

IN THE HOCKING COUNTY MUNICIPAL COURT
LOGAN, OHIO

LOCAL RULES OF COURT

It is hereby ordered that the following rules be, and are adopted for the governance of the practice and procedures in the Hocking County Municipal Court until otherwise provided, pursuant to Article IV, of the Ohio Constitution, Rule 83 of the Ohio Rules of Civil Procedure, Rule 57 of the Ohio Rules of Criminal Procedure and the Rules of Superintendence promulgated by the Supreme Court of Ohio.

These rules supplement the procedure to be followed in this Court as they are consistent with the rules promulgated by the Supreme Court.

These rules shall be construed and applied to expedite the disposition of both criminal and civil cases in this Court and also safeguard the rights of litigants while justly deciding their cases.

I. GENERAL RULES OF COURT

1. TERMS, HOURS AND SESSIONS OF COURT: The Hocking County Municipal Court shall sit continuously and not be divided into terms. The Office of the Clerk of the Hocking County Municipal Court shall be open Monday through Thursday from 8:00 AM until 4:30 PM and Friday from 8:00 AM until 4:00 PM subject to the availability of personnel. All sessions of the Hocking County Municipal Court shall begin promptly at 8:15 AM and 1:00 PM unless otherwise directed by the Judge. The Court shall close for legal holidays observed by the public offices of Hocking County, Ohio, or when Hocking County Courthouse is otherwise closed. The Court may be closed or its hours of operation changed at any time without prior notice by order of the Judge of the Hocking County Municipal Court. If the court is closed by order of the Judge or if the courthouse is closed by the order

of the Hocking County Commissioners, all filings due on the day that Court closes will be timely if filed the next business day.

2. AUDIO RECORD: Unless otherwise provided in these rules, all proceedings before this Court, shall be recorded by an audio electronic recording device provided by the Court.

3. COURT RECORDS:

A. Inspection of Records. All indexes, dockets, journals, and file records maintained in accordance with law by the clerk of the Hocking County Municipal Court shall be open to public inspection during regular business hours in a manner that does not interfere with the normal operation of the clerk's office. Other case file material or audio electronically recorded court proceedings shall only be inspected with permission of the Court. All inspections shall be made under the supervision of court personnel. Original papers, audio or video tapes, compact discs and digital video discs shall not be removed from the office of the clerk.

B. Fees for Copies. A charge of \$0.10 per page shall be made for a photostatic copy of any document. Copy fees shall be paid in advance. A charge of \$10.00 per hour, prorated for any part thereof, shall be made where any court personnel's time in excess of five (5) minutes is required to collect, collate, copy or otherwise make ready or available court records. This fee will be collected at the discretion of the Judge. Attorneys and others who frequently need copies from the Court may establish an account and pay a lower rate. Persons with an account can make their own copies.

4. COUNSEL OF RECORD. When counsel is retained or appointed to represent any party, such attorney shall immediately notify the clerk in writing of such representation. Any counsel intending to withdraw from representation must submit a written request therefore and such counsel shall appear at the next scheduled court proceeding for such case unless

substitute counsel has appeared of record or unless prior leave is granted by the Court.

Withdrawal considerations shall be in conformity with the Code of Professional Responsibility.

5. COURT APPOINTED COUNSEL FEE: Any court appointed counsel who fails to file his or her request for payment of court appointed counsel fees within sixty (60) days after the case is finally disposed of by the Court shall forfeit the right to receive that portion of such fees normally reimbursed to the Court by the State. If the fee is paid in full by the county and reimbursement by the State is later refused, the County may deduct the unreimbursed amount of their payment from future court appointed counsel fees due to that applicant.
6. FEES AND COSTS: Pursuant to Ohio Revised Code Section 1901.26, the Court hereby establishes the Schedule of Fees and Costs for civil and criminal actions and proceedings in the Court as set forth in attached Appendix A. Such schedule together with any amendments or modifications thereof shall be posted at a location in or near the Office of the Clerk of the Hocking County Municipal Court.

II. CASE MANAGEMENT IN CRIMINAL CASES

1. PURPOSE: The purpose of this rule is to establish, pursuant to Sup. R. 5, a system for criminal case management that will provide for the fair and impartial administration of criminal cases. These rules shall be construed and applied to eliminate unnecessary delay and expense for all parties involved in the Municipal Court system.
2. JUDICIAL STEPS: All criminal cases shall be managed in the following judicial steps.
 - A. Arraignment. All criminal and traffic arraignments except prisoner arraignments shall be held at 8:15 a.m. each Monday, Tuesday and Wednesday morning except holidays unless otherwise ordered by the Court. Prisoner arraignments shall be held at least once every forty-eight (48) hours in person or by video.
 - B. PRE-TRIALS. There shall be no more than one pre-trial conference set by

assignment clerk in any criminal case unless the defendant has personally or through his or her attorney filed a written time waiver as to the time within which said case must be tried under Section 2945.72 of the Ohio Revised Code. There shall be no more than three pre trial conferences in any criminal case without the written permission of the Court.

C. Plea Agreements. Negotiated pleas, where a charge is reduced or dismissed, will normally be accepted by the court when ever possible. The prosecuting attorney or law director should provide to the Court in writing or on the record a statement that the complaining party or the arresting officer was consulted concerning the proposed plea agreement and he or she approved the proposed plea agreement or that his or her approval was unreasonably withheld together with the Prosecutor's or Law Director's opinion why the withheld approval was unreasonable. The arresting officer or the complaining party may also personally appear at the time of disposition and state his or her approval or disapproval along with any reasons therefore before the Court accepts or rejects the proposed agreement.

D. Change of Pleas.

1. Personal Appearance. All cases resolved at pre-trial shall proceed immediately to a change of plea if the Court is available for such purpose. Otherwise, all cases resolved at pre-trial shall be scheduled for change of plea within fifteen (15) court days.

2. Written Appearance. (Change of Plea)

a. For purpose of Traffic Rule 12, the following shall be considered

“exceptional circumstances” in all traffic cases in the Hocking County Municipal Court where the defendant has previously appeared personally or through counsel:

- i. The defendant is not a resident of Hocking County, Ohio, or
 - ii. The defendant is a resident of Hocking County, Ohio, but defendant's personal appearance in court would cause the defendant to lose one half (1/2) day or more of gainful employment.
- b. If defendant meets either of these "exceptional circumstances", defendant may submit, through his or her attorney of record, a written motion pursuant to Traffic Rule 12 and an agreed judgment entry evidencing defendant's plea of guilty or no contest to the original charge or to an amended charge. The judgment entry shall contain the agreed disposition of the case, a waiver of personal appearance and a consent that judgment and sentencing may be pronounced against the defendant in his or her absence. The agreed judgment entry must be approved by the defendant, the defendant's counsel, a representative of the prosecuting attorney's or law director's office and, in case where there is damage to persons or property, the victim or a representative of the victim's family.
- c. Before the court will accept the agreed judgment entry it must be accompanied by the following:
 - i. An attorney's trust check, money order, certified check or bank check covering the total amount of the unsuspended portion of any fine and the court costs or a statement that any bond held by the court may be applied to those fines or costs.
 - ii. Defendant's driver's license, if the defendant's driver's license will be suspended and is not presently held by the

court.

