MANSFIELD, OHIO MUNICIPAL COURT LOCAL RULES

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Mansfield Ohio Municipal Court
Local Rule 1 - Location of Court and Jurisdiction

The Mansfield Municipal Court shall sit in the City of Mansfield. The jurisdiction shall be within Madison, Springfield, Sandusky, Franklin, Weller, Mifflin, Troy, Washington, Monroe, Perry Jefferson and Worthington Townships, and Sections 35 – 36 – 31 and 32 of Butler Township in Richland County, Ohio.

Mansfield Ohio Municipal Court
Local Rule 2 - Terms of Court and Hours of Session

The Mansfield Municipal Court shall sit continuously and not be divided into terms. The Court shall be open Monday through Friday from 8:00 a.m. to 4:00 p.m. The Court shall be closed on and observe all City of Mansfield legal holidays or other designated days.

The Court reserves the right to close due to inclement weather and may close early due to weather and/or holiday.

Mansfield Ohio Municipal Court
Local Rule 3 - Duties of Counsel

A. DESIGNATION OF TRIAL COUNSEL

Attorneys will designate their capacity as trial counsel on all pleadings in civil and criminal cases and shall include their office address, zip code, telephone number, email addresses, and Supreme Court registration number. Normally, a law firm should not be named as trial attorney; however, substitution of counsel within the same law firm at hearings is authorized.

B. WITHDRAWAL OF COUNSEL

Counsel shall be allowed to withdraw from trial counsel responsibility in cases where counsel was designated with the consent of the Judge. No such application will be considered unless a written entry or motion is presented stating the reasons for the application, certificate of service on opposing counsel, and time and date of trial, if set. Withdrawal of counsel will not be approved if application is made within five (5) working days of the trial date except for good cause shown. Approved withdrawal entries will be mailed immediately by the withdrawing counsel to his client's last known address.

C. MOTIONS PRACTICE

All motions, except those normally made at trial, shall be in writing, served on opposing counsel, and made within the time limits prescribed in the Ohio Rules of Civil and Criminal Procedure. Motions will be supported by memoranda of law containing applicable statutory and case law citations. A judgment entry must be submitted with all motions. Motions will be decided without hearing unless requested. A date and time for oral hearing upon motions must be obtained from the Assignment Commissioner. Parties wishing to respond to said motions shall do so not later than the 14th day following service of the motion or three (3) days prior to the oral hearing date if an oral hearing has been requested. All motions not heard nor decided prior to trial will be disposed of at trial.

D. WAIVER OF JURY TRIAL

It is the responsibility of counsel demanding trial by jury in civil and criminal cases to notify the Assignment Commissioner at least five (5) working days prior to trial date if jury trial is to be waived or the case has been settled. Failure to abide by this rule may result in a refusal by the Court to honor requests on the day of trial for which a jury has been called, and may result in the assessment of additional costs to pay for the calling of said jury.

E. COURT REPORTERS

Until further order of this Court, the basic mode of recording and preserving all proceedings in the Mansfield Municipal Court shall be by audio electronic recording device, or video recording device. Any party desiring a certified court reporter, in lieu of a

recording device, shall make such a request at least fourteen (14) days prior to the trial. The cost of a court reporter shall be allocated by agreement of the parties, or absent agreement by order of the Judge.

Mansfield Ohio Municipal Court
Local Rule 4 - Filing of Documents

A. FILING OF DOCUMENTS

The filing of a document with the Court may be accomplished by presenting the document to the Clerk of Court during the regular business hours of the Clerk's office, by fax filing as described in Section F below, or by sending the document to: Clerk of Court, The Mansfield Municipal Court, 30 North Diamond Street, Mansfield, Ohio 44902. A document sent by mail or other delivery service will not be considered filed until it is received in the Clerk's office.

B. INFORMATION TO BE INCLUDED ON COURT FILINGS

On each document presented to the Clerk for filing, parties and attorneys should list their names, addresses, telephone numbers, fax numbers, and email addresses. Attorneys should also list their Ohio attorney registration numbers. In addition, the case name, case number, and the name of the assigned Judge should be listed on each document filed with the Clerk, as well as the title of the document (for example, Defendant's Motion to Continue, Plaintiff's Pretrial Statement, etc.). The original of every document filed with the Clerk shall be signed by an attorney representing the party on whose behalf the document is filed. A party who is not represented by an attorney shall sign any document being filed.

C. PERSONAL IDENTIFYING INFORMATION MAY BE REDACTED

To protect legitimate personal privacy interests, social security numbers and other personal identifying information should be redacted from documents before the documents are filed. The responsibility for redacting personal identifying information rests solely with the attorneys and parties who present the documents to the Clerk for filing. The Clerk will not review documents to confirm that personal identifying information has been redacted. If personal identifying information is redacted or omitted from a document, the information should be provided to the Court on a separate form that indicates what information has been redacted or omitted and provides the location of the redacted or omitted information. A suitable example of that type of form is included in the appendix to the Rules of Practice of the Supreme Court of Ohio.

D. MECHANICAL REQUIREMENTS FOR COURT FILINGS

All documents presented to the Clerk for filing should be on paper that is 8.5 by 11 inches in size, and the text of all documents should be no smaller in size than 12-point font. The margin on the top of each page should be at least one inch so that the Clerk can punch holes in that margin without obscuring the document's text. Every multi-page document filed with the Clerk should be paginated and should be firmly stapled in the upper-left corner of the document. Also, sufficient blank space should be visible in the upper-right portion of the first page of each document so that the Clerk can date-stamp the document without

obscuring the document's text. The Clerk may accept handwritten documents for filing, but the Clerk may reject any document that is not clearly legible.

E. COPIES OF MOTIONS AND OTHER FILINGS

Only the signed original of a motion (or other written filing) need be presented to the Clerk, unless the Court's cost schedule specifies that multiple copies are required. If the motion or other document is to be filed in two or more case files, however, then the party presenting the document should provide sufficient copies with the original so that the Clerk can place a copy in each case file to which the motion or other document pertains. (That is, if a motion is to be filed in both a criminal case and a traffic case involving the same Defendant, the original and one copy of the motion should be filed with the Clerk). A party filing a motion to suppress in a criminal or traffic case should provide an extra copy of that motion to the Clerk, who in turn will give it to the assigned Judge or Magistrate. A party who wishes to receive a date-stamped copy of a document submitted to the Clerk for filing should provide the Clerk with an extra copy of the document, along with a sufficiently large envelope that is self-addressed and postage-paid.

F. FAX FILINGS

Pleadings and other papers may be filed with the Clerk by facsimile ("fax"). The number for the Clerk's fax machine is 419-755-9894. Faxed documents intended for filing must be faxed to the Clerk and not to the Judges' chambers.

A document filed by fax will be accepted as the effective original filing of the document. The person filing a document by fax should not mail or otherwise deliver the same document to the Clerk a second time, but that person should maintain in his or her records the original signed copy of the fax-filed document, as well as the fax cover sheet sent to the Clerk with the document.

Fax filings must be no longer than 10 pages in length, not including the cover sheet. Subject to the provisions of these rules, all documents sent by fax and received by the Clerk will be considered filed with the Clerk as of the date the Clerk date-stamps the document, as opposed to the date and time of the fax transmission itself. Documents may be faxed to the Clerk at any time, however, including times when the Clerk's office is closed.

