

IN THE COMMON PLEAS COURT, PREBLE COUNTY, OHIO

**IN THE MATTER OF THE CIVIL AND CRIMINAL
LOCAL RULES:**

ENTRY

The following local rules are adopted to govern the practice and procedures of this Court, subject to such rules as may be adopted or promulgated by the Supreme Court of Ohio.

These rules shall be recorded by the Clerk of Courts of Preble County, and journalized therein, and shall be filed with the Ohio Supreme Court.

Unless otherwise stated herein, these rules are effective July 10, 2009.

Judge David N. Abruzzo

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PREBLE COUNTY LOCAL CIVIL AND CRIMINAL RULES

CLASSIFICATION OF CASES FOR THE SUPREME COURT REPORT

When a new case is filed the filing attorney shall designate the case as being in one of the following categories:

PROFESSIONAL TORT PRODUCT LIABILITY
OTHER TORTS
WORKERS COMPENSATION
FORECLOSURES
ADMINISTRATIVE APPEAL
OTHER CIVIL
CRIMINAL
DIVORCE WITH CHILDREN
DIVORCE WITHOUT CHILDREN
DISSOLUTION WITH CHILDREN
DISSOLUTION WITHOUT CHILDREN
CHANGE OF RESIDENTIAL PARENT STATUS
VISITATION/MODIFICATION OR ENFORCEMENT
SUPPORT ENFORCEMENT/MODIFICATION
UIFSA
ALL OTHERS (4/98)

COURT COSTS IN CRIMINAL CASES

In criminal cases that are dismissed by the Court, either after resolution of a substantive issue or at the request of the State, and where there is no agreement by the defendant to pay the costs, the costs shall be paid by the State, provided, however, that the costs for which the State is responsible shall be limited to sums necessary to reimburse the Clerk of Courts for expenses actually incurred by and paid by the Clerk. When the State is ordered to pay costs, the Clerk shall deliver to the Prosecuting Attorney a cost bill that represents expenses actually incurred by and paid by the Clerk. Commencing on January 1, 1999, the State shall pay costs, as defined above, in all criminal cases that proceed to trial and result in a verdict of not guilty (by jury or the Court) on all charges tried. (7/98)

In all criminal convictions where a defendant is ordered to pay restitution, court costs and the costs of appointed counsel, said payments shall be distributed in the manner prescribed by the Ohio Revised Code. (1/05).

COURT COSTS AND DEPOSITS

Court costs incurred in civil and domestic relations shall be collected in the following manner: If the defendant is ordered to pay court costs, the deposits made by plaintiff shall be held until reasonable efforts are exhausted by the Clerk to collect the costs from the defendant. If costs cannot be collected from the defendant, then the deposits shall be used toward the payment of court costs, with the balance to be paid by plaintiff. In domestic relations cases where affidavits of poverty have been filed and where the location of the defendant is unknown, costs shall be paid by plaintiff pursuant to a schedule established by the Clerk and the plaintiff, so that the payment of costs does not create a burden for the plaintiff.

SEE SCHEDULE OF COSTS

CONTINUANCE OF A COURT DATE

In a continuing effort to improve the management of the Court's docket, the following rule concerning the granting of continuances will be followed as closely as possible to assure that the Court's pending cases are heard in as timely a manner as possible.

Continuances shall only be considered when submitted in writing and when they substantially comply with Rule 41 of The Supreme Court's Rules of Superintendence. **In addition, continuances shall state the**

nature of the scheduled hearing, the name of the party who filed the original motion to be heard, the reason for the continuance, how many continuances have previously been granted for this particular motion, and whether the opposing side objects or agrees with the continuance. Further, if the reason for the continuance is a conflict with another scheduled hearing in another court, the movant shall file with the continuance a timed stamped copy of the order or hearing notice setting the conflicting hearing.

DEFAULT JUDGMENTS

No default judgment shall be granted except upon motion of the requesting party. **All hearings for default judgment shall be set by the Court** with a minimum notice to the defaulting party of two weeks from the date of mailing the entry setting hearing.