- iii. Proof that defendant's operation of the vehicle was covered by insurance or other proof of financial responsibility as required by Ohio Revised Code Sections 4509.101(A) and 4509.45.

E. Motions.

1. Pursuant of Rule 47 of the Ohio Rules of Criminal Procedure and Rule 11 and Rule 20 of the Ohio Traffic Rules, all Motions to Suppress Evidence, Motions to Determine the Reliability of Evidence or Motions in Limine in O.V.I. cases will be determined without oral hearing upon brief written statements of the reasons in support of and in opposition to the motion. Motions not in conformity with Criminal Rule 47 may not be entertained by the court. For such a motion to be in conformity, it must contain the following:

- a. The specific grounds upon which motion is based;
- b. An affidavit of such facts which, if uncontroverted, would be sufficient to establish a prima facie case for the submitting party. If there is a dispute as to a material fact, the Court will hear evidence as to this fact;
- c. Citations to authority in support of the position of the submitting party. Ohio authority from the Supreme Court of Ohio or the Fourth Appellate District to be cited in all instances where it exists and only thereafter will non-Fourth Appellate District authorities be cited where they exist and only after that will non-Ohio authorities be cited. If unreported authority is cited a copy must be attached.

2. All other motions shall be made in writing and accompanied by a written memorandum containing the argument of counsel. Motions must be filed within the time limits established by the Ohio Rules of Criminal Procedure. Such motions shall be set for oral hearing.

F. Trials: Each case not resolved at pre-trial shall be set for trial to the Court. All court trials shall be held on Monday, Tuesday and Wednesday from 9:00 a.m. to 3:30 p.m. unless otherwise ordered by the Court. If a jury demand is timely filed, the case will be moved to the jury trial schedule. Any party filing a demand for trial by jury shall notify the Court by 3:30 p.m. on the last business day of the week preceding his or her trial of any withdrawal of demand for jury or change of plea, otherwise jury costs will be assessed in his or her case.

G. Final Pre-Trial: All criminal and traffic cases set for jury trial and not resolved at pre-trial shall be assigned for a final pre-trial to be held at one or two weeks preceding the day set for jury trial.

H. Sentencing: Sentencing shall take place after a plea of guilty or no contest, a finding of guilt by the Court or verdict of guilty by the jury or within ten (10) days after a pre-sentence report is received by the Court unless the presence of a victim and/or victim's representative is required by statute in which case, sentencing may be delayed until all participants are notified of the date and time. In some instances the court will order counsel to prepare an entry, if the entry is not submitted to the court for signature with 14 calendar days, the court will prepare the entry and the counsel who has failed to submit the entry will pay \$ so in court costs.

III. CASE MANAGEMENT IN CIVIL CASES

1. PURPOSE: The purpose of this rule is to establish, pursuant to Sup. R. 5, a system for civil case management which will achieve the prompt and fair disposal of civil cases.

2. COURT COSTS DEPOSIT: Any person filing a civil action or proceeding shall deposit with his or her Complaint the corresponding court cost deposit set forth in attached Exhibit A unless an affidavit or other evidence of such party's inability to make the required deposit is approved by the Court. The clerk shall refuse to accept the filing of any complaint if the required deposit is not included.
3. COSTS DEPOSIT FOR JURY TRIALS IN CIVIL CASES: Any party demanding a trial by jury in a civil case shall deposit, in addition to the usual court costs deposit, the sum of \$350.00 with their written demand unless an affidavit or other evidence of such party's inability to make the required deposit is approved by the Court. The clerk shall refuse to accept the filing of a jury demand if the deposit is not included. The party shall also file the number of Jurors requested consistent with Rule 48 of the Ohio Rules of Civil Procedure.
4. SCHEDULING OF EVENTS: The scheduling of a case begins when a civil case is filed. Thereafter, the case is managed in five (5) clerical steps and five (5) judicial steps.

A. CLERICAL STEPS:

1. Summons shall be served in accordance with the Ohio Rules of Civil 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 was filed, then the clerk shall notify counsel that the case will be dismissed in ten (10) days unless good cause is shown to the contrary.
2. Upon perfection of service, counsel shall file a motion for default judgment submit an entry within forty five days after the passing of the answer date. Failure to do this may result in the case being dismissed.
3. After any responsive pleadings is filed, the clerk shall immediately the matter may be set for a pretrial to be held within sixty (60) days.

4. If no action has been taken on a complaint which has been filed 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 one (1) week unless good cause is shown.
5. When a file is marked “settlement entry to come” and the entry is not received within thirty (30) days, then the clerk shall notify the party that this case will be dismissed unless the entry is received within ten (10) days.

B. JUDICIAL STEPS:

1. Motions:

- a. All motions must be in writing and accompanied by a written memorandum containing citations or the argument of counsel. Opposing counsel shall file a memorandum contra 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.
- b. There will be no oral hearings set on said motions unless the parties request an oral hearing in writing and the Court deems it necessary.

2. Pre-Trials:

- a. For the purpose of this rule, “pre-trial” shall mean a Court supervised conference chiefly designed to produce an amicable settlement. The term “party” or “parties” used hereinafter shall mean the party or parties to the action, and/or his, hers, or their attorney of record. The Court will permit the parties to appear by telephone upon request.
- b. Any attorney for a party to the action who fails to attend at a scheduled pre-trial conference without just cause being shown, may

be punished for contempt of court.

- c. Notice of pre-trial conference shall be given to all counsel of record by mail and/or given by telephone from the assignment commissioner no less than fourteen (14) days prior to the conference. Any application for continuance of the conference shall be addressed to the clerk. The Court may permit telephone pre-trials upon written motion.
- d. Counsel attending the pre-trial conference must have complete authority to stipulate on items of evidence and must have full settlement authority.
- e. The primary purpose of the pre-trial conference shall be to achieve an amicable settlement of the controversy in suit.
- f. The Court shall attempt to narrow legal issues, to reach stipulations as to facts in controversy and, in general, to shorten the time and expense of trial. The Court will file a pre-trial statement to become part of the record and the case embracing all stipulations, admissions and other matters which have come before it in the pre-trial. The Court shall, at that time determine whether or not trial briefs should be submitted and shall fix a date when they are to be filed.
- g. Any judge presiding at a pre-trial conference or trial 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 pre-trial 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

pre-trial conference or trial as required; to issue orders as the court may deem appropriate under all the circumstances.

h. If the case is not settled at pre-trial, then the case will be set for trial at a time agreeable to all parties.

3. Trials: Each case not resolved at pre-trial shall be set for trial to the Court.

All court trials shall be held on Thursday 9:00 am to 12:00 pm unless otherwise ordered by the Court. If a jury demand is timely filed and the jury trial deposit is timely made or waived by the Court, the case will be moved to the jury trial schedule. All attorneys shall notify the Court by 1:00 p.m. of the day one week preceding their trial of any change in the status of the case or any jury costs incurred by the Court shall be assessed to the case.