The risks of transmitting a document by fax to the Clerk must be borne entirely by the sending party. Anyone using fax filing is welcome to verify with the Clerk that the faxed document has in fact been received.

No fee is charged for fax filing itself, but any applicable court costs associated with the proposed filing must be paid before the faxed document will be accepted by the Clerk and filed.

The cover sheet for a fax filing should list:

(A) the name of our Court;

(B) the title of the case;

(C) the case number;

(D) the name of the assigned Judge, if any;

(E) the title of the document being filed;

(F) the date of transmission;

(G) the transmitting fax number;

(H) an indication of the number of pages included in the transmission, including the cover sheet;

(I) the name, address, telephone number, fax number, email address, and Supreme Court registration number (if any), of the person filing the faxed document;

(J) if applicable, a statement explaining how costs are being submitted.

If a document is sent by fax to the Clerk without the cover page information listed above, the Clerk may properly treat the document as not having been filed. The Clerk may – but is not required – to notify the sender of a failed fax filing.

A party who wishes to file a signed document by fax must either (1) fax the signed document to the Clerk or (2) fax a copy of the document without the signature but with the notation "/s/" followed by the typewritten name of the signing person. A party who files a signed document by fax represents that the physically signed document is in his or her possession or control.

If an exhibit cannot be transmitted accurately by fax, the exhibit should be replaced by an insert page describing the exhibit and why it is missing. Unless the Court otherwise orders, the missing exhibit should be filed with the Clerk, as a separate document, within five Court days after the fax filing. The Court may strike any document or exhibit, or both, if missing exhibits are not filed as required by this paragraph.

Any exhibit filed in accordance with the paragraph just above should be accompanied by a cover sheet listing the name of the case, the case number, the assigned Judge's name, and the title of the exhibit itself. The exhibit and the signed cover sheet should be served on all other parties.

G. MOTIONS SHALL BE ACCOMPAINED WITH A JUDGMENT ENTRY

Any party filing a motion with the Court shall present at the same time a proposed order (if interlocutory in nature) or a proposed judgment entry (if dispositive in nature) that the party wishes the assigned Judge or Magistrate to consider. (No proposed entry need be tendered with a motion to suppress in criminal and traffic cases).

Mansfield Ohio Municipal Court
Local Rule 5 - Assignment of Cases

Each Judge shall appoint an Assignment Commissioner of Mansfield Municipal Court. Cases shall be assigned for trial on the basis of the oldest case first, with criminal cases taking priority over civil cases. The Assignment Commissioner shall notify in writing the parties, or if represented by counsel, the counsel of all pretrial and trial dates. It is the responsibility of the party, or if represented, counsel, to secure the attendance of necessary witnesses by subpoena or otherwise.

Mansfield Ohio Municipal Court
Local Rule 6 - Pretrial Conferences

A. CRIMINAL CASES

All criminal cases in which a not guilty plea has been entered, other than minor misdemeanor cases, will be scheduled for a pretrial conference. The presence of the Defendant, and if represented, his counsel, and the prosecuting attorney is required at all pretrial conferences, unless excused prior to pretrial by the Judge. If the complaining witness is a member of a law enforcement agency, then a representative of that agency with full knowledge of the case may attend.

Failure of the Defendant to appear may result in a bench warrant being issued.

B. CIVIL CASES

A pretrial conference shall be held in all civil cases other than forcible entry and detainer actions. Upon notice of a scheduled pretrial conference, it shall be the duty of counsel to contact each other and make a sincere effort to dispose of the matter by settlement and to agree on any matters of evidence about which there is no genuine dispute.

It shall be the duty of counsel to do the following at the pretrial hearing, and failure to be prepared may result in dismissal of the case for want of prosecution, in a default judgment, or other such action to enforce compliance as the Judge or Magistrate deems appropriate.

1. All parties and counsel must be present at pretrial unless such presence is excused by the Judge or Magistrate.

2. Each counsel shall present to the Court, in writing, a statement of the issues involved, of matters stipulated, and of all questions of law which are expected to be involved in the case.

3. Each counsel shall bring to the pretrial all available exhibits which are to be offered in evidence at the trial.

4. Each counsel, claiming same, shall present in writing to the Court an itemization of all special damages claimed.

5. Each counsel shall present to the Court, in writing, a statement indicating the names of all witnesses, both expert and non-expert, expected to be called at the trial; whether or not a view will be requested; whether or not a jury trial previously demanded will now be waived, and if not, the number of jurors demanded; and whether the case is one where the issue of liability should be tried separately with a subsequent trial on the issue of damages, if liability is found.

6. Each counsel shall come to pretrial fully prepared and authorized to negotiate towards settlement of the case.

7. The list of citations of authority for instructions requested by counsel, if available.

Mansfield Ohio Municipal Court
Local Rule 7 - Case Management in Criminal Cases

A. PURPOSE

The purpose of this rule is to establish a system for criminal case management which will provide 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.

B. SCHEDULE OF EVENTS

Scheduling begins after arraignment. Request for continuances shall be granted only upon a showing of good cause. All requests for continuances shall be in writing and served on opposing counsel, or if the opposing party is unrepresented, on the party. No requests for continuance will be considered if made less than ten (10) working days before trial except for extreme cause. Continuances will be granted to a date certain.

1. Pretrials: The pretrial shall be conducted in accordance with Criminal Rule 17.1. Any attorney who fails to appear for pretrial without just cause being shown may be punished for contempt of Court. Any Defendant who fails to appear may have a bench warrant issued for their arrest.

2. Motions: All motions, except those normally made at trial, shall be in writing, served on opposing counsel, and made within time limits prescribed in the Ohio Rules of Criminal Procedure. Motions will be supported by memoranda of law containing applicable statutes and case law citations.

A date and time for oral hearing upon motions must be obtained from the Assignment Commissioner. Parties wishing to respond in writing to such motions shall do so no later than the ten (10) days following service of the motion or three (3) days prior to the oral hearing date.

All motions not heard nor decided prior to trial will be disposed of at trial.

3. Trials: Each case not resolved at pretrial shall be set for trial. If a jury demand is timely filed, then the case will be moved to the jury trial schedule. All attorneys and/or parties shall notify the Court at least ten (10) days prior to trial if the case will be disposed of or proceed to trial. No continuance will be granted otherwise and jury costs will be added to their case.

Any Defendant who fails to appear may have a bench warrant issued for their arrest.

4. Sentencing/Pre-Sentence Investigation (PSI): Sentencing shall take place the day of trial unless counsel or Defendant has made prior arrangements with the Court to set the matter for sentencing at a later date. Any Defendant who fails to appear for either sentencing or a PSI, may have a bench warrant issued for their arrest.

5. Continuances: Request for continuances shall be in writing, stating the reason with documentation of any alleged conflict and served upon opposing counsel, or if the opposing party is unrepresented, on the party. No request for continuance will be considered if made less than ten (10) working days before trial except for extreme causes. Continuances will be granted to a date certain. All requests for continuances shall be signed by counsel, or if unrepresented, the party.

C. CHANGE OF PLEA BY AGREED JUDGMENT ENTRY

Change of Plea pursuant to an Agreed Judgment Entry on all Minor Misdemeanors will be fined the Maximum allowable fine, plus applicable Court costs, unless otherwise approved by the Court.

Change of Plea pursuant to an Agreed Judgment Entry on all offenses other than Minor Misdemeanors will only be permitted with prior approval of Court; in such case, the fine, applicable Court costs, and any period of incarceration and/or probation are to be determined by Court and included on the Agreed Judgment Entry.

