THE LOCAL RULES OF THE TIFFIN-FOSTORIA MUNICIPAL COURT

These rules are effective as of September 16, 2026, and shall supersede and replace any local rules previously entered by this court.

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I. GENERAL PROVISIONS

Rule 1. Jurisdiction of Court

The territorial jurisdiction of the Tiffin-Fostoria Municipal Court includes the corporate limits of the cities of Tiffin and Fostoria as well as Adams, Big Spring, Bloom, Clinton, Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed, Scipio, Seneca, Thompson, and Venice townships in Seneca County. The monetary jurisdiction of the Tiffin-Fostoria Municipal Court shall be in an amount as provided for in section 1901.17 of the Ohio Revised Code. (Sec. 1901.02 (A) & (B), Ohio Revised Code).

Rule 2. Location of Court

The Tiffin-Fostoria Municipal Court shall be convened and held in Tiffin at 103 East Market Street, Suite 201 in Tiffin on a weekly basis as designated by the Court. Court shall also be convened and held in the City of Fostoria at 213 South Main Street Fostoria on a weekly basis as designated by the Court. The monetary jurisdiction of the Tiffin-Fostoria Municipal Court shall be in an amount as provided for in section 1901.17 of the Ohio Revised Code. (Sec. 1901.021(N), Ohio Revised Code).

Rule 3. Venue of Court

A) Cases that arise in the municipal corporation of Tiffin and the townships of Adams, Big Spring, Bloom, Clinton, Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed, Scipio, Seneca, Thompson, and Venice townships in Seneca County shall be filed within the office of the Tiffin-Fostoria Municipal Court located in Tiffin.

B) Cases that arise in the municipal corporation of Fostoria and within Loudon and Jackson townships in Seneca County, shall be filed in the office of the special deputy clerk located in the municipal corporation of Fostoria.

C) The parties may move to have the court hear in another location within the jurisdiction of the Court in the following situations:

1) By agreement of the parties;
2) Upon the motion of either party where the interest of justice is served;
3) Upon the Court's own motion for security concerns. (Sec. 1901.021 (N), Ohio Revised Code).

Rule 4. Times of Holding Court

A) The sessions of this Court shall be from 8:30 a.m. until 4:30 p.m. during Monday through Friday each week, except legal holidays and except as designated by the Court. The office of the clerk at Tiffin and the special deputy clerk in Fostoria shall be open for the transaction of business from 8:30 a.m. to 4:30 p.m., Monday through Friday each week, except legal holidays. The clerk's office may be closed at such other times as the Court may designate. (Sec. 1901.021, Ohio Revised Code).

B) To facilitate the issuance of such papers as might be discovered necessary during a trial which may extend beyond the conclusion of the Court Day at 4:30 p.m., the clerk is instructed to keep the clerk's office facilities available. Should a trial extend beyond 4:30 p.m., the clerk shall remain available or shall have at least one deputy clerk available until the conclusion of all trials for that day.

C) The Court may, by general order, limit or expand the hours of both the Court and the Clerk's Office due to economic hardship, budget constraints or other extenuating circumstances.

Rule 5. Courtroom Conduct

A) Upon the opening of any Court session, all persons in the courtroom shall stand. All persons in the courtroom shall conduct themselves with decorum and in such a manner so as not to interfere with or obstruct judicial activities or proceedings. All persons appearing before the Court shall, as far as practicable, appear in appropriate dress. No hats are to be permitted inside the Courtroom.

B) No smoking, vaping, eating, or drinking is permitted in the courtroom, nor shall anyone bring food or drink into the courtroom.

C) No person shall loiter or behave in an unseemly or disorderly manner in the courtroom or in any halls, entryways, or stairways leading thereto, or otherwise interfere with or obstruct judicial activities or proceedings.

D) Cell phones, pagers or other electronic devices shall be turned off while the Court is in session.

E) The Court expects that counsel shall call this rule to the attention of clients and witnesses.

F) Anyone found violating these rules may be subject to immediate expulsion from the courtroom, determined to be in contempt of court, or subject to criminal prosecution.

Rule 6. Preservation of Papers

The clerk shall file and carefully preserve in the office of the clerk all papers delivered to the clerk in every action or proceeding. No original papers or depositions in any case or proceeding shall be removed from the office of the clerk, except for use in court or by the Court, except on written order of the Court.

Rule 7. Filings by Electronic Transmission

A) In conformity with Ohio Civil Rule 5 (E) and Criminal Rule 12 (B), the Court provides for the filing of pleadings and other papers by electronic means. Except as provided below, all pleadings and other papers may be filed with the Court by facsimile at both locations, Tiffin fax number is (419) 448-5419 and Fostoria fax number is (419) 436-0278, [subject to the following provisions]:

(1) When filing a Notice of Appeal, the filing party must file the original Notice of Appeal with the Clerk of Court. A Notice of Appeal cannot be filed by facsimile transmission, and the provisions of Rule 7 of these Rules are not applicable to Notices of Appeal.

(2) All documents filed by facsimile transmission will be accepted as original and the signature accepted as original, except Notices of Appeal. Facsimile documents need not be followed with the original pleadings or other papers, but the originals must be maintained by the filing party and are subject to inspection by the Court if requested.

(3) The attorney or other parties must provide the following information on the fax cover page:

a. the name of the Court;
b. the title of the case;
c. the case number;
d. the title of the document being filed;
e. the date of transmission;
f. the transmitting fax number;
g. an indication of the number of pages included in the transmission, including the cover page
h. if a Judge or case number has not been assigned, state that fact on the cover page;
i. the name, address, telephone number, fax number, Supreme Court registration number and, if applicable, an e-mail

address of the person filing the fax document if available, and;

j. if applicable, a statement explaining how costs are being submitted.

Transmissions without such information will not be accepted for filing. A transmitted document must be no longer than ten (10) pages not including the cover page and must pertain to only one case.

(4) The use and filing of a traffic citation or complaint that is produced by computer or other electronic means is hereby authorized in the Tiffin-Fostoria Municipal Court. The electronically produced complaint shall conform in all substantive respects to the Ohio Uniform Traffic Ticket. If a complaint is produced electronically at the scene of an alleged offense, the officer issuing the citation or complaint shall provide the defendant with a paper copy of the complaint, the court with a similar citation or complaint along with any other required documentation such as the LEADS print-out, BMV 2255, probable cause affidavit or other pertinent documentation.

(5) The Clerk shall notify the attorney or other parties if the transmitted document cannot be filed for any reason. All documents submitted will be considered filed only when the date/time has been stamped by the Clerk and the document has been properly docketed.

B) (1) Any signature on electronically transmitted documents shall be considered that of the attorney or party it purports to be for all purposes. If it is established that the documents were transmitted without authority, the court shall order the filing stricken.

(2) Electronically transmitted documents will be received by the Court and will be considered filed when submitted via e-filing portal.

(3) Any document filed electronically that requires a filing fee may be rejected by the clerk of court unless the filer has complied with payment instructions established by the court for payment of filing fees.

(a) The Clerk shall notify the attorney or other parties if the transmitted document cannot be filed for any reason. All documents submitted will be considered filed only when the date/time has been stamped by the Clerk and the document has been properly docketed.

(4) In criminal cases, the complaint shall comply with Crim.R.3.

Rule 8. Holding of Jury Trials

Jury trials will be held throughout the year at the Tiffin location and at the Fostoria location, as designated by the Judge to whom the case is assigned. In the event that a holiday precedes a jury day, the courtroom of the Judge shall be held available for arraignments and no jury trial shall be scheduled in that courtroom unless approved by the Judge.