4. Continuances:

a. No party shall be granted a continuance of a trial or a hearing without a written motion from the party or his counsel stating the reason for the continuance.

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, the case which was first set for trial shall have priority and shall be tried on the date assigned. Criminal cases assigned for trial have priority over civil cases assigned for trial. The granting of any other request for continuance of a scheduled trial is a matter within the discretion of the court.

c. 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.

5. Judgment Entries:

- a. Counsel for the party in whose favor an order or judgment is rendered shall prepare a journal entry. That entry shall be submitted to opposing counsel within five (5) days of the decision. Opposing counsel shall approved or reject the entry within five (5) days. Within fifteen (15) days of the decision, the journal entry shall be submitted to the Judge, or thereafter, the Court will prepare the journal entry and additional costs of \$50.00 per page shall be assessed against the defaulting party failing to prepare the entry.
- b. 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.
- c. 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.
- d. The journal entry shall allocate the court costs between or among the parties.

IV. CASE MANAGEMENT IN SPECIAL PROCEEDINGS

1. PURPOSES: The purpose of this rule is to establish, pursuant to Sup. R. 5, a case management system for special proceedings to achieve a prompt and fair disposition of these matters. The following civil matters are considered special proceedings and

may be heard by a Judge, Acting Judge or Magistrate, to wit: small claims, forcible entry and detainer, default hearings, rent escrow, replevin, motion to cite for contempt, garnishment hearings, debtor's exam and B.M.V. hearings. The following criminal matters are considered special proceedings and may be heard by a Judge, Acting Judge or Magistrate, to wit: preliminary hearings, extradition hearings and motions for temporary protection orders.

2. SCHEDULING OF EVENTS: Special proceedings 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.
3. CLERICAL STEPS:
 - A. In all new special proceedings, if counsel fails to obtain service of summons within six (6) months, the clerk shall notify counsel that the case will be dismissed in ten (10) days unless good cause is shown to the contrary.
 - B. Upon perfection of service, the counsel shall notify the Court of said default and that a failure to submit an entry within fifteen (15) days may result in the case being dismissed.
 - 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.
 - D. If no action has been taken on a file for a six (6) month period and the case is not set for trial, the matter will be dismissed within one (1) week unless good cause is shown.

V. JURY MANAGEMENT

1. SELECTION AND NOTICE: Jurors for the Court shall be drawn at the time and place corresponding to when jurors are drawn for the January, May, and September terms of the Hocking County Municipal Court and in the manner provided by Ohio Revised Code Chapter 2313. The number of Jurors selected shall be sufficient to insure that prospective jurors not be called to serve on a rotating basis more than every five (5) to six (6) weeks.
2. NOTIFICATION: The Clerk shall notify each prospective juror of his or her being drawn for jury service and send each prospective juror questionnaire form to be completed and returned to the Court within ten (10) days. All jurors shall be notified of jury service at least one (1) week prior that that service by telephone.
3. EXCUSED ABSENCE: Excuse from jury duty shall be limited to the statutory exceptions unless extraordinary circumstances are found by the Judge or any of the following circumstances exist:
 - A. Students. A full time post high school student, who lives at or near the school he or she is attending, shall be excused from service unless he or she chooses to serve.
 - B. Medical. A person may be excused for medical reasons if his or her request for excused is accompanied by a physician's statement describing the nature of the condition and the doctor's opinion that the condition will interfere with or prevent jury service.
 - C. Vacation. A person may be excused for a scheduled vacation if his or her request for excuse is accompanied by documentation verifying same, i.e., travel or room reservations, etc.
 - D. Prior Service During Term. Once called and seated as a juror that juror may be excused from further call unless the number of jury trials necessitates recall.
 - E. Miscellaneous. A juror may, upon reasonable request, be allowed to transfer his or

her service to the next scheduled trial date.

4. ALTERNATE JURORS: Unless the trial is expected to exceed three (3) days only one (1) alternate juror shall be selected.
5. JURY ACCOMMODATIONS: When a juror reports for service, the bailiff shall give him or her a juror badge and seat the prospective juror in the courtroom to the exclusion of all persons except other jurors. The courtroom shall also serve as the jury deliberation room at the conclusion of the trial. All materials except those needed for proper deliberation shall be removed from the courtroom. The Bailiff shall be stationed at the door of the courtroom to insure privacy and to alert the Court to any communication from the Jury.

VI. COURT SECURITY

The Court Security Manual as adopted by the Courthouse Security Committee or those portions thereof pertinent to the operation of the Court shall be attached hereto as Appendix B. (Appendix B shall not be circulated with copies of these rules for security purposes).

VII. OTHER APPENDIX

The Court hereby also adopts the following Appendix:

Appendix C - (Municipal Court Indigent Fee Schedule)

Appendix D - (Municipal Court Pre-Trial Diversion Program and Probation Fees)

Appendix E - (Filing of Pleadings and other papers by facsimile)

Appendix F - (Public and Media Access)

Appendix G – (Process servers, Court Reporter, Acting Judges and Magistrate)

VIII. EFFECTIVE DATE

These rules will be in effect as the day of , 2008.

The
Hocking
Date:

Honorable John T. Wallace, Judge
County Municipal Court

APPENDIX A

HOCKING COUNTY MUNICIPAL COURT BOND SCHEDULE

Judge John T. Wallace
Effective October 1, 2008

Violation

<u>Degree</u>	<u>Recog.</u>	<u>Cash</u>			
M1	\$1,000.00	\$1,000.00	plus	\$20.00	**Bond for a Defendant who lives out of state is twice the amount shown for state resident for the basic bond amount PLUS \$20 for each offense.
M2	\$750.00	\$750.00	plus	\$20.00	
M3	\$500.00	\$500.00	plus	\$20.00	
M4	\$250.00	\$250.00	plus	\$20.00	
MM		\$110.00			

******All minor misdemeanors are \$110.00 except as follows:******

(Not withstanding construction and school zone violations)

Speed 0-10 MPH over	\$110.00
Speed 11-20 MPH over	\$120.00
Speed 21-30 MPH over	\$130.00
Speed 31 and over	\$140.00
Seatbelt-driver	\$95.00
Seatbelt-passenger	\$85.00
Child restraint	\$95.00
Drug Abuse/Possession	\$180.00

Absolutely NO FELONIES, M1 DOMESTIC VIOLENCE or SEX OFFENSE charges are to be bonded out without approval from the Judge. The only exceptions are defendants who are in need of medical treatment. The defendant is to sign a recognizance bond for the next business day.

Domestic violence charges are subject to any additional conditions as set by the Court, on a case by case basis, pursuant to Ohio Revised Code 2919.251, which are as follows:

1. Whether the person has a history of domestic violence or a history of other violent acts
2. The mental health of that person
3. Whether the person has a history of violating orders of any court or government agency;
4. Whether the person is potentially a threat to any other person;
5. Whether setting bail at a high level will interfere with any treatment or counseling that the person or the family of the person is undergoing.

