

ATHENS COUNTY COMMON PLEAS  
COURT

LOCAL RULES OF PRACTICE

for

GENERAL DIVISION

CRIMINAL

CIVIL

DOMESTIC RELATIONS

for

ATHENS COUNTY, OHIO

June 2020

These documents are a reorganization of the Local Rules of Practice for the Athens Common Pleas Court, General Division, Criminal, Civil and Domestic Relations, proposed amendments and electronic filing rule additions for the civil and domestic relations divisions.

Since 2017 I've worked on compiling all the amendments into the main body of the local rules so they are all in one place. One of the reasons for taking on the task is that the Ohio Supreme Court requires us to file our local rules with them every year. This unified compilation will make that easier. It will also allow attorneys and the public to find all the local rules in one document. The attached Local Rules of the Athens County Common Pleas Court is a result of consolidating changes made over fourteen years since they were filed January 25, 2006.

At the end of the Local Rules will be the latest proposed Domestic Relations forms. There will also be a table of Athens Common Pleas Clerk of Court's current fees and court costs.

There are proposed amendments to our local rules that are highlighted. And information that is proposed to be stricken that is presented with a line through it. The domestic relations changes are suggested after consulting with Magistrate Melinda K. Bradford concerning updating the forms and practice to conform with today's practices in her court as well as with Magistrate Jon Perrin for the remainder of the rules.

Additionally, I've been working along with former Clerk of Court Ann Trout and current Clerk of Court Candy Russell to modernize the clerk's office handling of cases

since 2016 or so. The upgrades to the Clerk's system was a project that I started looking at it in 2016. Costs of upgrades was an issue so I've pursued and obtained grants to offset the costs. Those grants have been made available through the Ohio Supreme Court.

Out of several applications, I finally obtained a technology grant to upgrade the clerk's case management system in 2018. Its implementation has resulted in granting public access to search the public database of cases on file with the clerk's office as well as modernizing the clerk's case management system. By a separate grant we've also been successful in obtaining a new public computer station that is located in the Law Library. This is for public use which can be used for electronic filing.

The next phase of modernizing the clerk's office is implementing electronic filing ("e-filing"). E-filing allows documents to be filed through internet access. Proposed orders can also be submitted to the judge or magistrate for consideration and signing. Copies of filings and orders can be immediately sent electronically to the parties or their attorneys once accepted and filed by the clerk. These additions can decrease the handling time by the clerk's office of paperwork and also help greatly reduce and possibly eliminate some paper consumption.

The value of this process is that the documents are automatically added into the clerk's case management system instead of requiring hand scanning of each individual page into the system. This is a vast improvement to having to hand scan documents into the system which may cause delays in processing, docketing, and disseminating

such voluminous amounts of paper on a daily basis. An example would be filing a foreclosure action that is extremely lengthy or a domestic relations case that has substantial filings attached with it. To scan each page is time consuming and labor intensive. Multiple filings each day each must be hand scanned in and assigned in the system. Even without those examples the clerk's office processes an exceptional amount of paper each day. Under the new electronic filing rules, pro se filers (parties representing themselves) would continue to be allowed to present documents by hand directly to the clerk's office for filing.

E-filing was started and tested in 2019 and available to all attorneys since January 2020. My thanks to Magistrate Bradford and her staff as well as Attorney Sierra Meek and her office and Attorney K. Robert Toy and his office for helping with testing the e-filing system. With their help we worked out any hiccups and were able to make the system available online to all attorneys and the public in January of 2020. The new electric filing ("e-filing") proposed rules for the general civil division and domestic relations divisions are also attached.

Besides increasing the efficiency to the clerk's office in filing and docketing cases, one continuing issue to address were unpaid civil court costs. Improving both issues would result in better service to the court, attorneys and ultimately the public. Our unclaimed civil court costs are around \$400,000. With the pressure of maintaining or cutting costs in the courthouse budgets in today's world, we must also balance the failure to collect these costs associated with providing services to the public. Therefore,

with e-filing comes a proposed change to require court costs to be paid as the case progresses instead of at the end of the case in an effort to curtail and eliminate such unpaid court costs. Those who qualify as indigent still may apply to defer their deposit payments, as has been the practice in the past.

I encourage you to read the proposed changes and additions. These changes are submitted for public comment through July 25, 2020. You may submit any comments to [gmccarthy@athensoh.org](mailto:gmccarthy@athensoh.org).

Thank you everyone who has helped with these projects along the way including Athens Common Pleas Clerk of Court Candy Russell, Magistrate Melinda Bradford, Magistrate Jon Perrin, and Assignment Commissioner Kathy Wickmann.

Sincerely,



Judge George P. McCarthy