Rule 9. Jury Selection

A) Jurors to be used in the Tiffin-Fostoria Municipal Court shall be chosen and summoned by the jury commissioner of Seneca County, Hancock County and Wood County as provided in Sections 2313.01 to 2313.24, inclusive, of the Ohio Revised Code, subject to the exceptions hereafter set forth. The Court shall notify the jury commissioners of Seneca County of the number of jurors needed in the Tiffin-Fostoria Municipal Court for the next calendar year. Section 2313.16 of the Ohio Revised Code is hereby declared not to be applicable to the Tiffin-Fostoria Municipal Court pursuant to the authority of Section 1901.25, Ohio Revised Code. Jury summons shall be sent out to prospective jurors a minimum of ten (10) days prior to the scheduled jury trial.

B) The Judge may excuse a juror for good cause shown with such excuse to be in writing and signed by the Judge. Such excuse may be for a particular date or dates, or for the entire term.

Rule 10. Recording of Court Proceedings

All Court proceedings, which are required to be recorded, said proceedings are recorded by the Digital Court Recorder. A court reporter may be supplied upon the written request of either party or his/her counsel and at the discretion of the Court, provided such request is filed in writing at least five court days prior to trial. In such a case the reporter's cost shall be borne by the party requesting the same, who shall pay the costs directly to the reporter. In instances where one of the parties has requested a transcript, the party requesting shall pay for such transcripts.

Rule 11. Continuances

A) Every request for a continuance shall be by written motion and will only be granted upon showing of good cause. The moving party shall contact the opposing party and note agreement or opposition to the subject motion. All motions to continue shall be served on the opposing counsel or opposing party. The motion shall set forth the date from which a continuance is requested and reasons for the continuance. If a prior trial conflict exists, the date of scheduling shall be stated, with a copy of the notice attached to the motion. Entries shall accompany the motions with blanks for the new trial time and date, and if agreed to by opposing counsel. No request for continuance will be considered if made less than seven (7) days before trial except for circumstances which by

reasonable diligence could not be determined seven (7) or more days prior to trial. It is suggested that counsel provide available dates to the Clerk.

B) When a continuance is requested for the reason that counsel is scheduled to appear in another case assigned for trial on the same date in the same or another trial court of this state, cases set in federal court and common pleas courts trial shall have priority and shall be tried on the date assigned. With regard to other cases set in municipal or county court, those cases set first in time shall have priority. Criminal cases assigned for trial have priority over civil cases. The granting of any other request for continuance of a scheduled trial is a matter within the discretion of the trial court. If a designated trial attorney has such a number of cases assigned for trial in courts of this state so as to cause undue delay in the disposition of such cases, the Judge may require the trial attorney to provide a substitute trial attorney. If the trial attorney was appointed by the court, the court shall appoint a substitute trial attorney.

II. CIVIL RULES

Rule 12. Jury Trials and Demands

A) A demand for a civil jury trial shall be made as required by Civil Rule 38 and shall be accompanied by a deposit of $750.00 as security for the first day jury cost. Said sum shall be first collected with $500.00 of the deposit due at the time of the filing of the complaint or responsive pleading demanding said trial by jury. An additional deposit of $250.00 shall be tendered no less than three weeks before the trial date. In the event that either deposit is not made, no jury will be summoned, and the failure to make said deposit shall be deemed a waiver of the right to a trial by jury. Otherwise, the deposit shall be refunded to the party posting it at the conclusion of the case. In the event a party claims to be indigent and unable to post the deposit, an affidavit as to such indigence shall be filed with the demand for jury, and the Court may summon the party into court for further investigation of the claimed indigence.

B) In the event a civil case is settled or dismissed prior to trial and it is not possible to notify all jurors of such cancellation, the requesting party shall bear the cost of juror fees for those jurors who report on the day of trial.

Rule 13. Jury Questionnaires

Jury questionnaires may be submitted to potential jurors. Upon completion or termination of the trial, the Court shall gather any jury questionnaires previously distributed and dispose of the same (if any).

Rule 14. Court Costs and Security Deposits

The schedule of costs, security deposits, and filing fees for all cases in the Tiffin-Fostoria Municipal Court will be as set forth by separate order of this court.

Rule 15. Filing of Pleadings, Motions, Etc.

A) In every pleading, motion, or document filed on behalf of a party or parties, there shall be set forth in the caption the names of all parties with complete addresses, if known, whose names appear in the proceedings for the first time and the specific venue and location in which the case is filed. Every pleading, motion, or document filed on behalf of a party shall have printed or typed thereon the name, address, telephone number, and attorney registration number of counsel filing the same, and if filed by a law firm, the name of the particular attorney having primary responsibility for the case shall be indicated thereon. Sufficient copies of every pleading, motion, or document to be served by the Clerk, bailiff, or sheriff, shall be filed with the Clerk. The Clerk shall make a copy of any pleading, motion, or document for the use of any counsel of record who has not previously been supplied with a copy, and charge the expense thereof as costs in the case.

B) In all cases where the filing of a pleading or amended pleading is not fixed by law or another rule, the pleading or amended pleading shall be served on or before the fourteenth (14th) day after the date of the entry requiring or granting leave for the filing of such pleading or amended pleading, or overruling or sustaining a motion, unless otherwise specified in the entry. The opposing party shall move or plead to the pleading or amended pleading so filed on or before the fourteenth (14th) day after such pleading or amended pleading is filed, unless otherwise ordered by the Court. Where a case is transferred from small claims court to the regular docket of the Court pursuant to Section 1925.10, Ohio Revised Code, the answer of the defendant or defendants shall be filed within fourteen (14) days of the date of the entry ordering such transfer.

C) It shall be the duty of the party or attorney filing a pleading, written motion, or brief subsequent to the complaint to mail or deliver a copy thereof to each party to the case, or the attorney for such party. Failure to comply with this rule shall be sufficient cause to strike the pleading, motion, or brief from the files. If a copy of a pleading is to accompany a summons to be served in the case, it shall be sufficient compliance with this rule to deposit such copy with the Clerk. The fact of such mailing or delivery to the adverse party shall be noted on the original. Insofar as the party filing a document is aware of the judge to whom the case is assigned, he shall note the same between the Case Number and title of the document in the caption.

D) In the absence of a request to the Court for an oral hearing, notice of which request shall have been previously given to opposing counsel, a motion shall be

deemed submitted on written briefs unless the opposing counsel requests in writing an oral hearing, which request shall be submitted within seven (7) days of receiving the motion.

E) Pleadings, motions, or other documents not complying with this rule of Court shall not be accepted for filing by the Clerk.

Rule 16. Withdrawal of Trial Counsel

A) Counsel shall be allowed to withdraw from trial counsel responsibility in cases where counsel was designated only with the consent of the judge assigned to the case.

B) In the absence of judicial assignment, or in the absence of the assigned judge, such application shall be made to the Court. No such application will be considered unless a written entry or motion is presented stating the reasons for the application. The entry or motion will contain the following:

{1} The time and date of trial, if set.

{2} A certification of service to opposing counsel.

{3} Certification that the client has been notified that the attorney is seeking to withdraw from the case.

{4} Counsel's professional statement that, if allowed, a copy of the entry will be mailed immediately to the last known address of the client.

C) Withdrawal of counsel within five (5) court days of any hearing assignment shall not be permitted.

Rule 17. Change of Trial Counsel

Once trial counsel has been designated, such designation shall remain until termination of the case. Change of trial counsel may be permitted by the Court upon the filing of an entry containing the designation of new trial counsel and the agreement of prior trial counsel and provided such change will not delay the trial of such case.