Judge

John T. Wallace

Standard Traffic/Criminal Costs Listing

Local costs \$15.00
Legal Research \$3.00
Computer Improvement \$9.00
Victims of Crime \$9.00
General Revenue \$15.00
County Victims of Crime \$5.00
Special Project \$10.00/\$10.00/\$5.00

Fees and Costs for Special Project Fund

Under Section 1901.26(B)(1) the court may determine that, for the efficient operation of the Court, additional funds are necessary to acquire and pay for special projects of the court including, but not limited to the hiring and training of staff. This court now determines that a Court Security Officer is necessary to help provide a peaceful and safe environment for the Judge, Court employees and the general public who visit or have business at the Court.

Therefore, under Middleburg Hts v. Quinones, 120 Ohio St. 3d 534 (2008), the Court finds that additional funds are required to hire a court security officer for the official operation of the court and the special project costs are ordered set at \$10.00 for the first cause of a case filed in this Court. This Court also orders that on each and every cause after the first cause of a case that special project costs of \$5.00 per subsequent cause are set. The foregoing hereby is adopted as a Rule of the Court and the clerk is hereby ordered to collect the costs and fess ordered hereunder.

This order shall be entered in the Rules of Court and upon the Journal of the Court. Further, the Clerk shall file a copy of same with the clerk of the Ohio Supreme Court.

Cost in Civil Division

November 1, 2008

Complaint -- \$66.00

Complaint (collection of credit card debt)-- \$110.00

Complaint (Forcible Entry & Detainer)-- \$150.00

Counter, Cross claim, or Third Party Complaint -- \$25.00

Each additional defendant -- \$10.00

Re-serve Certified Mail -- \$10.00 for each defendant

Amended Complaint -- service charge only

Judgment Debtor Examination -- \$20.00

Forcible Entry & Detainer (Eviction) -- \$150.00

Cognovit Note -- \$66.00

Garnishment for Wage Attachment-- \$55.00

Bank Attachment-- \$31.00 and \$1.00 Check to Bank

Contempt Order -- \$31.00

Transfer to another court -- \$30.00

Certificate of Judgment -- \$21.00

Cert. of Judgment to BMV -- \$10.00

Revivor of Judgment -- \$31.00

Civil Warrant-- \$25.00

Certified Document-- \$1.00

Execution-- \$15.00

Appeal-- \$85.00

Jury Demand-- \$30.00

Objections to Magistrate's Decision -- \$10.00

Trusteeship-- \$50.00

Court Reporter: As per rule. Requesting party shall be responsible for payment directly to the reporter.

**Cost in Small Claims Division
November 1,2008**

Complaint -- \$40.00

Each Additional Defendant -- \$10.00

Amendment -- \$10.00

Transfer to Civil Division -- \$30.00

Re-serve Defendant -- \$10.00

Financial Statement -- \$10.00

Certificate of Judgment -- \$21.00

Transfer of case to this court -- \$15.00

Subpoena -- \$2.00 each plus service costs

Objections to Magistrate's Decision -- \$10.00

COST FOR EVENTS AFTER JUDGMENT WILL BE AS SET FORTH ON CIVIL COSTS SHEETS

APPENDIX B TO LOCAL COURT RULES

SUBJECT: COURT SECURITY (MUNICIPAL COURT)

PURPOSE: To provide an active process to prevent and minimize the potential for future security incidents.

POLICY: The primary responsibility for the County security rests with the Court Security Officer assigned to Court. However, each employee bears a responsibility to be familiar with the policy and practice it to ensure the security of the Court, its employees and the public.

- A. Court Security Officer Defined: In the Hocking County Court the Court Security Officer is a Bailiff/Probation Officer assigned by the Court.
- B. Perimeter Security DEFINED: The perimeter include the area immediately outside the Clerk's Office and the Courtroom, doorways, windows, and other points of entrance and exit to the Courtroom and the Clerk's Office.
 - 1) Main entrance and Courtroom entrance. The Court Security Office shall ensure that the entrance door to the Clerk's Office and all entrance doors to the Courtroom are unlocked at the start of each court business day and locked at the close of each business day.
 - 2) Private entrance. The Court Security Officer and the Clerk shall ensure that these doors are properly secured at all times. These include the back door to the Clerk's Office and the side entrance to the court room.
 - a) The back door to the Clerk's Office shall be locked when not in use and only Court personnel may have access to the key.
 - b) The Clerk or the Court Security Officer shall ensure that the interior courtroom doors, the courtroom and the Clerk's office are secured at the end of the day or when not in use and open to Court Personnel each morning.
- C. Security Check. The Court Security Officer shall be responsible for checking the perimeter areas periodically, but no less than once each morning, once each afternoon, and when the Court closes at the end of the business day. During a security check the officer should be alert to packages or items left lying about or anything that is in conflict with the environment of the area.
- D. Public Area Security DEFINED: Public areas are those common areas within the Court facility open to the general public other than the courtroom.
 - 1) Security Check. These areas should be searched by the Court Security Officers, prior to the Court opening for daily business, for items that are in direct conflict with their environment, weapons and contraband. Common hiding places are bottoms of benches and chairs, public restrooms, under of behind vending machines, tables and waste cans. Unattended bags, boxes, or packages should be treated with caution.
 - 2) Securing doors. All doors between public areas and restricted areas will be locked when not under the direct control of Clerk, the Court Security Officer of maintenance personnel and at the close of business day.
- E. Courtroom Security. DEFINED: The Courtroom is where proceedings between the Plaintiff and Defendant occur before the Judge or Magistrate. All court related

proceedings take place in the Courtroom. The Courtroom is usually the most volatile areas in the facility.

- 1) The Court Security Officer will conduct a systematic search of the courtroom prior to opening of Court each session.
 - 2) The Court Security Officer will be on duty in the courtroom whenever court is in session.
 - 3) The Courtroom Officer will be alert to observe the Judge, litigants and spectators.
 - 4) The Courtroom Officer should be especially observant of all individuals who approach the bench and should not hesitate to stop anyone who the Court does not know or whose business at the bench is uncertain.
 - 5) Prisoners -All issues of prisoner transport or control are addressed in the policy on "Prisoner Security within the Municipal Court."
 - 6) The Courtroom Officer shall be advise of all parties involved in any court proceedings including attorneys, litigants, witnesses and anyone accompanying them, i.e, spouse, parent, case worker, etc. prior to court. The Courtroom Officer will provide this information to the Judge or Magistrate.
 - 7) The Clerk, Courtroom Officer and Court Security Officer shall be notified whenever any unauthorized person is in the Courtroom and the nature of his or her business there.
 - 8) No one may approach the bench without the Judge's permission.
- F. Restricted Area Security DEFINED: Restricted areas of Municipal Court shall include the Clerk's Office, Back Office, and Judge's Office.
- 1) Search.
The court Security Officer will conduct a daily search of these areas morning prior to the opening of the Clerk's Office, always being alert for anything that is out of place.
 - 2) Alarms.
These are duress alarms and are designed to alert the monitoring agency of a disruptive problem in the court facility. The alarms should be tested at least once a month before the court opens for business.
 - 3) Request to See Judge.
Anyone entering the Court facility and requesting to see the Judge or Magistrate will be instructed to have a seat in the waiting area. The employee to whom the request is made will determine the following from the person making the request:
 - a) Name
 - b) Whether he or she has an appointment
 - c) If no appointment, reason for wanting to see the Judge or Magistrate. This information will be provided to the Clerk or Court Security Officer who will provide direction on how to proceed.
 - d) No person who demonstrates any indication of being under the influence of alcohol or drug of abuse shall be granted an appointment with the Judge or Magistrate.
 - e) The clerk/bailiff will provide the Judge with the necessary court file or files before the court sees the person.

