

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

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CONNEAUT  
MUNICIPAL COURT

It is hereby Ordered, pursuant to Ohio Revised Code Section  
2924.091(A)(1) and 2949.091(A)(2), costs are assessed as following commencing  
January 14, 2013.

\$ 15.00 Costs  
32.00 Municipal Court Improvement Fund  
1.00 Municipal Court Security Fund  
5.00 Adult Supervision Fund  
3.00 Automated Payment Fund  
9.00 Rotary Reparations  
20.00 Indigent Defense Support Fund  
3.50 Drug Enforcement Fund  
1.50 Indigent Drivers Fund  
5.00 Indigent Defense Support Fund  
\$ 95.00 Court Costs

IT IS SO ORDERED.

  
Thomas E. Harris, Judge

Date: January 14, 2013

IN THE CONNEAUT MUNICIPAL COURT

ASHTABULA COUNTY, OHIO

RULES OF PRACTICE

CRIMINAL DIVISION

EFFECTIVE DECEMBER 12, 1995

The following rules in the Criminal Division of the Conneaut Municipal Court are hereby adopted, effective December 12, 1995.

RULE 1

It is the Rule of Court, that Conneaut Municipal Court shall use as its recording of proceedings as required under Rule 8, of the Rules of Superintendence for Municipal and County Courts, a Stenographic Court Reporter.

RULE 2

Defendant shall be arraigned in all cases other than traffic cases, each day except as hereinafter provided, as the necessary papers can be prepared. Arraignments and trials of criminal cases will take precedence over trial of civil cases.

Any individual, arrested for an offense more serious than a minor misdemeanor without a warrant, shall be arraigned, and/or be provided with a probable cause hearing for their detention, within Forty-Eight (48) hours of their original detention.

All traffic citations are to be forwarded to the Clerk of Conneaut Municipal Court on or before 9:00 A.M., on each day when Court is in session and all arraignments will be held on Tuesday of each week, commencing at 10:00 A.M.

RULE 3

The prosecution is expected to have all necessary papers prepared for arraignment and, upon plea of guilty or no contest, a statement of the facts and circumstances concerning the offense charged shall be made to the Court by the City Law Director, Assistant Law Director, or in their absence by an officer acquainted with the facts.

RULE 4

In criminal cases in which the defendant is entitled to a trial by jury, demand for the jury must be made in writing as setforth in Criminal Rule 23, otherwise a jury shall be deemed to be waived.

#### RULE 5

Persons arrested shall be entitled to bail for their appearance in Court in accordance with the provisions of Criminal Rule 46.

#### RULE 6

The Clerk shall be the issuing authority for all Uniform Traffic Tickets, who shall distribute said tickets and account for said tickets by the use of number sequence printed on each individual ticket, and specifically reserving at all times the power to impose audit and inspection.

There is hereby established a TRAFFIC VIOLATIONS BUREAU in accordance with the Rules of Practice and Procedure as designated by the Supreme Court, whose function shall be to accept appearances, waivers of trial, pleas of guilty and payments of fine and/or costs, in all offenses in which the Court has jurisdiction except the following traffic offenses:

1. Indictable offenses;
2. Operating a motor vehicle while under the influence of alcohol or any drug of abuse;
3. Leaving the scene of an accident;
4. Driving while under suspension or revocation of driver's license;
5. Driving without being licensed to drive;
6. A third moving traffic offense within a twelve-month period;
7. Failure to stop and remain standing upon meeting or overtaking a school bus stopped on the highway for the purpose of receiving or discharging a school child;
8. Willfully eluding or fleeing a police officer;
9. Drag racing.

The Clerk and the Deputy Clerks of the Conneaut Municipal Court are hereby designated as the Referees of the Traffic Violations Bureau who shall act under the direction and control of the Court.

#### RULE 7

The session of this Court shall be from 8:30 A.M. until 4:30

P.M., Eastern Standard Time, of each week day, except Saturday, Sunday and legal holidays.

## RULE 8

### Manner of Selection of Jurors

There shall be maintained in the office of the Clerk of this Court a jury wheel similar of design to the wheel now provided by law to be maintained in the office of the Clerk of Conneaut Municipal Court.

On or about the first day of January of each year, there shall be appointed by the Judge of this Court, by an order entered upon the journal, three suitable and discreet freeholders, not of the same political party, residents of the territory of this Court, well-known for their integrity, to be known as jury Commissioners, whose duty it shall be, by the 21st day of January of each year, to select the names of not less than three hundred persons, residents of said territory, possessing the qualifications of electors and/or qualified driver licensees, and the names of such persons shall be typewritten and an identical copy made of the same by said Jury Commissioners, the original sheet shall be cut in separate slips, each containing the name and address of a person so selected, which slips shall be placed in the jury wheel by the said Jury Commissioners in the presence of the Judge and the Clerk of Court, and the identical copy shall be filed with the Court of Court.

Before the deposit of said slips in the jury wheel, the Jury Commissioners shall remove and destroy all of the slips found in the wheel.

Said Jury Commissioners shall serve for a period of one year and until their successors are appointed and qualified, and, upon the order of the Judge, shall place in said jury wheel, from time to time, additional names to the number determined by the Court to be selected, typewritten, and deposited by the Jury Commissioners in the same manner as provided, so that at all times there shall be at least one hundred names in said wheel.

When a jury is demanded in a civil or criminal case, the Clerk in the presence of the Judge shall draw separately sixty-five names who shall be summoned as tentative jurors, as needed.

All rights of challenge of jurors at the trial shall be preserved to the parties.

The Jury Commissioners shall, before beginning the discharge of their duties, take an oath of office similar to that taken by the Jury Commissioners in Common Pleas Court.

## RULE 9

On all work release granted by and through this Court, it is hereby ordered that when the Defendant returns to jail from work release and it is the opinion of the Jailer that the Defendant has consumed any alcohol or drug of abuse, the Defendant shall submit to a chemical test or tests as designated by the jailer. If the defendant tests positive for alcohol or any drug of abuse, or if the Defendant shall refuse to submit to the chemical test or tests, work release shall be revoked immediately.

The Court shall conduct a hearing, within Two (2) business days, regarding the decision to revoke the Defendant's work release privileges. The Court always reserves the right to amend or revoke work release privileges granted to a defendant.

RULES OF PRACTICE

FILED

CRIMINAL DIVISION

SEP 6 PM 1 50

RULE 10(A)

CONNEAUT  
MUNICIPAL COURT

FILING FEE AND COSTS SCHEDULE

(B)

All court costs collected by the Conneaut Municipal Court, Criminal Branch, including Traffic Division, shall be disbursed as follows:

1. The payment of costs, due to the City of Conneaut.
2. The payment of costs, due to the County of Ashtabula.
3. The payment of costs, due to the State of Ohio (2743.70 and 2949.091 O.R.C.)
4. Any overpayment of fines and costs, not in excess of Ten Dollars (\$10.00), shall be retained by the Court and paid into the General Fund of the City of Conneaut.

Costs to be taxed as provided in R.C. 1901.26 and Chapters 2303 and 2335.

Date: February 1, 2017



Carl L. DiFranco, Judge

IN THE CONNEAUT MUNICIPAL COURT

ASHTABULA COUNTY, OHIO

RULES OF PRACTICE

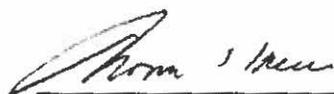
CRIMINAL DIVISION

RULE 10 (A)

(A)

1.	Court Costs and Waiver -	\$85.00 plus additional costs assessed by State of Ohio pursuant to Section 2743.70 & 2949.091 O.R.C. when it applies.
2.	Capias (Bench Warrant) -	\$25.00 plus mileage.
3.	Commitment -	5.00 plus mileage.
4.	Order to Show Cause -	25.00 plus mileage.
5.	Transcript -	2.50 per page.
6.	Subpoenas -	
	Within City Limits	5.00.
	Out of City Limits	10.00.
7.	Continuances -	5.00.
8.	Motions -	5.00.
9.	Amending Warrant and Affidavit -	1.00.
10.	Certified Copies -	1.00 per page.
11.	Photocopy -	1.00 per page.
12.	Notice of Appeal -	1.00.
13.	Implied Consent Petitions -	100.00.
14.	12 Point Petitions -	100.00.
15.	Taking Bonds -	5.00.
16.	Letter to Def. Non-Appearance -	5.00.
17.	Bill of Exceptions -	5.00.

18. Journal Entry of Judgment - \$ 1.00 per page.  
19. Occupational Driving Privileges 100.00  
20. Declaration of Forfeiture -  
    Mailed to Defendant 25.00  
    Mailed to BMV 25.00

  
Thomas E. Harris, Judge

Date: November 1, 2008

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CONNEAUT  
MUNICIPAL COURT

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

ADDENDUM TO RULES OF PRACTICE

CRIMINAL DIVISION

RULE 7

EFFECTIVE APRIL 5, 1995

The session of this Court shall be from 8:30 A.M. until 4:30 P.M., Eastern Standard Time, of each week day, except Saturday, Sunday, legal holidays and now to include also, Good Friday.

  
\_\_\_\_\_  
Thomas E. Harris, Judge

IN THE CONNEAUT MUNICIPAL COURT

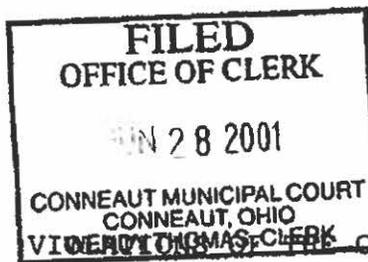
ASHTABULA COUNTY, OHIO

RULES OF PRACTICE

CRIMINAL DIVISION

RULE 13

MISDEMEANOR BOND SCHEDULE



CODIFIED ORDINANCES OF THE CITY OF CONNEAUT, OHIO

(B)

BOND SCHEDULE

CHAPTER 505 - ANIMALS

505.05	Injuring animals	\$1,000.00
505.06	Poisoning animals	250.00
505.07	Cruelty to animals	750.00

CHAPTER 509 - DISORDERLY CONDUCT AND PEACE DISTURBANCE

509.01	Riot	\$1,000.00
509.03	Disorderly Conduct; intoxication (M-4 only)	250.00
509.04	Disturbing a lawful meeting	250.00
509.05	Misconduct at an emergency (M-4 only)	250.00
509.06	Inducing panic	1,000.00
509.07	Making false alarms	1,000.00

CHAPTER 517 - GAMBLING

517.02	Gambling	\$1,000.00
517.03	Operating a gambling house	1,000.00
517.04	Public gaming	250.00
517.05	Cheating	1,000.00

CHAPTER 521 - HEALTH, SAFETY AND SANITATION

521.01	Abandoned refrigerators and airtight containers	\$ 250.00
521.08	Littering and deposit of garbage, rubbish, junk	1,000.00
521.09	Noxious or offensive odors	500.00

CHAPTER 525 - LAW ENFORCEMENT AND PUBLIC OFFENSE

525.02	Falsification	\$1,000.00
525.03	Impersonating a public official or public servant	750.00
525.04	Compounding a crime	1,000.00
525.05	Failure to report a crime	750.00
525.07	Obstructing official business	750.00
525.08	Obstructing justice	100.00
525.09	Resisting arrest	750.00
525.10	Having an unlawful interest in a public contract	1,000.00
525.11	Soliciting or receiving improper compensation	1,000.00
525.12	Dereliction of duty	750.00
525.13	Interfering with Civil Rights	1,000.00

CHAPTER 529 - LIQUOR CONTROL

529.02	Sales to minors, prohibitions and misrepresentation A.C.D.E.F.G	\$1,000.00
529.03	Sales to intoxicated persons	500.00
529.04	Liquor consumption in motor vehicles	250.00
529.09	Hours of sale or consumption	250.00

CHAPTER 533 - OBSCENITY AND SEX OFFENSES

533.06	Voyeurism	\$ 500.00
533.07	Public indecency	250.00
533.08	Procuring	1,000.00

533.09	Soliciting	500.00
533.10	Prostitution	500.00
533.12	Pandering obscenity (M-1 only)	1,000.00
CHAPTER 537 - OFFENSES AGAINST PERSONS		
537.10	Telephone harassment	\$1,000.00
537.11	Threatening or harassing telephone calls	1,000.00
537.12	Party lines to be yielded in emergencies	750.00
537.13	Adulterating of or furnishing adulterated food or confection	1,000.00
537.14	Bigamy	1,000.00
537.15	Nonsupport of dependents	1,000.00
537.16	Interference with custody	500.00
537.17	Child stealing	1,000.00
537.18	Abuse of corpse	750.00
CHAPTER 541 - PROPERTY OFFENSES		
541.02	Arson	\$1,000.00
541.03	Criminal Damaging or endangering	1,000.00
541.04	Criminal mischief	1,000.00
541.05	Criminal trespass	250.00
541.07	Desecration	750.00
CHAPTER 545 - THEFT AND FRAUD		
545.05	Petty Theft	\$1,000.00
545.06	Unauthorized use of a motor vehicle	1,000.00
545.07	Illegal sale or possession of motor vehicle keys	1,000.00
545.08	Unauthorized use of property	\$1,000.00
545.09	Passing bad checks	1,000.00