Fine and costs must be submitted in full with the Judgment Entry. All offenses involving changes of plea by Judgment Entry are subject to the approval of the Court prior to submission of the Judgment Entry.

Mansfield Ohio Municipal Court
Local Rule 8 - Case Management in Civil Cases

A. PURPOSE

The purpose of this rule is to establish a system for civil case management which will achieve the prompt and fair disposal of civil cases.

B. SCHEDULE OF EVENTS

The scheduling of a case begins when a civil case is filed.

C. 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, or the party, immediately. If counsel, or the party, fails to obtain service of summons within six (6) months from the date the cause of action was filed, then the Court shall immediately dismiss the cause of action.

2. 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 fifteen (15) days unless good cause is shown.

3. After any responsive pleading is filed, the Clerk shall immediately forward said pleading and file to the Judge or Magistrate so the matter may be set for a hearing.

4. When a file has been marked 'settlement entry to come' and the entry has not been received within thirty (30) days, then the Court shall notify the party that his case will be dismissed unless the entry is received within ten (10) days.

D. JUDICIAL STEPS

1. Status Hearing: After an answer is filed, the case will be assigned to a Judge and the Clerk will forward the file to said Judge. The Court may 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. Any attorney or party to the action who fails to attend a scheduled status hearing, without just cause being shown, may have the case dismissed, or Answer stricken.

All status conferences and pretrials must be conducted in person, unless a motion to conduct said hearing by phone is filed at least fourteen (14) days in advance.

2. Pretrials: For the purpose of this rule, "pretrial" 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(s) of record.

Any attorney or party to the action who fails to attend a scheduled pretrial conference, without just cause being shown, may have their case dismissed, or Answer stricken.

Notice of pretrial conference shall be given to all counsel of record by mail, attorney mailbox, and/or by 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 or Magistrate to whom the case has been assigned.

Counsel attending the pretrial conference must have complete authority to stipulate on items of evidence and must have full settlement authority.

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 shall, at that time, determine whether or not trial briefs should be submitted and shall fix a date when they are to be filed.

If the case cannot be settled at pretrial, then the case will be set for trial at a time agreeable to all parties.

3. Motions: All motions must be in writing and accompanied by a written memorandum containing citations and the arguments of counsel. Opposing counsel shall answer in like manner no later than fourteen (14) days following service of the motion or three (3) days prior to the oral hearing date if an oral hearing has been requested. There will be no oral hearings granted in said motions unless the parties request an oral hearing in writing and/or the Court deems it necessary.

4. Continuances: Request for continuances shall be granted only upon a showing of good cause. All requests for continuances shall be in writing stating the reason with documentation of any alleged conflict and served upon opposing counsel, or if the opposing party is unrepresented, on the party. No request for continuance will be considered if made less than ten (10) working days before trial except for extreme cause. Continuances will be granted to a date certain.

5. Judgment Entries: Counsel for the party in whose favor an order or judgment is rendered shall prepare a judgment entry. That entry shall be submitted to opposing counsel within ten (10) days of the decision. Opposing counsel shall approve or reject the entry within five (5) days. Within twenty (20) days of the decision, the journal entry shall be submitted to the Judge or Magistrate, or thereafter, the Court will prepare the journal entry.

Entries of settlement may be filed at any time. The voidance of trial by settlement shall be allowed without the filing of an entry, but such entry shall be filed within twenty (20) days of the date of trial, or the case will be dismissed for want of prosecution.

6. Post Judgment Executions: All post judgment executions shall include a notice of execution which shall be completed by the executing party and filed with the Clerk of Court at the time of filing the execution.

E. SCHEDULING OF EVENTS

Cases that have time limits established by the Ohio Revised Code shall be set within those time limits for hearing. Hearing dates on executions will be obtained from the Clerk of Court at time of filing not exceed ten (10) days from the date of service.

F. GARNISHMENTS/REVIVORS

All garnishment hearings and actions to revive a dormant judgment will require the appearance of the parties. The appearance may be in person; however, the Court will accept an appearance by affidavit in lieu of personal appearance. Said affidavit shall contain all pertinent information, i.e., date of judgment, amount awarded and amount still owing, etc.

G. DAMAGES HEARING

All hearings on damages will require the presence of the party seeking an award of monies. The failure to have a party present will result in the dismissal of the action.

H. CREDIT CARD COMPANIES

Any civil matters where credit card companies are seeking damages for non-payment, the following is required:

At trial, Plaintiff must produce monthly account statements to establish the balance prayed for in the complaint, starting from a zero balance or four years of statements, whichever is less. The statements must show the interest rate(s) charged by Plaintiff. Plaintiff must also produce a legible copy of the cardholder's agreement which was in existence when the Defendant last used the account. Plaintiff's evidence must be admissible under the rules of evidence. The Court will not require said documents to be attached to complaint at the time of filing.

In the event Defendant was charged interest in excess of 25% per year before the account was charged-off, Plaintiff must calculate the balance owed on the account, excluding usurious interest. For those months that Defendant was charged more than 25% per year, the Plaintiff must recalculate the balance due assuming interest at the statutory rate.

In the event the account is no longer held by the original issuer, Plaintiff must show documentary proof of the assignment of the account to demonstrate its legal status to pursue its claim against the Defendant.

If the Plaintiff fails to present admissible evidence of the account as set forth above, the Court may enter judgment in favor of Defendant because Plaintiff cannot meet its burden of proof.

Mansfield Ohio Municipal Court
Local Rule 9 - Mediation

A. ABOUT MEDIATION

Mediation is a settlement process in which the Mansfield Municipal Court appointed Mediator meets with litigants to encourage them to develop workable solutions for their differences away from the courtroom. The Administrative Order accomplishes this mission by convening the parties in confidential negotiating sessions, facilitating the negotiations and monitoring settlement solutions until the parties have concluded the settlement process.

B. CIVIL MEDIATION

All civil cases, with the exception of small claims and forcible entry and detainer, shall be referred to mediation. The referral to mediation shall occur once service has been completed on all parties, or shall occur at the scheduling conference, whichever occurs first.

Mediation shall be held in accordance with the applicable Mansfield Municipal Court Local Rules, including all subsequent amendments thereto. All counsel are required to attend the mediation with their clients and to be prepared to discuss their settlement position. When a party is insured, Defendants and adjusters need to be present for mediation if liability is contested. If liability is not contested, only adjusters are required to attend, Defendants may, but need not attend.

A court-appointed mediator conducts the mediation conferences. The goal of mediation is to offer participants a confidential, risk-free opportunity to evaluate their case candidly with an experienced mediator who has reviewed the case file in detail, and to explore the potential of resolving any disputed issues, whether substantive or procedural.
The mediation will be held at the Mansfield Municipal Court, 30 North Diamond Street, Mansfield, Ohio, 44902.

A non-refundable civil mediation fee of $35.00 per party shall be paid within fourteen (14) days of the Order referring the matter to mediation. Payment shall be made to the Mansfield Municipal Court Clerk of Court, 30 North Diamond Street, Mansfield, Ohio, 44902. Non-payment by either party per this Rule will result in the plaintiff having the Complaint dismissed or the Defendant having the Answer stricken.