VIII. Main Entrance to Clerk's Office and Courtroom

- A. All persons entering the Court facility shall be subjects to screening. Those who refuse to be screened will be denied access to the Court screening. Those who refuse to be screened will be denied access to the Court facility. The screening process may be aided by the use of a walk through metal detector and a hand held detector will be used In special circumstances.
- B. Security. A Court Security Officer will be assigned to the Courtroom area whenever Court is in session.
- C. Search. When during a walk through the metal detector when the hand held metal detector is activated or an unknown item is detected during a security check, the Court Security Officer will check the individual and any item, i.e., packages, briefcases, purses, etc., the following procedure will be utilized.
 - 1) Item(s)-Inspect the item for weapons. If the individual does not want the item checked, the Court Security Officer will consider the totality of the circumstances and use his or her discretion whether to pursue the issue or allow the individual to remove the item from the Court facility.
 - 2) Individual-Inquire as to what the individual has on his or her person which might set off the detector. Once the possible items are removed from the individual, have the individual checked again.
- D. Detector alarm does not sound -return the iternts) and allowed the individual to enter the Court facility.
- E. Detector alarms sounds -If the detector alarm sounds after the metal items are removed, the Court Security Officer will locate where and/or what the metal object is that is causing the alarm to sound. If the object may be considered a weapon, be guided by the following.
- F. Weapons
 - 1) Firearms/explosives -these are not permitted in the Court facility and will be confiscated and the individual held for investigation. Two exceptions:
 - a) Law Enforcement: Bailiffs that are certified under the Ohio Peace Officer standards and sworn law enforcement personnel may carry a firearm in the Court facility as part of his or her official duties.
 - b) Evidence: If items of this nature are to be used as evidence, they will be unloaded/disarmed and made safe prior to being brought in to the Court facility.
 - i. Only attorneys or law enforcement officers may bring such evidence into the Court facility or courtroom. They will be responsible to maintain it in their immediate possession until the evidence is admitted as an exhibit. Once admitted, its security will become the responsibiity of the Bailiff or Court Reporter until the close of the hearing. At the end of the hearing, the weapon will then be returned to the law enforcement evidence locker until further disposition.
 - ii. If the item is not admitted into evidence, the law enforcement officer or attorney responsible for the item will remain possession until he or she leaves the Court facility.
 - 2) Other weapons -The Bailiff, after considering the totality of the circumstances may require the weapon be removed from the Court facility, hold the weapon

until the individual is ready to leave, or confiscate the weapon and secure the individual for investigation.

- 3) Weapons Held -Any weapon that Is held for safety or confiscated shall be taken immediately to the bailiff's office and remain there until further instruction by the Court.
- 4) Securing Firearms --Any firearm that is brought into the Court facility, either as evidence, as an exhibit or for storage, other than in the possession of an on-duty law enforcement officer, will be secured as follows:
- 5) Handgun -{ace a flexicuff thought the barrel and secure the cuff so the cylinder or action cannot be closed,
- 6) Long guns -Remove blot, clip or magazine and place a flexicuff through the receiver area and secure the cuff so the action cannot be closed.

IX. Special Search Situations

- A. Wheelchairs, baby seats, crutches, canes, casts and even children are examples of ploys to get dangerous weapons and explosives into a court facility, Security personnel must be especially alert to these situations and maintain diplomacy while being thorough in their search,
- B. Daily Security Checks
 - 1) The following persons will conduct a daily security check other areas indicated.
 - 2) Court Security Officer
 - a) Entrances to the Court facility
 - b) Courtroom
 - c) Judges Chambers
 - d) Employee Hallway
 - e) Public Restrooms
 - f) All Common Areas
 - 3) Clerk of Court
 - a) Clerks Area
 - b) Records Room
 - c) Storage Areas

X. Special Provisions

- A. Maintenance Work -Any maintenance work in the court facility usually requires tools to be brought in, Court personnel will check the area upon completion of the work or at the end of work each day to ensure that all tools and material are removed or properly secured,
- B. Handwand -The hand wand will be kept at the Bailiff/Probation Officer's desk in the Courtroom when court is in session and in the Bailiff/Probation Officer's Office when Court is not in session,
- C. Clerk's Area -Any person, other than a court employee, who request to be in the restricted area must be approved by the Bailiff, Clerk or the Court Security Officer, The following procedure will then be followed:
 - 1) Identify the person through the means of a photo identification or other appropriate identification,
 - 2) The person will be monitored while in the Clerk's Office,

- D. Check out upon completion of their business,
- E. This policy also applies to any vendor, maintenance person, or repair person who has business in this or some other area of the Court facility,

XI. Personnel

- A. On-Duty -Security of Court personnel is an everyday responsibility and is covered by the policies and procedures contained within these rules.
- B. Off-Duty -If individualized security is required away from the Court facility, this will be coordinated with the local law enforcement agencies,
- C. Type of Security -This could range from periodic drive-by of an employee's residence, to surveillance, to assigning an officer to the employee or any other tactics that may be appropriate, given the totality of the circumstances.
- D. Personal Data -The personal data on each employee is maintained by the Clerk. This information may be made available to the Sheriff or Chief of the law enforcement agency providing off-duty security or for emergency purposes.

XII. Security Survey -A security survey will be complete annually.

- A. The objectives of the survey are as follows:
- B. Ascertain what recommendations from the previous year are or are not implemented and evaluated for their Impact on the Court.
- C. Determine If new problems have occurred and make recommendations to resolve these problems, Including cost and projected policy/procedure.

SUBJECT: PRISONER SECURITY WITHIN THE MUNICIPAL COURT

PURPOSE: To ensure safety and security of prisoners, escorting officers, court personnel and the general public.

POLICY: The supervision of prisoners is primarily the responsibility of the Hocking County Sheriff's Department. It will be necessary, however, on occasion, for the Courtroom Bailiff, a Probation Officer or other Courthouse Security Officer to supervise a prisoner.

XIII. When an appearance is necessary before the Hocking County Municipal Court, a prisoner shall be kept separate and apart from all other parties. A prisoner will enter and leave the Courthouse through the east door of the courthouse. Prisoners shall be supervised by security personnel at all times from the time they leave the jail facility until they are returned to that facility.

