's service, or additional service by certified mail is required more than once.

A) Pre-Trials

This Court expressly adopts pre-trial procedure set forth in Ohio Civil Rule 16 as same may, from time to time, be amended. Personal attendance of all parties is required at all pre-trial conferences, unless excused in advance by this Court, and if a party is a corporation then by a corporate officer authorized to speak for and bind said corporation. If the subject matter of the litigation involves

insurance, then a representative of the insurance carrier is required to attend, unless excused in advance by this Court, who is authorized to speak for and bind his principal.

Pre-trial conference will be continued at the request of counsel only upon the submission of a written motion and judgment entry for same in advance of the scheduled hearing date. All pre-trials must be continued to a “date certain” cleared in advance with the Clerk.

B) Discovery

In conformity with Ohio Civil Rule 5-D, the Clerk shall not accept for filing in case folder depositions upon oral examination, interrogatories, requests for documents, requests for admission, and any answers and/or responses thereto except upon order of this Court, for use as evidence, or for consideration of a pending motion in the action, i.e. to compel, for protective order, summary judgment, etc. In lieu thereof, counsel shall file a “certificate” of submitting such interrogatories, etc. to the opposing party, and the opposing party shall file a “certificate” of answering said interrogatories or providing the information requested pursuant to Ohio Civil Rules 26 to 37 inclusive.

Rule #7 – Dismissals Civil Division

Due to the statistical reporting requirements imposed by the Rules of Superintendence, all dismissals of original actions and/or post-judgment matters must be approved by the Court. A dismissal on the appearance docket by counsel is not effective until approved or ordered by the Court.

Cases which have been on the docket for six(6) months without any proceedings taken therein, except those awaiting final trial assignment, shall be subject to dismissal by the Court, after notice to counsel of record or to a pro se party, for want of prosecution unless good cause is shown to the contrary. (Sup. R. 40)

Rule #8 – Default Judgment

In any case where a defendant has not entered an appearance in the action within the time prescribed by the Summons and Civil Rules, the party seeking a default judgment shall apply to the Court for the same by written motion. The Clerk shall forthwith assign said motion for hearing not earlier than seven (7) days after filing, and all parties (except those served by publication) shall receive written notice of said hearing by ordinary mail.

In all cases involving promissory notes or open accounts, the motion for default judgment shall be accompanied by a current ledger statement (unless filed with the complaint) or other business record clearly identifying the defendant(s), and clearly showing all charges and payments, the default in payment, and balance owing.

In cases involving unliquidated damages to persons or property, or upon a breach of contract, evidence of the amount of damages is required at hearing (Civil R. 55-A).

These requirements shall be in addition to the requirements imposed by Civil R. 55 generally.

A final entry of default judgment shall be submitted to the Court prior to, or at, the hearing.

Rule #9 – Civil Jury Trials

- A) The jury venire will issue twenty (20) days prior to the scheduled trial date, and should a case be dismissed and/or settled after the venire is issued, the court reserves the right to assess the costs and expenses of the jury to one or more of the parties.
- B) If a case proceeds to trial and a jury is sworn, the jurors' fees shall be taxed as court costs and assessed to one or more of the parties [O.R.C.1901.26 (A)(3)]
- C) In all civil actions and proceedings wherein a jury trial is demanded, the cost of summoning jurors and their fees shall be taxed as part of the court costs. Such costs shall be secured in advance by the party demanding a jury (see Rule 2), and the

failure of a party to advance these security costs within ten (10) days after filing the jury demand and after service of the last pleading directed to the issue shall constitute a waiver of trial by jury (Civil R. 38-B)

Upon a showing of good cause by written motion, the Court may excuse this security deposit.

Rule #10 – Case/Motion Coding

In conformity with Superintendence Rules and Supreme Court Statistical Report Administrative Report and Individual Report Municipal and County Court Forms all new civil, criminal and traffic cases filed in this Court shall be coded in accordance with Reporting Administrative Report and Individual Report Municipal Court Forms.

