

NOTICE TO ATTORNEYS WHO PRACTICE IN MUNICIPAL COURT

THE JUDGES OF THE FRANKLIN COUNTY MUNICIPAL COURT HEREBY GIVE NOTICE OF THEIR INTENTION TO AMEND LOCAL RULES 4, 7, AND 13 AS FOLLOWS:

Local Court Rule 4

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4.13 Regulation of Bail Bondsmen

(A) Specific Court Requirements

The court shall require that:

1. Each bail licensee register with the Clerk of Court a personal identification number consisting of his or her birth date, the last four (4) digits of his or her social security number, and the first and last initials of his or her name. The court may require disclosure of such number during any communication.
2. Each bail licensee shall annually renew his or her license by filing with the Clerk of Court a power of attorney for each surety insurer that employs him or her
3. Each bail licensee at the time of filing the power of attorney shall provide written documentation evidencing the name and address of each and every surety insurer that employs him or her. Such documentation shall be originally generated by the insurer.
4. Each bail licensee at the time of filing the power of attorney shall sign a statement agreeing to adhere to these local rules and to further be subject to disciplinary action for violation of such rules as provided herein.

(B) License Requirement-General

- a. An insurer shall not execute an undertaking of bail except by and through a person holding a bail license. A firm, partnership, association, or corporation, as such, may not be licensed.
- b. A person shall not solicit or negotiate with respect to execution or delivery of an undertaking of bail or bail bond by an insurer, or execute or deliver such an undertaking of bail or bail bond unless licensed as provided in these local rules.

(C) License Requirement-Qualifications

An application for a license as a bail bondsman must be submitted on forms prescribed by the Department of Insurance and pursuant to the licensing requirements under Ohio Revised Code Section 3905.01 et seq.

(D) Prohibitions

1. A person may not act in the capacity of a bail bondsman or perform any of the functions, duties, or powers prescribed for bail bondsman unless:
 - a) such person is licensed as provided herein
 - b) such person is employed by a surety insurer
2. No person who has been convicted of, or who has plead guilty or no contest to a felony or a crime involving moral turpitude or a crime punishable by imprisonment of one (1) year or more under the law of any state, territory or country, regardless of whether adjudication of guilt was withheld, shall be eligible to receive court privileges to participate in undertakings of bail or bond unless, as the date this local rule shall take effect, such person is already licensed as a bail bondsman in the State of Ohio.
3. A bail bondsman may not:
 - a) Participate in the capacity of an attorney at a trial or hearing of one on whose bond he or she is surety.
 - b) Make any statement or representation to the court unless such statement or representation is under oath. Such statement or representation may not be false, misleading, deceptive, or otherwise perjurious.
 - c) Make false, misleading, deceptive, or otherwise perjurious statements or representations to the Department of Insurance during the application process as provided for in these local rules.
 - d) Charge a fee to his principal for personal bonds received from the court.
 - e) Participate in any conduct or activity that impedes the Court's efficient operation, including but not limited to solicitation on the grounds of the Franklin County Municipal Court courthouse.
 - f) Violate any of the prohibitions contained in Ohio Revised Code Section 3905.932 or Ohio Administrative Code Section 3901-1-66.

(E) Penalties

Any bail licensee who violates the provisions of this local rule shall be in contempt of court and may be subject to suspension of his or her privileges to participate in any undertaking of bail or bail bond in this court. The court directs the Clerk of Courts to bring violations of this rule to the court's attention.

(F) Applicability of Rule

The provisions as set forth in this local rule shall be binding only in the Franklin County Municipal Court. Nothing in this rule shall be read to exclude the requirements set forth in Ohio Revised Code Section 3905.01 et seq. or any other governing law of the State.

Local Court Rule 7

Rule 7. Magistrates

7.01 Referral session. The magistrates of the court are empowered to hear and issue decisions upon the following matters: (a) actions in forcible entry and detainer; (b) damage hearings on defaults; (c) motions for orders of recovery of specific personal property before judgment, and motions for orders of attachment of personal earnings or property after judgment. However, all motions for pre-judgment attachments of specific personal property in which it is alleged by affidavit that the applicant will suffer irreparable harm by likelihood of removal of the property from the jurisdiction of the court or destruction of the same, shall be submitted to the judge in the duty room for hearing and determination except where the case has been assigned to a particular judge, then and in that event, it shall be submitted to such judge; (d) trusteeships; (e) judgment debtor hearings; (f) small claims cases; (g) cases arising under R.C. 4510.037 and 4509.101 (h) enforcements of sentences; (i) books and records examinations; (j) with the exception of OMVI cases, proceedings pursuant to Traf. R. 14 and in which a plea of “guilty” or “no contest” is entered and the defendant executes a written waiver of the right to trial by judge; (k) parking violation appeals; (l) applications for release or rent pursuant to R.C. 5321.09 and 5321.10; (m) photo traffic enforcement system appeals; and (n) any other matters appropriately referred by a judge.

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7.05 Requests for continuances. Requests for continuance of hearing dates in all cases assigned pursuant to Rule 7.01, ~~except small claims cases,~~ shall be submitted to a magistrate, ~~at least five (5) court days prior to the date of the hearing. All requests shall be in writing and must include (1) the reasons for the request, (2) the date and time of the current assignment, and (3) a space for the date certain to be assigned.~~ It is solely within the discretion of the magistrate to allow or deny any request for continuance made pursuant to this rule.

Local Court Rule 13, Schedule 9.00

Schedule 9.00

Costs and Fees

I All costs outlined by this schedule are to be deposited with the Clerk of Courts at the time of filing, except with regard to the United States, the State of Ohio, Franklin County and the City of Columbus unless costs are waived by the Court. The Clerk of Courts may refuse to accept any filing where the deposit of costs as required herein has not been made, or where a judgment for costs against the party is unsatisfied. In the event such a filing is accepted by the Clerk, the same may be stricken from the files by order of the Court.

All Civil Cases except Small Claims and Forcible Entry and Detainer 60.00
(Includes service for up to 3 defendants with one address each. For additional defendants and/or addresses, see additional service fees below)

Small Claims Cases	40.00
(Includes service for up to 3 defendants with one address each. For additional defendants and/or addresses, see additional service fees below)	
Forcible Entry and Detainer Cases – <u>Claim for Restitution, only</u>	<u>67.00</u>
(Includes ordinary mail and bailiff or certified mail service for up to 3 defendants with one address each. For additional defendants and/or addresses, see additional service fees below)	
<u>Forcible Entry and Detainer Cases – Restitution with Second Claim for Money</u>	<u>97.00</u>
<u>(Includes ordinary mail and bailiff or certified mail service for up to 3 defendants with one address each. For additional defendants and/or addresses, see additional service fees below)</u>	

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