A. Prisoners Escorted to Court:

The responsibility for transporting prisoner to the court rests with the custodial law enforcement agency. The transport officer will ensure that the following procedures are followed:

- 1) No prisoner may appear in court under the influence of alcohol and/or any drugs of abuse.
- 2) The transport officer shall notify the Bailiff or Court Security Officer, (prior to transporting a prisoner to the court) when a prisoner is considered a security risk.
- 3) The transport officer shall notify the Bailiff or Court Security Officer, prior to transporting a prisoner to the court when a prisoner suffers from a medical condition that could endanger himself, court personnel, or the public (i.e., AIDS, seizures, TB, etc.)
- 4) Each prisoner shall be searched prior to transport to the Court facility and all property removed from his or her person.
- 5) When in the Court facility, except when appearing in the presence of the jury, each prisoner's hands shall be cuffed with a belt and "D" ring to secure to cuffs and his or her legs shall be shackled.
- 6) The transport officer shall notify the Court of the identity of the prisoner and provide to the Clerk's office all paperwork necessary for arraignment and/or the setting of bond.
- 7) All prisoner arraignments shall be conducted at a time prior to the arrival of the general public. During prisoner arraignments, family, friends, and legal representation may be present in the Courtroom, subjected to the no contact rules set forth below.
- 8) The transport officer or Courtroom Security Officer shall keep visual contact with the prisoner at all times and shall never turn his or her back on a prisoner.
- 9) While a prisoner is in the Court facility, the courtroom shall be used as the holding area unless the prisoner is processing out at the Clerk's office.
- 10) Each prisoner will be placed at or behind the defense table in the courtroom. The defense table shall be located as far as possible from any place where victims, witnesses, and the general public may be seated.
- 11) Prisoner conversation with any person other than court officials or his or her defense attorney shall be kept to a minimum. All prisoner visitations must take place at the jail.
- 12) No prisoner may be allowed within arm's length of anyone other than the Transport Officer, a Bailiff, a Court Security Officer, his or her attorney or other prisoners at any time while in the Court facility or while entering or leaving the Court facility. If contact is made with person other than those mentioned above the prisoner shall be again searched and secured before proceeding.

- 13) The prisoner may be permitted to consult with his or her attorney in the courtroom or the prisoner may be escorted to a separate room or area, if available, for attorney/client consultation. The prisoner, however, will not be left unattended while in Court facility. In several, confidential attorney/client conferences must be conducted at the jail until secure accommodations are provided in the Court facility.
- 14) A prisoner being transported for a jury trial may not, at any time, be viewed by any juror or prospective juror in any type of visible restraint, i.e., handcuffs or shackles.

B. Prisoners escorted from Court:

These prisoners may be on or two types: prisoner who are in custody when brought to the Court holding area "in custody" and those person who are not in custody when they appeared in Court but who are placed in custody (i.e., sentence after trial) or arrested while in Court (i.e., for contempt or on a warrant) "not in custody".

- 1) The "in custody" prisoner will remain the Transport Officer or Court Security Officer until the appropriate court documents are processed through the Clerk's office. Any documents to be signed by the prisoner will be given to the Transport Officer or Court Security Officer for signatures. Once all paper work is completed the prisoner will be transported back to the County Jail.
- 2) The prisoner "not in custody" who is arrested or otherwise placed in custody while in the Court facility shall immediately be handcuffed behind the back, escorted to a secured area by the Court Security Officer and searched or patted down by the appropriate gender when possible. Any personal property seized during the search or pat down shall be held until the prisoner is processed at the jail or released.

SUBJECT: COURT SECURITY OFFICER

Whereas the Hocking County Sheriff's Office and the Hocking County Commissioners are primarily responsible for the security of the Hocking County Courthouse. A Court Security Officer employed by Municipal Court shall be assigned to the Municipal Court Security Officer. The purpose of this officer shall be to provide a peaceful, safe environment for the court employees, and the general public.

The responsibilities and duties of the Court Security Officer shall Include but not be limited to the following:

I. The Assigned Officer Shall:

- A. Be neat in appearance and in full uniform at all times.
- B. Maintain current firearms certification.
- C. Carry a side arm at all times.
- D. Become familiar with the workings of the Municipal Court and Courthouse in general.
 - 1) Be familiar with the different offices and their functions within the courthouse.
 - 2) Be familiar with the employees of said offices.
 - 3) Be sensitive to any special security needs of the Municipal Court.

II. Duty Hours:

- A. Check in and out with the bailiff of the clerk.
- B. Be on duty between 8:00 AM and 4 PM, except Saturdays, Sundays, and Legal Holidays.
 - 1) Shall report In at or before 8:00 AM.
 - 2) Shall report out at or after 4:00 PM.
- C. If a Court session exceeds these hours, the officer shall remain on duty until Court adjourns or the Judge gives permission to leave,

III. Daily Routine:

- A. 8:00 to 8:15 am -conduct a security sweep of the Municipal Court, looking for weapons, explosive devises, contraband, and other items that are in direct conflict with the environment. Areas to be checked should include:
 - 1) Halls
 - 2) Trash receptacles
 - 3) Behind vending machines
 - 4) Rest rooms
 - 5) Check all security device to see if they are in working order
 - 6) Obtain daily Court docket from Municipal Court.
- B. Be at the Security Post in the Municipal Court Courtroom from 8:15 am to 4:00 pm.
- C. 3:15 pm to 4:00 pm -conduct a security sweep as in A. above.

IV. Will provide security to Municipal Court requested by the Judge

- A. Obtain docket from the court each day.

- B. Attend court sessions as requested.
- C. Take subjects into custody and transport them to the Sheriff's office.
- D. Maintain peace and safety within the courtrooms in cooperation with the court bailiff, being familiar with Municipal Court's policies on court Security and Prisoner Security within Municipal Court.
- E. When not In Court, will maintain a visible presence within the Courthouse.
- F. Will be stationed in the Municipal Court unless taking prisoner to Sheriff's office.
 - 1) Observe subjects entering and leaving the Courthouse, being alert to anything suspicious or out the ordinary.
 - 2) Give assistance to and answer questions for, the general public as needed.
- G. Shall make security rounds -one each morning and one each afternoon
 - 1) Checking the halls
 - 2) Check in Clerk's office without disrupting normal business or loitering.
 - 3) Security Rounds SHALL NOT be conducted at the same times of in the same sequences each day.

V. In case of a medical emergency, Officer will:

- A. Call EMS if needed.
- B. Render medical assistance to victims, to the extent of the officer's medical or first aid training.
- C. Assist squad personnel, again in accordance to officer's level of training.

VI. In case the Courthouse Security Officer should need back up or assistance, said assistance shall be rendered by:

- A. Court Bailiff
- B. Probation Officers in Courthouse
- C. Hocking County Sheriff's Deputies
- D. Logan Police Department
- E. Law enforcement officers as available

VII. MISCELLANEOUS

- A. Will perform all other duties as assigned by the Municipal Court Judge or his designee.
- B. Will not use foul language, nor engage in gossip.
- C. The Courthouse Security Officer shall at all times, maintain a positive, courteous attitude, aiding and assisting the general public and the employees of Hocking County Municipal Court.

APPENDIX D

HOCKING COUNTY MUNICIPAL COURT PRE-TRIAL DIVERSION PROGRAM AND PROBATION FEES

Because of the high cost of community control (probation), and budget constraints on the county, defendant-probationers are required to pay a portion of the cost of their probation. It is the court's philosophy that individuals should suffer the consequences of their actions, and by paying a portion of the cost of probation, the defendant-probationer will demonstrate his ability and willingness to change his behaviors, and be responsible to the community. Further, these consequences will enable the person to modify their current behavior and make positive life choices. Also, experience has shown that many defendants abuse illegal drugs. As a result, the court has begun to incur significant costs associated with the testing of defendants. It is proper that the defendants pay the cost of drug testing.