Rule #11 – Criminal and Traffic Division Proceedings (active)

The Court expressly adopts the provisions contained within the Ohio Traffic Rules as set forth in the Ohio Revised Code and as same may, from time to time be amended.

The Court hereby establishes and orders a Traffic Violations Bureau pursuant to Ohio Traffic Rule #13 and does hereby appoint the Clerk of the Carroll County Municipal Court to serve as the Violations Clerk.

A) Pre-Trials

The Court expressly adopts the provisions concerning pre-trial procedures set forth in the Ohio Criminal Rule 17.1 as same may, from time to time, be amended. Personal attendance of all counsel and defendants is required at all criminal pre-trial conferences and all traffic pre-trial conferences, unless excused in advance by this Court. Pre-trials will be continued at the request of counsel or pro se defendants only upon submission of a written motion and judgment entry for same in advance of the scheduled hearing date. All pre-trials must be continued to a “date certain” cleared in advance by the

Clerk. No continuance will be granted if the "Speedy Trial Requirements" will be affected unless accompanied by a time waiver.

B. Trials

All criminal and traffic cases shall be tried within the time constraints as set forth by the Rules of Criminal Procedure and the Ohio Revised Code unless a time waiver is executed. All criminal and traffic cases will be completed within the time requirements of Sup. R. 39.

C. Sentencing

Providing a defendant is available, a sentencing hearing will be assigned within fifteen (15) days of the verdict, or finding of guilty or receipt of a completed pre-sentence investigation report from the Adult Probation Department.

D. Probation and Community service Fee.

A probation supervision fee of \$50.00 for each year of probation shall be charged for each person placed on probation with full amount imposed when probation is granted. A fee of \$10.00 per month is charged for each person placed on probation. Early termination of probation shall not result in a refund of any probation fees. These fees shall be paid according to the court's order. In cases where the Court orders the performance of Community Service without an order of probation, there may be a setup fee of \$50.00 charged and a monthly supervision and maintenance fee of \$10.00 for each month until the community service is performed.

Failure to pay any fee shall be considered a violation of the court order and shall be subject to charges for indirect contempt of court or probation violation. All fees collected under this section shall be paid to the clerk of court and shall be placed in a separate fund to be disbursed upon an order of the Court. If the Court determines that the amount of money in the fund is more than the amount sufficient

to satisfy the purpose, for which the fee was imposed, the Court may declare a surplus in the fund and expend the surplus money for other appropriate expenses of the court.

E. Compensation

An attorney appointed by the Court to provide legal representation for an indigent criminal defendant (excluding the Public Defender Staff) shall be compensated pursuant to O.R.C. 120.33 and 2941.51, or any other applicable Ohio law, upon the schedule of fees adopted and approved by the Board of Carroll County Commissioners. The reasonableness and award of such fees is left to the Court's discretion.

Court-appointed counsel shall submit to the Court of a properly executed Affidavit of Indigence and Judgment Entry of Appointment within one (1) week after his appointment. No fees will be paid if these documents are not timely filed.

The attorney's final Certificate for Legal Services shall be submitted to the Court for review and approval, only on prescribed forms within thirty (30) days of the termination of such services.

Rule #12 – Criminal and Traffic Division Proceedings (inactive)

Criminal and traffic cases in which further proceedings are not presently possible shall be placed in a suspended or inactive file by the Clerk and considered "closed" for statistical reporting purposes either upon motion of the State of Ohio or upon the Court's own directive, and they shall not be subject to dismissal for want of prosecution.

A case shall be removed from the inactive file and placed in the active docket when the defendant is available and proceedings resumed, or when the case is dismissed.

Cases to which this rule is applicable may include those in which the defendant is not competent to stand trial; is confined in a penal institution in another state; has been served and cannot be found;

flees the jurisdiction; or those cases from which an appeal has been perfected and is pending. In such cases, if appropriate, bail may be forfeited and judgment entered thereon.

