

IN THE COURT OF COMMONPLEAS  
SCIOTO COUNTY, OHIO  
GENERAL DIVISION

IN THE MATTER OF THE ADOPTION OF  
RULE 13 OF THE RULES OF PRACTICE  
OF THE GENERAL DIVISION

JOURNAL ENTRY

Local Rule 13 has been amended. The purpose of this amendment is to provide for a \$25.00 fee in all civil and criminal filings for a special projects fund.

Pursuant to the Rule 5 of the Rules of Superintendence for the Courts of Ohio, notice and an opportunity for comment are to be provided. Please be advised that comments may be forwarded to Judge Harcha and/or Judge Marshall either in person by contacting their offices at 740-355-8207 or 740-355-8301 or in writing and mailing it to 602 7th Street, Portsmouth, OH 45662 no later than August 31, 2009.

Be it resolved by the judges of the general division of the Scioto County Court of Common Pleas that amended Local Rule 13 shall be adopted effective September 1, 2009. The court determines that there is an immediate need for this amendment.

  
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JUDGE WILLIAM T. MARSHALL  
GENERAL DIVISION

  
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JUDGE HOWARD H. HARCHA, III  
GENERAL DIVISION

AMENDED

RULE XIII

DEPOSITS IN CIVIL ACTIONS

(A) Upon the filing of any civil actions or proceedings with the Clerk of this Court, an advance deposit must be made with said Clerk for the prepayment of costs according to an official deposit schedule, which may be modified periodically by judgment entry.

If the costs are not paid at the termination of the litigation, any deposit for costs shall be applied by the Clerk to the unpaid costs. Amounts so applied shall be refunded upon payment by the parties against whom they are assessed. If a party requests service by publication or foreign service, an additional amount sufficient to cover the same shall be deposited by such party with the Clerk or publication service at the Clerk's discretion.

If it is brought to the attention of the Court that any deposit is insufficient, the Court may require additional deposits from time to time or a deposit may be required of a cross petitioner, so as to secure all costs that may accrue.

(B) Where the Plaintiff makes affidavit in the presence of the Clerk, or a Deputy Clerk, of inability to pay or secure costs, the Clerk shall file a Complaint without such deposit or security, unless Rule XIII(C) is applicable.

(C) In partition cases the Plaintiff shall be required to deposit an additional cost of \$200.00 to cover fees paid to the appraisers.

(D) In foreclosure cases the Plaintiff shall be required to deposit as additional cost of \$200.00 to cover fees paid to the appraisers.

(E) \$50.00 of all costs deposited pursuant to this rule shall be deposited in the Scioto County Mediation Fund

(F) \$25.00 of all costs deposited pursuant to this rule shall be deposited in the Special Project Funds