C. SCHEDULING AND FORMAT

The Court attempts to schedule all mediation conferences, by written notice from the Court, three to four weeks in advance of the mediation conference date. The Court expects all parties, their attorneys and/or their insurance representatives to attend the conference with full settlement authority.

Most mediation conferences begin with an inquiry into the circumstances that led to the filing of the case, and all parties are given an opportunity to state their views of the case. This discussion allows the mediator and the parties to understand the issues. The mediator will then ask the parties to suggest and evaluate options to resolve the case. Often, a candid examination of the probabilities for various possible outcomes helps parties reach consensus in settling the case.

Initial conferences typically last one to two hours, but may last longer. In some cases, parties generate proposals that require further review and, if this happens, further sessions may occur. The mediator may schedule follow-up telephone or in-person conferences, with or without clients, as necessary, to pursue fully all opportunities for negotiated settlements.

D. BRIEFS

The Court may suspend the briefing schedule until the parties complete negotiations, and the parties should review the Court's entry referring the case to mediation for any orders related to the due dates for briefs. The mediator has the authority to return cases to the regular docket and terminate stays if the parties are not making progress in resolving their case. Entries lifting stays, including entries returning cases to the regular docket, will set forth when briefs will be due. If no stay of the briefing schedule is in effect, or if a stay has been lifted, parties must file briefs and other documents when such filings are due, and the Court will dismiss cases for want of prosecution or take other action if the parties do not file briefs timely.

E. WHAT PARTICIPANTS CAN EXPECT

Generally, participants can expect the mediator to lead a thoughtful and sometimes detailed exploration of the elements of the case. The extent of the preparation will vary with the amount of information available at the time of the conference. The mediator will inquire about settlement, and will help the parties discover common interests if they are not immediately evident. The mediator will make every effort to generate offers and counter offers until the parties either settle the case or reach an impasse. Conferences are relatively informal. They are, however, official proceedings of the Court.

F. WHAT THE COURT EXPECTS

The Court attempts to identify lead counsel for all parties when scheduling conferences. If the Court misidentifies lead counsel, addressees should advise the Court of this mistake in advance of the conference. Lead counsel should also prepare their clients to speak for themselves at the conference.

In most cases, parties move from prior settlement positions more than they expect, requiring further consultation with clients. Thus, counsel should bring clients or the individual with full settlement authority to the conference. If the client is a public board or commission that will need to approve any settlement before implementation, the Court expects counsel to have received firm settlement positions, beyond an initial position, from

such board or commission. The mediator and the parties expend considerable time and effort in preparing for and participating in these mediation conferences. Attitudes and perceptions of participants frequently change in the process. Experience shows that this time and effort is wasted, and opportunities for settlement can be lost, when clients or the individual with full settlement authority do not attend the conference.

G. MANDATORY PARTICIPATION – VOLUNTARY SETTLEMENT

The Court expects the participation of all parties in scheduled conferences. Sometimes the parties cannot resolve the case without the involvement of individuals or groups who are not parties to the litigation. In that event, the Court may invite those additional persons or groups to participate. Even so, any mediated agreement affecting the interests of any party will take effect only with the voluntary consent of all parties.
Any attorney or party to the action who fails to attend a scheduled mediation, without just cause being shown, may have their case dismissed, or Answer stricken.

H. CONFIDENTIALITY

Under R.C. Chapter 2710 (the Uniform Mediation Act) and Ohio Rules of Evidence 408, mediation communications are privileged and are not admissible into evidence. Additionally, all mediation communications are confidential.

Mansfield Ohio Municipal Court
Local Rule 10 - Default Judgments

All motions for default judgment shall be made in writing and clearly state the date the complaint was filed, how service was made, proof of service, and answer date (if applicable). All motions for default judgment shall also contain a list of all damages supported by documentary or other evidence. Motions for relief from judgment under this rule shall be made in accordance to Ohio Rule of Civil Procedure 60 (B).

All motions for default judgment will be addressed by the Court in a non-oral hearing, with the Court reserving the right to set for an oral hearing when deemed necessary by the Court.

Mansfield Ohio Municipal Court
Local Rule 11 - Subject: Affidavits of Indigency

All Affidavits filed by any party in a civil action requesting waiver of Court costs shall be immediately assigned to a Judge of this Court for hearing to determine the accuracy and truthfulness of the affidavit. The Clerk shall take no action on any filing until a Judge of this Court has determined the indigency status.

Mansfield Ohio Municipal Court
Local Rule 12 - Small Claims

A. HOURS OF OPERATION

The hours of operation of the Small Claims Division shall be from 8:00 A.M. to 4:00 P.M., Monday through Friday. Legal Holidays will be observed and the Court shall be closed in accordance with the orders of the Presiding Judge.

B. REFERRAL TO MAGISTRATE

All cases filed in the Small Claims Division of the Mansfield Municipal Court are hereby referred to the Magistrate(s).

C. COMPLAINT

Proper filing of the Complaint and accurate information relative to the address of the Defendant(s) is the responsibility of the Plaintiff.

D. SERVICE OF COMPLAINTS

All service shall be made in accordance with the Ohio Rules of Civil Procedure. If the Plaintiff wishes to obtain personal service, costs of private approved process servers shall be borne by the Plaintiff and all such requests for personal service must be approved by the Magistrate or the Judge.

E. IMPROPER COMPLAINT

Improper Complaint is defined as a Complaint that exceeds the monetary limits of the Court, a Complaint that does not state a legal cause of action, or any Complaint that does not comply with the Ohio Revised Code or Local Rules.

F. DISMISSALS

If an improper Complaint is filed, it may be dismissed by the Court, and all costs deposited are not subject to refund. All such dismissals shall be without prejudice.

G. MANDATORY APPEARANCE

Appearance is mandatory at all scheduled pretrials and trials. If any party fails to appear, the Complaint may be dismissed, or the Answer stricken.

H. CONTINUANCES

No continuance of any hearing shall be granted unless the required Motion or request is filed with the Court, together with a fee of Five Dollars ($5.00), and the opposing side has been given notice. Any continuance must be approved by the Magistrate or Judge.

I. SUA SPONTE TRANSFER TO GENERAL CIVIL DOCKET

If, upon review of the circumstances, the Court finds a cases filed in small claims is more appropriate for the general civil docket, the Court may, at its discretion, transfer the case sua sponte to the general civil docket, with the balance fees and costs being taxed to the Plaintiff.

Mansfield Ohio Municipal Court
Local Rule 13 - Forcible Entry and Detainer

A. COMPLAINT

If the Complaint is filed pursuant to a written lease agreement, a copy of the lease must be attached to the Complaint. In all cases, the deed or other sufficient proof of rights Plaintiff's rights to the real property at issue in the filing must be included with the Complaint. If the lease is a written lease agreement, the lease must be included in the filing of the complaint.

B. HEARING

All forcible entry and detainer cases shall be set for hearing, within the time limits set forth in the Ohio Revised Code, before the Magistrate(s), pursuant to CIV.R.53(D)(1)(a). At the hearing, the Ohio Rules of Evidence and the applicable Ohio Rules of Civil Procedure will be applied. A Writ of Restitution may be requested immediately following the hearing and no later than thirty (30) days after the hearing. Set out date to be determined by the bailiff, no sooner than three (3) days from date of issue.