On or before the hearing date the movant shall submit to the Court an affidavit setting forth facts sufficient to support a judgment for the relief requested and a proposed entry granting the relief sought. This affidavit must be signed by the movant and not counsel for the movant. **Neither movant nor counsel are required to attend the hearing.**

If the defaulting party fails to appear on the date scheduled for hearing, and if the affidavit is sufficient to support the judgment requested, the judgment will be granted. If on the scheduled date the defaulting party (or one of the defaulting parties if more than one) appears, then the Court will inquire of said party or parties in an effort to determine whether or not the matter should go forward on the basis of the affidavit or be continued for further proceedings.

In actions requesting foreclosure of a party's interest in real estate it shall not be necessary for lienholding defendants to appear, provided however that before the interest of a lienholding defendant may be protected in a default entry (based on the motion of a party other than said lienholding defendant) proof of said interest shall be submitted by affidavit.

No default entry shall be approved by the Court unless same is approved by counsel of record for all parties. (5/01)

FACSIMILE COPIES

All pleadings submitted to the Court by facsimile shall be followed by submission of the original pleading within 24 hours of its receipt by the Clerk.

The Clerk shall file-stamp the first page of the facsimile only and retain the facsimile in the file until the original pleading is submitted for filing. When the original is received, the first page of the facsimile shall be retained in the court file; however, the remaining pages of the facsimile shall be removed and discarded and the original pleading shall be file-stamped and placed in the file in place of the facsimile. (8/98)

FORECLOSURE CASES – APPRAISAL FEES

The \$150.00 deposit for the appraisal fee shall be included in the deposit made at the filing of the foreclosure complaint. (3/08)

FORECLOSURE ACTIONS - CONVEYANCE FEES

In all foreclosure actions the transfer tax set forth in Ohio Revised Code Section 322.02 shall be paid out of the proceeds of sale.(10/01)

TRANSCRIPT FEES:

The Court does hereby adopt the following fee schedule regarding transcripts of court proceedings:

ORIGINAL (COURT OF APPEALS/OTHER)	\$2.25 per page
COPY TO OPPOSING SIDE	1.00 per page
COPY TO SAME SIDE (COURT OF APPEALS)	1.00 per page
DAILY RATE	5.00 per page (1/05)

RULES FOR WEEKEND/INTERMITTENT CONFINEMENT:

The Court adopts the Rule for Weekend/Intermittent Confinement as defined by the Sheriff of Preble County, Ohio. A copy of the Policy shall be given to each defendant who is sentenced to a term of intermittent confinement by the Community Control Office on the day of sentencing. Same shall serve to instruct and warn such defendant of the penalties associated with non-compliance with the terms of said policy (3/08).

PROBATION AND COMMUNITY CONTROL - CONDITIONS

Any defendant convicted of a criminal offense in the Common Pleas Court of Preble County, Ohio, and whose sentence is suspended and who is placed on probation or community control shall be subject to the **Conditions of Supervision** (see attached) of the State of Ohio, Department of Rehabilitation and Correction, Adult Parole Authority as they exist at the time of the Defendant's sentence.

NEWSPAPER PUBLICATION

Counsel for any party requesting any Sheriffs sale or requesting service by publication or requesting any other relief which requires publication of notice in a local newspaper shall prepare the publication required, cause same to be published at the party's expense and shall cause the filing of any affidavit (proof) of publication that may be required by law. In cases where service is made by publication, no Judgment Entry or Decree of Foreclosure shall be accepted for filing until the Proof of Publication is filed.

The cost of said publication, once paid by the party requesting same, shall upon application of said party, be taxed as costs thus enabling said party to obtain possible reimbursement or judgment for said sum.

This rule shall apply to all parties including any public office or official whether a subdivision of the state, county, city or village. The purpose of this rule is to avoid situations where the Clerk incurs an obligation to a newspaper for the cost of any publication that may be associated with any case pending in the Common Pleas Court of Preble County. (1/05)

MOTIONS AND NOTICES OF APPEARANCE

All motions filed with the Court shall be filed separate and apart from any proposed entry. A separate copy of said motion shall be placed in a designated tray at the Clerk's office for delivery to the Court. Any proposed entry, along with the required copies, shall be paper clipped to the Court's copy of said motion at that time. When motions are filed that apply to two separate cases, an original of the motion (bearing the relevant case number and original signature of the filing party) shall be filed with each case (1/05).

