

IN THE COURT OF COMMON PLEAS, GALLIA COUNTY, OHIO
GENERAL DIVISION

IN RE:

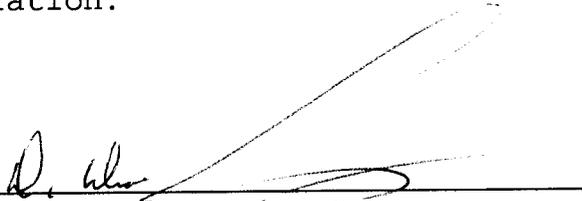
Misc. No. 13 MS 4

LOCAL RULES OF PRACTICE
AND PROCEDURE FOR GENERAL
AND DOMESTIC RELATIONS
DIVISION OF THE GALLIA
COUNTY COMMON PLEAS COURT

Now comes the Court and finds, pursuant to Gallia County C.P.R. 1.03, that the proposed amendment of Gallia County C.P.R. 2.03 entitled "DEPOSIT FOR COSTS" has been posted for the prescribed period and has otherwise met the criteria for amendment, without response by members of the Gallia County Bar Association and that same should become effective April 17, 2013.

IT IS, THEREFORE, ORDERED that Gallia County C.P.R. 2.03, "DEPOSIT FOR COSTS", be and same is hereby amended as shown on the attachment hereto, effective April 17, 2013.

It is further ordered that this amendment be filed with the Clerk of this Court; Clerk of the Supreme Court of Ohio, 65 South Front Street, 8th Floor, Columbus, Ohio 43215-3431; Fourth Appellate District, 14 South Point Street, Ste. 18, Chillicothe, Ohio 45601; and members of the Gallia County Bar Association.


D. DEAN EVANS, JUDGE

J385 Dg447
FILED
CLERK OF COURTS
GALLIA COUNTY, OHIO
2013 APR 18 AM 8:37
GALLIA COUNTY BAR ASSOCIATION

RULE 2.03

DEPOSITS FOR COSTS

I. No civil action or proceeding shall be accepted by the Clerk for filing unless the party offering the same for filing shall have first deposited a sum to secure the payment of the costs (charged in accordance with ORC 2303.20 A-Z) that may accrue in such action or proceeding, except as otherwise provided by law. Such advance deposit shall be in accordance with the following schedule:

| | |
|---|----------|
| Domestic with children (Divorce, Dissolution, Annulment)----- | \$500.00 |
| Domestic without children (Divorce, Dissolution, Annulment)----- | \$450.00 |
| Aid of execution, Judgment Debtor Exam----- | \$250.00 |
| Personal Earnings Wage Garnishment----- | \$250.00 |
| All other garnishments----- (+ \$1.00 check payable to garnishee) | \$250.00 |
| Land sale or foreclosure action----- | \$685.00 |
| Other civil actions (including mediation)----- | \$275.00 |
| Out-of-County <u>personal</u> service (all cases)----- | \$50.00 |
| Cross, counter, or third party complaint in civil action----- (\$5.00 for each additional defendant after 5) | \$50.00 |
| Proceedings to vacate, revive, and change, or modify judgment----- | \$250.00 |
| All filings or requests for service not covered by the above----- | \$50.00 |
| Filing foreign judgment----- | \$235.00 |
| Expungment----- | \$250.00 |
| Making certificate of judgment----- | \$5.00 |
| Release of certificate of judgment (other than state of Ohio case)----- | \$5.00 |
| Release of State of Ohio lien----- | \$60.00 |
| Filing certificate of judgment----- | \$30.00 |

Notary filing-----\$7.00
 Copy (per page)-----\$0.25
 Court of Appeals deposit-----\$85.00

- II. On cases transferred to the Common Pleas Court in which the prayer of the cross-complaint exceeds the monetary jurisdiction of the Municipal Court, the party filing the cross-complaint shall post security for costs in a sum equal to the amount required as if the case had been originally filed in this court.
- III. In cases with multiple parties, the Clerk may require the party requesting service to advance an amount estimated by the Clerk to be sufficient to cover the cost thereof.
- IV. Additional fee for computerized legal research service.
 - A. Pursuant to Section 2303.201(A) of the Ohio Revised Code, the Clerk is authorized and directed by the Court to charge as cost, a fee of Six Dollars (\$6.00) on the filing of each cause or appeal under divisions (A), (Q), and (U) of Section 2303.20 of the Revised Code.
 - B. Pursuant to Section 2303.201(B)(1) of the Ohio Revised Code, the Clerk of Courts is authorized and directed to charge as cost, a fee of Twenty Dollars (\$20.00) on the filing of each cause of action, appeal, certificate of judgment, or the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment under divisions (A), (P), (Q), (T), and (U) of Section 2303.20 of the Revised Code.
- V. A poverty affidavit filed in lieu of a cash deposit must state the reasons for the inability to pay the deposit and is subject to Court review at any stage of the proceedings. The Clerk shall refuse to accept a civil action or proceeding and the poverty affidavit until the party offering same completes and files a sworn Affidavit of Income, Expenses and Financial Disclosure for the Clerk's review and determination of sufficiency. The Affidavit of Income, Expenses and Financial Disclosure will be provided by the Clerk to any party requesting same.
- VI. On all cases of service by publication, the party desiring such service shall arrange for publication with any newspaper of general circulation as required by the Civil Rules and be responsible for said costs. These costs may thereafter be taxed as costs by entry with the affidavit of publication.

VII. The Clerk may require that any check tendered for any payment be certified before the check will be accepted by the Clerk.

VIII. Upon termination of litigation, the Clerk of Courts is authorized to collect all costs accrued prior to entry of Final Judgment by the Court. Said costs may be collected from the deposits accepted by the Clerk upon filing of the initial cause of action or proceeding.