C. SECOND CAUSE OF ACTION

When service has been made, no answer has been filed on the second cause of action, and the Plaintiff has failed to file a Motion for a Default Judgment within forty-five (45) days of the Defendant's last answer date, the Clerk shall immediately send a letter to the Plaintiff stating that they have seven (7) days to file the Motion. If the Motion is not filed within this time, the cause of action will be dismissed with prejudice.

D. DISMISSAL

Failure of Plaintiff to appear for an eviction/ forcible entry and detainer hearing may result in a dismissal, but the failure to appear is not an adequate substitute for a motion to dismiss. Plaintiff shall appear for all scheduled eviction/ forcible entry and detainer hearings for which they have not filed a dismissal or been granted a continuance. Failure to appear without prior filing so as to notify the Court may result in the Court refusing to allow Counsel to file eviction/forcible entry and detainer actions without prior leave of Court.

Mansfield Ohio Municipal Court
Local Rule 14 - Traffic Violations Bureau

In accordance with Ohio Traffic Rule 13, there is hereby established in the Mansfield Municipal Court a Traffic Violations Bureau with authority to process and dispose of those traffic offenses for which no court appearance is required by law, the Court, or the discretion of the arresting officer. The Clerk is hereby appointed Violations Clerk with authority to delegate the duties of the office as the Clerk sees fit. A schedule of fines has been adopted and is available at the office of the Violations Clerk or Deputy Clerks authorized to accept waivers of trial and pleas of guilty. Such schedule is subject to change by the Judge.

Mansfield Ohio Municipal Court
Local Rule 15 - Minor Misdemeanor Violations Bureau

In accordance with the Ohio Rules of Criminal Procedure 4.1 there is hereby established within the Mansfield Municipal Court a Minor Misdemeanor Violations Bureau, with authority to process and dispose of minor misdemeanors, other than traffic offenses for which no court appearance is required by law, the Court, or the discretion of the arresting officer. The Clerk is hereby appointed Violations Clerk with authority to delegate the duties of this office as the Clerk sees fit. A schedule of fines has been adopted and is available at the office of the Violations Clerk or Deputy Clerks authorized to accept waivers of trial and pleas of guilty. Such schedule is subject to change by the Judge.

Mansfield Ohio Municipal Court
Local Rule 16 - Jury Selection/Fees

Pursuant to Ohio Revised Code Section 1901.25 jury panels shall be selected by the Jury Commission of Richland County as provided in Ohio Revised Code Sections 2313.01 through 2313.26.

Jurors shall receive the same fees as jurors in the Court of Common Pleas. The Clerk of the Mansfield Municipal Court has authority to change those fees as they are changed in the Common Pleas Court of Richland County without further order being necessary.

Mansfield Ohio Municipal Court
Local Rule 17 - Special Funds

The Court hereby finds 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 rehabilitation of existing facilities, the hiring and training of staff, the acquisition of equipment and other related services.

Mansfield Ohio Municipal Court
Local Rule 18 - Civil Court Costs

It is the rule of this Court and so ordered, pursuant to section 1901.26 of the Ohio Revised Code that the court costs in the Civil Division of this Court shall be as follows:

Complaint	$155.00
Each Additional Defendant	$30.00
Alias Summons	$50.00
Each additional Defendant	$25.00
Regular Mail Service	$15.00
Amended Complaint w/summons	$80.00
Each additional Defendant	$25.00
Cross Complaint w/Summons and Service	$70.00
Each additional Defendant	$15.00
(Additional postage fee same as Complaint)	
Third Party Complaint w/Summons and Service	$85.00
Each additional Defendant	$30.00
Petition on Appeal	$120.00
Cognovit Note (includes mail service)	$120.00
Small Claim	$110.00
Additional Defendant	$25.00
Small Claim Contested Hearing	$40.00
Objection to Magistrate's Report	$35.00
Motion to Continue	$5.00
Forcible Entry and Detention (Includes Service)	$140
Each additional Defendant	$15.00
Second Cause of Action	$30.00
Issue Writ of Restitution	$50.00
Motion for Default, Summary or Judgment on Pleadings	$40.00
Motion to Vacate/Modify/Correct Judgment	$45.00
Motion to Revive Judgment	$60.00
Each additional Defendant	$25.00
Trusteeship	$55.00

Replevin-Hearing Prior to Replevin of Chattels	$135.00
Execution-Goods and Chattels (includes Service within County)	$80.00
Security Deposit to be determined by Bailiff	
Execution for Transfer of Title-Mobile Home	$80.00
Security Deposit for Passenger Vehicle, Motorcycle or Pick-up Truck-Not over two-ton capacity	$1000.00
Wage Attachment	$135.00
Bank Attachment (other than)	$95.00 +$1 payable to institution
Personal Service within the County	$65.00
Foreign Sheriff Service Deposit	$100.00 +$15 for service
Debtors Exam-Certified Mail Service	$80.00
Debtors Exam-Personal Service within County	$75.00
Pay-in Order	$15.00
Debtors Disclosure	$35.00
Transfer action to/from Common Pleas (before Judgment)	$50.00
Transfer Small Claims to Regular Docket	$85.00
Certificate of Judgment	$40.00
File Transfer of Judgment	$45.00
Transfer in Complaint-Change of Venue	$115.00
Transfer Complaint out-Change of Venue	$50.00
Motion to Compel	$35.00
Mediation Fee per Party	$35.00

Notice of Appeal	$100.00
BMV Appeal-Petition	$115.00
Subpoena Issued-Prepared and Served by Attorney	$20.00
Subpoena Issued and Personal Service within County	$85.00
Service of Publication-Attorney to make arrangements w/newspaper Exemplified	$20.00
Calling Jury	$35.00
Jury Demand-Deposit (payable 1 week before Jury Trial)	$700.00
Jury Fees per day	$25.00
Witness Fees-One Half day-Plus mileage	$6.00
Witness Fees-All day plus mileage	$12.00
Furnish Copy	$.05/pg
Certified Copy-each	$1.00
Motion for Continuance	$30.00
Order to Show Cause (includes service within County)	$85.00
Leave to Plead	$15.00
Issue Warrant	$70.00

2% Poundage (1% over $10,000.00) collected on money paid to the Clerk in pursuance of an order of Court or Judgments.

ALL COSTS FOR SERVICES SHALL BE PAID AT THE TIME OF FILING.

Mansfield Ohio Municipal Court
Local Rule 19 - Subject: Court Costs in the Criminal/Traffic Division

It is the rule of this Court, and so ordered, pursuant to section 1901.26 of the Ohio Revised Code, that the court costs in the Criminal/Traffic Division of this Court shall be amended as follows:

Basic Costs-Criminal and Non-Moving Violations	$125.00
Basic Costs-Traffic Violations	$135.00
Taking Bonds	$25.00
Issuing Subpoena	$2.00
Preparing Commitment Papers	$2.00
Furnishing Copies	$.05/pg
Certified Copy-each	$1.00
Notice of Appeal	$85.00
Calling a Jury	$30.00
TIDE/Diversion Program (plus any unpaid costs)	$150.00
Release to BMV of Forfeiture of Operators License	$25.00

Mansfield Ohio Municipal Court
Local Rule 20 - Court Service on Mansfield Attorneys

It shall be sufficient service or delivery by the Court, the Clerk of Court, or the Law Director to any attorney who maintains a law office within the City of Mansfield, to place a copy of the document or other paper in the attorney's mailbox maintained in the office of the Clerk of the Mansfield Municipal Court. Any such service or delivery shall be deemed effective two business days after the date the document or other paper is placed in that mailbox. Business days are all days other than Saturdays, Sundays or legal holidays observed by the City of Mansfield.