The assignment commissioner shall file all entries, and copies, submitted to the Court. File stamped copies shall be placed in the attorney's box at the Clerk's Office. Out of town counsel shall submit with the copies a self-addressed stamped return envelope.

Entries submitted without copies shall be filed without copies. It is counsel's responsibility to see that service of the entry is made on opposing counsel.

The first line of the first page of all pleadings filed with the Court shall begin two and one-half inches (2 1/2") from the top of the page.

In addition, to promote accuracy in the docket, all initial pleadings filed by counsel shall be accompanied by a Notice of Appearance of Counsel. The only exception to this rule shall be the filing of a complaint or an answer. (4/98)

CERTIFICATES OF SERVICE

Effective December 1, 2001, all Certificates of Service shall contain the name of the attorney, the party represented, and the address of the attorney to whom the pleading is being mailed. If the pleading is being mailed to a party who is not represented by counsel, the Certificate of Service shall contain the name and address of the party.

CONFIRMING ENTRIES

A confirming entry shall be presented to the Court for approval and filing within 30 days of 1) the filing of a decision that requires a confirming entry to be prepared by one of the attorneys, 2) the recitation in the record in the presence of the parties of an agreement that resolves the issues, or 3) notice to the Court via phone or otherwise that a case has been settled.

If a confirming entry is not timely submitted to the Court, a Notice and Order will be filed ordering all counsel to appear in open court on a specific date and time to explain the failure.

If a Notice and Order is filed, counsel may avoid the order to appear by submitting the confirming entry no later than seven days prior to the hearing date. Depending on the nature of the information received at the hearing, contempt proceedings may follow. Failure to appear for said hearing might result in contempt proceedings.

COMMENTS: The attorney instructed to prepare a confirming entry (in the decision or perhaps from the bench) is ultimately responsible for the timely submission of same to the Court. A confirming entry should contain the approval of all counsel involved; however, same is not required. If the issue(s) cannot be resolved, then the attorney responsible for preparation of the entry shall (within the 30-day period) submit his or her entry with an explanation as to the attempts made to obtain approval of all counsel and an explanation as to why an approval is missing.

Parties who have appeared in open court and who have acknowledged their understanding and acceptance of the agreement that was placed of record in their presence are not required to execute the entry. If counsel desires to obtain the approval of a client, counsel must do so within the time limit. In cases where a party is having “second thoughts” or is otherwise opposed to language contained in an agreement, the proposed entry should still be timely submitted with an explanation. The Court will thereafter likely review the recorded hearing to make sure that the entry accurately recites the agreement.

Before counsel leave the courtroom, in cases where the agreement is placed of record, make sure the Court has indicated the attorney who is to prepare the confirming entry. This is usually nothing more than the Court’s acceptance of counsel’s offer to prepare same.

STATUS AND SCHEDULING CONFERENCES:

In all civil cases, upon the completion of service a status/scheduling conference date will be assigned. At said hearing dates will be established for discovery cut-off and for pre-trial conference. If requested, a trial date will be assigned.

PRE-TRIAL CONFERENCES:

On the day that a pre-trial conference is scheduled, each party shall file a pre-trial statement, which contains all of the following information:

1. A description of each and every exhibit intended to be introduced at trial.
2. A list of the names and addresses of all witnesses who are expected to testify at trial along with a brief summary of the expected testimony.
3. A description of all of the legal issues that the Court will be asked to determine.
4. A summary of any expected evidentiary questions that may arise at trial.
5. The names and addresses of any witnesses whose testimony will be presented to the Court via deposition as well as notification to the Court as to whether or not any of said depositions are or will be recorded on videotape.
6. If there is a jury demand, include a summary of the status of settlement negotiations. For purposes of promotion of settlement, counsel for the parties shall appear at said conference with full settlement authority or in the alternative, the party shall be present with his/her counsel.
7. Request for special jury instructions.