Rule 18. Preparation of Papers in Civil Cases

No official or employee of this Court is permitted to prepare or assist in preparing any pleadings, motions, or other documents on behalf of a party to a case to be filed in this Court or which may be pending in this Court. This prohibition is not applicable to assistance required by law to be rendered to parties in the small claims division of this Court, or minor typing assistance, such as corrections of errors or last-minute changes on papers filed with the Court, if requested and supervised by the filing party, or ordered by the Court**.**

Rule 19. Pretrial Procedure for Civil Cases

A) The pretrial procedure called for in Ohio Civil Rule 16 shall be used by this Court, insofar as may be applicable or practical, in all contested civil cases, that is, civil cases which are at issue on an answer or a reply to a counterclaim.

B) It is the order of this Court that attorneys appear for pretrial conferences as scheduled, and that the parties to the case, or a representative of the party, also appear unless dispensed from appearance by the Court (service of notice pursuant to Civil Rule 5 is hereby deemed sufficient as to the notice of pretrial).Unless leave of Court is first obtained, failure of plaintiff or plaintiff's attorney to appear at a scheduled pretrial conference may be grounds for dismissal of the case pursuant to Ohio Civil Rule 41 (B)(1); failure of any other party or their attorney to appear may be deemed a contempt of this Court, and punished accordingly.

C) Continuances of pretrial conferences may be granted upon the showing of good cause, and no continuance shall be granted without approval of the judge before whom the pretrial is scheduled.

Rule 20. Default Judgment

A) A party seeking a default judgment pursuant to Ohio Civil Rule 55 shall file a written motion and a proposed Judgment Entry with the Clerk of Courts. Military Affidavits pursuant to the Soldiers and Sailors Relief Act shall be filed with the proposed entry, unless filed earlier.

B) If the claim is liquidated, in addition to the motion, the moving party shall file an affidavit or memorandum containing sufficient information in support of the claim. If the claim is unliquidated, or if the party against whom judgment by default is sought has appeared in the action, or both, then a hearing is required before the Judge. In these cases, the motion for default judgment must include, on the face of the motion, notice of the date and time of the scheduled hearing on the motion. Service of the motion and notice of hearing shall be made on the opposing party in accordance with Rule 4(C) and not less than seven (7) days before the scheduled hearing. The moving party shall be responsible to show that the other parties have been properly served as required by this rule. At the hearing on the unliquidated claim, the moving party shall present evidence to support the award of the default judgment. The Court may require testimony under oath or by affidavit.

C) At the conclusion of the hearing, if the Court is satisfied that service of summons and complaint has been obtained, and the evidence presented establishes the party's entitlement to judgment, the Court shall prepare a decision and file it with the Clerk. Copies of the Court's decision shall be served upon the parties or their attorneys by the Clerk.

Rule 21. Failure of Service

In the event there is a failure of service of summons, the complainant or his attorney shall make additional effort within six (6) months from the date the cause of action was filed. If the complainant or his counsel fail to comply with this rule, the Court may proceed to dismiss the case for failure to prosecute pursuant to Ohio Civil Rule 41.

Rule 22. Assignment of Cases

All cases are subject to being assigned for pretrial or trial at any time after the expiration of a full day from the time the issues are made up, unless they are otherwise disposed of by dismissal, settlement, continuance, or upon the order of the Court. All cases will be heard on the day assigned for pretrial or trial, and continuances to a day certain will only be granted upon the demonstration to the satisfaction of the Court of the necessity for the continuance**.**

Rule 23. Sales and Proceedings in Aid of Execution

The bailiff shall follow the procedure set forth in Section 2329.13 et seq. of the Ohio Revised Code in the advertising and conducting of sales on attachment, execution, or foreclosure of chattel mortgages. In all attachments or executions to be levied upon personal property, the attorney or party shall describe in detail those items which are to be levied upon; an instruction to "levy upon all goods and chattels" is not sufficient. Information must be supplied to the bailiff as to the type, size, and number of items to be levied upon, so that the bailiff can make an accurate estimate as to the cost of the proceedings, and so that he can require a sufficient deposit to secure costs before proceeding with the execution or attachment. If the item to be levied upon is an automobile or other motor vehicle, the party or his attorney shall furnish the bailiff with an accurate description of the automobile or motor vehicle, a license number or serial number, and a written statement as to whether there is a lien of record on the vehicle in the office of the Seneca County Clerk of Courts. Before the bailiff proceeds to levy upon the vehicle, he shall determine whether there are any liens on it, and he shall also determine the fair market value of the vehicle to be determined by three (3) appraisers. If there is a lien on the vehicle, the name of the lienholder shall appear on the notice of sale. If the bailiff determines that the vehicle, when sold, will not bring a sufficient amount to cover the cost of towing, storage, appraisal, advertising, and other court costs, he shall require the party seeking the levy to post an additional deposit for costs to cover these expenses before proceeding with the levy. If the sale will encompass many items, the bailiff may secure the services of an auctioneer and proceed in accordance with Section 2335.021, Ohio Revised Code.

Rule 24. Garnishment Proceedings

All garnishment proceedings shall be in the form required by Section 2716.02, Ohio Revised Code, and the garnishment papers will be properly filled out, including date. They will be accompanied by the proof of service of the demand required by Section 2716.02, Ohio Revised Code, and by the garnishee's fee provided by Section 2716.12, Ohio Revised Code. The Clerk of this Court is instructed to refuse to accept for filing any garnishment papers not complying with this rule. The Court will accept no more than two (2) other than personal earnings garnishments for each defendant at a single filing.

Rule 25. Judgment Debtor Examination

Judgment debtor examinations may be scheduled in front of the Court upon the specific request of the parties. All others shall be held outside the hearing of the Court. If the judgment debtor fails to appear after having been served with the order to appear, contempt of court proceedings shall be initiated against the judgment debtor, unless the Court directs that other action be taken.

Rule 26. Forcible Entry and Detainer

When a judgment has been rendered ordering a defendant to vacate premises, the bailiff shall not proceed until there is filed with the Court a praecipe requesting such action, and the praecipe shall be accompanied by a deposit in accordance with the Court's Court Costs Schedule. The landlord or an authorized agent of the landlord shall be present at the premises that is the subject of the set-out, at the designated time for the set-out, to take physical possession of the premises, provide access, and to handle any remaining personal property of the tenant(s).

Rule 27. Small Claims Division

A) Pursuant to Section 1925.01, Ohio Revised Code, and Ohio Civil Rule 53, the position of Small Claims Court magistrate has been heretofore established by the Court and is included in the Magistrate's duties, as outlined in Local Rule 60. The appointments to fill any vacancy in the position shall be made by the judge of the Court pursuant to Local Rule 60, and the appointee shall serve at the pleasure of the judge for such term as he or she deems advisable.

B) The deputy Clerk of the Court assigned to Civil/Small Claims Division shall be responsible for assisting persons to file small claims complaints, entering these complaints in the docket, setting them for hearing, receiving the Court costs and money paid on judgments, and accounting for the same.

Rule 28. Trusteeship

Sections 2329.70 and 2329.71 of the Ohio Revised Code shall govern all applications for trusteeship in this Court.

Rule 29. Caseflow Management in Civil Cases

A) The purpose of this rule is to establish, pursuant to Sup. R. 3.02(A), a system for civil case management which will achieve the prompt and fair disposition of civil cases.

B) Summons shall be served in accordance with the Ohio Rules of Procedure. In the event there is a failure of service, the Clerk shall notify counsel immediately. If counsel fails to obtain service of summons within six (6) months from the date the cause of action has been filed, then the Clerk shall notify counsel that the case will be dismissed in thirty (30) days unless good cause is shown to the contrary.