545.10	Misuse of credit cards	1,000.00
545.11	Making or using slugs	750.00
545.12	Tampering with a coin machine	1,000.00
545.13	Defrauding a livery or hostelry	1,000.00
545.14	Tampering with records	1,000.00
545.15	Securing writings by deception	1,000.00
545.16	Impersonating an officer	1,000.00
545.17	Defrauding creditors	1,000.00
545.18	Receiving stolen property	1,000.00
545.19	Securities - Deceptive publication	1,000.00
545.20	Securities - False memorandum of purchase or sales	1,000.00
545.21	Revelation of confidential matters	1,000.00

CHAPTER 549 - WEAPONS AND EXPLOSIVES

549.02	Carrying concealed weapons	\$1,000.00
549.03	Using weapons while intoxicated	1,000.00
549.035	Carrying or possessing weapons in a place where liquor is sold.	1,000.00
549.04	Improperly handling firearms in a motor vehicle (A) (B)	1,000.00
549.05	Unlawful possession of dangerous ordnance (C)	1,000.00 2,500.00
549.06	Failure to secure dangerous ordnance	1,000.00
549.07	Unlawful transactions in weapons A(1) + (2) A(3)	750.00 250.00
549.08	Improperly furnishing firearms to a minor	\$ 750.00
549.12	Discharging firearms	250.00
549.13	Slingshot, bow and arrow	250.00

  
 Thomas E. Harris, Judge

IN THE CONNEAUT MUNICIPAL COURT

ASHTABULA COUNTY, OHIO

RULES OF PRACTICE

CRIMINAL DIVISION

RULE 16

CASE MANAGEMENT OF CRIMINAL CASES

(A) The purpose of this rule is to establish, pursuant to M.C. Sup. R. 18, 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 in the court justice system.

(B) **Scheduling of Events**: The scheduling begins after arraignment.

Thereafter, the case is managed in four (4) judicial steps.

(1) **Pre-trials**: After arraignment, all first degree and second degree misdemeanors shall be set for pre-trial by the Clerk of Court within thirty (30) days. All other misdemeanors shall be set for a trial to the Court within twenty-eighty

(28) days of the Service of Summons or issuance of the violation unless the judge orders a pre-trial in said case.

The pre-trial shall be conducted in accordance with Criminal Rule 17.1 and a memorandum of the matters agreed upon should be filed in said case. Any attorney who fails to appear for pre-trial without just cause being shown may be punished for contempt of court.

If the parties cannot resolve the case, then the case

should be set for trial to court unless a jury is demanded.

(2) **Motions**: All motions shall be made in writing and accompanied by a written memorandum containing the arguments of counsel.

Motions must be filed within the time limits established by the Ohio Rules of Criminal Procedure.

(3) **Trials**: Each Case not resolved at pre-trial shall be set for trial to court. If a jury demand is timely filed, then the case will be moved to the jury trial schedule. All attorneys shall notify the court by 3:00 P.M. of the day preceding their trial of any change in plea.

(4) **Sentencing**: Sentencing will take place immediately after an individual pleads guilty or no contest or after the announcement of a guilty verdict following a trial to the Court or a jury, unless otherwise ordered by the Court.

IN THE CONNEAUT MUNICIPAL COURT

ASHTABULA COUNTY, OHIO

RULES OF PRACTICE

CRIMINAL DIVISION

RULE 17

CASE MANAGEMENT SPECIAL PROCEEDINGS

- A) **Purpose:** The purpose of this rule is to establish, pursuant to M.C. Sup. R 18, a case management system for special proceedings to achieve a prompt and fair disposition of these matters. The following criminal matters are considered special proceedings, to wit: preliminary hearing, extradition hearing, and B.M.V. hearings.
- (B) **Scheduling of Events:** Cases that have time limits established by the Ohio Revised Code or the Ohio Rules of Criminal Procedure shall be set within those time limits for hearing. In all other special proceedings, the case shall be set for hearing within a reasonable time not to exceed sixty (60) days.
- (C) Upon perfection of service, the clerk shall notify the Judge who shall conduct the hearing at the date and time set by the Clerk, unless the case is continued for good cause shown or if the hearing is waived.

IN THE CONNEAUT MUNICIPAL COURT

ASHTABULA COUNTY, OHIO

RULES OF PRACTICE

CRIMINAL DIVISION

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CONNEAUT

MUNICIPAL COURT

**IN THE CONNEAUT MUNICIPAL COURT**

**ASHTABULA COUNTY, OHIO**

**RULES OF PRACTICE – CRIMINAL DIVISION**

**RULE 18**

Any person who has received prior authorization from the Court, and who has performed court-ordered Community Service in lieu of payment of fines and/or costs, shall receive a credit of \$8.00 per hour for every hour worked at a previously approved Community Service location.

Date: March 4, 2014



Thomas E. Harris, Judge

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

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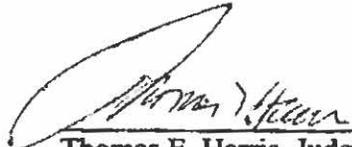
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CONNEAUT  
MUNICIPAL COURT

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\$	95.00 Court Costs

IT IS SO ORDERED.

  
Thomas E. Harris, Judge

Date: January 14, 2013

IN THE CONNEAUT MUNICIPAL COURT

ASHTABULA COUNTY, OHIO

COURT RULES OF PRACTICE

CRIMINAL DIVISION

RULE 12

**WAIVER SCHEDULE**

**(A) The Clerk of Court is hereby ordered to impose the assessment and collection of \$95.00 as costs with sub-cases at \$66.00 per case.**

	1ST MOVING VIOLATION IN 12 MONTHS	2ND MOVING VIOLATION IN 12 MONTHS
1.Speeding - exceeding limit up to and including 30 miles miles per hour	\$ 5.00 per mile over limit & costs	\$ 5.00 per mile over limit + \$ 25.00 + costs <b>(TOTAL FINE NOT TO EXCEED \$250)</b>
Speeding - exceeding limit by 31 MPH up to and including 40 MPH	\$150.00 & costs	\$150.00 & costs

**(30+ Miles over = 4 points)**

**FINES SHOULD BE DOUBLED IN SCHOOL ZONES BUT NOT TO EXCEED \$150.00**

**FINES SHOULD BE DOUBLED IN CONSTRUCTION ZONES**

**NOT TO EXCEED \$150.00 & costs 1<sup>st</sup> offense**

**NOT TO EXCEED \$250.00 & COSTS 2<sup>ND</sup> offense**

1A Cowl Fender	\$150.00 & costs	\$250.00 & costs
2.Following Too Closely	\$ 50.00 & costs	\$100.00 & costs
3.Violation of Restriction	\$150.00 & costs	\$150.00 & costs

4. Violation of Child Restraint (4511.81)	\$ 35.00 & \$ 76.00 costs	
SECOND OFFENSE:		
If a seat has not been acquired	\$ 70.00 & \$ 76.00 costs	
If a seat has been acquired	\$ 35.00 & \$ 76.00 costs	
5. Violation of Seat Belt Law(4513.263)		
Driver (Local Costs Only)	\$ 30.00 & \$ 76.00 costs	
Passenger (Local Costs Only)	\$ 20.00 & \$ 76.00 costs	
6. Child Seat (337.26) (Local Costs Only)	\$100.00 & \$ 76.00 costs	
Seat Belt (337.27) (Local Costs Only)	\$ 50.00 & \$ 76.00 costs	
7. Parking	\$ 66.00 Total	
<b>HANDICAP PARKING</b>	<b>\$250.00 &amp; COSTS</b>	
8. Squealing Tires	\$ 65.00 & costs	\$100.00 & costs
9. Improper Lane	\$ 80.00 & costs	\$100.00 & costs
10. Improper Passing	\$ 50.00 & costs	\$100.00 & costs
11. Improper Backing	\$ 50.00 & costs	\$100.00 & costs
12. Improper Starting	\$ 50.00 & costs	\$100.00 & costs
13. Improper Turn	\$ 50.00 & costs	\$100.00 & costs
14. Failure to Control	\$150.00 & costs	
15. Failure to Yield Right of Way	\$150.00 & costs	
16. Impede Traffic	\$150.00 & costs	
17. Right of Way of Public Safety Vehicle	\$150.00 & costs	
18. No "U" Turn	\$ 50.00 & costs	\$100.00 & costs
19. Wrong Way on One Way Street	\$ 50.00 & costs	\$100.00 & costs
20. Wrong Way on Divided Highway	\$150.00 & costs	\$150.00 & costs
21. Crossing Yellow Lane or Left of Center	\$ 50.00 & costs	\$100.00 & costs
22. Crossing Medial Strip	\$150.00 & costs	\$150.00 & costs
23. Red Traffic Light	\$ 50.00 & costs	\$150.00 & costs
24. Stop Sign	\$ 50.00 & costs	\$150.00 & costs

25. Driving on Sidewalk	\$ 50.00 & costs	\$100.00 & costs
26. Opening Vehicle Door from Traffic Side	\$ 50.00 & costs	\$100.00 & costs
27. Driving on Street Posted Closed for Repairs	\$150.00 & costs	\$150.00 & costs
28. Operating without Lights Lighted lights	\$ 80.00 & costs \$ 50.00 & costs	\$150.00 & costs
29. Operating with High Beams	\$ 50.00 & costs	--
30. Illumination of Plates	\$ 50.00 & costs	--
31. Obstructing Display of Lic. Plates	\$150.00 & costs	--
31a. Obstruction of View 331.25	\$ 75.00 & costs	--
32. Access Back/Trails	\$ 50.00 & costs	--
33. Reckless Operation	\$150.00 & costs	--
34. Assured Clear Distance	\$150.00 & costs	--
35. Restricted Roads	\$150.00 & costs	--
36. Defective Brakes	\$ 50.00 & costs	--
37. Unsafe Vehicle	\$ 50.00 & costs	--
38. Railroad Crossing	\$ 50.00 & costs	--
39. Improper Muffler	\$ 50.00 & costs	--
40. No License Plates	\$150.00 & costs	\$150.00 & costs
41. One License Plate	\$ 75.00 & costs	\$150.00 & costs
42. Expired License Plates & (335.10) Expired Temporary License Plates	\$ 50.00 & costs	--
42a. Display of License Plates 335.09	\$ 50.00 & costs	--
43. No Rearview Mirror on Motor Bike	\$ 50.00 & costs	--
44. No Helmet (4511.53)	\$ 50.00 & costs	--
45. Depositing Snow on Public Sts and/or personal property (331.05c)	\$150.00 & costs	--
46. Bicycles to obey traffic rules 373.07	\$ 30.00 & costs	--

46b.Shortcutting, avoiding traffic 331.41	\$ 50.00 & costs	--
46c.Unattended Vehicle (PKT) 351.07	costs	--
46d.Code Application to bicycles 373.01	\$ 30.00 & costs	--
46e.Text while driving	\$100.00 & costs	
47.Operating Truck on Restricted Street	\$150.00 & costs	\$150.00 & costs
48.Permit Violation	\$100.00 & costs	--
49.Spilling a Load	\$ 50.00 & costs	--
50.No Mud Flaps	\$ 50.00 & costs	--
51.Truck without a Tarp	\$150.00 & costs	--
52.No Safety Chains	\$ 50.00 & costs	--
53.No Breakaway Switch	\$ 50.00 & costs	--
54.No Flag on Extended Load	\$ 50.00 & costs	--
5 <sup>e</sup> Towing Requirements (No Flag Displayed)	\$ 50.00 & costs	--
56.By-Passing Scale House	\$150.00 & costs	\$150.00 & costs
57.Overwidth, Over length or Over height Vehicle	\$150.00 & costs	--
58.Failure to Display Valid Highway Use Tax Permit	\$150.00 & costs	--
59.Failure to Display Certificate of Registration	\$ 50.00 & costs	--
60.Failure to Register in Ohio	\$150.00 & costs	--
61.Overload (IN ACCORDANCE WITH PENALTY IN SECTION 5577.04 O.R.C. AND RULE 14)		
62.Federal Motor Carrier Safety Regulations	\$150.00 & costs	\$250.00 & costs
62a.P.U.C.O. Violation, See Rule 15		
63.No medical card	\$ 50.00 & costs	
64.Tire tread depth	\$ 50.00 & costs	
6 Lights on Slow Moving Vehicles; Emblem Required (337.10)		