Mansfield Ohio Municipal Court
Local Rule 21 - Signature Stamp

All authorized personnel of the Mansfield Municipal Court and Mansfield Clerk of Court's Office using any signature stamp of a Judge or Magistrate shall place their initials next to the stamped signature.
Further, any entry or order of this Court bearing the stamped signature of any Judge or Magistrate shall not be an order of this Court unless the initials of the person who used the stamp is placed next to the stamped signature.

Mansfield Ohio Municipal Court
Local Rule 22 - Warrants Issued on Dismissed Case

All warrants issued in matters where the underlying charge(s) is subsequently dismissed are hereby recalled, unless otherwise ordered by the Court.

Mansfield Ohio Municipal Court
Local Rule 23 - Warrants Issued for Failure to Appear

All warrants issued due to Defendants failure to appear, shall set forth the amount of the bond as stated on the bond schedule unless otherwise noted by the issuing Judge or Magistrate, excluding failure to appear for jail and failure to appear for probation.

Mansfield Ohio Municipal Court
Local Rule 24 - Bonds

All bonds posted must be in the name of the Defendant and subsequently applied to all fines and costs owed by the Defendant to the Mansfield Municipal Court.

In the event bond is posted using a credit card or a debit card, the Clerk is hereby authorized to impose an additional, non-returnable fee for the processing therefore in the amount of four (4) percent of the amount of the bond.

Mansfield Ohio Municipal Court
Local Rule 25 - Specialized Docket – Behavioral Health Court (formerly Mental Health Court)

A. ESTABLISHMENT OF BEVAVORIAL HEALTH DOCKET

The Court established a Mental Health Court Specialized Docket Program (now known as Behavioral Health Court) on January 1, 2004, which is now governed under Superintendence Rule 36.20 for Specialized Dockets. It is the goal of Behavioral Health Court to reduce recidivism among individuals with behavioral health issues in the justice system; to reduce periods of incarceration by individuals with behavioral health issues; and to successfully graduate participants from Behavioral Health Court.

B. PLACEMENT ON BEVAVORIAL HEALTH DOCKET

In order to have his/her criminal case placed on the Behavioral Health Court Docket, a criminal Defendant must make an Application for Admission. To qualify for admission, a criminal Defendant must meet the following legal criteria; be a resident of Richland County; be charged with a misdemeanor of the fourth, third, second, and/or first degree unless approved otherwise by the Docket Judge; have a persistent mental illness which would benefit from court monitored treatment; and voluntarily enter Behavioral Health Court. Application for placement in Behavioral Health Court shall be subject to initial assessment by defense counsel, law director, and probation officer ("Assessment Team") subject to approval by the Judge assigned to the criminal case, according to the criteria adopted by the Court. Persons charged with sex crimes (excluding public indecency), and minor misdemeanors may be ineligible for Behavioral Health Court. Mental Health Court is not available if felony charges are pending without approval of the Docket Judge. Upon initial acceptance into Behavioral Health Court, the criminal Defendant is referred for diagnostic evaluation to confirm that he/she meets clinical criteria. Clinical criteria includes: an "Axis One" diagnosis that is consistent with a severe and persistent mental illness; sufficient stability to understand and comply with program requirements; and the criminal Defendant must not pose an unacceptable risk to program staff, family or community. The Assessment Team, subject to approval by the Judge assigned to the case, will determine if the Defendant qualifies for Behavioral Health Court.

C. CASE ASSIGNMENT TO BEHAVIORAL HEALTH COURT DOCKET PROGRAM

Upon Application for Admission to Behavioral Health Court, the case is transferred to the criminal docket of the Judge presiding over Mental Health Court. If the criminal Defendant does not enter the Behavioral Health Court, then the case is transferred to the original criminal docket. Upon acceptance into Behavioral Health Court, the criminal Defendant shall enter a plea of guilty and be sentenced. Sentence will be suspended subject to terms of probation that will include the mental health treatment plan. The Judge presiding over Behavioral Health Court shall have the primary responsibility for case management. In the event the criminal Defendant is unsuccessfully terminated from Behavioral Health Court

for any reason, the case shall be returned to the regular docket of the Judge presiding over Behavioral Health Court.

D. BEHAVIORAL HEALTH COURT DOCKET CASE MANAGEMENT

Criminal Defendants accepted into Behavioral Health Court will participate in counseling for mental health (individual and/or group sessions) and for substance abuse, if appropriate. The treatment plan may also include obtaining stable housing and reliable transportation, completing high school or obtaining a GED, participating in vocational assessment and entering appropriate training, obtaining and maintaining employment (either part or full time). The Program Description, Participant Handbook, and Participation Agreement (as amended from time to time) are incorporated by reference.

E. GRADUATION FROM BEHAVIORAL HEALTH DOCKET PROGRAM

Upon successful completion of the Treatment Plan, the criminal Defendant is graduated from Behavioral Health Court and may be placed on none reporting probation for one (1) year. If the criminal Defendant is unsuccessfully terminated from Behavioral Health Court, a probation violation hearing may be scheduled. In the event the Court finds the probation terms have been violated, the remaining sentence may be imposed. A criminal Defendant may also be neutrally discharged if they are no longer capable of completing Behavioral Health Court.

Mansfield Ohio Municipal Court
Local Rule 26 - Specialized Docket – Veteran's Court

A. ESTABLISHMENT OF VETERAN'S COURT DOCKET

The Court established a specialized docket to address the unique challenges facing our Veterans as they return to civilian life often with serious trauma, both physical and mental which may contribute to their involvement with the criminal justice system. The Court believes we have a responsibility to ensure that Veterans receive the evidence-based intervention and treatment they need and on November 1, 2009 established a Veteran's Court Specialized Docket Program (Veteran's Court), which is now governed under Ohio Supreme Court Superintendence Rule 36.20 for Specialized Dockets. It is the goal of Veteran's Court to link Veterans with various benefits, programs, evidence-based treatment and foster interaction with other Veteran peers to reduce recidivism among those Veterans with behavioral health issues in the criminal justice system; to reduce the need for incarceration, as well as periods of incarceration for those sentenced with treatable medical, substance abuse and behavioral health issues; and to successfully graduate participants from the Veteran's Court.

B. PLACEMENT ON VETERAN'S COURT DOCKET

In order to have his/her criminal case placed on the Veteran's Court Docket, a criminal Defendant must make an Application for Admission. To qualify for admission, a criminal Defendant must meet the following legal criteria: be a Veteran or currently serve in the United States Military, be a resident of Richland County; be charged with a misdemeanor of the fourth, third, second, and/or first degree unless approved otherwise by the Docket Judge; be amenable to treatment and acknowledge a willingness to comply with the recommendation of the treatment team, be able to benefit from court monitored treatment and supervision; and the Veteran must voluntarily enter Veteran's Court. Application for placement in Veteran's Court shall be subject to initial assessment by defense counsel, law director, and/or probation officer ("Assessment Team") subject to approval by the Judge assigned to the criminal case, according to the criteria adopted by the Court. Persons charged with sex crimes (excluding public indecency), and minor misdemeanors may not be eligible for Veteran's Court. Veteran's Court is not available if felony charges are pending without approval of the Docket Judge. Upon initial acceptance into Veteran's Court, the participant is referred for diagnostic evaluation to confirm that he/she meets clinical criteria. Clinical criteria include treatable medical, psychological, substance abuse or mental health condition that may have contributed to the participant's involvement with the criminal justice system. Mental Health conditions include an "Axis One" diagnosis that is consistent with a severe and persistent mental illness; sufficient stability to understand and comply with program requirements; and the criminal Defendant must not pose an unacceptable risk to program staff, family or community. All Veterans are screened for PTSD (Post Traumatic Stress Disorder). The Assessment Team following assessments and evaluations, subject to approval by the Judge assigned to the case will determine if the Defendant qualifies for Veteran's Court.