1. Pre-Trial Diversion Program

The pre-trial diversion program will be offered in accord with the written standards as adopted. The Court will decide if the pre-trial diversion program is applicable on a case-by-case basis, using, but not limited to the following criteria - That the offense was an isolated or, first offense, and that the pre-trial diversion program will be sufficient to curtail any future problems.

- (A) Fee: \$120.00 per year (or \$10 per month). If the individual on the diversion program is removed from the program, he or she will be expected to pay the full probation fee for non-reporting probation, without credit for diversion fees paid.
- (B) Probationer may petition the court for community service in lieu of the probation fees; such shall be on a limited basis, and on a case-by-case basis determined by the judge. If the judge determines that community service is warranted in the situation, then the probationer shall serve Fifteen (15) hours of community service for the diversion fee, credited at \$8.00 per hour.

Such community service must be completed no later than thirty (30) days after the Court's determination that a probationer is indigent and unable to pay the fee.

2. Non-Reporting Probation.

(A) Fee: \$14.00 per month; \$168.00 for one year; and \$336.00 for two years.

(B) Probationer may petition the court for community service in lieu of the probation fees; such shall be on a limited basis, and on a case-by-case basis determined by the judge. If the judge determines that community service is warranted in the situation then the probationer shall serve Twenty-one (21) hours of community service for each year of non-reporting probation, credited at \$8.00 per hour.

Such community service must be completed no later than thirty (30) days after the Court's determination that a probationer is indigent.

3. Reporting Probation

(A) Fee: \$25.00 per month; \$300.00 for one year; and \$600.00 for two years.

NOTE: If the probationer initially has been placed on reporting probation and moves to a non-reporting probation at some future time, the fees of the reporting probation shall remain in effect.

(B) Probationer may petition the court for community service in lieu of the probation fees; such shall be on a limited basis, and on a case-by-case basis determined by the judge. If the judge determines that community service is warranted in the situation then the probationer shall serve Thirty (30) hours of community service for each year of reporting probation, credited at \$8.00 per hour.

Such community service must be completed no later than thirty (30) days after the Courts determination that a probationer is indigent.

4. Drug Court

Drug Court is a specialized type of probation. The participant is assigned by the Court upon the advice of the Drug Court Probation Officer. Probationers in this program are determined on a case-by-case basis, in accordance to the criteria set forth in the drug court curriculum.

- (A) Fee: \$25.00 per month; \$300.00 for one year; and \$600.00 for two years.
- (B) Probationer may petition the court for community service in lieu of the probation fees; such shall be on a limited basis, and on a case-by-case basis determined by the judge. If the judge determines that community service is warranted in the situation then the probationer shall serve Twelve (12) hours of community service for each month in the drug court program, no matter, which phase the participant is in. No money credit is given.

Such community service must be completed no later than thirty (30) days after the Court's determination that a probationer is indigent.

5. Mental Health Court

Mental Health Court is a specialized type of probation. The participant is assigned by the Court upon the advice of the Mental Health Court Probation Officer. Probationers in this program are determined on a case-by-case basis, in accordance to the criteria set forth in the Mental Health Court curriculum.

- (A) Fee: \$25.00 per month; \$300.00 for one year; and \$600.00 for two years.
- (B) Probationer may petition the court for community service in lieu of the probation fees; such shall be on a limited basis, and on a case-by-case basis determined by the judge. If the judge determines that community service is warranted in the situation then the probationer shall serve Eight (8) hours of community service for each month in the drug court program, no matter, which phase the participant is in. No money credit is given.

Such community service must be completed no later than thirty (30) days after the Court's determination that a probationer is indigent.

6. Domestic Violence Court

Domestic Violence Court is a specialized type of probation. The participant is assigned by the Court upon the advice of the Domestic Violence Court Probation Officer. Probationers in this program are determined on a case-by-case basis, in accordance to the criteria set forth in the Domestic Violence Court curriculum.

- (A) Fee: \$25.00 per month; \$300.00 for one year; and \$600.00 for two years.

- (B) Probationer may petition the court for community service in lieu of the probation fees; such shall be on a limited basis, and on a case-by-case basis determined by the judge. If the judge determines that community service is warranted in the situation then the probationer shall serve Eight (8) hours of community service for each month in the drug court program, no matter, which phase the participant is in. No money credit is given.

Such community service must be completed no later than thirty (30) days after the Court's determination that a probationer is indigent.

APPENDIX E

FILINGS OF PLEADINGS AND OTHER PAPERS BY FACSIMILE

Facsimile Filing. A document filed with the Clerk by facsimile transmission shall be accepted as the original filing, provided the person sending the document by facsimile transmission complies with all the requirements set forth in this rule.

1. A document filed by facsimile shall be filed with a signature or notation “/s/” followed by the name of the person signing the original document. The person transmitting the document represents that the original document is in his/her possession and is available for inspection by the Court upon request. The original document shall be retained until the time period for appeal has expired.
2. All documents filed by facsimile transmission pursuant to this rule shall be considered filed with the Clerk as of the date and time imprinted by the Clerk’s fax equipment. The risks of transmitting a document by facsimile transmission to the Clerk shall be borne entirely by the sender.
3. The Clerk may accept for filing by facsimile transmission any document except those for which the Clerks is required to collect a specific filing fee pursuant to statute or court rule or to effectuate service and summons. The Clerk shall not accept a document that exceeds 20 pages.
4. The Clerk shall not assess a fee other than the “clerk computerization fee” authorized by R.C. 1901.261 for the act of accepting a document by facsimile transmission. Fees authorized by Loc. R. 13 for copying, postage and other service of the Clerk may be assessed.
5. The person filing a document by facsimile transmission shall provide therewith a cover page containing the following information: (i) the caption of the case; (ii) the case number; (iii) the assigned judge; (iv) a description of the document being filed; (v) the transmitting fax number; and (vi) an indication of the number of pages included in the transmission, including the cover page. Attorneys sending facsimile transmissions must include their Ohio Supreme Court attorney registration numbers.
6. Documents filed by facsimile transmission filing may **NOT** be sent directly to the Court for filing but may only be transmitted directly through the facsimile equipment operated by the Clerk. For filings the fax number is (740) 385-3826.

Transmissions sent to any other location are not covered by or permitted under this rule. Transmissions may be sent 24 hours 7 days a week.

7. This rule has been adopted solely for the convenience of those filing documents with the Clerk, and neither the Clerk nor the Court assumes any new or additional responsibilities, obligations or liabilities by virtue of this rule, except as expressly provided for herein. Further, this rule pertains only to the method of filing; it does not override, alter, amend, revoke or otherwise change any local rule or any provision of Ohio law.

8. A person filing a document by facsimile transmission is required to use the court approved “Facsimile Filing Transmission Cover Sheet.”