Rule #13 – Witness Fees

A party requesting the issuance of subpoenas for a witness shall deposit at the time of filing the request for subpoena the appropriate amount under the witness fees statute, O.R.C. 2335.06, with the Clerk.

This Rule applies both to civil and criminal practice. The Clerk may refuse to accept any request for subpoena unaccompanied by the requisite fee deposit.

Rule #14 – Hearings and Submission of Motions (non-oral)

A) All motions not otherwise provided for herein shall be accompanied by a memorandum of law stating the specific grounds therefore and citing the authorities being relied upon. Oral arguments will be deemed waived unless allowed upon express leave of the court upon written request by a party. The date and time of any motion hearing and the length of time of argument shall be fixed by the Court.

This rule is applicable to all motions including: for new trial, for summary judgment, for judgment notwithstanding the verdict, and for relief from judgment, except as otherwise provided herein.

B) Motions which, in the Court’s opinion or under Ohio law require evidentiary hearings shall be so assigned for hearing at the convenience of the Court.

Rule #15 – Judgment Entries

A) Upon the signing and filing by the Court of any judgment entry in any action, the attorney of record submitting same shall forthwith deliver a copy thereof to each of his clients and to opposing counsel or adverse pro se party. Delivery may be in person or by ordinary mail.

B) Foreclosure Confirmation Entries

In all entries of confirmation following foreclosure actions, prevailing counsel shall therein describe in detail the release of any liens and/or mortgages, including the reference volume(s) and page number(s).

Confirmation entries shall reflect that prevailing counsel, and not the Clerk, shall cause the release and/or cancellation of all liens and/or mortgages.

C) All judgment entries and all entries in modification of a prior order on any matter arising either from a formal hearing or from an agreement of the parties and/or counsel shall be submitted to the Court for filing within seven (7) days of the time of hearing or agreement. In the absence of a timely submission, the Court reserves the right to assign the task of drafting and submitting such entry to particular counsel and to tax the expenses of same, including attorney fees, as part of the court costs to the delinquent party. The Court reserves the right also to prepare and file its own entry.

D) Other Civil Actions

- 1) Entries arising from default judgment motions shall be prepared and submitted to the Court prior to but not later than the date of final hearing thereon.
- 2) The judgment entry specified in Civil R. 58 or in Criminal R. 32 shall be journalized within thirty (30) days of the verdict, decree, or decision. If such entry is not timely prepared and presented for journalization by counsel or pro se party, then it shall be prepared and journalized by the Court. (Sup. R. 7)

Rule #16 – Facsimile Filing

All court filings must be original documents, signed and delivered to the clerk of courts. Facsimile documents will not be accepted for filing unless approved by separate court order, but may be provided for informational purposes only.

Rule #17 – Conflict of Trial Dates: Continuances: Engaged Counsel

A) Conflicts (Sup. R. 41(B))

When a continuance is requested for the reason that counsel is scheduled to appear in another case assigned for hearing trial on the same date in another court of this State (including federal courts), the case which was first assigned for trial or hearing shall have priority.

Criminal cases have priority over civil cases.

No motion or request for a continuance due to a scheduling conflict will be considered by this Court unless a copy of the conflicting assignment is attached thereto, and the motion or request is filed not less than thirty (30) days prior to the date assigned in this Court.

B) Continuances [Sup. R. 41(A)]

- 1) All continuances are matters within the sound discretion of this Court.
- 2) No party shall be granted a continuance of any hearing or trial without submitting to the Clerk a written motion or request therefore, with judgment entry attached, stating therein the reason for the continuance.
- 3) No continuance will be granted at any time without first setting a definite alternate date for hearing or trial.

To the extent possible, parties or counsel requesting continuances shall consult with adverse parties or opposing counsel for mutually acceptable new dates prior to requesting a continuance so that further conflicts can be minimized and a new assignment can be expedited.