C. CASE ASSIGNMENT TO VETERAN'S COURT DOCKET PROGRAM

Upon Application for Admission to Veteran's Court, the case is transferred to the criminal docket of the Judge presiding over Veteran's Court. If the criminal Defendant does not enter the Veteran's Court, then the case is transferred to the original criminal docket. Upon acceptance into Veteran's Court, the criminal Defendant shall enter a plea of guilty and be sentenced. Sentence will be suspended subject to terms of probation that will include the Veteran's Treatment Plan. The Judge presiding over Veteran's Court shall have the primary responsibility for case management. In the event the criminal Defendant is unsuccessfully terminated from Veteran's Court for any reason, the case shall be returned to the regular docket of the Judge presiding over Veteran's Court.

D. VETERAN'S COURT DOCKET CASE MANAGMENT

Criminal Defendants accepted into Veteran's Court will participate in counseling (individual and/or group sessions) and for substance abuse, if appropriate. The treatment plan may also include obtaining stable housing and reliable transportation, completing high school or obtaining a GED, participating in vocational assessment and entering appropriate training, obtaining and maintaining employment (either part or full time). The Program Description, Participant Handbook, and Participation Agreement (as amended from time to time) are incorporated by reference.

E. GRADUATION FROM VETERAN'S COURT DOCKET PROGRAM

Upon successful completion of the Veteran's Treatment Plan, the participant is graduated from Veteran's Court and may be placed on non-reporting probation for one (1) year. If the criminal Defendant is unsuccessfully terminated from Veteran's Court, a probation violation hearing may be scheduled. In the event the Court finds the probation terms have been violated, the remaining sentence may be imposed. A criminal Defendant may also be neutrally discharged if they are no longer capable of completing Veteran's Court.

Mansfield Ohio Municipal Court
Local Rule 27 - Specialized Docket – Treatment Court

A. ESTABLISHMENT OF TREATMENT COURT DOCKET

The Court established a specialized docket to address the increasing criminal cases resulting from growing crime and recidivism associated with substance abuse and addiction. The Court believes we have a responsibility to ensure that participants in special court programs designed to reduce crime and recidivism receive the evidence-based intervention and treatment they need and on April 1, 1997 established a Treatment Court Specialized Docket Program (Treatment Court) which is now governed under Ohio Supreme Court Superintendence Rule 36.20 for Specialized Dockets. It is the goal of the Treatment Court to link participants with various support programs, and evidence-based treatment to reduce recidivism among those participants with substance abuse, addiction, and behavioral health issues in the criminal justice system; to reduce the need for incarceration, as well as periods of incarceration for those sentenced with treatable medical, substance abuse and behavioral health issues; and to successfully graduate participants from the Treatment Court.

B. PLACEMENT ON TREATMENT COURT DOCKET

In order to have his/her criminal case placed on the Treatment Court Docket, a criminal Defendant must make an Application for Admission. To qualify for admission, a criminal Defendant must meet the following legal criteria: be a resident of Richland County; be charged with a misdemeanor of the fourth, third, second, and/or first degree unless approved otherwise by the Docket Judge; be amenable to treatment and acknowledge a willingness to comply with the recommendation of the treatment team, be able to benefit from court monitored treatment and supervision; and the Participant must voluntarily enter Treatment Court. Application for placement in Treatment Court shall be subject to initial assessment by defense counsel, law director, and/or probation officer ("Assessment Team") subject to approval by the Judge assigned to the criminal case, according to the criteria adopted by the Court. Persons charged with sex crimes (excluding public indecency), and minor misdemeanors may not be eligible for Treatment Court. Treatment Court is not available if felony charges are pending without approval of the Docket Judge. Upon initial acceptance into Treatment Court, the participant is referred for diagnostic evaluation to confirm that he/she meets clinical criteria. Clinical criteria include treatable addiction, medical, psychological, substance abuse or mental health condition that may have contributed to the participant's involvement with the criminal justice system. If there is a co-occurring mental health condition that includes an "Axis One" diagnosis that is consistent with a severe and persistent mental illness the Defendant may be considered for Mental Health Court. He/she must have sufficient stability to understand and comply with program requirements and the Defendant must not pose an unacceptable risk to program staff, family or community to be accepted. The Assessment Team, following assessments and evaluations, subject to approval by the Judge assigned to the case will determine if the Defendant qualifies for Treatment Court.

C. CASE ASSIGNMENT TO TREATMENT COURT DOCKET PROGRAM

Upon Application for Admission to Treatment Court, the case is transferred to the criminal docket of the Docket Judge presiding over Treatment Court. If the criminal Defendant does not enter Treatment Court then the case is transferred to the original criminal docket. Upon acceptance to Treatment Court; the criminal Defendant shall enter a plea of guilty and be sentenced. Sentence will be suspended subject to terms of probation that will include the Participants Treatment Plan. The Judge presiding over Treatment Court shall have the primary responsibility (final decision maker) for case management. In the event the criminal Defendant is unsuccessfully terminated from Treatment Court for any reason, the case shall be returned to the regular docket of the Judge presiding over the Treatment Court.

D. TREATMENT COURT DOCKET CASE MANAGEMENT

Criminal Defendants accepted into Treatment Court will participate in counseling (individual and/or group sessions) as well as substance abuse treatment, if appropriate. The treatment plan may also include obtaining stable housing and reliable transportation, completing high school or obtaining a GED, participating in vocational assessment and entering appropriate training, obtaining and maintaining employment (either part or full time). The Program Description, Participant Handbook, and Participation Agreement (as amended from time to time) are incorporated by reference.

E. GRADUATION FROM TREATMENT COURT DOCKET PROGRAM

Upon successful completion of the Treatment Plan, and the participant is graduated from Treatment Court and may be placed on non-reporting probation for one (1) year. If the criminal Defendant is unsuccessfully terminated from Treatment Court, a probation violation hearing may be scheduled. In the event the Court finds the probation terms have been violated, the remaining sentence may be imposed. A criminal Defendant may also be neutrally discharged if they are no longer capable of completing Treatment Court.

Mansfield Ohio Municipal Court Local Rule
Local Rule 28 - Specialized Docket – Domestic Violence Court

A. ESTABLISHMENT OF DOMESTIC VIOLENCE COURT DOCKET

The Court established a specialized docket to address the increasing criminal cases associated with domestic violence by providing offenders with batterers' intervention services to reduce recidivism while ensuring the safety of victims. The Court believes we have a responsibility to ensure that participants in special court programs designed to reduce the crime of domestic assault receive the evidence based intervention and treatment they need and in 2008 established a Domestic Violence Specialized Docket Program (Domestic Violence Court) which is now governed under Ohio Supreme Court Superintendence Rule 36.20 for Specialized Dockets. It is the goal of Domestic Violence Court to link participants with various batterers' intervention and support programs using evidence based treatment to reduce recidivism among those participants with mental health, substance abuse, addiction, and behavioral health issues in the criminal justice system; to reduce the need for incarceration, as well as periods of incarceration for those sentenced with treatable medical, substance abuse and behavioral health issues; and to successfully graduate participants from the Domestic Violence Court.