C) After any responsive pleading is filed, the Clerk shall immediately forward said pleading and file to the judge so the matter may be set for hearing. If no action has been taken on a file for a six (6) month period and the case is not set for trial, then the Clerk shall notify the party that the matter will be dismissed within thirty (30) days unless good cause is shown. When a file has been marked "settlement entry to come" and the entry has not been received within thirty (30) days, then the Clerk shall notify the party that his case will be dismissed unless the entry is received within thirty (30) days.

D) Status Hearing: After an answer is filed, the case will be assigned by the Clerk for trial and the Clerk will forward the file to said Judge. The Court will then set a status hearing which may be heard in court or by phone. The purpose of the status hearing is to set discovery and motion deadlines so a formal pretrial can be set.

E) Motions: All motions must be in writing and accompanied by a written memorandum containing citations or the arguments of counsel. Opposing counsel shall answer in like manner within fourteen (14) days thereafter. All motions will be considered submitted at the end of said fourteen (14) day period unless time is extended by the Court. There will be no oral hearing granted in said motions unless the parties request an oral hearing in writing and the court deems it necessary.

F) Pretrial conferences: For the purpose of this rule, "Pretrial" shall mean a conference chiefly designated to produce an amicable settlement. The terms "Party" or "Parties" used hereinafter shall mean the party or parties to the action, and/or, his, hers, or their attorney of record. Any attorney for a party to the action who fails to attend a scheduled pretrial conference, without just cause being shown, may be cited for contempt of this Court. Notice of pretrial conference shall be given to all counsel of record by mail and/or telephone from the

assignment commissioner not less than fourteen (14) days prior to the conference. Any application for continuance of the conference shall be addressed to the Judge. Counsel attending the pretrial conference must have complete authority to stipulate on items of evidence and must have full settlement authority. The primary purpose of the pretrial conference shall be to achieve an amicable settlement to the controversy in suit. The Court may require the parties to file a pretrial statement to become part of the record and the case embracing all stipulations, admissions, and other matters which have come before it at pretrial. In addition, the Court may determine whether or not trial briefs should be submitted and shall fix a date when they are to be filed. The Court, while presiding at a pretrial conference, shall have the authority to dismiss the action for want of prosecution on motion of defendant upon failure of plaintiff, and/or his counsel to appear in person at any pretrial conference or trial; to order the plaintiff to proceed with the case and to decide and determine all matters ex parte upon failure of the defendant to appear in person or by counsel at any pretrial conference or trial; to make such other order as the court may deem appropriate under all the circumstances. If the case cannot be settled at pretrial, then the case will be set for trial at a time agreeable to all parties.

G) Judgment Entries: Counsel for the party in whose favor an order of judgment is rendered shall prepare a journal entry unless the trial Judge indicates that he or she- will prepare same; if court-prepared, the entry will not be submitted for approval. If counsel-prepared, the entry shall be submitted to opposing counsel within fourteen (14) days of the decision. Opposing counsel shall approve or reject the entry within seven (7) days or the same shall be transmitted to the court marked "unapproved". Within twenty-one (21) days of the decision, the journal entry shall be submitted to the Judge for signature. Entries of settlement may be filed at any time. The avoidance of trial by settlement shall be allowed without the filing of an entry, but such entry shall be filed within thirty (30) days or the case will be dismissed for want of prosecution. The journal entry shall state which party will pay the court costs. Counsel for the party in whose favor and order or judgment is rendered shall prepare a journal entry unless the trial judge indicates that he will prepare same; if court-prepared, the entry will not be submitted for approval. If counsel-prepared, the entry shall be submitted to opposing counsel within fourteen (14) days of the decision. Opposing counsel shall approve or reject the entry within seven (7) days or the same shall be transmitted to the court marked "unapproved". Within twenty-one (21) days of the decision or as directed by the Court, the journal entry shall be submitted to the judge for signature, or, hereafter, the Court will prepare the journal entry, and may charge a court cost of $50.00 to the party in whose favor an order of judgment is rendered.

Entries of settlement may be filed at any time. The avoidance of trial by

settlement shall be allowed without the filing of an entry, but such entry shall be filed within thirty (30) days or the case will be dismissed for want of prosecution.

Upon notification from the clerk that the case has defaulted, prevailing counsel shall submit an application for default judgment within fifteen (15) days or the case will be dismissed for want of prosecution. The journal entry shall state which party will pay the court costs.

Rule 30. Case Management in Special Proceedings

A) The purpose of this rule is to establish, pursuant to Sup. R. 3.02(A), a case management system for special proceedings to achieve prompt and fair disposition of these matters. The following civil matters are considered special proceedings and may be heard by a Judge or Court, to wit: small claims, forcible entry and detainer, default hearings, rent escrow, replevin, motion to cite, garnishment hearings, debtor's exams and Bureau of Motor Vehicles appeals. The following criminal matters are considered special proceedings and they are to be heard by a judge, to wit: Preliminary hearings and Extradition hearings.

B) Cases that have time limits established by the Ohio Revised Code shall be set within those time limits for hearing. In all other special proceedings, the case shall be set for hearing within a reasonable time not to exceed ninety (90) days.

C) In all new cases, if counsel fails to obtain service of summons within six (6) months, the Clerk shall notify counsel that the case will be dismissed in thirty (30) days unless good cause is shown to the contrary.

D) After any responsive pleading is filed, the Clerk shall immediately forward said pleading and file to the judge so the matter may be set for a hearing.

E) If no action has been taken on a file for a six (6) month period and the case is not set for trial, then the Clerk shall notify the party that the matter will be dismissed within thirty (30) days unless good cause is shown.

F) When a file has been marked "Settlement to Come" and the entry has not been received within thirty (30) days, then the Clerk shall notify the party that his case will be dismissed unless the entry is received within thirty (30) days.

Rule 31. Forcible Entry & Detainer Hearings

A) All forcible entry and detainer cases shall be set for hearing before the Court pursuant to the time limits set forth in the Ohio Revised Code. At that hearing, the Ohio Rules of Evidence and the applicable Ohio Rules of Civil Procedure will be applied. The Court shall make its findings either orally or in writing, at the discretion of the Court.

B) The Court shall review the findings of the Court weekly and enter the appropriate judgment entry, if not done sooner. Default judgment on damage claims shall proceed in accordance with the Ohio Rules of Civil Procedure.

C) If an answer or jury demand is filed in a forcible entry and detainer case, then the Clerk shall forward the case to the judge so the case can be scheduled for the appropriate hearing.

Rule 32. Small Claims Court

A) A small claims action is commenced by filing a Small Claims Complaint, pursuant to Ohio Revised Code Chapter 1925. Actions in small claims are limited to actions for the recovery of taxes and money claims for amounts not exceeding six thousand dollars, exclusive of interest and costs, in accordance with Ohio Revised Code Section 1925.02(A)(1) and other claims allowed by Ohio law. No defendant is required to file an answer or statement of defense. However, should the defendant fail to appear for the hearing, after being duly served, then a default judgment may be entered against said defendant. All pleadings will be construed to accomplish substantial justice.

B) Upon filing of motion and affidavit, as required by Ohio Revised Section 1925.10 (B), and upon payment of the required cost, the small claim may be transferred to the regular docket. No transfer will be granted until the filing costs are paid. If a defendant, the same shall reduce his affidavit to an answer or move as though served with complaint within fourteen (14) days of the date of his filing.

C) Hearing: The hearing in Small Claims Court shall be conducted by the Court. The Court shall place all parties who plan to offer evidence under oath and then allow the plaintiff and defendant to state their case. The plaintiff and defendant may subpoena and call witnesses if they desire to do so. The Ohio Rules of Evidence and the Ohio Rules of Civil Procedure will not apply to a hearing in Small Claims Court.