If a pre-trial statement is not filed in accordance with this rule, the Court may continue the pretrial in progress and entertain a motion for attorney fees against the non-complying party. If at the conclusion of

the pre-trial conference the matter is not resolved, a trial will be scheduled.

Trials shall begin promptly on the date assigned. Before the trial begins, each attorney shall provide the Court with the following:

1. An index of exhibits.
2. All exhibits shall be pre-marked with plaintiff using numbers and defendant using letters
3. A list of the names and addresses of all witnesses.

A copy of any joint pre-trial statement (stipulations) prepared and/or filed pursuant to a previous order of the Court.

SPECIAL PROJECTS FUND:

This Court has determined that additional funds are necessary to defray the costs associated with the efficient operation of the Court in matters including the acquisition of equipment, community control programs, mediation and dispute resolution services, magistrate, training and education of staff and the Court, and other related services as the Court may direct for the operation of the Court. Pursuant to ORC Section 2303.201(E)(1), a fee of \$15.00 per case, in addition to the fees and costs authorized by law will be charged and collected by the Clerk of Courts upon the filing of each new criminal, divorce, dissolution, legal separation, and civil case. Petitions for civil protection orders, stalking civil protection orders and IV-D motions as well as all re-opened cases are exempt from this required fee..

All fees paid under this Rule shall be paid to the Clerk of Courts for deposit with the County Treasurer for deposit into a general special projects fund. That fund shall be called "Special Projects Fund – Court Training and Services Fund". Monies from that fund shall be disbursed upon order of this Court in an amount no greater than the actual cost of the special project stated above or for any other special project which this Court from time to time might deem necessary for its efficient operation.

EXHIBIT RETENTION ORDERS

In all trials before the Court or Magistrate, any exhibits admitted during trial shall be held by the Court Reporter until an appeal is filed and the exhibits are sent to the Court of Appeals. If no appeal is filed, the party seeking release of an exhibit or exhibits shall petition the Court for an order releasing said exhibit. No exhibit shall be released without a court order.

All unreleased exhibits in civil and domestic relations cases shall be held for a period of two years from the date of the hearing. All unreleased exhibits in criminal cases shall be held for a period of ten years from the date of the hearing, except in the instance of capital cases or in criminal cases where the Defendant is incarcerated for longer than ten years. In those cases the exhibits shall be held until ordered destroyed by the Court.

MOTIONS FOR INTERVENTION IN LIEU OF CONVICTION

Once counsel for the defendant and the prosecuting attorney have decided that intervention in lieu of conviction is a possibility, counsel for the defendant shall notify the Court of same via a motion for intervention in lieu of conviction so that the Court may respond with an order for an eligibility assessment.

The defendant shall be ordered to make an appointment with his or her chosen evaluator within seven days of the filing of the Entry; the defendant shall be ordered to keep said appointment, and the defendant shall be ordered to sign a release specific to that evaluator that allows the evaluator to report directly to the Court's officer (identified in the Entry) in charge of said cases the status of the defendant's evaluation process.

Counsel for defendant shall be ordered to notify the Court's officer of the date and time of the first appointment and the identity of the evaluator.

The defendant's failure to keep the first appointment (or subsequent appointments) shall cause this matter to come on for hearing so that the Court may decide if intervention in lieu of conviction should be terminated and the case set for trial.

The Entry shall establish a hearing date for determination of the issue of the defendant's eligibility for intervention in lieu of conviction.

The purpose of these procedures is to assure that a Defendant makes a timely and serious effort to obtain an evaluation. Those who do not will lose their opportunity to obtain this privilege.

MEDIATION

Effective January 1, 2007, the Court adopts the following local rule regarding mediation, which rule incorporates by reference the R.C. 2710 "Uniform Mediation Act" (UMA) and Rule 16 of the Supreme Court of Ohio Rules of Superintendence.