	\$ 50.00 & costs	
66. Dogs Running at Large	\$ 50.00 & costs	\$150.00 & costs
67. Failure to Register a Dog	\$ 50.00 & costs	\$150.00 & costs
68. Dog Tags Required	\$ 50.00 & costs	\$150.00 & costs
69. Disturbance of Peace by Animals	\$ 75.00 & costs	\$150.00 & costs
70. Open Container - (NOT IN A MOTOR VEHICLE)	\$150.00 & costs	\$150.00 & costs
71. Public Gaming	\$150.00 & costs	--
72. Disorderly Conduct (MM only)	\$150.00 & costs	--
73. Junk Vehicle (1 <sup>st</sup> Offense)	\$150.00 & costs	--
74. Unlicensed Vehicle	\$150.00 & costs	--
75. Littering from Motor Vehicle	\$150.00 & costs	--
76. Height Restrictions - grass - 1 <sup>st</sup> off.	\$150.00 & costs	--
77. Excessive Alarms	\$150.00 & costs	--

NY MINOR MISDEMEANOR TRAFFIC VIOLATION WHICH RESULTS IN AN ACCIDENT SHALL BE PERMITTED TO PAY A WAIVER OF \$150.00 AND COSTS



Carl L. DiFranco, Judge

DATE: \_\_\_\_\_

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CORNEAUT  
MUNICIPAL COURT

IN THE CONNEAUT MUNICIPAL COURT

ASHTABULA COUNTY, OHIO

RULES OF PRACTICE

CRIMINAL DIVISION

RULE 13

BOND SCHEDULE

FILED

2013 JAN 14 P 3:19

CONNEAUT  
MUNICIPAL COURT

- (A)
- |    |                                                                               |                                                          |                                                    |
|----|-------------------------------------------------------------------------------|----------------------------------------------------------|----------------------------------------------------|
| 1. | Speeding -                                                                    | exceeding limit up to and including<br>40 miles per hour | \$5.00 per mile<br>over limit +<br>\$25.00 & costs |
|    | Speeding -                                                                    | All Second Offenses                                      | \$340.00                                           |
|    | Speeding -                                                                    | All Third Offenses                                       | \$340.00                                           |
|    | Speeding -                                                                    | All Fourth Offenses                                      | \$590.00                                           |
|    | Speeding -                                                                    | All Fifth Offenses                                       | \$590.00                                           |
| 2. | Driving a motor Vehicle While Under the Influence of<br>Alcohol and/or Drugs. |                                                          |                                                    |
|    | 1st Offense                                                                   |                                                          | \$1,000.00                                         |
|    | 2nd Offense                                                                   |                                                          | \$1,500.00                                         |
|    | 3rd Offense                                                                   |                                                          | \$2,500.00                                         |
|    | 4th Offense                                                                   |                                                          | \$10,000.00                                        |
| 3. | Leaving the Scene of an Accident                                              |                                                          | \$1,000.00                                         |
| 4. | Driving Under Suspension                                                      |                                                          | \$1,000.00                                         |
| 5. | Fleeing an Officer (MISDEMEANOR ONLY)<br>(JUDGE MUST SET BOND FOR FELONY)     |                                                          | \$1,000.00                                         |
| 6. | Failure to Stop for Standing School Bus Loading or<br>Unloading Passengers    |                                                          | \$ 340.00                                          |
| 7. | Reckless Driving:                                                             |                                                          |                                                    |
|    | City of Conneaut                                                              |                                                          | \$ 150.00 & costs                                  |
|    | State of Ohio                                                                 |                                                          | \$ 150.00 & costs                                  |

8.	No Driver's License	\$1,000.00
9.	Expired Driver's License	\$ 150.00 & costs
10.	Fictitious License Plates	\$ 150.00 & costs
11.	No Motorcycle Endorsement	\$ 150.00 & costs
12.	Failure to Yield Right of Way	\$ 150.00 & costs
13.	Assured Clear Distance	\$ 150.00 & costs
14.	Failure to Control a Motor Vehicle	\$ 150.00 & costs
15.	Following Too Closely	\$ 150.00 & costs
16.	Violation of Restriction	\$ 150.00 & costs
17.	Violation of Child Restraint	\$ 150.00 & costs
18.	Violation of Seat Belt Law (Driver) State	\$ 30.00 & costs
19.	Violation of Seat Belt Law (Passenger) State	\$ 20.00 & costs
	(Driver) City	\$ 50.00 & costs
	(Passenger) City	\$ 50.00 & costs
20.	Squealing Tires	\$ 150.00 & costs
21.	Improper Lane	\$ 150.00 & costs
22.	Improper Passing	\$ 150.00 & costs
23.	Improper Backing	\$ 150.00 & costs
24.	Improper Starting	\$ 150.00 & costs
25.	Improper Turn	\$ 150.00 & costs
26.	No "U" Turn	\$ 150.00 & costs
27.	Wrong Way on One Way Street	\$ 150.00 & costs
28.	Wrong Way on Divided Highway	\$ 150.00 & costs
29.	Crossing Yellow Lane or Left of Center	\$ 150.00 & costs
30.	Crossing Median Strip	\$ 150.00 & costs
31.	Red Traffic Light	\$ 150.00 & costs
32.	Stop Sign	\$ 150.00 & costs
33.	Driving on Sidewalk	\$ 150.00 & costs
34.	Opening Vehicle Door from Traffic Side	\$ 150.00 & costs
35.	Driving on Street Posted Closed for Repairs	\$ 150.00 & costs
36.	Operating Motor Vehicle without Lights	\$ 150.00 & costs

37.	Defective Brakes	\$ 150.00 & costs
38.	Unsafe Vehicle	\$ 150.00 & costs
39.	Improper Muffler	\$ 150.00 & costs
40.	No License Plates	\$ 150.00 & costs
41.	One License Plate	\$ 150.00 & costs
42.	Expired License Plates & Expired Temporary License Plates	\$ 150.00 & costs
43.	No Rearview Mirror on Motor Bike	\$ 150.00 & costs
44.	No Helmet	\$ 150.00 & costs
45.	Operating Truck on Restricted Street	\$ 150.00 & costs
46.	Permit Violation	\$ 150.00 & costs
47.	Spilling a Load	\$ 150.00 & costs
48.	No Mud Flaps	\$ 150.00 & costs
49.	Truck without a Tarp	\$ 150.00 & costs
50.	No Safety Chains	\$ 150.00 & costs
51.	No Breakaway Switch	\$ 150.00 & costs
52.	No Flag on Extended Load	\$ 150.00 & costs
53.	Towing Requirements (No Flag Displayed)	\$ 150.00 & costs
54.	By-Passing Scale House	\$ 150.00 & costs
55.	Over width, Over length or Over height Vehicle	\$ 150.00 & costs
56.	Failure to Display Valid Highway Use Tax Permit	\$ 150.00 & costs
57.	Failure to Display Certificate of Registration	\$ 150.00 & costs
58.	Failure to Register in Ohio	\$ 150.00 & costs
59.	Overload (IN ACCORDANCE WITH PENALTY IN SECTION 5577.04 ORC AND RULE 14)	
60.	P.U.C.O. Violation, See Rule 15	
61.	Dogs Running at Large	\$ 150.00 & costs
62.	Failure to Register a Dog	\$ 150.00 & costs
63.	Dogs Tags Required	\$ 150.00 & costs
64.	Disturbance of Peace by Animals	\$ 150.00 & costs
65.	Disorderly Conduct	\$ 150.00 & costs

- |                                          |                   |
|------------------------------------------|-------------------|
| 66. Open Container                       | \$ 150.00 & costs |
| 67. Minor Purchasing Alcoholic Beverages | \$1,000.00        |
| 68. Consuming in a Motor Vehicle         | \$1,000.00        |

(B)

Any person who is from Michigan, Wisconsin, or a foreign country (Including Canada) shall be required to post a Cash Bond for any Traffic, Criminal, and Overweight Vehicle Violation. Any person unable to post a Cash Bond shall be forthwith brought before the Court for their arraignment at the Court's earliest possible convenience.

Commercial Vehicle Operators will be permitted to drop their trailer at the Interstate Weigh Scale, when open, in lieu of posting a Cash Bond. The commercial trailer shall remain at the Interstate Weigh Scale until a Cash Bond is posted, or a Waiver is paid.

Credit Cards and Debit Cards may not be used for posting Bond.

DATE: January 14, 2013



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Thomas E. Harris, Judge  
Conneaut Municipal Court

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO  
RULES OF PRACTICE  
CRIMINAL BRANCH  
RULE 14  
OVERLOAD VIOLATIONS  
WAIVER AND BOND SCHEDULE

FILED

2013 JAN 14 P 3:19

CONNEAUT  
MUNICIPAL COURT

(A)

AMOUNT OF AXLE OVERLOAD	FINE		COSTS	TOTAL
100	80.00		95.00	175.00
200	80.00		95.00	175.00
300	80.00		95.00	175.00
400	80.00		95.00	175.00
500	80.00		95.00	175.00
600	80.00		95.00	175.00
700	80.00		95.00	175.00
800	80.00		95.00	175.00
900	80.00		95.00	175.00
1,000	80.00		95.00	175.00
1,100	80.00		95.00	175.00
1,200	80.00		95.00	175.00
1,300	80.00		95.00	175.00
1,400	80.00		95.00	175.00
1,500	80.00		95.00	175.00
1,600	80.00		95.00	175.00
1,700	80.00		95.00	175.00
1,800	80.00		95.00	175.00
1,900	80.00		95.00	175.00
2,000	80.00		95.00	175.00
2,100	100.00	21.00	95.00	216.00
2,200	100.00	22.00	95.00	217.00
2,300	100.00	23.00	95.00	218.00
2,400	100.00	24.00	95.00	219.00
2,500	100.00	25.00	95.00	220.00
2,600	100.00	26.00	95.00	221.00
2,700	100.00	27.00	95.00	222.00
2,800	100.00	28.00	95.00	223.00
2,900	100.00	29.00	95.00	224.00
3,000	100.00	30.00	95.00	225.00
3,100	100.00	31.00	95.00	226.00
3,200	100.00	32.00	95.00	227.00
3,300	100.00	33.00	95.00	228.00
3,400	100.00	34.00	95.00	229.00
3,500	100.00	35.00	95.00	230.00
3,600	100.00	36.00	95.00	231.00

**IN THE CONNEAUT MUNICIPAL COURT**  
**ASHTABULA COUNTY, OHIO**  
**RULES OF PRACTICE**  
**CRIMINAL BRANCH**  
**RULE 14**  
**OVERLOAD VIOLATIONS**  
**WAIVER AND BOND SCHEDULE**

3,700	100.00	37.00	95.00	232.00
3,800	100.00	38.00	95.00	233.00
3,900	100.00	39.00	95.00	234.00
4,000	100.00	40.00	95.00	235.00
4,100	100.00	41.00	95.00	236.00
4,200	100.00	42.00	95.00	237.00
4,300	100.00	43.00	95.00	238.00
4,400	100.00	44.00	95.00	239.00
4,500	100.00	45.00	95.00	240.00
4,600	100.00	46.00	95.00	241.00
4,700	100.00	47.00	95.00	242.00
4,800	100.00	48.00	95.00	243.00
4,900	100.00	49.00	95.00	244.00
5,000	100.00	50.00	95.00	245.00
5,100	130.00	102.00	95.00	327.00
5,200	130.00	104.00	95.00	329.00
5,300	130.00	106.00	95.00	331.00
5,400	130.00	108.00	95.00	333.00
5,500	130.00	110.00	95.00	335.00
5,600	130.00	112.00	95.00	337.00
5,700	130.00	114.00	95.00	339.00
5,800	130.00	116.00	95.00	341.00
5,900	130.00	118.00	95.00	343.00
6,000	130.00	120.00	95.00	345.00
6,100	130.00	122.00	95.00	347.00
6,200	130.00	124.00	95.00	349.00
6,300	130.00	126.00	95.00	351.00
6,400	130.00	128.00	95.00	353.00
6,500	130.00	130.00	95.00	355.00
6,600	130.00	132.00	95.00	357.00
6,700	130.00	134.00	95.00	359.00
6,800	130.00	136.00	95.00	361.00
6,900	130.00	138.00	95.00	363.00
7,000	130.00	140.00	95.00	365.00
7,100	130.00	142.00	95.00	367.00
7,200	130.00	144.00	95.00	369.00
7,300	130.00	146.00	95.00	371.00
7,400	130.00	148.00	95.00	373.00

**IN THE CONNEAUT MUNICIPAL COURT**  
**ASHTABULA COUNTY, OHIO**  
**RULES OF PRACTICE**  
**CRIMINAL BRANCH**  
**RULE 14**  
**OVERLOAD VIOLATIONS**  
**WAIVER AND BOND SCHEDULE**