D) Collection of Judgments: The employees of the court shall assist the prevailing parties in collecting their judgments pursuant to Ohio Revised Code Section 1925.13.

Rule 33. Substitution of Parties

Substitution of parties, at any stage of the proceedings, must be by motion and order of the court. An assignment of judgment or other transfer of interest will not be effective unless it is approved by a judge's entry. The motion for substitution may be made by any party or by the successor of any party and, together with a notice of hearing, shall be served on the parties as provided in Civil Rule 5, and upon persons not parties in the manner provided in Civil Rule 4 through Civil

Rule 4.6 for the service of summons. Collection actions or other proceedings brought by assignees or agents are not permitted in the Small Claims Division. [R.C. 1925.02(A)(2)(a)(ii)] Therefore, any request to substitute parties in such actions must be preceded by a motion to transfer the case to the regular docket of the court.

III. CRIMINAL RULES

Rule 34. Arraignment and Video Arraignments

(A) Arraignments shall be held at 9:00 a.m. Tuesdays and Wednesdays, when court is in session and where the court is in session, and at such other times as the judge deems appropriate.

(B) In particular cases, arraignments may be conducted by video link up with the Seneca County Jail, Hancock County Jail, Wood County Jail or other designated detention facility. If a video arraignment is scheduled, counsel will be directed to proceed to the appropriate location for the case with Tiffin-Fostoria Municipal Court. The arraignment will be conducted in open court and the arraignments shall be open to the public.

Rule 35. Affidavits and Complaints

All criminal and traffic cases shall be commenced in this court by the filing of a complaint or citation. All complaints and citations shall state the name and degree of the offense charged, the numerical designation of the statute or ordinance, and the location of the court where the complaint or citation is filed. If a warrant is requested on a complaint, the complaint shall be accompanied by an affidavit of fact pursuant to Ohio Criminal Rule 4(A)(1) whereby the Court can determine probable cause. An affidavit of fact merely phrased in statutory language and in substantially the same language as the complaint is *not* sufficient. In the alternative, the Court may hold a probable cause hearing in open Court before authorizing the issuance of the warrant. Complaints may be in statutory language, but should not contain surplusage from the statute or ordinance which is not involved in the case. The Clerk of this Court and the deputy Clerks of the Court shall not prepare or actively assist in the preparation of criminal or traffic complaints. This prohibition is not applicable to minor typing assistance, such as corrections of errors or last-minute changes on papers filed with the Court, if requested and supervised by the filing party, or ordered by the Court.

Rule 36. Numbering of Actions

Cases are to be categorized as to criminal or traffic, and will be serially numbered within each category. They will be identified by the year in which they are filed. Where, as the result of the same act, transactions, or series of acts or transactions, a defendant is charged with more than one misdemeanor, one case

number shall be used, together with an additional letter of the alphabet identifying the particular case in sequence.

Rule 37. Reserved

Rule 38. Bail, Fine, and Costs Schedules

The Court has established a bail schedule for certain criminal and traffic offenses by separate entry. In all criminal cases where the defendant posts a property bond, his attorney or an attorney for the surety whose property is being used to secure the bond must provide the Clerk of the Courts with a title search, certifying the following: A short description of the property, the names that appear on the deed, the true value of the property as shown on the records in the County Auditor's office and whether there are any liens on file against the property.

Rule 39. Sessions of Court

Sessions of court shall be divided into particular session and individual assignment session, in accordance with the Rules of Superintendence for Municipal and County Courts.

Rule 40. Notification as to Cases Set for Hearing

The Court will notify the Law Director of the City of Tiffin, the Law Director for the City of Fostoria, or their assistant, the attorney for the defendant, and the defendant as to the dates of any hearings. Notices shall be deemed sufficient if sent to the last known address listed on the papers making up the file on the case. It is the order of the Court that all parties be notified of a hearing appear before the Court at the time designated unless otherwise excused from attendance by the Judge.

Rule 41. Pretrial Procedure in Criminal Cases

When a jury demand is filed in a criminal case, or when it is indicated to the Court that a jury is desired in a criminal case, the case will be assigned for trial and for pretrial conferences. It is the order of the Court that the Law Director or his/her assistant, the defendant's attorney, and the defendant be notified of a pretrial conference in criminal cases and attend the pretrial conferences unless dispensed from attendance by the Court. Unless leave of Court is first obtained, any attorney or person required to attend the pretrial who fails to appear for the pretrial, may be cited for a contempt of this Court. A pretrial may be scheduled in a non-jury case at the request of defendant or his attorney, or at the request of the Law Director or his assistant. No criminal or traffic charge will be reduced or dismissed after the last pretrial unless parties show good cause excusing their failure to reach the result at the pretrial, and the Court may conduct an examination into the causes of said failure, in granting leave.

Rule 42. **Counsel for Indigent Defendants**

A) When the defendant in a criminal case, other than a minor misdemeanor, indicates to the Court that he/she is indigent and desires counsel, the Court may refer him or her to appointed counsel following a brief preliminary qualification to be held in open court and/or completion of an affidavit of indigency. The Judge, in the absence of appointed counsel, in criminal and traffic arraignments may:

{1} Enter a plea of "not guilty" on behalf of an indigent defendant;

{2} Direct that the defendant proceed to the designated attorney's office, or return to court at a specific date and time to meet with designated counsel, or direct appointed counsel to meet defendant at Seneca County Jail;

{3} Conduct a preliminary bail hearing, set the bail, with a subsequent hearing within 2 court days with counsel; and

{4} Generate and file an appropriate journal entry recording the foregoing acts. In all subsequent proceedings, the designated counsel shall be treated and be responsible as though privately retained.

B) At arraignment, a defendant may be required to answer questions under oath about his or her financial ability to obtain counsel. The defendant may also be required to complete a certification of assets to verify indigence and eligibility for the appointment of counsel. The Court reserves the right to examine the documents comprising the investigation of the defendant's indigence, and shall require the filing of the prescribed form of the Ohio Public Defenders Office regarding the individual defendant.

C) Appointments will be made from such lists taking into consideration the qualifications, skill, expertise and case load of the appointee in addition to the type, complexity, requirements of the case and management of existing caseload.

D) The Court shall review Court appointment lists at least twice annually to ensure the equitable distribution of appointments.

Rule 43. Demand for Jury Trial

In criminal cases the demand for jury trial must be filed within the time limits set forth in Ohio Criminal Rule 23(A) that is not less than ten (10) days prior to trial date, or on or before the third day following receipt of notice of the day set for trial, whichever is later. Failure to demand a jury trial within the time limits set forth is a complete waiver of the right to trial by jury, and absolutely no exceptions to this rule will be allowed.

Rule 44. Waiver of Jury

Once a written demand for jury has been filed, any subsequent waiver of the jury trial shall be made in writing at least eight (8) days prior to the trial date. Failure to abide by this rule will result in defendant's paying all jury fees and expenses incurred by reason of such demand, unless otherwise ordered by the Court.

Rule 45. Jury Questionnaires

Jury questionnaires may be submitted to potential jurors and, if utilized, will be available for review by any party or their counsel one (1) week prior to trial date.

Rule 46. Subpoenas

It is the responsibility of the counsel for the parties to see that subpoenas for witnesses are properly requested. It is the responsibility of the Law Director or his/her assistant to see that prosecution witnesses are properly subpoenaed. Once subpoenas are issued, the Law Director or his/her assistant shall determine whether service has been obtained for the purpose of assuring service before trial or hearing date. All praecipes for witnesses shall, unless the case is set for trial less than five (5) days in advance, be filed not less than five (5) days prior to trial date. It is the responsibility of defendant or his/her attorney to see that defense witnesses are properly subpoenaed, and that once subpoenas are issued, that proper service has been obtained. All praecipes for witnesses shall, unless the case is set for trial less than five (5) days in advance, be filed not less than five (5) days prior to trial date.