Definitions

All definitions found in the "Uniform Mediation Act" (UMA) R.C. 2710.01 are adopted by this court through this local rule including, but not limited to the following:

"Mediation" means any process in which a mediator facilitates communication and negotiation between the parties to assist them in reaching a voluntary agreement regarding their dispute.

"Mediator" means an individual who conducts a mediation.

"Mediation Communication" means a statement, whether oral, in a record, verbal or non verbal, that occurs during a mediation or is made for purposes of considering, conducting, participating in, initiating, continuing, or reconvening a mediation or retaining a mediator.

"Proceeding" means either of the following:

Judicial, administrative, arbitral or other adjudicative process, including related pre-hearing and post-hearing motions, conferences, and discovery; or
A legislative hearing or similar process.

Purpose

To promote greater efficiency and public satisfaction through the facilitation of the earliest possible resolution of cases through the use of mediation.

Scope

At any time any action under the jurisdiction of this court may be referred to mediation by the Judge or Magistrate. The following actions shall be exempted from mediation upon request of any party:

Cases in which one of the parties is mentally ill;

In emergency circumstances requiring an immediate hearing by a jurist, or

Cases in which the parties have achieved an executed Agreed Judgment Entry.

Case Selection/Referral Process

The court, on its own motion or the motion of any of the parties, may refer disputed issues to mediation in whole or in part by Entry which shall, at a minimum indicate the date, time, place and contact information of the mediation. All parties and counsel shall advise the assigned judge or magistrate of any domestic violence allegations known to them to exist or to have existed in the past, or which become known to them following entry of the order but before conclusion of all mediation proceedings, which allegations involve any two or more persons whose attendance is required by the referral order.

Eligibility of Cases

The Judge or Magistrate will determine the eligibility and appropriateness of each referral prior to the commencement of the mediation process and may decline any referral(s) deemed inappropriate.

Mediator Selection and Assignment

The parties shall choose a mediator and they shall make arrangements for the payment of the mediator. The mediator, however, must have the following qualifications: comply with the qualifications set forth in Rule 16 of the Ohio Rules of Superintendence; adhere to the ethical standards of the mediation profession; and maintain appropriate liability insurance, specifically covering the activities of the individual as a mediator.

Procedures

In accordance with all applicable provisions of this rule, if a case is deemed appropriate by the Judge or Magistrate, mediation will be scheduled. A mediator may meet with the parties individually prior to bringing the parties together for any reason including, but not limited to further screening. A mediator may schedule multiple mediation sessions, if necessary and mutually acceptable for the resolution of the issues in part or in their entirety.

The court shall utilize procedures for all cases that will:

Ensure that parties are allowed to participate in mediation, and if the parties wish, that their attorneys and other individuals they designate are allowed to accompany them and participate in mediation.

Screen for domestic violence both before and during mediation.

Encourage appropriate referrals to legal counsel and other support services for all parties, including victims of and suspected victims of domestic violence.

Prohibit the use of mediation in any of the following:

As an alternative to the prosecution or adjudication of domestic violence;
In determining whether to grant, modify or terminate a protection order;
In determining the terms and conditions of a protection order; and
In determining the penalty for violation of a protection order.

Party/Non-Party Participation

Parties to informal cases may voluntarily attend mediation sessions.

Parties who are ordered into mediation in formal cases shall attend scheduled mediation sessions. The court may order parties to return to mediation at any time in formal cases.

A judge, magistrate and/or mediator may require the attendance of the parties' attorneys at the mediation sessions if the mediator deems it necessary and appropriate.

If counsel of any party to the mediation becomes aware of the identity of a person or entity whose consent is required to resolve the dispute, but has not yet been joined as a party in the pleadings, they shall promptly inform the mediator as well as the assigned judge or magistrate.

If the opposing parties to any case are 1) related by blood, adoption, or marriage; 2) have resided in a common residence, or 3) have known or alleged domestic violence at any time prior to or during the mediation, then the parties and their counsel have a duty to disclose such information to the mediator and have duty to participate in any screening required by the court.