B. PLACEMENT ON DOMESTIC VIOLENCE COURT DOCKET

In order to have his/her criminal case placed on the Domestic Violence Court Docket, a criminal Defendant must make an Application for Admission. To qualify for admission, a criminal Defendant must meet the following legal criteria: be a resident of Richland County; be charged with a misdemeanor of the fourth, third, second, and/or first degree unless approved otherwise by the Docket Judge; be amenable to treatment and acknowledge a willingness to comply with the recommendation of the treatment team, be able to benefit from court monitored treatment and intensive supervision; and the participant must voluntarily enter Domestic Violence Court. Application for placement in Domestic Violence Court shall be subject to initial assessment by defense counsel, law director, and/or probation officer ("Assessment Team") subject to approval by the Judge assigned to the criminal case, according to the criteria adopted by the Court. Persons charged with sex crimes (excluding public indecency), and minor misdemeanors may not be eligible for Domestic Violence Court. Domestic Violence Court is not available if felony charges are pending without approval of the Docket Judge. Upon initial acceptance into Domestic Violence Court, the participant is referred for assessment and diagnostic evaluation to confirm that he/she meets clinical criteria. Clinical criteria include treatable addiction, medical, psychological, substance abuse or mental health condition that may have contributed to the participant's involvement with the criminal justice system. If there is a co-occurring mental health condition that includes an "Axis One" diagnosis that is consistent with a severe and persistent mental illness the Defendant may be considered for Mental Health Court. He/she must have sufficient stability to understand and comply with program requirements and the Defendant must not pose an unacceptable risk to the victim, family, program staff, or community to be accepted. The Assessment Team, following

assessments and evaluations, subject to approval by the Judge assigned to the case will determine if the Defendant qualifies for Domestic Violence Court.

C. CASE ASSIGNMENT TO DOMESTIC VIOLENCE COURT DOCKET PROGRAM

Upon Application for Admission to the Domestic Violence Court Docket Program, the case is transferred to the criminal docket of the Docket Judge presiding over Domestic Violence Court. If the criminal Defendant does not enter Domestic Violence Court, then the case is transferred to the original criminal docket. Upon acceptance to Domestic Violence Court; the criminal Defendant shall enter a plea of guilty and be sentenced. Sentence will be suspended subject to terms of probation that will include the Participants Treatment Plan. The Docket Judge presiding over Domestic Violence Court shall have the primary responsibility (final decision maker) for case management. In the event the criminal Defendant is unsuccessfully terminated from Domestic Violence Court for any reason, the case shall be returned to the regular docket of the Judge presiding over Domestic Violence Court.

D. DOMESTIC VIOLENCE COURT DOCKET CASE MANAGEMENT

Criminal Defendants accepted into Domestic Violence Court will participate in developing the treatment plan which will include counseling (individual and/or group sessions) as well as substance abuse treatment, if appropriate. The treatment plan may also include obtaining stable housing and reliable transportation, completing high school or obtaining a GED, participating in vocational assessment and entering appropriate training, obtaining and maintaining employment (either part or full time). The Program Description, Participant Handbook, and Participation Agreement (as amended from time to time) are incorporated by reference.

E. GRADUATION FROM DOMESTIC VIOLENCE COURT DOCKET PROGRAM

Upon successful completion of the Treatment Plan, and after meeting all conditions of probation, the participant is graduated from Domestic Violence Court and may be placed on non-reporting probation for up to one (1) year. If the criminal Defendant is unsuccessfully terminated from Domestic Violence Court, a probation violation hearing may be scheduled. In the event the Court finds the probation terms have been violated, the remaining sentence may be imposed. A criminal Defendant may also be neutrally discharged if they are no longer capable of completing Domestic Violence Court.

Mansfield Ohio Municipal Court Local Rule
Local Rule 29 – Court Appointed Fees Deadline

Unless an extension has been granted by the Court, if a completed "Motion, Entry, and Certification for Appointed Counsel Fees" is not received by the Office of the Mansfield Clerk of Court within sixty (60) days after the date the case was finally disposed of by the Court, such fee will be denied for payment. If the sixtieth (60th) day falls on a weekend or a holiday in which the Court is not open, the "Motion, Entry, and Certification for Appointed Counsel Fees" must be received by the next available business day for payment to be received.

Mansfield Ohio Municipal Court Local Rule
Local Rule 30 – Revivors

For revivors, Court will conduct non-oral hearings and parties are to submit any evidentiary materials prior to the date on which the hearing is scheduled. When deemed necessary by the Court, revivors will be set for oral hearings and notice will be provided to the parties.

Mansfield Ohio Municipal Court Local Rule
Local Rule 31 – Reporting to Law Enforcement Compliance Plan

The Court, with the cooperation of the clerk of court, law enforcement agencies, and any other applicable justice system partners, has developed a "Reporting to Law Enforcement & Compliance Plan".

Accordingly, as promulgated by the Ohio Rules of Superintendence and the Ohio Revised Code, fingerprints shall be obtained if the offense involved a felony, escalating misdemeanor, misdemeanor specified in O.R.C. 190.572(A)(1)(a), (A)(4)(a), or (A)(6)(a) as prescribed by the Revised Code and Supreme Court of Ohio rules, including O.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).

To facilitate this, prior to each daily arraignment docket, the Mansfield Municipal Clerk of Court shall identify defendants to be arraigned that are required to be fingerprinted but have not previously been fingerprinted/not been assigned an Incident Tracking Number (ITN) upon arrest/booking pursuant to Ohio Revised Code, Sections 109.572 and 109.60, and shall indicate fingerprints are needed on the case jacket. At arraignment, the Court shall verbally notify all persons still needing fingerprinted of the necessity to go to the Richland County Sheriff's Office within 24 hours for the purpose of fingerprinting.

Upon a defendant pleading guilty or being found guilty of an offense of violence as defined by Ohio Revised Code, Section 2901.01(A)(9)(a) or any substantially similar

municipal ordinance; or pleading guilty or being found guilty of conspiracy or attempt to commit, or complicity in committing an offense of violence as defined by Ohio Revised Code, Section 2901.01(A)(9)(a); or any substantially similar municipal ordinance and being ordered to a mental health evaluation; or being found not guilty by reason of insanity; or being found incompetent to stand trial, the Court shall complete Form 95: NCIC Mental Health Notice. Subsequently, the Clerk of Court shall docket the completed Form 95, maintain the original in a manner not subject to public access or public records requests, and the Court or Clerk shall transmit a copy of the completed form to the arresting law enforcement agency to enter into NCIC via the Ohio Law Enforcement Automated Data System (LEADS) as established in ORC 2929.44.

Further, information regarding protection orders shall be reported as prescribed by the Revised Code and Supreme Court rules, including O.R.C. 2903.213, 2903.214, and 2919.26, and Sup.R. 10(A).

Additionally, information shall be reported 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.

Complete and accurate records shall be maintained 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

Whether or not expressly commanded by the entry sealing or expunging a record, the Clerk shall report 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 shall review the Reporting to Law Enforcement & Compliance Plan every three years from its adoption date.