Rule 47. Modification of Driver's License Suspension

In making application for modification of the court order suspending driving privileges, a written application shall be submitted containing the following:

{1} the reason for the application;

{2} the distance from home to the place of employment;

{3} the hours of beginning and ending of work for each day requested;

{4} if the request is for driving privileges during hours of employment, a statement of whether employment will be terminated if the request is not granted; and

{5} the type of vehicle to be operated and the owner of the vehicle. The application shall be accompanied by a liability insurance policy which is personal to the defendant, plus a statement from the employer verifying facts with regard to the employment. Mandatory suspensions required by Section 4507.16, Ohio Revised Code, shall not be modified for the mandatory period of such suspension; and

{6} the filing fee

Rule 48. Modification of Sentences

All requests for modification of sentences shall be directed to the probation officer. It is the responsibility of the probation officer to investigate, evaluate, and report on such requests to the sentencing judge.

Rule 49. Collection of Fines

In order that this Court may properly administer Section 2947.14 of the Ohio Revised Code, any person who claims inability to pay a fine shall furnish the Court with a written and signed statement setting forth information as to such person's assets and liabilities, including, but not limited to, current wages and employment and last employment, accounts in financial institutions, property owned, and debts, and shall set forth whether the fine could be paid by a certain date if time to pay were granted. The refusal to submit such statement, or the furnishing of a false statement, may be punished as a contempt of court.

Rule 50. Costs of Incarceration

In order that this Court may properly administer Chapter 2929 of the Ohio Revised Code and any City of Tiffin or Fostoria Ordinance or resolution of the Seneca, Hancock or Wood County Commissioners pursuant to Sections R.C. 753.02(B) and R.C. 341.23 of the Ohio Revised Code, any person before the Court for consideration under such Ordinance or Resolution who claims inability to pay the costs of incarceration, either in whole or part, shall furnish the Court with a written and signed statement setting forth information as to such person's assets and liabilities, including, but not limited to, current wages and employment and last employment, accounts in financial institutions, property owned, the costs of supporting dependents, and debts. The refusal to submit such statement, or the furnishing of a false statement, may be punished as a contempt of court.

Rule 51. Caseflow Management in Criminal Cases

The purpose of this rule is to establish, pursuant to Sup. R. 3.02(A), a system for criminal case management which will provide the fair and impartial administration of criminal cases.

A) First Pretrial: After arraignment, all jailable misdemeanors wherein the defendant is represented by a defense counsel shall be set for pretrial by the Clerk or deputy Clerk within twenty (20) days except in those cases wherein the time allowed by R.C. 2945.71 is less than thirty (30) days. All other misdemeanors shall be set for trial unless the Law Director, his/her assistant, defense counsel or the judge orders a pretrial in said case. The Court may or may not take part in the first pretrial hearing. The Law Director or his/her assistant shall contact the victim, witnesses, private complainants and/or law enforcement officers as necessary to obtain whatever information or authority he/she deems necessary to prepare for pretrial or plea negotiations. Both counsels

shall sign and file evidence of having held said first pretrial on a form prescribed by the Court and signed by counsel for the parties. Defendant shall attend this pretrial unless excused by the Court upon proper motion.

B) Pretrial with the Court: Following the holding of the first pretrial, on all cases other than minor misdemeanors and unclassified misdemeanors without possible incarceration, the parties shall hold a pretrial with the Court within twenty (20) days of the first pretrial, or forty (40) days of arraignment. The Court will participate in this pretrial conference. The defendant shall attend the second pretrial, unless excused by court upon proper motion. Upon the close of the pretrial with the court, the Law Director or his/her assistant and the defense counsel shall jointly prepare a final pretrial statement on a form provided by the Court. Said form shall be completed and filed with the Clerk of this Court on or before the date and time given in the pretrial with the court.

C) Conclusion of Pretrial conferences: If the parties cannot resolve the case, then the case shall be set for trial unless a trial date has been established earlier by the clerk. The parties shall have his/her calendar available to set the trial date. A final hearing prior to trial shall be held to review the case prior to trial, including but not limited to witnesses, potential questions of the venire, jury instructions, procedure for trial, and plea cutoff date. A final offer regarding plea and sentence recommendation shall be stated for the record at the Final Pre-Trial Hearing. The judge shall review the Pretrial Report submitted by the Law Director or his/her assistant and defense counsel and issue appropriate orders.

D) Failure to file a pretrial report, failure to diligently prepare or complete pretrial investigation or failure to attend any hearing wherein a personal appearance is indicated shall subject any attorney in such default without just cause being shown to citation for contempt of court. Alternatively, failure to prepare for any pretrial may be foundation for a finding of failure to prosecute and dismissal of the case may be ordered.

E) Motions: All motions shall be made in writing and accompanied by a written memorandum containing the arguments of counsel. Motions must be filed within the time limits established by the Ohio Rules of Criminal Procedure.

F) Trials: Each case not resolved at pretrial shall be set for trial to Court if not already set at arraignment. If a jury demand is timely filed, then the case will be moved to the jury trial schedule, if not already set. Counsel for the parties shall notify the court by 12:00 p.m. of the seventh (7th) day preceding their trial of any change in plea, or jury demand status by a jury waiver in writing signed by the defendant or jury costs will be attached to their case. After this date, the court will not accept any plea except to the original charge. In the event that multiple jury

trials are set on the same date, the case with the least amount of time remaining on speedy trial time pursuant to Section 2945.71 shall be given preference.

IV. JURY MANAGEMENT PLAN

Rule 52. Introduction

This local Rule of Practice is being implemented in compliance with Sup. R. 3.02(B). It is the purpose of this Rule to implement an efficient and comprehensive system of jury use and management for the Tiffin-Fostoria Municipal Court.

Rule 53. Jury Eligibility

To ensure that the jury pool is representative of the adult population of the City of Tiffin, Seneca County, Ohio, the City of Fostoria, Seneca, Hancock and Wood County Ohio all persons are eligible to serve on a jury, except as follows:

{1} Persons less than 18 years of age;

{2} Persons who are not residents of the jurisdiction of the Court.

All reasonable efforts shall be made to accommodate prospective jurors who have special needs.

Rule 54. Procedure for Jury Selection

A) Potential jurors shall be drawn from a jury source list, which shall constitute a list of all registered voters in Seneca County, in Hancock County portion of Fostoria and Wood County portion of Fostoria, by the use of random selection procedures using automated data processing equipment in conformity with ORC 2313.08, and ORC 2313.21.In October of each year, the Jury Commissioners, duly appointed by the Court pursuant to Revised Code 2313.01, shall convene and select jury panels to cover potential jury dates throughout the calendar year. The jury source list shall be reviewed and unsuitable names purged from such list, in accordance with the powers provided to jury commissioners by ORC 2313.01. In the event the jury panels drawn are insufficient to meet the needs for the court in the calendar year, the Jury Commissioners shall reconvene as necessary to select additional jury panels, in accordance with ORC 2313.01.

B) If, in the opinion of the court, this jury source list is not representative of the adult population of the jurisdiction, additional source lists shall be utilized as authorized by law. Further, random selection processes shall be utilized to assign prospective jurors to specific panels and for assignment during voir dire. Departures from random selection shall be permitted only as follows:

{1} To exclude persons ineligible for service.

{2} To excuse or defer prospective jurors.

{3} To remove prospective jurors for cause or if challenged peremptorily.