By participating in mediation a nonparty participant, as defined by R.C. 2710.01(D), agrees to be bound by this rule and submits to the court's jurisdiction to the extent necessary for enforcement of this rule. Any nonparty participant shall have the rights and duties under this rule attributed to parties except as provided by R.C. 2710.03(B) (3) and 2710.04(A) (2).

Confidentiality/Privilege

All mediation communications related to or made during the mediation process are subject to and governed by the “Uniform Mediation Act” (UMA) R.C. 2710.01 to 2710.10, R.C., the Rules of Evidence and any other pertinent judicial rule(s).

Mediator Conflicts of Interest

In accordance with R.C. 2710.08(A) and (B), the Mediator assigned by the Court to conduct a mediation shall disclose to the mediation parties, counsel, if applicable, and any nonparty participants any known possible conflicts that may affect the Mediator’s impartiality as soon as such conflict(s) become known to the Mediator. If counsel or a mediation party requests that the assigned Mediator withdraw because of the facts so disclosed, the assigned Mediator should withdraw and the parties shall retain the services of a substitute mediator.

Termination

If the Mediator determines that further mediation efforts would be of no benefit to the parties, he or she shall inform all interested parties and the Court that the mediation is terminated using the procedure required by this Court.

Stay of Proceedings

All remaining court orders shall continue in effect. No order is stayed or suspended during the mediation process except by written court order. Mediation shall not stay discovery, which may continue through the mediation process in accordance with applicable rules, unless agreed upon by the parties and approved by the judge or magistrate assigned to the case.

Continuances

It is the policy of this court to determine matters in a timely way. Continuances of scheduled mediations shall be granted only for good cause shown in accordance with the local rules regarding continuances. Except as authorized by the court, the existence of pending motions shall not be good cause for a continuance and no continuance will be granted unless the mediation can be scheduled prior to the final pretrial.

Mediation Case Summary

Attorneys may, at their option, or must if required on a specific case by the judge and/or magistrate, submit a “Mediation Case Summary” to the mediator which shall contain the following:

- Summary or material facts.
- Summary of legal issues.
- Status of discovery.
- List special damages and summarize injuries or damages.
- Settlement attempts to date, including demands and offers.

Mediation Memorandum of Understanding

The assigned mediator, parties or counsel, if applicable, as agreed by the parties, may immediately prepare a written memorandum memorializing the agreement reached by the parties. The “Mediation Memorandum” may be signed by the parties and counsel (if the “Mediation Memorandum” is signed it will not be privileged pursuant to R.C. 2710.05 (A) (1)). The written “Mediation Memorandum of Understanding” may become an order of the court after review and approval by the parties and their attorney, if applicable. No oral agreement by counsel or with parties or an officer of the court will be regarded unless made in open court.

Mediator Report

At the conclusion of the mediation and in compliance with R.C. 2710.06 the court shall be informed of the status of the mediation including all of the following:

- Whether the mediation occurred or was terminated;

Whether a settlement was reached on some, all or none of the issues; and
Attendance of the parties.
Future mediation session(s), including date and time.

Qualifications

To be a court approved mediator the following qualifications apply:

Commitment to Continuing Education,
Membership in a Mediation Association,
Appropriate amount of mediation experience as determined by the Court.

List of Qualified Mediators

The court will maintain a list of qualified Mediators.

All those on the list of qualified mediators shall submit to the Court a regularly updated Curriculum Vitae (including a list of training related to the field of dispute resolution and professional or association memberships) which CV shall be provided by the Court to those requesting information on an assigned Mediator's qualifications to mediate a dispute pursuant the requirements set forth in R.C. 2710.08(C).

The Court will review applications of person seeking to be added to the list of qualified Mediators.

Fees and Costs

The parties may agree between themselves to apportion the costs of the mediation. Unless otherwise agreed by the parties, the mediation costs shall be shared equally. In the event that the parties cannot agree, the court shall determine the apportionment of the mediation costs to the parties. Mediation shall not be ordered where a party is indigent unless the mediation is available at no cost to the party.

Sanctions

If any individual ordered by the court to attend mediation fails to attend mediation without good cause, the court may impose sanctions which may include, but are not limited to, the award of attorney's fees and other costs, contempt or other appropriate sanctions at the discretion of the assigned Judge or Magistrate.