APPENDIX F

PUBLIC AND MEDIA ACCESS

Public use of courtrooms. (1) Any questions as to the admission of persons to the courtroom shall be the province of the Judge, within the guidelines of public access to all court proceedings, consistent with the order and dignity of the court. (2) Public statements by the Court, counsel, court personnel, and witnesses shall be regulated by the Judge within the guidelines of public access to court proceedings and the right of the parties to be free of improper publicity within areas protected by fundamental rights. (3) No recordings shall be made of any court proceedings without approval of the Judge and in accordance the Rules of Superintendence.

Effective January 1, 2008 broadcasting, recording, photographing and televising by news media during courtroom sessions, including recesses between sessions, and the part of the Courthouse immediately surrounding the Municipal Court, shall be permitted under the following conditions:

Adm istration

1. Requests for permission to broadcast, record, photograph or televise in the courtroom shall be in writing to the Judge of the Hocking County Municipal Court as far in advance as reasonably practical, but in no event later than one (1) hour prior to the courtroom session to be broadcast or photographed unless otherwise permitted by the trial Judge.
2. The Clerk shall immediately inform the Judge of the request, who shall notify the parties, and may grant the request in writing consistent with Canon 3(A)(C), Code of Judicial Conduct, Superintendence Rule 11, and this local rule. Written permission shall be made a part of the record of the proceeding.

Pooling_____

1. Arrangements shall be made between or among media for “pooling” equipment and personnel authorized by this rule to cover the court sessions. Such arrangements are to be made outside the courtroom and without imposing on the trial judge or court personnel to mediate any dispute as to the appropriate media “pool” representative or equipment authorized to cover a particular session.

Equipment and Personnel

1. Nor more than one portable camera (television, videotape or movie), operated by not more than one in-court camera person, shall be permitted without permission of the Judge.
2. Not more than one still photographer, utilizing not more than two still cameras of professional quality with not more than two lenses for each camera, shall be permitted without permission of the Judge.
3. Not more than one audio system for radio broadcast purposes shall be permitted without permission of the Judge.
4. If audio arrangements cannot be reasonably made in advance, the Judge may permit one audio portable tape recorder at the bench which will be activated prior to commencement of the courtroom session.
5. 'Visible' audio portable recorders may not be used by the news media without prior permission of the trial Judge.

Light and Sound Criteria

1. Only professional quality telephonic, photographic and audio equipment which does not produce distracting sound or light shall be employed to cover courtroom sessions. No motor driven still cameras shall be permitted.
2. No artificial lighting device other than that normally used in the courtroom shall be employed, provided that if the normal lighting in the courtroom can be improved without becoming obtrusive, the Judge may permit modification.
3. Audio pickup by microphone for all media purposes shall be accomplished from existing audio systems present in the courtroom. Microphones shall be located only at the trial judge's bench, witness stand and jury rail. Microphones shall be visible, secured, but unobtrusive. If no technically suitable audio system exists in the courtroom, microphones and related wiring essential for all media purposes shall be unobtrusive and located in places designated in advance of any session by this rule or the trial judge.

Locations of Equipment and Personnel

1. One television camera shall be positioned on a tripod at a position designated by the judge and remain fixed in that position. This designated are shall provide reasonable access to coverage. Videotape recording equipment or other technical equipment which is not a component part of an in-court television or broadcasting unit shall be located in a room adjacent to or outside of the courtroom.
2. The television, broadcast and still camera operators shall position themselves in a location in the courtroom either standing or sitting and shall assume a fixed position within that area. Having established themselves on a shooting position, they shall act so as not to call attention to themselves through further movement. Sudden moves, pans, tilts or zooms by television or still camera operators are prohibited. Operators shall not be permitted to move about in order to obtain photographs or broadcasts of courtroom sessions, except to leave or enter the courtroom.
3. Television cameras, microphones and taping equipment shall not be placed in, moved during, or removed from the courtroom except prior to commencement or after adjournment of the session (the trial judge has not gaveled the proceeding to order or adjournment) or during a recess. Neither television film magazines, roles of lenses, still camera film, nor audio portable tape cassettes shall be changed within a courtroom except during a recess.

Miscellaneous

1. Proper courtroom decorum shall be maintained by all media pool participants.
2. All media representatives shall be properly attired, in a manner that reflects positively upon the journalistic profession.

Limitations

1. There shall be no audio pickup or broadcast of conferences conducted in a

courtroom between counsel and clients, co-counsel, or the judge and counsel.

2. The judge shall prohibit broadcasting, recording, photographing or televising by any means victims of sexual assaults, child witnesses, informants and or undercover police officers. The trial judge shall retain discretion to otherwise limit or prohibit broadcasting, recording, photographing or televising upon objections of any juror, victim, witness or object. The Judge may also exclude the media representative from the courthouse.

Revocation _____ or Permission

1. Upon the failure of any media representatives to comply with the conditions prescribed by the judge, the Rules of Superintendence of the Supreme Court or this rule, the Judge may revoke the permission to broadcast, record, photograph or televise the trial or hearing.

APPENDIX G

Process Servers, Court Reporter, Acting Judges and Magistrates

The below listed individuals designated by order of the Court pursuant to Civil Rule 4.1(2) and Civil Rule 45 (B) as persons who may serve summonses and subpoenas on behalf of the Court in actions pending before this Court in whom the process server is not a party:

Joe Maze	Faith Todd	Kerry Kernen	Jeff Baron
P.O. Box 943	1064 Ohio Avenue	1065 Homer Street	755 E. Second Street
Logan, Ohio 43138	Logan, Ohio 43138	Logan, Ohio 43138	Logan, Ohio 43138

Upon consideration by the Court, it is hereby ordered that Ellen Riggs shall be official Court Reporter for the purpose of transacting and any other official acts required by the Hocking County Municipal Court.

1. All disks containing testimony and all exhibits shall be kept in the Bailiff's custody.
2. All disks shall be kept by the Bailiff until they are destroyed under Court Order.
3. Disks and exhibits shall be provided to the official Court Reporter when requested and upon the filing by that a request for transcript.
4. Ellen Riggs, of the Hocking County Common Pleas Court, Logan, Ohio, hereby is appointed Court Reporter pursuant to App. Rule 9 (B), without compensation therefore except as hereinafter provided, which fees shall be paid by the persons requesting a transcript. No one shall make copies of the record without payment to the Court Reporter.

The costs for transcription shall be the same as provided for in the Rules of Court of the Hocking County Common Pleas Court.

Attorneys William Henderson and Will Kernen, are eligible and willing to serve as acting Judges pursuant to Sections 1901.10 and 1901.12. Therefore, I, John T. Wallace, Judge of this Court, pursuant to the sections aforesaid, do hereby appoint William Henderson and Will Kernen, each being a qualified person, to serve as acting Judge, during my temporary absence, incapacity, or vacation, commencing December 19, 2006, and thereafter, upon the call of the clerk, the judge, or law enforcement agencies. All other appointments of acting or substitute judges hereby are terminated. Attorney Mary Ann Boone is eligible and willing to serve as the Hocking County Municipal Court Magistrate and is hereby appointed to such position.