7,500	130.00	150.00	95.00	375.00
7,600	130.00	152.00	95.00	377.00
7,700	130.00	154.00	95.00	379.00
7,800	130.00	156.00	95.00	381.00
7,900	130.00	158.00	95.00	383.00
8,000	130.00	160.00	95.00	385.00
8,100	130.00	162.00	95.00	387.00
8,200	130.00	164.00	95.00	389.00
8,300	130.00	166.00	95.00	391.00
8,400	130.00	168.00	95.00	393.00
8,500	130.00	170.00	95.00	395.00
8,600	130.00	172.00	95.00	397.00
8,700	130.00	174.00	95.00	399.00
8,800	130.00	176.00	95.00	401.00
8,900	130.00	178.00	95.00	403.00
9,000	130.00	180.00	95.00	405.00
9,100	130.00	182.00	95.00	407.00
9,200	130.00	184.00	95.00	409.00
9,300	130.00	186.00	95.00	411.00
9,400	130.00	188.00	95.00	413.00
9,500	130.00	190.00	95.00	415.00
9,600	130.00	192.00	95.00	417.00
9,700	130.00	194.00	95.00	419.00
9,800	130.00	196.00	95.00	421.00
9,900	130.00	198.00	95.00	423.00
10,000	130.00	200.00	95.00	425.00
10,100	160.00	303.00	95.00	558.00
10,200	160.00	306.00	95.00	561.00
10,300	160.00	309.00	95.00	564.00
10,400	160.00	312.00	95.00	567.00
10,500	160.00	315.00	95.00	570.00
10,600	160.00	318.00	95.00	573.00
10,700	160.00	321.00	95.00	576.00
10,800	160.00	324.00	95.00	579.00
10,900	160.00	327.00	95.00	582.00
11,000	160.00	330.00	95.00	585.00
11,100	160.00	333.00	95.00	588.00
11,200	160.00	336.00	95.00	591.00
11,300	160.00	339.00	95.00	594.00

**IN THE CONNEAUT MUNICIPAL COURT**  
**ASHTABULA COUNTY, OHIO**  
**RULES OF PRACTICE**  
**CRIMINAL BRANCH**  
**RULE 14**  
**OVERLOAD VIOLATIONS**  
**WAIVER AND BOND SCHEDULE**

11,400	160.00	342.00	95.00	597.00
11,500	160.00	345.00	95.00	600.00
11,600	160.00	348.00	95.00	603.00
11,700	160.00	351.00	95.00	606.00
11,800	160.00	354.00	95.00	609.00
11,900	160.00	357.00	95.00	612.00
12,000	160.00	360.00	95.00	615.00
12,100	160.00	363.00	95.00	618.00
12,200	160.00	366.00	95.00	621.00
12,300	160.00	369.00	95.00	624.00
12,400	160.00	372.00	95.00	627.00
12,500	160.00	375.00	95.00	630.00
12,600	160.00	378.00	95.00	633.00
12,700	160.00	381.00	95.00	636.00
12,800	160.00	384.00	95.00	639.00
12,900	160.00	387.00	95.00	642.00
13,000	160.00	390.00	95.00	645.00
13,100	160.00	393.00	95.00	648.00
13,200	160.00	396.00	95.00	651.00
13,300	160.00	399.00	95.00	654.00
13,400	160.00	402.00	95.00	657.00
13,500	160.00	405.00	95.00	660.00
13,600	160.00	408.00	95.00	663.00
13,700	160.00	411.00	95.00	666.00
13,800	160.00	414.00	95.00	669.00
13,900	160.00	417.00	95.00	672.00
14,000	160.00	420.00	95.00	675.00
14,100	160.00	423.00	95.00	678.00
14,200	160.00	426.00	95.00	681.00
14,300	160.00	429.00	95.00	684.00
14,400	160.00	432.00	95.00	687.00
14,500	160.00	435.00	95.00	690.00
14,600	160.00	438.00	95.00	693.00
14,700	160.00	441.00	95.00	696.00
14,800	160.00	444.00	95.00	699.00
14,900	160.00	447.00	95.00	702.00
15,000	160.00	450.00	95.00	705.00

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO  
RULES OF PRACTICE  
CRIMINAL BRANCH  
RULE 14  
OVERLOAD VIOLATIONS  
WAIVER AND BOND SCHEDULE

**( B )**  
**AXLE OVERLOADS**

For every 100 pounds over 15,000, just continue adding \$3.00 to the total sum.

**( C )**  
**GROSS OVERLOADS**

For gross overloads up to and including 2,000 pounds; \$100.00 + COSTS.

For gross overloads from 2,100 pounds and up, use the axle overload total.

**( D )**  
Any violator incapable of posting bond or paying a waiver must drop their trailer at the Conneaut Weigh Station located on Interstate 90, and said trailer shall remain there until such time as bond is posted or a waiver is paid. The trailer shall be held as bond in lieu of posting a cash bond or in lieu of paying the waiver.

The Court shall be contacted immediately for any driver transporting hazardous materials, which is incapable of posting a cash bond. This rule shall apply to all drivers and vehicles.

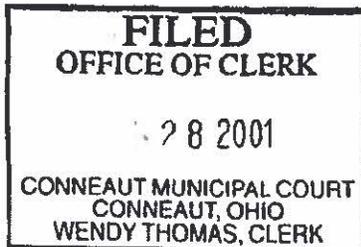


Thomas E. Harris, Judge

Date: January 14, 2013

IN THE CONNEAUT MUNICIPAL COURT

ASHTABULA COUNTY, OHIO



RULES OF PRACTICE

CRIMINAL BRANCH

RULE 15

PUCO VIOLATIONS

WAIVER AND BOND SCHEDULE

A) CERTIFICATED CARRIERS - INTRA AND INTERSTATE

1) Intrastate

No Authority

Authority Revoked

Violation Restrictions

Points or Territory

Commodities

Shipper not on Permit

Off Route

No Insurance on File

\$200.00 & costs

No PUCO Tax Decal

Not Attached to Vehicle

No Reciprocity

\$ 50.00 & costs

No PUCO Markings

Incorrect Markings

Did not Conform with Bills

\$ 25.00 & costs

Lights Defective

Headlights

Stop

Tail

Clearance

Reflectors

Turn Signals

\$ 25.00 & costs

Defective Safety Equipment		
No Fire Extinguisher	Tire Cut or badly Worn	
Extinguisher not Approved	Coupling Devices	
Extinguisher Inoperative	Defective Rear End Protection	
No Reflectors	Cracked Frame	
Incorrect Number	Defective Springs	
Defective Brakes	Defective Suspension	
Wheels	Defective Air Hoses	
Defective Steering	Defective Compressor	
Defective Horn	Defective Wiring	
Defective Windshield Wiper	Defective Fuel System	
Defective Rear View Mirror	Windshield Cracked	\$ 25.00 & costs

CERTIFICATED CARRIERS - INTRA AND INTERSTATE

Intrastate

Unauthorized Passenger \$ 25.00 & costs

INTRASTATE ONLY

No Copy of Lease  
PUCO Certificate of Insurance No.  
Date Policy Expired  
it Sub-leased by Lessee  
Policy Certificate Not on Vehicle \$ 50.00 & costs

Securing Cargo  
No Tie Downs  
No Blocking  
No Bulkhead  
Incorrect Bulkhead  
Insecure Loading (Steel 9.26)  
No Flag; Light on Extending Load  
Loose Tarp \$ 50.00 & costs

Condition of Driver  
Log Book - None  
Improper Off-Duty Time  
Ill or Fatigued  
Drinking  
Disqualifying Physical Defects  
No Medical Certificate  
Under Age \$ 50.00 & costs

Hazardous Materials  
Placards  
Certificate  
Bills \$ 50.00 & costs

TIFICATED CARRIERS - INTRA AND INTERSTATE

2) Interstate

No PUCO Tax Decal Not Attached to Vehicle No Reciprocity	\$ 50.00 & costs
Cab Card - Stamps None or Incorrect Failure to Maintain Card in Vehicle Cab (Driveaway) (Non-Driveaway)	\$ 50.00 & costs
Improperly Registered Failure to Register Knowingly Permitting Others to Use Identification Stamp and Number	\$100.00 & costs
Use of Card on Vehicle Other Than for Which Card was Prepared (Non-Driveaway) Failure to Transfer Card Properly	\$ 50.00 & costs
Hazardous Materials Placards Certificate Bills	\$ 50.00 & costs
Safety Failure to Comply with Rules and Regulations of ICC and USDOT	\$ 50.00 & costs
Other Unlawful Reproduction of Cab Card Failure to Present Card on Demand of PUCO Official	\$ 50.00 & costs

ANY OTHER COMMON CARRIER VIOLATIONS FOR WHICH SPECIFIC SECTION DO NOT APPLY  
SHOULD BE CITED UNDER THIS SECTION.

B) CONTRACT CARRIERS - INTRASTATE AND INTERSTATE

1) Intrastate

Defective Wiring Defective Fuel System	\$ 50.00 & costs
Unauthorized Passenger	\$ 50.00 & costs

TRASTATE ONLY

No Copy of Lease  
PUCO Certificate of Insurance No.  
Date Policy Expired  
Unit Sub-leased by Lessee  
Policy Certificate Not on Vehicle \$ 50.00 & costs

Securing Cargo

No Tie Downs  
    Incorrect Number  
No Blocking  
No Bulkhead  
Incorrect Bulkhead \$ 50.00 & costs

Insecure Loading (Steel 9.26)  
No Flag/Light on Extending Load  
Loose Tarp \$ 50.00 & costs

Condition of Driver

Log Book - None  
Improper Off-Duty Time  
Ill or Fatigued  
Drinking  
Disqualifying Physical Defects  
No Medical Certificate  
Under Age \$ 50.00 & costs

Hazardous Materials

Placards  
Certificate  
Bills \$ 50.00 & costs

CONTRACT CARRIERS - INTERSTATE AND INTERSTATE

2) Interstate

No Authority Revoked  
    Authority Revoked  
    Violated Restrictions Points or Territory Commodities  
Shipper Not on Permit  
Off Route  
No Insurance on File \$100.00 & costs

No PUCO Tax decal  
    Not Attached to Vehicle  
    No Reciprocity \$ 50.00 & costs

No PUCO Markings  
    Incorrect Markings  
    Did Not Conform With Bills \$ 25.00 & costs

lights Defective		
Stop		
Tail		
Clearance		
Reflectors		
Turn Signals		\$ 25.00 & costs
Defective Safety Equipment		
No Fire Extinguisher	Extinguisher Not Approved	
Extinguisher Inoperative	No Reflectors	
Incorrect Number	Defective Brakes	
Wheels	Defective Horn	
Defective Steering	Defective Windshield Wipers	
Defective Rear View Mirrors	Windshield Cracked	
Tire Cut or Badly Worn	Coupling Devised	
Defective Rear End Protection	Cracked Frame	
Defective Springs	Defective Suspension	
Defective Air Hoses	Defective Compressor	\$ 25.00 & costs

CONTRACT CARRIERS - INTRASTATE AND INTERSTATE

Interstate

No PUCO Tax Decal		
Not Attached to Vehicle		
No Reciprocity		\$ 50.00 & costs
Cab Card		
None or Incorrect		
Failure to Maintain Card in Vehicle Cab		
(Driveaway)		
(Non-Driveaway)		\$ 50.00 & costs
Improperly Registered		
Failure to Register		
Knowingly Permitting Others to Use Identification		
Stamp and Number		
Use of Card on Vehicle Other than for which Card		
was Prepared (Non-Driveaway)		\$100.00 & costs
Failure to Transfer Card Properly		\$ 50.00 & costs
No Ohio Stamp		
Failure to Display Cab Card Stamp		\$ 50.00 & costs
Hazardous Materials		
Placards		
Certificate		
Bills		\$ 50.00 & costs

Safety  
 Failure to Comply with Rules and Regulations of  
 ICC and USDOT \$ 50.00 & costs

Other  
 Unlawful Reproduction of Cab Card  
 Failure to Present Card on Demand of PUCO Official \$ 50.00 & costs

ANY OTHER CONTRACT VIOLATIONS FOR WHICH SPECIFIC SECTIONS DO NOT  
 APPLY SHOULD BE CITED UNDER THIS SECTION.