If a motion for a continuance is not expressly granted by the Court, then the matter shall be presumed to proceed as originally scheduled.

Rule #18 – Juror voir dire (civil and criminal cases)

The Court will examine the panel on the statutory challenges for cause, and counsel shall not re-inquire on these issues; during their supplemental examination, counsel are not permitted to repeat questions already asked by the Court or opposing counsel; during their supplemental examination, counsel are not permitted to repeat questions already answered by jurors on their information cards; unusual or potentially troublesome areas of inquiry shall be discussed with the Court in chambers prior to opening the trial; during their supplemental examination, counsel are not permitted to ask jurors hypothetical questions on their positions in advance under a certain state of facts or evidence, nor shall counsel on voir dire solicit “pledges” from prospective jurors.

Rule #19 – Case Management Program

Consistent with amended Sup. R. 5 (B)(1) and for the purposes of: ensuring the readiness of civil and criminal cases for pre-trial and trial; maintaining and improving the timely disposition of such cases; and providing this Court with an efficient means of controlling the flow of said cases on the docket, a finding case management system is hereby adopted and reflected in the following rules, to wit:

- A) pre-trial and discovery practice, Local R. 6
- B) dismissals, Local R. 7; Civil. R. 4(E)
- C) default judgment practice, Local R. 8
- D) criminal and traffic proceedings, Local R. 11, 12 and 13
- E) submission of judgment entries, Local R. 15
- F) conflicts/continuance, Local R. 18

Matters pending on the docket are subject to review at not less than thirty (30) day intervals. A physical inventory of all pending cases shall be completed not less than annually on or before the first day of March each year.

It remains the obligation of counsel to check completion of service of process and to follow the practice and procedures of the above case management system. The Court however reserves the right to act sua sponte to secure compliance, upon reasonable notice to counsel or the parties which may be in writing or orally.

Rule #20 – Jury Management Plan

Consistent with Sup. R. 5(B) (2) and in an effort to improve the overall efficiency of jury operations, reduce the cost of the jury systems, and decrease the burden that jury service often places upon those citizens called for jury service, this Court hereby adopts, and incorporates by reference as fully as reproduced herein, the “Ohio Trial Court Jury Use and Management Standards” adopted by the Ohio Supreme Court.

These standards will be implemented to the extent that it is logistically and financially possible to do so in this county.

Also refer to Local Rule #18.

This Court will continue to draw new jury panels for each new term of Court from the annual jury list as compiled from voting registration roles. The Court reserves the right to supplement each such panel with additional jurors if the number of jury trials assigned for any given term indicates a need.

Rule #21 – Court Security Plan

This Court is charged with dispensing justice, resolving legitimate disputes, and protecting the constitutional rights of those who appear before it. Accordingly, appropriate levels of security should

exist in the Court; to protect the integrity of the proceedings; protect the rights of individuals before the Court; deter those who would take violent action against the Court, its employees or litigants; sustain the proper decorum and dignity of the Court; and to assure that Court facilities are secure for all those who visit and work there.

Therefore, pursuant to Superintendent's Rule 9, the Court hereby establishes the following:

- A) The Court having previously appointed a "Local Security Advisory Committee" which did formulate a Carroll County Courthouse Security Manual and Policy hereby adopts in its entirety such policy.
- B) The Carroll County Courthouse Security Manual and Policy became effective and published February 5, 2002, and was adopted by the Courthouse Security board members of the "Local Security Advisory Committee"
- C) Said Courthouse Security Policy is adopted and incorporated herein as if fully rewritten herein.

Rule #22 – Special Projects

Pursuant to O.R.C. 1901.26, the Court may determine that, for the efficient operation of the Court, additional funds are necessary and may implement a rule to charge a fee on the filing of each criminal, civil action, or proceeding, or judgment by confession.

This rule establishes a special projects fund of which \$5.00 additional court costs for traffic & criminal and \$10.00 for civil cases has been imposed for deposit to the Carroll County Victims' Assistance Fund.

