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 of 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.

7.02 Recording of proceedings before a magistrate. The use of a court reporter and a tape recording device is authorized in all proceedings before a magistrate.

7.03 Hearings on objections to a magistrate's decision. Objections shall be filed pursuant to Civ. R. 53(E)(3). Unless the following statement appears prominently upon the first page of such objections, no oral hearing will be permitted: "An oral hearing of approximately minutes is requested". Upon such objection being filed, the case shall be assigned to a judge pursuant to Rule 1.01(1).

7.04 Reports to administrative judge. Magistrates shall make monthly reports to the administrative judge on forms approved by the administrative judge. A draft of each report shall be received by the administrative judge in accordance with the reporting schedule established by the administrative judge.

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 7.01 adopted effective September 20, 2000 pursuant to Court Order 9-00.