IN THE COURT OF COMMON PLEAS GEAUGA COUNTY, OHIO

IN RE: LOCAL RULES OF COURT : JUDGE FORREST W. BURT

: ORDER OF THE COURT

IT IS HEREBY ORDERED that Geauga County Rule 5 is hereby amended as follows:

RULE 5. SECURITY FOR COSTS

A. No civil action or proceeding shall be accepted by the Clerk for filing in the General Division unless the parties offering the same for filing shall have first deposited a sum to secure the payment of the costs that may accrue in such action or proceeding, except as otherwise provided by these rules or by law. Such advance deposit shall be in accordance with the following schedule and subject to change by amendment of the Court:

Divorce	300.00
Dissolution of marriage	250.00
Malpractice (Professional Tort)	220.00
(for 6 or more defendants \$50 each)	
Other civil cases	220.00
(for 6 or more defendants \$50 each)	
Post decree motion	150.00
(for 6 or more defendants \$50 each)	
Counter post-decree motions	150.00
CSED post-administrative hearing request	150.00
Third-party complaint	150.00
Cross-Claim and/or Counterclaim	150.00
Foreclosure	450.00
(for 6 or more defendants \$50 each)	
Order of sale	300.00
Aid in execution	100.00
Garnishment	100.00
(for 6 or more banks \$50 each)	
Administrative Appeal	150.00
(for 6 or more defendants \$50 each)	
Jury View	350.00
Execution (Sheriff)	200.00
Foreign service of summons/subpoena	55.00

Foreign judgment decree (filing)	10.00
Foreign court decree (transfer for action)	50.00
Satisfaction of judgment	5.00
Sealing of criminal records	200.00
Filing judgment lien	30.00
Prepare judgment lien	5.00
Release of judgment lien	5.00
Partial release of judgment lien	5.00
Notary filing	6.00
Notary certification	3.00
Copies (each page)	.05
Certified Copy (per page)	1.00
Plus \$1.00 for whole document	
Court of Appeals	200.00
Writ of possession	250.00
Certificate of Qualification for Employment	250.00

- B. Where a case has been transferred to the Common Pleas Court when a demand of a cross-claim or counterclaim exceeds the monetary jurisdiction of a municipal court, the cross- claimant or counterclaimant shall post security for costs in a sum equal to the amount required if the case was originally filed in this court.
- C. In cases with multiple parties, the court may require the party requesting service to advance an amount estimated by the court to be sufficient to cover the cost thereof.
- D. A poverty affidavit filed in lieu of cash deposit must state the reasons for the inability to prepay the costs and is subject to court review at any stage of the proceedings.
- E. If, at any time, the deposit for costs becomes insufficient in any case, the court may require an additional deposit in an amount sufficient to cover future costs.
- F. The State of Ohio and its political subdivisions, together with governmental agencies or officers of either, are exempt from this Rule 5.
- G. Any deposit of money as security for costs shall be applied to costs incurred and reimbursed to the depositor by another, if ordered by the Court.

The Clerk shall refuse to process any CSED post-administrative hearing request not accompanied by the required security for costs.

IT IS FURTHER ORDERED that this Rule be filed with the Ohio Supreme Court and become **effective May 15, 2013**.

FORREST W. BURT, ADMINISTRATIVE JUDGE

DAVID L. FUHRY JUDGE, GENERAL DIVISION

cc: Timothy J. Grendell, Judge Forrest W. Burt, Judge David L. Fuhry, Judge Clerk of Courts Carolyn Paschke, Esq. Law Library Supreme Court of Ohio