This rule establishes a special projects fund of which \$10.00 additional court costs for Civil, \$5.00 for Small Claims, \$19.00 for Criminal cases and \$9.00 for Traffic cases have been imposed for deposit to the Carroll County Special Projects Fund.

The Order re-establishing these special projects was entered of record on September 16, 2008, and became effective September 23, 2008. (copy available)

Rule #23 – Court Electronic Transcripts

The Court has installed an electronic digital recording system to create a record for court proceedings. On occasion there may be a request for an audio copy of the recording. The new device permits the “burning” of a CD to copy the original audio recording. To establish a procedure for someone requesting a copy this rule is established.

Upon a written request and a twenty five dollar (\$25.00) deposit, the Clerk or Deputy Clerk who was responsible for the recording of the original hearing will locate the original recording to verify that it is available in storage for copying. If the original is available for copying then a CD will be “burned” to provide an audio copy. The fee is a total of \$25.00 to the clerk or deputy clerk for her services. A court cost of \$5.00 is imposed to be paid into the court computer fund for the cost of the CD. This is to be paid in under the case name and number that is being requested and the CD is not to be handed over to the person requesting the audio copy until paid.

IT IS NOTED THAT THIS “BURNED” CD IS NOT AN OFFICIAL TRANSCRIPT OF THE COURT PROCEEDING AND WILL NOT QUALIFY AS SUCH IN ANY APPELLATE PROCEEDING. IT IS PROHIBITED FROM BEING TRANSCRIBED FOR SUCH A PURPOSE UNLESS DONE SO BY THE CLERK OR DEPUTY CLERK.

Rule #24 – Trusteeships

The Court hereby establishes that consistent with Ohio Revised Code 2329.70 upon the filing for an appointment of a trustee, the Court designates the Clerk of the Court to serve as the Trustee. The trustee shall be bonded by the existing clerk’s official bond. The trustee shall notify all creditors of the appointment of a trustee by ordinary mail using the addresses provided by the debtor. The trustee shall calculate the amount of payment to be made by the debtor by using the “interim report and answer of garnishee” form. The trustee shall establish the date or dates that the debtor must make the payment so calculated. The trustee shall have the authority to receive and disburse the payments made by the debtor. The trustee shall distribute the monies received to the creditors every three months. Any balance owed to a creditor fewer than One Hundred Dollars (\$100.00) shall be paid in full and the remaining amount shall be disbursed among the remaining creditors. The trusteeship shall be terminated upon the failure of the debtor to make the periodic payments established on the due date(s).

Rule #25 - Requirements for corporate surety criminal bail bonds.

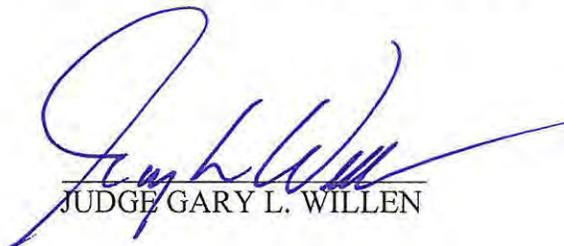
The Clerk may accept corporate surety bonds in criminal cases only if each agency complies with rules of criminal procedure, Rule 46 (J) and any statutory requirements.

- A) Each agency must file a qualifying power of attorney by the first day of August of each odd-numbered year.
- B) Each agency must file a certificate of compliance annually.
- C) A copy of each agent's license must accompany an agent's original filing.
- D) All agents posting a bond must furnish a signed power of attorney and produce a state issued bail license.

Rule #26 - Other

The Court reserves the right to amend, modify, and, or remove any Local Rule of Court as the circumstances may require.

In conformity with Civil R. 83 and Sup. R. 15, a copy of these Rules shall be filed with the Ohio Supreme Court.



JUDGE GARY L. WILLEN

Date: December 30, 2015