C) I.C.C. EXEMPT CARRIERS - INTERSTATE

Cab Card  
 None or Incorrect  
 Failure to Maintain Card in Vehicles Cab  
 (Driveaway)  
 (Non-Driveaway) \$ 50.00 & costs

Improperly Registered  
 Failure to Register  
 Knowingly Permitting Others to Use Identification  
 Stamp and Number  
 Use of Card on Vehicle Other than for which Card  
 was Prepared (Non-Driveaway) \$100.00 & costs

Safety  
 Failure to Comply with Rules and Regulations of ICC  
 and USDOT \$ 50.00 & costs

Hazardous Materials  
 Placards  
 Certificates  
 Bills \$ 50.00 & costs

Other  
 Unlawful Reproduction of Cab Card  
 Failure to Present Card on Demand of PUCO Official \$ 50.00 & costs

ANY OTHER ICC EXEMPT CARRIER VIOLATIONS FOR WHICH SPECIFIC SECTION DO NOT  
 APPLY, SHOULD BE CITED UNDER THIS SECTION.

D) INTERSTATE PRIVATE CARRIER SAFETY

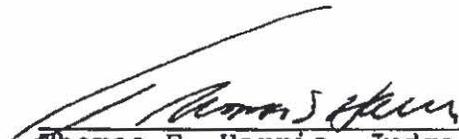
Safety  
 Failure to Comply with Rules and Regulations of ICC  
 and USDOT \$ 50.00 & costs

Hazardous Materials  
Placards  
Certificated  
Bills

\$ 50.00 & costs

- E) Any violator incapable of posting bond or paying a waiver must drop their trailer at the Conneaut Weigh Station located on Interstate 90, and said trailer shall remain there until such time as bond is posted or a waiver is paid. The Trailer shall be held as bond in lieu of posting a cash bond or in lieu of paying the waiver.

The Court shall be contacted immediately for any driver transporting hazardous materials, who is incapable of posting a cash bond. This rule shall apply to all drivers and vehicles.

  
\_\_\_\_\_  
Thomas E. Harris, Judge

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

FILED

2013 JAN 15 A 9:30

CONNEAUT  
Effective January 14, 2013 parking violations will be assessed \$66.00

costs as follows:

\$	15.00 Costs
	32.00 Municipal Court Improvement Fund
	1.00 Municipal Court Security Fund
	5.00 Adult Supervision Fund
	3.00 Automated Payment Fund
	<u>10.00</u> Non-moving Violation
\$	66.00 Court Costs

IT IS SO ORDERED.

  
Thomas E. Harris, Judge

Date: January 14, 2013

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO  
RULES OF PRACTICE  
CRIMINAL DIVISION  
RULE 11  
PARKING VIOLATIONS  
January 17, 2012

FILED

2012 JAN 17 A 9:59

CONNEAUT  
MUNICIPAL COURT

Waivers may be accepted with the following cash deposits by the Clerk or Deputy Clerks of the Conneaut Municipal Court for the following parking violations:

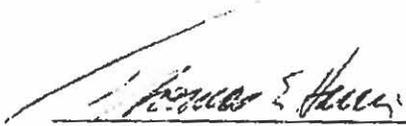
- |                                                             |                   |
|-------------------------------------------------------------|-------------------|
| 1. Illegal Parking                                          | Taxable as costs. |
| 2. Double Parking                                           | Taxable as costs. |
| 3. Parking in Restricted Zone                               | Taxable as costs. |
| 4. Parking by Fire Hydrant                                  | Taxable as costs. |
| 5. Parking by Fire Zone                                     | Taxable as costs. |
| 6. Parking Wrong Side of Street<br>(Facing Wrong Direction) | Taxable as costs. |
| 7. Parking on Sidewalk/Crossing                             | Taxable as costs. |
| 8. Parking without Lights                                   | Taxable as costs. |
| 9. Parking in Alley                                         | Taxable as costs. |
| 10. Parking Prohibited Time                                 | Taxable as costs. |
| 11. Blocking a Driveway/Alley                               | Taxable as costs. |
| 12. Obstructing Traffic                                     | Taxable as costs. |
| 13. Unattended Vehicle                                      | Taxable as costs. |
| 14. Leaving Keyes in Ignition                               | Taxable as costs. |
| 15. Snow Removal                                            | Taxable as costs. |
| 16. Night Removal in Residential District                   | Taxable as costs. |
| 17. Abandoned Vehicle                                       | Taxable as costs. |
| 18. Parking in Handicapped Zone                             | 250.00 and costs. |

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

It is hereby ordered that commencing November 12,  
1992 that Seat Belt penalties shall be as follows:

Driver	\$25.00 + Costs
Front Seat Passenger	\$15.00 + Costs

IT IS SO ORDERED.

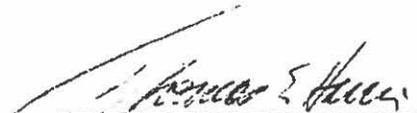
  
\_\_\_\_\_  
Thomas E. Harris, Judge

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

It is hereby ordered that commencing November 12,  
1992 that Seat Belt penalties shall be as follows:

Driver	\$25.00 + Costs
Front Seat Passenger	\$15.00 + Costs

IT IS SO ORDERED.

  
\_\_\_\_\_  
Thomas E. Harris, Judge

RULES OF PRACTICE OF THE  
CIVIL DIVISION OF THE  
CONNEAUT MUNICIPAL COURT

It is hereby ordered that the following be, and the same are adopted as the rules for the docketing of cases and the regulations of the practice and proceedings of this Court in civil cases, until otherwise ordered.

RULE 1

Cases Numbered

All civil actions brought in this Court shall be numbered consecutively as filed, which shall also contain the number as prescribed by the Rules of Superintendency, and shall be entered upon the civil docket as numbered. In filing any papers or calling the attention of the Court to any cause, the number itself must be given.

RULE 2

Continuances and Advancements

All applications for continuance shall be made before the day of trial after notice to opposing counsel. No case will be continued on the day of trial, except for good cause shown, which cause was not known to counsel prior to the day of trial, and provided that counsel has used due diligence to be ready for trial and has notified or made diligent effort to notify their opponent as soon as they became aware of their necessity to ask for postponement.

RULE 3

Security for Charges

In all cases in which it shall be necessary to seize, store or to provide a custodian for property seized under any writ or other undertaking issued by the Court, the Bailiff shall require a deposit sufficient to secure the probable cost of seizing, of storage of custodian charges in each case and additional deposits, if necessary. Any unexpended portion of the deposit shall be returned to the depositor.

RULES OF CONNEAUT MUNICIPAL COURT

CIVIL BRANCH

RULE 4

Journal Entries

In all cases in which both parties are represented by counsel and a judgment, decree or order is made by the Court, including orders of the Court sustaining or overruling motion, the prevailing party shall within three days after the making of such decree, judgment or order, prepare and submit a journal entry to opposing counsel if such opposing counsel maintains an office in this county. If such opposing counsel does not maintain an office in this county, then said entry, unless approved by opposing counsel, shall be submitted for approval to the Court. When such journal entry is submitted to opposing counsel, such counsel shall either approve or reject the same within three days thereafter. If he, she or they fail to approve it within such time, it shall be submitted to the Court, who shall correct the same and order its entry.

If the prevailing party failed to furnish such entry within such time, the Clerk, on the application of counsel for the losing party, shall call such case to the attention of the Court, who shall, after thirty days, prepare said Judgment Entry and file same with the Clerk for Journalization in accordance with Rule 7 of Ohio Court Rules of Superintendence for Municipal and County Courts.

In all cases in which only one party is represented by counsel and if said party shall prevail, said party shall prepare a journal entry which shall be submitted to the Court for approval.

Any journal entry placed upon the journal, not in conformity with these rules, may be vacated by the Court upon its own motion.

RULE 5

A demand for a jury trial in civil cases shall be made in writing, stating the number of jurors demanded, and shall be accompanied by an advance deposit of \$300.00

RULE 6

Manner of Selection of Jurors

There shall be maintained in the office of Clerk of this Court a jury wheel similar in design to the wheel now provided by law to be maintained in the office of the Clerk of

Common Pleas Court.

RULES OF CONNEAUT MUNICIPAL COURT

CIVIL BRANCH

RULE 6 (Continued)

On or about the first day of January of each year, there shall be appointed by the Judge of the Court, by an order entered upon the journal, three suitable and descreet freeholders not of the same political party, residents of the territory of this Court, well-known for their integrity, to be known as Jury Commissioners, whose duty it shall be, by the 23rd day of January of each year, to select the names of not less then one hundred and fifty persons, residents of said territory, possessing the qualifications of electors, and the names of such person shall be typewritten and an identical copy made of the same by said Jury Commissioners, the original sheet shall be cut in separate slips, each containing the name and address of a persons so selected, which slips shall be placed in the jury wheel by the said Jury Commissioners in the presence of the Judge and the Clerk of Court, and the identical copy shall be filed with the Clerk of Court.

Before the deposit of said slips in the jury wheel, the Jury Commissioners shall remove and destroy all of the slips found in the wheel.

Said Jury Commissioners shall serve for a period of one year and until their successors are appointed and qualified, and, upon the order of the Judge, shall place in said jury wheel, from time to time, additional names to the number determined by the Jury Commissioners in the same manner as provided, so that at all times there shall be approximately one hundred names in said wheel.

When a jury is demanded in a civil or criminal case, the Clerk in the presence of the judge shall draw separately fifty names who shall be summoned as tentative jurors, as needed.

All rights of challenge of jurors at the trial shall be preserved to the parties.

The Jury Commissioners shall, before beginning the discharge of their duties, take an Oath of Office similar to that taken by the Jury Commissioners in Common Pleas Court.

RULE 7

Court Sessions

The session of this Court shall be from 8:30 o'clock A.M. until 4:30 o'clock P.M., Eastern Standard Time, of each week days, except Saturday, Sunday and legal holidays.

IN THE CONNEAUT MUNICIPAL COURT

ASHTABULA COUNTY, OHIO

RULES OF PRACTICE

CIVIL DIVISION

RULE 8

CASE MANAGEMENT IN CIVIL CASES

- (A) **Purpose:** The purpose of this rule is to establish, pursuant to M.C. Sup. R 18, a system for Civil case management which will achieve the prompt and fair disposal of civil cases.
- (B) **Scheduling of Events:** The scheduling of a case begins when a civil case is filed. Thereafter, the case is managed in five (5) clerical steps and five (5) judicial steps.
- (C) **Clerical steps:**
- (1) Summons shall be served in accordance with the Ohio Rules of Procedure. In the event there is a failure of service, the clerk shall notify counsel immediately. If counsel fails to obtain service of summons within six (6) months from the date the cause of action has been filed, then the clerk shall notify counsel that that case will be dismissed in ten (10) days unless good cause is shown to the contrary.
  - (2) Upon perfection of service, the clerk shall set the case for default hearing at 8:30 A.M., thirty-five (35) days after the Summons and Complaint were filed upon the Defendant. The Plaintiff and their counsel, and the Defendant shall be notified of the hearing by regular mail.
  - (3) After any responsive pleading is filed, the clerk shall

immediately forward said pleading and file to the judge so the matter may be set for a pre-trial hearing within thirty (30) days following the filing of the answer.

(4) 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 parties that the matter will be dismissed within one (1) week unless good cause is shown.

(5) When a file has been marked, "settlement entry to come" and the entry has not been received within thirty (30) days, then the clerk shall notify the party that his case will be dismissed without prejudice 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 will then hold a pre-trial hearing which must be heard in court or in chambers. The purpose of the status hearing is to set discovery and motion deadlines so a formal pre-trial can be set.

(2) Motions: All motion must be in writing and accompanied by a written memorandum containing citations or the arguments of counsel. Opposing counsel shall answer in like manner within fourteen (14) days thereafter. All motions will be considered submitted at the end of said fourteen (14) day period unless time is extended by the court.

(3) Pre-trials: For the purpose of this rule, "Pre-trial" 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 of record.

Any attorney for a party to the action who fails to attend at a scheduled pre-trial conference, without just cause being shown, may be punished as for contempt of this court.

Notice of pre-trial conference shall be given to all counsel of record by mail and/or by telephone from the Clerk of Court not less than fourteen (14) days prior to the conference. Any application for continuance of the conference shall be addressed to the judge.

Counsel attending the pre-trial conference must have complete authority to stipulate on items of evidence and must have full settlement authority, or in the alternative must have their clients present at said hearing.

The primary purpose of the pre-trial conference shall be to achieve an amicable settlement of the controversy in suit.

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 will file a pre-trial statement to become part of the record and the case embracing all stipulations, admissions, and other matters which have come before it in the pre-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.

The judge may at the pre-trial conference or trial, shall have the authority to dismiss the action for want of prosecution on motion of defendant upon failure of plaintiff, and/or his counsel to appear in person at any pre-trial conference or trial; to order the plaintiff to proceed with the case and to decide and determine all matters ex parte upon failure of the defendant to appear in person or by counsel at any pre-trial conference of trial as required; to make such other order as the court may deem appropriate under all the circumstances.

If the case cannot be settled at pre-trial, then the case will be set for trial at a time convenient to the Court.