{4} To provide all prospective jurors with an opportunity to be called for jury service and to be assigned to a panel.

C) All prospective jurors shall be notified by regular mail of their requirement of service by the issuance of a summons directing them to appear on the date assigned. Further, all prospective jurors may be required to complete a jury questionnaire and, if appropriate, a request for excuse, exemption or a deferral. Said summons shall be phrased so as to be readily understood by an individual unfamiliar with the legal process, and shall be delivered by ordinary mail. Said summons shall clearly explain how and when the recipient must respond and the consequences of his failure to respond.

D) Any person who fails to respond to a duly served summons may be served with a citation for contempt of court, and must appear to answer on said summons or, if appropriate, shall be arrested and detained for examination as to why they failed to attend.

Rule 55. Summoning of Prospective Jurors

A) Prospective jurors shall be summoned only upon the filing of a written jury demand. In civil cases, a jury deposit of seven hundred fifty dollars ($750.00) shall be assessed. In the event the deposit is not made, no jury will be summoned, and the failure to make said deposit shall be deemed a waiver of the right to trial by jury. A person determined to be indigent may petition the Court for a waiver of the jury deposit requirement. In criminal cases, no deposit shall be required.

B) Prospective jurors shall be summoned to appear in sufficient numbers to accommodate trial activity. Panels of thirty (30) persons per trial shall be summoned for service unless the Court determines that a lesser or greater number is necessary for a particular trial. Every effort shall be made to resolve cases prior to summoning juries. A jury panel shall not be summoned unless it appears that there is a substantial likelihood of trial. The Clerk shall summons jurors a minimum of ten (10) days prior to the scheduled trial.

C) Persons summoned for jury service shall receive compensation at the rate of twenty dollars ($20.00) per day. Such fee shall be promptly paid from the City or County treasury, as appropriate. Any juror wishing to waive his fee for service shall be permitted to do so in writing in the Clerk's office. All waived fees shall be returned to the City or County Treasury, as appropriate. The term of service for any prospective panel shall be one day or the completion of one trial, whichever is longer.

Rule 56. Exemption, Excuse, and Deferral

A) All persons except those who exercise their right to exemption are subject to service. Eligible persons who are summoned may be excused from service only

if it is determined that their ability to receive and evaluate information is so impaired that they are unable to perform their duties as jurors, or that service upon a jury would constitute a significant hardship to them or members of the public. Persons excused from service shall be deferred and may be subject to jury service at a later time. All requests for excuse, exemption, or deferral must be made on the form provided, and shall be accompanied by appropriate documentation. These documents shall be retained by the court. The following factors constitute a partial, although not exclusive, list of excuses for which a person may be excused or deferred from jury service:

{1} Any person who suffers from a substantial physiological or psychological impairment.

{2} Any person who has a scheduled vacation or business trip during potential jury service.

{3} Any person for whom jury service would constitute a substantial economic hardship.

{4} Any person for whom service on a jury would constitute a substantial hardship on their family, clients, or members of the public affected by the prospective juror's occupation.

{5} Any person who has served on a jury within the last year.

{6} Any person for whom it may be readily determined is unfit for jury service.

{7} Any person for whom it is readily apparent would be unable to perform their duty as a juror.

{8} Other valid excuse.

B) No person shall be excused from jury service, except by the Judge. No person who does not complete the jury excuse deferral or exemption form shall be excused from service. Once a prospective juror has submitted his request for excuse, the prospective juror must report for service unless otherwise notified by the Court.

Rule 57. Examination of Prospective Jurors

A) Examination of prospective jurors shall be limited to matters relevant to determining whether to remove a juror for cause, and to determine the juror's fairness and impartiality. All prospective jurors shall be placed under oath in accordance with the Ohio Revised Code. The oath administered shall incorporate an oath to assure the truthfulness of any answers provided on jury questionnaires. Jury questionnaires indicating basic background information concerning panel members, if utilized, will be made available to counsel one day prior to the day on which jury selection is to begin**.** Counsel is permitted to record or copy the information contained on the questionnaires, except addresses and telephone numbers, so long as all copies of jury questionnaires are returned to the court upon the completion of trial. Under no circumstances may counsel or a party retain any jury questionnaire. Neither counsel nor party will be permitted to

question prospective jurors as to matters contained in the questionnaire. Parties and counsel may be permitted to ask follow up questions concerning such information. The Court shall conduct a preliminary voir dire examination concerning basic and relevant matters, and counsel shall be permitted a reasonable period of time to question panel members thereafter. Counsel or parties shall conform their voir dire questioning to the following rules:

{1} Counsel may not examine prospective jurors concerning the law or possible instructions.
{2} Counsel may not ask jurors to base answers on hypothetical questions.
{3} Counsel may not repeat questions previously asked to the prospective jurors by the court or counsel.
{4} Counsel may not argue the case while questioning jurors.
{5} Counsel may not engage in efforts to indoctrinate jurors.
{6} Counsel may not ask jurors what kind of verdict they might return under any circumstances. No promises may be elicited from jurors.
{7} Questions are to be asked collectively of the panel whenever possible.
{8} Counsel may inquire by general questions concerning the validity and philosophy of reasonable doubt or the presumption of innocence.

B) In the event there exists a potential for sensitive or potentially invasive questions, the Court or the parties may request a hearing preceding voir dire to consider these questions. In all cases, voir dire shall be held on the record, but may be conducted outside the presence of other jurors in order to protect juror privacy, or to avoid juror embarrassment. If it is determined by the court during the voir dire process that the individual is unable or unwilling to sit in a particular case fairly and impartially, the individual shall be removed from the panel. Such motion for removal for cause may be made by counsel, a party if unrepresented, or upon motion of the court. Further, Ohio Revised Code 2313.42 and Ohio Criminal Rule of Procedure 24(B) set forth additional cause challenges which may be made against potential jurors.

C) Peremptory challenges shall be exercised alternatively as presently established by Revised Code 2945.23, and Civil Rule 47, and Criminal Rule 24, unless prior to trial the parties agree on the record to another method. All challenges shall be made in open court. In special circumstances, challenges may be made outside the hearing of the prospective jurors. There shall be no limit to that number as established by the Rules of Civil and Criminal Procedure. Challenges to the jury array shall be made in accordance with established rules of procedure. In criminal cases, the jury shall consist of eight regular jurors and one alternate juror at the option of the Court. In civil cases, the jury shall consist of eight regular jurors and one alternate juror at the option of the Court, unless by agreement, the parties stipulate to a lesser number. In special circumstances, additional alternate jurors may be selected.

Rule 58. Jury Orientation

A) Jurors shall report for service no later than 8:45 a.m., unless otherwise directed. After orientation, voir dire shall commence promptly. All unresolved trial issues must be brought to the attention of the court before the completion of orientation. No motions shall be entertained by the court the day of trial, except those which the court must consider by law or by rule of procedure. Prospective jurors shall be provided with oral orientation upon their initial appearance and prior to service.

B) The court shall give preliminary instructions to all prospective jurors, as well as additional instructions following the impaneling of the jury to explain the jury's role, trial procedures of the court, and other basic and relevant legal principals. Upon the completion of the case and prior to jury deliberations, the court shall instruct the jury on the law and the appropriate procedures to be followed during the course of deliberations.

C) In accordance with the Civil and Criminal Rules of Procedure, the parties or their counsel may request that special instructions be given to the jury. Such proposed jury instructions shall not be submitted past the assigned date and time. A final jury charge shall, whenever possible, be committed to writing, and shall be provided to the jury for its use during deliberation.

D) All jurors shall be permitted to take notes and, if applicable, submit proposed questions during the course of the presentation of evidence, and the Court shall inform the parties of the process to be used in advance of trial.