CAPITAL MURDER CASES

The prosecutor and defense counsel shall present for filing two complete sets of each pleading to be retained by the Clerk. One set shall be filed in the official record of the Court and one set shall be filed in the Clerk's duplicate file. (3/08)

JUDICIAL SALE OF REAL ESTATE

On the day of sale, the Sheriff or his appointee shall announce that any purchaser shall have **20** days from the date of sale to obtain an examination of title to said real estate. Should the examination disclose the title so purchased to be unmarketable, by reason of any defect in the proceedings or the existence of any interest not disclosed, said purchaser may, within the twenty day period petition the Court by written motion requesting that said sale be set aside. If the Court, after hearing, finds said title to be unmarketable, the Court shall refuse to confirm the sale. The Court may, however, fix a reasonable time within which such defect(s) may be corrected. (9/08)

Any purchaser of real estate at a judicial sale shall pay ten percent (10%) of the purchase price to the Sheriff on the day of sale, except that if said purchaser is the first lienholder, said deposit shall be \$200 plus a sum sufficient to pay the conveyance fee. (9/08)

Prior to confirmation of sale, counsel for the party required to prepare the deed to convey said property shall certify to the Court that a deed has been prepared which bears all the necessary approval s. After confirmation, said deed shall be presented to the Sheriff for recordation. (9/08)

PROBATION SUPERVISION FEES

In order to provide a means to defray costs of the probation department, the Court has established a Probation Services Fund. Said fund will be used for salaries, purchase of equipment, supplies, and for programs associated with the Probation Department. Pursuant to Ohio Revised Code §2951.021, a fee of \$10.00 per week will be charged to each person placed on community control or probation supervision, which fee shall not exceed \$50 in any month. The fees shall be paid to the Clerk, who shall deposit said monies with the treasurer of the county pursuant to ORC §321.44. This order shall be effective July 10, 2009.

Schedule of Deposits for Costs

Effective July 10, 2009, the Clerk of Courts shall collect as Deposit for court costs the following:

CERTIFICATE OF JUDGMENT, FILING	\$ 23.00
MAKING AND FILING	28.00
RELEASING	5.00
FOREIGN	38.00
CERTIFICATION	1.00
CIVIL (except foreclosure)	200.00
FORECLOSURE (includes appraisal fee)	500.00
CROSS-COMPLAINT	
COUNTERCLAIM,	
THIRD-PARTY COMPLAINT	
ANSWER with Motion Requesting Service	110.00
AMENDED COMPLAINT (re-issuing per party)	10.00
JURY DEMAND	300.00
DEBTOR'S EXAM	53.00
EXECUTION	53.00
GARNISHMENT	100.00
DISSOLUTION WITH CHILDREN	305.00
DISSOLUTION WITHOUT CHILDREN	240.00
DIVORCE WITH CHILDREN	330.00
SEMINAR FOR SEPARATING PARENTS	25.00
DIVORCE WITHOUT CHILDREN	230.00
AGREED ENTRY FILED AFTER CASE CLOSED (per page)	2.00
QDRO (filing)	50.00
RE-OPENING CASE	195.00
SUBPOENA	10.00
OUT-OF-COUNTY WITNESS PAYABLE TO	
WITNESS PER DAY	12.00
PLUS PER MILE	.10
STATE TAX CASES	58.00
COURT OF APPEALS	125.00
NOTARY FILING FEES (EXAMINATIONS)	25.00
WRIT OF POSSESSION	100.00
SPECIAL PROJECTS FUND (COURT TRAINING	
And SERVICES	15.00
(NEW CRIMINAL CASES)	
COURT ORDERED CERTIFICATE OF AUTO TITLE	100.00
PROBATION SUPERVISION FEES ASSESSED AT \$10.00 WEEK	

The Clerk may require additional deposits throughout the case should the outstanding costs exceed the initial deposit.

*Guardian ad litem fees are now handled by Movant's counsel in his/her trust fund. See local rule DR 9