(4) **Continuances**: No party shall be granted a continuance of a trial or a hearing without a written motion from the party of his counsel stating the reason for the continuance.

When a continuance is requested for the reason that counsel is scheduled to appear in another case assigned for trial on the same date in the same or another trial court of this state, the case which was first set for trial shall have priority and shall be tried on the date assigned. Criminal cases assigned for trial have priority over civil cases assigned for trial. The granting of any other request for continuance of a scheduled trial is a matter within the discretion of the trial court.

If a designated trial attorney has such a number of cases assigned for trial in courts of this state so as to cause undue delay in the disposition of such cases the judge may

require the trial attorney to provide a substitute trial attorney. If the trial attorney was appointed by the court, the court shall appoint a substitute trial attorney.

(5) **Judgment entries**: Counsel for the party in whose favor an order or judgment is rendered shall prepare a journal entry. That entry shall be submitted to opposing counsel within five (5) days of the decision. Opposing counsel shall approve or reject the entry within five (5) days. Within fifteen (15) days of the decision, the journal entry shall be submitted to the judge, or, thereafter, the court will prepare the journal entry.

Entries of settlement may be filed at any time. The avoidance of trial by settlement shall be allowed without the filing of an entry, but such entry shall be filed within thirty (30) days or the case will be dismissed for want of prosecution.

Upon notification from the clerk that the case has defaulted, prevailing counsel shall submit an application for default judgment within fifteen (15) days or the case will be dismissed for want of prosecution.

The journal entry shall state which party will pay the court costs.

**FORCIBLE ENTRY & DETAINER HEARINGS**

**RULE 9**

- (A) **Hearing:** All forcible entry and detainer cases shall be set for hearing, pursuant to the time limits set forth in the Ohio Revised Code. At that hearing, the Ohio Rules of Evidence and the applicable Ohio Rules of Civil Procedure will be applied.
- (B) If an answer or jury demand is filed in a forcible entry and detainer case, then the clerk shall forward the case to a judge so the case can be scheduled for the appropriate hearing.

## CASE MANAGEMENT IN CIVIL CASES

### RULE 10

- (A) **Purpose:** The purpose of this rule is to establish, pursuant to M.C. Sup. R 18, a system for Civil case management which will achieve the prompt and fair disposal of civil cases.
- (B) **Scheduling of Events:** The scheduling of a case begins when a civil case is filed. Thereafter, the case is managed in five (5) clerical steps and five (5) judicial steps.
- (C) **Clerical steps:**
- (1) Summons shall be served in accordance with the Ohio Rules of Civil of Procedure. In the event there is a failure of service, the clerk shall notify counsel immediately. If counsel fails to obtain service of summons within six (6) months from the date the cause of action has been filed, then the clerk shall notify counsel that that case will be dismissed in ten (10) days unless good cause is shown to the contrary.
  - (2) Upon perfection of service, the clerk shall set the case for default hearing at 8:30 A.M., thirty-five (35) days after the Summons and Complaint were filed upon the Defendant. The Plaintiff and their counsel, and the Defendant shall be notified of the hearing by regular mail.
  - (3) After any responsive pleading is filed, the clerk shall immediately forward said pleading and file to the judge so the matter may be set for a pre-trial hearing within thirty (30) days following the filing of the answer.
  - (4) If no action has been taken on a file for a six (6) month

order or judgment is rendered shall prepare a journal entry.

That entry shall be submitted to opposing counsel within five (5) days of the decision. Opposing counsel shall approve or reject the entry within five (5) days. Within fifteen (15) days of the decision, the journal entry shall be submitted to the judge, or, thereafter, the court will prepare the journal entry.

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Upon notification from the clerk that the case has defaulted, prevailing counsel shall submit an application for default judgment within fifteen (15) days or the case will be dismissed for want of prosecution.

The journal entry shall state which party will pay the court costs.

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO FILED  
RULES OF PRACTICE  
CIVIL DIVISION 2014 AUG 27 AM 9 28  
RULE 11

CONNEAUT

(A) MUNICIPAL COURT  
FILING FEE & COSTS SCHEDULE FOR CIVIL DIVISION EFFECTIVE AUGUST 27, 2014.

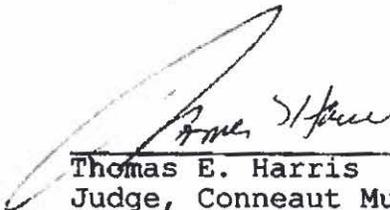
- 1.COMPLAINT - \$100.00 with one defendant  
8.00 each additional defendant
- 2.FORCIBLE ENTRY - \$100.00 with one defendant  
8.00 each additional defendant
- 3.WRIT OF RESTITUTION - \$115.00, \$75.00 of which shall be paid directly  
by the Clerk of Court to an off-duty Conneaut  
Police Officer as reimbursement for providing  
security at the location where the execution  
of the Writ of Restitution takes place.  
(AFTER INITIAL 3 HOURS, ADDITIONAL FEE OF  
\$50.00 PER HOUR TO BE DEPOSITED)
- 4.COGNOVIT NOTE - \$100.00  
8.00 each additional defendant
5. DEPLEVIN - \$100.00  
8.00 each additional defendant
- 6.ATTACHMENT BEFORE JUDGMENT - \$100.00
- 7.EXECUTION OR LEVY - \$50.00 (Money only \$20.00)  
APPRAISER FEE- \$50.00 per trip
- 8.PETITION TO VACATE - \$50.00 with one defendant  
8.00 each additional defendant
- 9.REVIVAL OF JUDGMENT - \$50.00 with one defendant  
8.00 each additional defendant
- 10.CERTIFICATE OF JUDGMENT FOR TRANSFER FROM ANOTHER COURT - \$10.00

ADDITIONAL COSTS

11. REQUEST FOR PERSONAL SERVICE - \$20.00
12. JUDGMENT ENTRY - \$5.00 SATISFACTION OF DOCKET
13. CERTIFIED COPY OF JOURNAL ENTRY - \$1.00 per page  
EXEMPLIFIED TRANSCRIPT OF JUDGMENT - \$5.00 plus \$1.00 per page
14. TRANSCRIPT OF FILE FOR APPEAL - \$5.00 plus .50 per page

- 15 CERTIFICATE OF JUDGMENT FOR LIEN - \$25.00
16. CERTIFICATE OF JUDGMENT FOR TRANSFER - \$25.00
- 17A GARNISHMENT OF PERSONAL EARNINGS - \$100.00,  
(Number of copies required - 1 for Court; 1 for return; 1 for defendant; 1 for employer; plus copies of Notice to defendant and 1 copy of Request for hearing form).
- 17B GARNISHMENT OF OTHER THAN PERSONAL EARNINGS - (BANK) \$50.00
18. EXAMINATION BEFORE JUDGE - \$40.00 with one defendant plus mileage  
8.00 each additional defendant
19. ALIAS SERVICE -\$20.00 plus mileage for defendant (Personal Service)  
15.00 for certified mail service  
5.00 for regular mail - one defendant  
8.00 for each additional defendant
20. COUNTER AND CROSS CLAIMS - \$ 5.00 with no service from Court  
20.00 for service from Court
21. AMENDED COMPLAINT - \$10.00 with no service from Court  
20.00 with service, one Defendant and mileage  
8.00 each additional defendant plus mileage
22. MOTIONS FOR SUMMARY JUDGMENT - \$20.00  
Other Motions - 10.00  
except Motion or Application for Default (NO CHARGE)
23. RELEASE OF LIEN - \$10.00
24. LEAVES - \$5.00
25. CONTINUANCE - \$10.00
26. ORDER TO SHOW CAUSE - \$25.00
27. BENCH WARRANT - \$25.00
28. NOTICE TO APPEAL - \$10.00
29. FINDINGS OF FACT - CERTIFIED TO B.M.V. - \$5.00
30. PUBLICATION - \$60.00 deposit
31. JURY DEMAND - \$400.00 in addition to \$100.00 filing fee. \$8.00 each additional defendant.
32. SUBPOENA - \$5.00 plus mileage

33. WITNESS FEES - \$12.00 full day plus .25 per mile from outside city limits. \$6.00 for one half day plus .25 per mile from outside city limits.
34. SMALL CLAIMS FILING FEE - \$55.00 with one defendant  
\$ 8.00 for each additional defendant  
\$20.00 Counter-Claim
35. TRUSTEESHIP - \$20.00
36. FINANCIAL STATEMENT - \$10.00 with one defendant  
\$ 5.00 for each additional defendant
37. THIRD PARTY COMPLAINT - \$100.00 with one defendant  
\$ 8.00 each additional defendant

  
\_\_\_\_\_  
Thomas E. Harris  
Judge, Conneaut Municipal Court

DATE: August 27, 2014

**CASE MANAGEMENT IN SPECIAL PROCEEDINGS**

**RULE 16**

- (A) **Purpose:** The purpose of this rule is to establish, pursuant to M.C. Sup. R 18, a system for Civil case management which will achieve the prompt and fair disposal of civil cases.
- (B) **Scheduling of Events:** The scheduling of a case begins when a civil case is filed. Thereafter, the case is managed in five (5) clerical steps and five (5) judicial steps.
- (C) **Clerical steps:**
- (1) Summons shall be served in accordance with the Ohio Rules of Procedure. In the event there is a failure of service, the clerk shall notify counsel immediately. If counsel fails to obtain service of summons within six (6) months from the date the cause of action has been filed, then the clerk shall notify counsel that that case will be dismissed in ten (10) days unless good cause is shown to the contrary.
  - (2) Upon perfection of service, the clerk shall set the case for default hearing at 8:30 A.M., thirty-five (35) days after the Summons and Complaint were filed upon the Defendant. The Plaintiff and their counsel, and the Defendant shall be notified of the hearing by regular mail.
  - (3) After any responsive pleading is filed, the clerk shall immediately forward said pleading and file to the judge so the matter may be set for a pre-trial hearing within thirty (30) days following the filing of the answer.
  - (4) 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 parties that the matter will be dismissed within one (1) week unless good cause is shown.

- (5) When a file has been marked, "settlement entry to come" and the entry has not been received within thirty (30) days, then the clerk shall notify the party that his case will be dismissed without prejudice 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 will then hold a pre-trial hearing which must be heard in court or in chambers. The purpose of the status hearing is to set discovery and motion deadlines so a formal pre-trial can be set.

- (2) **Motions:** All motion must be in writing and accompanied by a written memorandum containing citations or the arguments of counsel. Opposing counsel shall answer in like manner within fourteen (14) days thereafter. All motions will be considered submitted at the end of said fourteen (14) day period unless time is extended by the court.

- (3) **Pre-trials:** For the purpose of this rule, "Pre-trial" 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 of record.

Any attorney for a party to the action who fails to attend at a scheduled pre-trial conference, without just cause being shown, may be punished as for contempt of this court.

Notice of pre-trial conference shall be given to all counsel of record by mail 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.

Counsel attending the pre-trial conference must have complete authority to stipulate on items of evidence and must have full settlement authority, or in the alternative must have their clients present at said hearing.

The primary purpose of the pre-trial conference shall be to achieve an amicable settlement of the controversy in suit.

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 will file a pre-trial statement to become part of the record and the case embracing all stipulations, admissions, and other matters which have come before it in the pre-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.

The judge may at the pre-trial conference or trial, shall have the authority to dismiss the action for want of prosecution on motion of defendant upon failure of plaintiff, and/or his counsel to appear in person at any pre-trial

conference or trial; to order the plaintiff to proceed with the case and to decide and determine all matters ex parte upon failure of the defendant to appear in person or by counsel at any pre-trial conference or trial as required; to make such other order as the court may deem appropriate under all the circumstances.

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

(4) **Continuances**: No party shall be granted a continuance of a trial or a hearing without a written motion from the party or his counsel stating the reason for the continuance.

When a continuance is requested for the reason that counsel is scheduled to appear in another case assigned for trial on the same date in the same or another trial court of this state, the case which was first set for trial shall have priority and shall be tried on the date assigned. Criminal cases assigned for trial have priority over civil cases assigned for trial. The granting of any other request for continuance of a scheduled trial is a matter within the discretion of the trial court.

If a designated trial attorney has such a number of cases assigned for trial in courts of this state so as to cause undue delay in the disposition of such cases the judge may require the trial attorney to provide a substitute trial attorney. If the trial attorney was appointed by the court, the court shall appoint a substitute trial attorney.