E) Upon appearance for service, all prospective jurors shall be placed under the supervision of assigned personnel and shall direct any questions or communications to such court personnel for appropriate action. All communications between the judge and the members of the jury panel, from the time of reporting to the court through dismissal, shall be committed to writing or placed on the record in open court. Counsel for each party shall be informed of any communications, and shall be given the opportunity to be heard as to such communication. Under no circumstances shall counsel, a party, or other witness, have any contact with jurors.

F) All jury deliberations shall be conducted in the jury deliberation room. Jury deliberation rooms shall include space, furnishings and facilities conducive to reach a fair verdict. Court personnel shall endeavor to secure the safety of all prospective jurors, and shall arrange and conduct all activities so as to minimize contact between jurors, parties, counsel, and the public. Upon the commencement of deliberations, all jurors shall remain in the care of court

personnel and shall not be permitted to leave the court without permission. Deliberations shall not continue after a reasonable hour, unless the trial judge determines that evenings or weekend deliberations would not impose an undue hardship upon the jurors, and are required in the interest of justice. Jurors shall be consulted prior to any decision. If jury deliberations are halted, jurors shall be permitted to be separated, unless for good cause shown, the Court finds that sequestration is necessary.

G) If a jury is sequestered, the court shall undertake the responsibility to oversee the conditions of sequestration and the transportation of all jurors. Upon reaching a verdict, all jurors shall return to the courtroom where the verdict or verdicts shall be read in open court. Upon the reading of the verdict, in criminal cases, either party may request that the jury be polled.

Rule 59. Review of Plan

The court shall evaluate the performance of this jury management plan to determine the representativeness of the jury pool; the effectiveness of the summoning procedures; the responsiveness of individual citizens to jury summons; the efficient use of jurors; the cost effectiveness of this plan; and overall juror satisfaction.

V. MISCELLANEOUS

Rule 60. Magistrate

The Magistrate(s) shall be appointed by the presiding Judge and will be authorized to perform any duties permitted by the Ohio Rules of Civil Procedure, the Ohio Rules of Criminal Procedure, and the Ohio Revised Code.

Rule 61. Reporting to Law Enforcement & Compliance Plan

(a) The court has a duty to ensure complete, accurate, and timely submission of information into the state's computerized criminal history repository at the Bureau of Criminal Investigation (BCI), the Ohio Law Enforcement Automated Data System (LEADS), and other law enforcement databases.

(b) The Court, in collaboration with the clerk of court, law enforcement agencies, and any other applicable justice system partners, will develop a Reporting to Law Enforcement & Compliance Plan.

(c) The Reporting to Law Enforcement & Compliance Plan will identify procedures and timelines for:

1) Obtaining and reporting fingerprints as prescribed by the Revised Code and Supreme Court of Ohio rules, including R.C. 109.57(A)(2), 109.60(A), 2923.14, 2929.44(B), and 2945.402(E)(1), Sup. R. 95(C) and Crim.R. 9(A);

2) Reporting information regarding protection orders as prescribed by the Revised Code and Supreme Court rules, including R.C. 2903.213, 2903.214, and 2919.26, and Sup. R. 10(A);

3) Reporting information to the Ohio Department of Public Safety's Bureau of Motor Vehicles as prescribed by R.C. 4510.03, 4513.37, and 5502.10 and Supreme Court rules;

4) Maintaining complete and accurate records in accordance with 18 U.S.C. 922(g), the Revised Code, including R.C. 2923.13, and Supreme Court rules in the event of an audit by the Federal Bureau of Investigation, BCI, or state or local auditors; and

5) Reporting sealed and expunged records to BCI, LEADS, and other law
enforcement databases pursuant to the Revised Code, including R.C. Ch. 2953 and R.C. 2903.214 and 2930.171.

The Court will review the Reporting to Law Enforcement & Compliance Plan every two years from its adoption date.

Bail Schedule

Ohio Revised Code Section 2937.011 requires the court to establish a bail schedule for all misdemeanors. This Court's bail schedule is as follows:

MISDEMEANORS- (Criminal) – Except Domestic Violence, Offenses of Violence & Violating T.P.O.

Degree of Misdemeanor	**Amount**
M1 or unspecified with Possible jail term of more than 60 days	$10,000.00
M2	$ 5,000.00
M3 or unspecified with a Possible jail term of 60 days Or less	$ 3,500.00
M4	$ 2,500.00
MM	$ 1,500.00

MISDEMEANORS (Traffic) – General Rule – Unless listed on Schedule. The bail schedule below applies to each misdemeanor traffic offense under Title 45 of the Revised Code of Ohio or under a local ordinance. If a defendant is arrested and not issued a summons, and thereafter is not released by personal recognizance bond or unsecured appearance bond, he/she shall be brought to court without unnecessary delay. Until then, the following bond applies:

Degree of Misdemeanor	**Amount**
M1 or unclassified with a Possible jail term of more than	$10,000.00

60 days

M2	$ 3,500.00
M3 or unclassified with a Possible jail term of 60 days or Less	$ 2,500.00
M4 or unclassified with a Possible jail term of 30 days or Less	$ 1,500.00
MM or unclassified Misdemeanor with no possible Jail term	$ 1,000.00

MISDEMEANORS (Traffic) - OVI Exception

Offense	**Amount**
OVI-	
-0 priors within 10 years	$10,000.00
-1 prior within 10 years	$15,000.00
-2 priors within 10 years	NO BOND
-3 or more priors within 10 years	NO BOND
Prior OVI in last 20 years + refusal	$15,000.00

Definition of "prior" OVI: Conviction of 4511.19(A) or (B) or similar ordinance; involuntary manslaughter while OVI – 2903.04(D); aggravated vehicular homicide while OVI, vehicular homicide while OVI or similar ordinance, aggravated vehicular assault while OVI – as set forth in 2903.06(A)(1).

BOND MAY BE SECURED BY A 10% DEPOSIT – CASH ONLY

MANDATORY BAIL BOND SURCHARGE – $25.00

The court in setting this non-appearance bond scheduled under Sec. 2919.25(C) shall consider all of the factors listed in Sec. 2919.251(B), unless the Court orders otherwise, the Court sets bond at $5,000.00 secured by 10% deposit for anyone charged with commission of any offense of domestic violence pursuant to section 2919.25, ORC or similar ordinance whose bond has not been set by a court in a mandatory court appearance pursuant to and in accordance with Sec. 2919.251(A) ORC.

Any defendant released upon bond must stay away from the complainant and/or alleged victim pending the review of the bond at defendant's first appearance in court. Notation

of this added condition of release should be affixed to any documents give the defendant scheduling his/her next court appearance. No exceptions of this court ordered period of isolation from the complainant or victim will be permitted without written permission of the court.

In addition, a non-refundable fee of $25.00 is to be collected by the Clerk or bail agent pursuant to Sect. 2949.091 (A) and forwarded to the Ohio Legal Assistance and Indigent Defense Support Fund. Pursuant to R.C. '2919.251(B), the Judge is required to consider all of the factors listed in R.C. '2919.251(A) in establishing bail for a defendant charged with a violation of R.C. '2919.25 or a violation of a municipal ordinance that is substantially similar to that section, or of R.C. '2903.13, '2903.211, '2911.211 or a violation of a municipal ordinance that is substantially similar to any of those sections that involves persons who are family or household members at the time of the violation.

All felony bonds shall be set by the court pursuant to Ohio Revised Code Section 2937.011.

Any defendant released from jail pursuant to this bond schedule must appear in court at the designated date and time provided the defendant upon release from custody. The defendant must keep the Court advised of a current address at all times and remain of good behavior while released.