(5) **Judgment entries**: Counsel for the party in whose favor an

## CASE MANAGEMENT IN SPECIAL PROCEEDINGS

### RULE 17

- (A) **Purpose**: The purpose of this rule is to establish, pursuant to M.C. Sup. R 18, a case management system for special proceedings to achieve a prompt and fair disposition of these matters. The following criminal matters are considered special proceedings, to wit: preliminary hearing, extradition hearing, and B.M.V. hearings.
- (B) **Scheduling of Events**: Cases that have time limits established by the Ohio Revised Code or the Ohio Rules of Criminal Procedure shall be set within those time limits for hearing. In all other special proceedings, the case shall be set for hearing within a reasonable time not to exceed sixty (60) days.
- (C) **Clerical steps**: In all new cases, if counsel fails to obtain service of summons within six (6) months, the clerk shall notify counsel that the case will be dismissed in ten (10) days unless good cause is shown to the contrary.
- (D) Upon perfection of service, the clerk shall notify the Judge who may set the case for a hearing.
- (E) After any responsive pleading is filed, the clerk shall immediately forward said pleading and file to the judge so the matter may be set for a hearing.
- (F) 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 (1) week unless good cause is shown.
- (G) When a file has been marked "settlement to come" and the entry

has not been received within thirty (30) days, then the clerk shall notify the party that his case will be dismissed without prejudice unless the entry is received within ten (10) days.

**FORCIBLE ENTRY & DETAINER HEARINGS**

- (A) **Hearing:** All forcible entry and detainer cases shall be set for hearing, pursuant to the time limits set forth in the Ohio Revised Code. At that hearing, the Ohio Rules of Evidence and the applicable Ohio Rules of Civil Procedure will be applied.
- (B) If an answer or jury demand is filed in a forcible entry and detainer case, then the clerk shall forward the case to a judge so the case can be scheduled for the appropriate hearing.

period and the case is not set for trial, then the clerk shall notify the parties that the matter will be dismissed within one (1) week unless good cause is shown.

(5) When a file has been marked, "settlement entry to come" and the entry has not been received within thirty (30) days, then the clerk shall notify the party that his case will be dismissed without prejudice 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 will then hold a pre-trial hearing which must be heard in court or in chambers. The purpose of the status hearing is to set discovery and motion deadlines so a formal pre-trial can be set.

(2) **Motions:** All motions must be in writing and accompanied by a written memorandum containing citations or the arguments of counsel. Opposing counsel shall answer in like manner within fourteen (14) days thereafter. All motions will be considered submitted at the end of said fourteen (14) day period unless time is extended by the court.

(3) **Pre-trials:** For the purpose of this rule, "Pre-trial" 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 of record.

Any attorney for a party to the action who fails to attend at a scheduled pre-trial conference, without just cause being shown, may be punished as for contempt of this court.

Notice of pre-trial conference shall be given to all counsel of record by mail 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.

Counsel attending the pre-trial conference must have complete authority to stipulate on items of evidence and must have full settlement authority, or in the alternative must have their clients present at said hearing.

The primary purpose of the pre-trial conference shall be to achieve an amicable settlement of the controversy in suit.

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 will file a pre-trial statement to become part of the record and the case embracing all stipulations, admissions, and other matters which have come before it in the pre-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.

The judge may at the pre-trial conference or trial, shall have the authority to dismiss the action for want of prosecution on motion of defendant upon failure of plaintiff, and/or his counsel to appear in person at any pre-trial

conference or trial; to order the plaintiff to proceed with the case and to decide and determine all matters ex parte upon failure of the defendant to appear in person or by counsel at any pre-trial conference or trial as required; to make such other order as the court may deem appropriate under all the circumstances.

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

(4) **Continuances**: No party shall be granted a continuance of a trial or a hearing without a written motion from the party or his counsel stating the reason for the continuance.

When a continuance is requested for the reason that counsel is scheduled to appear in another case assigned for trial on the same date in the same or another trial court of this state, the case which was first set for trial shall have priority and shall be tried on the date assigned. Criminal cases assigned for trial have priority over civil cases assigned for trial. The granting of any other request for continuance of a scheduled trial is a matter within the discretion of the trial court.

If a designated trial attorney has such a number of cases assigned for trial in courts of this state so as to cause undue delay in the disposition of such cases the judge may require the trial attorney to provide a substitute trial attorney. If the trial attorney was appointed by the court, the court shall appoint a substitute trial attorney.

(5) **Judgment entries**: Counsel for the party in whose favor an

order or judgment is rendered shall prepare a journal entry.

That entry shall be submitted to opposing counsel within five (5) days of the decision. Opposing counsel shall approve or reject the entry within five (5) days. Within fifteen (15) days of the decision, the journal entry shall be submitted to the judge, or, thereafter, the court will prepare the journal entry.

Entries of settlement may be filed at any time. The avoidance of trial by settlement shall be allowed without the filing of an entry, but such entry shall be filed within thirty (30) days or the case will be dismissed for want of prosecution.

Upon notification from the clerk that the case has defaulted, prevailing counsel shall submit an application for default judgment within fifteen (15) days or the case will be dismissed for want of prosecution.

The journal entry shall state which party will pay the court costs.

#### **CASE MANAGEMENT IN SPECIAL PROCEEDINGS**

(A) **Purpose:** The purpose of this rule is to establish, pursuant to M.C. Sup. R 18, a case management system for special proceedings to achieve a prompt and fair disposition of these matters. The following civil matters are considered special

proceedings, to wit: small claims, forcible entry and detainer, default hearings, rent escrow, replevin, motion to cite, garnishment hearings, and debtor's exams.

- (B) **Scheduling of Events**: Cases that have time limits established by the Ohio Revised Code shall be set within those time limits for hearing. In all other special proceedings, the case shall be set for hearing within a reasonable time not to exceed ninety (90) days.
- (C) **Clerical steps**: In all new cases, if counsel fails to obtain service of summons within six (6) months, the clerk shall notify counsel that the case will be dismissed in ten (10) days unless good cause is shown to the contrary.
- (D) Upon perfection of service, the clerk shall notify the Judge who may set the case for a hearing.
- (E) After any responsive pleading is filed, the clerk shall immediately forward said pleading and file to the judge so the matter may be set for a hearing.
- (F) 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 (1) week unless good cause is shown.
- (G) When a file has been marked "settlement to come" and the entry has not been received within thirty (30) days, then the clerk shall notify the party that his case will be dismissed without prejudice unless the entry is received within ten (10) days.

**FORCIBLE ENTRY & DETAINER HEARINGS**

- (A) **Hearing:** All forcible entry and detainer cases shall be set for hearing, pursuant to the time limits set forth in the Ohio Revised Code. At that hearing, the Ohio Rules of Evidence and the applicable Ohio Rules of Civil Procedure will be applied.
- (B) If an answer or jury demand is filed in a forcible entry and detainer case, then the clerk shall forward the case to a judge so the case can be scheduled for the appropriate hearing.

**SMALL CLAIMS COURT**

(A) A small claim action is commenced by filing a small claims petition, pursuant to Ohio Revised Code Section 1925.04, the form is attached as Appendix "E". No defendant is required to file an answer or statement of defense. However, should the defendant fail to appear for the hearing, after being duly served, then a default judgment may be entered against said defendant. All

pleadings will be construed to accomplish substantial justice.

(B) Upon filing of motion of affidavit, as required by Ohio Revised Code Section 1925.10, and upon payment of the required cost, the small claim will be transferred to the regular docket. No transfer will be granted until the filing costs are paid.

(C) Hearing: The Court shall place all parties who plan to offer evidence under oath and then allow the plaintiff and defendant to state their case. The plaintiff and defendant may subpoena and call witnesses if they desire to do so. The Ohio Rules of Evidence and the Ohio Rules of Civil Procedure will apply to a hearing in small claims court.

**IN THE CONNEAUT MUNICIPAL COURT**

**ASHTABULA COUNTY, OHIO**

**RULES OF PRACTICE**

**SMALL CLAIMS DIVISION**

**EFFECTIVE JANUARY 17, 2012**

**There shall be a Small Claims Division in the Conneaut Municipal Court in accordance with Section 1925.01 of the Revised Code.**

**RULE 1**

**(A) Holding of Sessions**

**The Small Claims Branch shall hold sessions on Wednesday each week, and at such other times as scheduled by order of the Court.**

**The office of the Clerk of this Court shall be open for the transaction of business during all sessions of the Court.**

**(B) Indexes and Instruments**

**The Clerk shall prepare and keep the following indexes and instruments which shall be the public records of this Court:**

- (1) A "Defendant's Index," in which shall be entered the small claims cases brought in this Court according to the alphabetical order in the defendant's last name and the case number prefixed by the letters "91-CVI." The number "91" shall be changed on the first day of each year to correspond to the final two digits of the calendar year, for all cases filed in said year.**
- (2) A "Hearing Sheet" which shall be a loose leaf sheet kept by the Clerk in the case file on which shall be entered all proceedings in the case, properly dated, or a summary thereof, and on which shall be entered every judgment order of the Small Claims Branch of the Conneaut Municipal Court.**

The "Hearing Sheet" will further have the date and the order, if any, of any satisfaction of judgment, finding, order and/or record of payment of any judgment, finding or order.

The "Hearing Sheet" will also indicate the taxation and payment, if any, of costs of the Small Claims Branch proceeding.

The "Hearing Sheet" will further indicate if the case has been transferred to the regular docket and journal of the court.

## **RULE 2**

### **Only Attorneys to Appear in Representative Capacity**

(A) No person, except a member in good standing of the Bar of this State shall be permitted to appear in this branch in the representative capacity, except for the purpose of securing a continuance.

## **RULE 3**

### **Record of Court**

Records of Actions commencing in this Branch shall be the same as set forth in Rule 1 of the Civil Division Rules of Practice of the Conneaut Municipal Court.

## **RULE 4**

### **Preparation of statement of Claim, Verification and Notice**

(A) When State of Claim, etc., prepared by Plaintiff or Attorney

The plaintiff or his attorney shall state to the Clerk or Deputy Clerk as designated by the Court, the plaintiff's and defendant's place of residence, the military status of the defendant, and the nature and amount of claim. Such writing shall be signed by the plaintiff or his attorney under oath.

(B) Contents of the Statement of Claim

The Statement of Claim shall contain a statement of facts constituting a cause of action and the amount of money claimed.

**(C) Setting the Hearing Day**

The Court shall furnish the person signing the writing with a memorandum of the time and place set for trial. The time set for such trial shall be not less than 15 or more than 40 days after the date of the filing of the action.

**RULE 5**

**Addresses of Parties and Attorneys**

The addresses of the parties and their attorneys stated in the original statement of claim as first given by the plaintiff shall be considered as the true addresses of such parties and attorneys for the purpose of all subsequent notices in the case, unless such party or attorney notified the Clerk, in writing, of a change in such address.

**RULE 6**

Service of notice and a copy of the Statement of Claim shall be served on the defendant in the same manner as a summons is served in any ordinary civil action, including service by mail as permitted by Section 2703.23. If the notice is returned undelivered or if any other way it appears that notice has not been received by the defendant at the request of the plaintiff, or his attorney, a further notice shall be issued, setting the trial for subsequent date, to be served in the same manner as a summons is served in an ordinary civil action, and an additional fee of One Dollar (\$1.00) shall be charged for such notice.

**RULE 7**

**Subpoena for Witnesses**

Subpoena for witnesses, if requested, or by order of the Court, or Referee, shall be issued by the Clerk in the same manner as provided in other civil actions of the Court.

**RULE 8**

**Costs: Waiver of Costs**

The Judge sitting in this Branch shall have full discretionary power to waive the prepayment of costs or the payment of costs accruing during the action upon the sworn statement of the plaintiff or upon other satisfactory evidence in his inability to pay such costs. When costs are so waived, the notation to be made on the records of said Branch shall be "Prepayment of costs waived," or "Costs waived." The award of costs shall be according to the discretion of the Judge, who may include therein the reasonable costs of bonds and

undertakings, include therein the reasonable costs of bonds and undertaking, and other reasonable expenses incident to the suit, incurred by either party.

#### **RULE 9**

##### **Fee for Original or Intervening Petition**

The fee for filing an original or an intervening statement of claim in this Branch shall be Fifty-five Dollars (\$55.00) for the first defendant and an additional Eight Dollars (\$8.00) for each additional defendant plus postage and costs of Xerox copies of the statements.

#### **RULE 10**

##### **(A) Trial**

The Trial shall be held on the date set for hearing in the notice, unless for good cause shown the time of such trial be set for a later day by agreement only.

When a continuance is ordered, the Court shall furnish the parties with memorandum showing the day and hour to which such case has been continued.

The Small Claims Branch shall be limited to civil actions for the recovery of money only, other than libel, slander, alienation of affections, malicious prosecution and abuse of process, for amounts not exceeding Three Thousand Dollars (\$3,000.00) exclusive of interest and costs.

##### **(B) Non-appearance of Parties**

If the defendant fails to appear, judgment shall be entered for the plaintiff by default, as provided by law. If the plaintiff fails to appear, the suit may be dismissed for want of prosecution, or defendant proceed to a trial on the merits or the case may be continued, or returned to the files for further proceedings on a later date, as the Judge may direct. If both parties fail to appear, the Defendant may return the case to the files, or order the same dismissed for want of prosecution, or make any other just and proper disposition thereof, as justice may require.

##### **(C) The Conduct of the Trial**

The parties and witnesses shall be sworn. The Judge shall conduct the trial in such manner as to do substantial justice between the parties according to the rules of substantive law, and the Ohio Rules of Civil Procedure and the Ohio Rules of Evidence, which may be applied.

##### **(D) Transfer of Case to Regular Court Docket**

- (1) A case may be transferred to the regular docket upon the motion of the Court at any state of the proceedings.
- (2) By motion of the defendant accompanied by affidavit stating that a good defense to the claim exists and setting forth the ground.
- (3) The filing of a counterclaim for an amount greater than the jurisdiction of the Small Claims Division. The failure to file such motion constitutes a waiver by the defendant of any right to trial by jury. Leave may be granted by the Court for filing of such motion and affidavit.

**(E) Surrender of Contracts**

When a judgment is based upon a negotiable instrument, said instrument shall stand merged in the judgment and shall be surrendered to the Clerk and be marked in judgment.

**RULE 11**

**Pleadings**

- (A) It shall not be necessary for any party in any cause in this Branch to file any answer, plea, or other defense in writing except in case the defendant asserts a set-off or counterclaim, in which case the requirement of such a plea of writing shall be discretionary with the Judge.
- (B) All Pleadings shall be so construed as to substantial justice.

**RULE 12**

**Jury Trial and Record – Demand**

Any party filing a claim in the Small Claims Branch shall by his filing and payment of advance costs enter an automatic waiver of trial by jury upon such action.

If the case is transferred to the regular docket of the Court, the parties to the action may then demand a trial by jury in any case presenting an issue triable of right by a jury by serving upon the other parties and filing with the Clerk of Court a demand therefore at any time after the transfer of the action but not later than seven days after said action has been transferred to the regular docket of the Conneaut Municipal Court. Such demand for jury must

be accompanied by a deposit of advance costs as required by Rule 6 of the Conneaut Municipal Court.

**RULE 13**

**Effect of Expiration of Term**

The period of time provided by law or by these rules for the doing of any act or the taking of any proceeding shall not be affected or limited by the expiration of a term of Court. The expiration of a term of Court shall not in any way affect the power of the Judge to do any act or take any proceeding in any action which has been pending in this Branch.

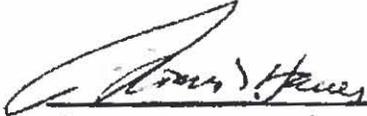
**RULE 14**

**Construction of Laws and Rules**

(A) All provisions of law relating to the rules of the Conneaut Municipal Court shall apply to the practice herein so far as they may be made applicable and are not in conflict with the provisions of this Branch, or with these rules. In case of conflict the provisions of these shall control.

(B) Uniformity in the application of these rules shall prevail and be observed as nearly as possible by each Judge sitting in this Branch.

The above Rules are hereby approved and adopted this 17<sup>th</sup> day of January, 2012.

  
\_\_\_\_\_  
Thomas E. Harris, Judge  
Conneaut Municipal Court

**FILED**

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IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO  
CONNEAUT  
MUNICIPAL COURT

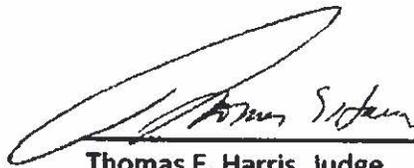
IN RE: WILDLIFE CASES  
BOND FORFEITURES  
ORDER FOR DESTRUCTION  
OF EVIDENCE

ADMINISTRATIVE ORDER

It is hereby ordered that for cases filed by the Ohio Department of Natural Resources, Wildlife Division, when the case involves a bond and its forfeiture and a closure of the case, it is hereby ordered that in any of those cases, within thirty (30) days from the final entry on the case, any evidence seized or retained by the Ohio Department of Natural Resources, Wildlife Division, may be destroyed as permitted by the Ohio Revised Code Section 2981.11 - 2981.13.

This is a blanket order intended to cover all cases in the type referenced above.

IT IS SO ORDERED.

  
\_\_\_\_\_  
Thomas E. Harris, Judge

**CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY  
OHIO DIVISION OF WILDLIFE VIOLATIONS  
BOND AND WAIVER SCHEDULE**

<u>ORC / OAC</u>		<u>Bond/Waiver</u>
<b>FISHING AND HUNTING LICENSES AND PERMITS</b>		
<b>1533.32</b>	Fishing without a license (Ohio resident)	\$50.00 & Costs
<b>1533.32</b>	Fishing without a license (non-resident)	\$75.00 & Costs
<b>1533.32</b>	Fail to carry and exhibit fishing license	\$20.00 & Costs
<b>1533.10</b>	Hunting w/o a license (resident & non-resident- small game, waterfowl)	\$100.00 & Costs
<b>1533.10</b>	Non-resident (Deer, Turkey, fur-bearers)	\$250.00 & Costs
<b>1533.14</b>	Fail to Carry and Exhibit Hunting License	\$20.00 & Costs
<b>1533.111</b>	Hunt or trap fur-bearers without fur taker permit	\$50.00 & Costs
<b>1533.111</b>	Fail to carry and exhibit fur taker permit	\$20.00 & Costs
<b>1533.11</b>	Hunt deer without valid Deer permit	\$100.00 & Costs
<b>1533.11</b>	Fail to carry and exhibit valid Deer or Turkey permit	\$50.00 & Costs
<b>1533.11</b>	Hunt Turkey without valid Turkey permit	\$100.00 & Costs
<b>1533.112</b>	Hunt waterfowl without a valid Ohio wetlands habitat stamp	\$50.00 & Costs
<b>1533.112</b>	Fail to carry and exhibit Ohio wetlands habitat stamp	\$20.00 & Costs
<b>1531.02/ 1501:31-7-06</b>	Hunt waterfowl without a valid federal migratory bird stamp	\$50.00 & Costs
<b>SPORT FISHING</b>		
<b>1531.02 / 1501:31-13-01</b>	Fish with more than two lines per angler	\$30.00 & Costs
<b>1531.02 / 1501:31-13-01</b>	Take fish by illegal method (Nets, Snagging, Etc.)	\$100.00 & Costs
<b>1531.02 / 1501:31-13-14</b>	Over limit of Walleye	\$75.00 & Costs (Add \$50.00 for each fish over)
<b>1531.02 / 1501:31-13-14</b>	Over limit of Yellow Perch	\$75.00 & Costs (Add \$20.00 for each fish over)
<b>1531.02 / 1501:31-13-08</b>	Over limit of Trout or Salmon	\$75.00 & Costs (Add \$50.00 for each fish over)
<b>1531.02 / 1501:31-13-09</b>	Possess Undersized Fish (Trout, Salmon, Black Bass, Walleye)	\$50.00 & Costs

1531.02 / 1501:31-13-08 Over limit of Black Bass (Smallmouth & Largemouth) \$75.00 & Costs  
(Add \$50.00 for each fish over)

1531.02 / 1501:31-13-01 Take Black Bass during the closed season (Smallmouth & Largemouth) \$50.00  
& Costs (Add \$50.00 for each fish taken in closed season)

1531.02 / 1501:31-13-08 Possess fish in any form other than in the round \$75.00 & Costs

**SMALL GAME -RABBITS, SQUIRELL, PHEASANTS, GROUSE, ECT.**

1531.02 / 1501:31-15-17 Hunt, take, or possess in during the closed season \$100.00 & Costs

1531.02 / 1501:31-15-01 Over limit of small game animals \$100.00 & Costs

1531.02 / 1501.31-15-01 Hunt before or after legal hours \$30.00 & Costs

1531.02 / 1501:31-15-11 Hunt small game during deer gun season \$50.00 & Costs

**DEER**

1531.02 / 1501:31-15-11 Hunt or take Deer during the closed season \$500.00 & Costs

1531.02 / 1501:31-15-11 Hunt Deer before or after legal hours \$30.00 & Costs

1531.02 / 1501:31-15-11 Hunt or take Deer with illegal weapon \$200.00 & Costs

1531.02 / 1501:31-15-11 Possession of illegally taken Deer parts \$300.00 & Costs

1531.02 / 1501:31-15-11 Take or attempt to take over limit of Deer \$300.00 & Costs

1531.02 / 1501:31-15-11 Possession of un-tagged Deer or Deer parts \$200.00 & Costs

1531.02 / 1501:31-15-11 Fail to attach game tag to Deer \$75.00 & Costs

1531.02 / 1501:31-15-11 Fail to game check Deer \$150.00 & Costs

1531.02 / 1501:31-15-11 Provide false information while game checking Deer \$75.00& Costs

1531.02 / 1501:31-15-11 Failure to wear hunter orange \$50.00 & Costs

1531.02 / 1501:31-15-11 Possess firearm loaded with more than 3 shells \$30.00 & Costs

1531.02 / 1501:31-15-11 Use antlerless Deer permit in closed area \$50.00 & Costs

**TURKEY**

1531.02 / 1501:31-15-10 Hunt, take, possess Turkey during the closed season \$250.00 & Costs

1531.02 / 1501:31-15-10 Hunt Turkeys before or after legal hours \$50.00 & Costs

1531.02 / 1501.31-15-10 Hunt Turkeys by illegal method (bait, electric caller, weapon) \$200.00 & Costs

1531.02 / 1501:31-15-10 Possession of illegally taken or untagged Turkey \$200.00 & Costs

<b>1531.02 / 1501:31-15-10</b>	Hunt or take over limit of Turkey	\$200.00 & Costs
<b>1531.02 / 1501:31-15-10</b>	Fail to attach game tag to Turkey	\$100.00 & Costs
<b>1531.02 / 1501:31-15-10</b>	Fail to game check Turkey	\$150.00 & Costs
<b>1531.02 / 1501:31-15-10</b>	Provide false information while game checking turkey	\$75.00 & Costs

**WATERFOWL**

<b>1531.02 / 1501:31-7-06</b>	Hunt or possess waterfowl during the closed season	\$150.00 & Costs
<b>1531.02 / 1501:31-7-02</b>	Hunt or take waterfowl by illegal method (firearm, trap, ect.)	\$150.00 & Costs
<b>1531.02 / 1501:31-7-02</b>	Hunt with a shotgun capable of holding more than 3 shells	\$30.00 & Costs
<b>1531.02 / 1501:31-7-06</b>	Over limit of waterfowl	\$100.00 & Costs
<b>1531.02 / 1501:31-7-06</b>	Hunt waterfowl before or after legal hours	\$50.00 & Costs
<b>1531.02 / 1501:31-7-02</b>	Hunt waterfowl over bait or with live decoys	\$200.00 & Costs
<b>1531.02 / 1501:31-7-02</b>	Hunt waterfowl with or possess toxic shot shells	\$50.00 & Costs
<b>1531.02 / 1501:31-7-03</b>	Illegal possession of waterfowl (untagged, skinned, etc.)	\$100.00 & Costs
<b>1531.02 / 1501:31-7-03</b>	Fail to retrieve birds (wanton waste)	\$100.00 & Costs

**FURBEARING ANIMALS- BEAVER, MUSKRAT, RACCOON, OTTER, FOX, ETC**

<b>1531.02 / 1501:31-15-17</b>	Hunt, trap or possess furbearing animals during closed season	\$150.00 & Costs
<b>1531.02 / 1501:31-15-09</b>	Trap fur-bearers with illegal trap or snare	\$100.00 & Costs
<b>1531.02 / 1501:31-15-09</b>	Trap with untagged traps	\$75.00 & Costs
<b>1531.02 / 1501:31-15-09</b>	No continuous white light while night hunting	\$50.00 & Costs
<b>1531.02 / 1501:31-15-17</b>	Over limit of River Otters	\$200.00 & Costs
<b>1531.02 / 1501:31-15-09</b>	Tagging violations for River Otters	\$200.00 & Costs
<b>1531.02 / 1501:31-15-02</b>	Pursue furbearers in closed season with firearm	\$150.00 & Costs
<b>1531.02 / 1503:31-15-09</b>	Fail to check traps each calendar day	\$75.00 & Costs

**JACKLIGHTING & GENERAL HUNTING PROVISIONS**

<b>1533.161</b>	Jacklighting - cast rays of light into fields / woods w/ hunting device	\$300.00 & Costs
<b>1533.161</b>	Jacklighting / cast rays of light into fields / woods w/o hunting device	\$150.00 & Costs
<b>1531.02 / 1501:31-15-02</b>	Hunt with the aid of a motor-driven conveyance	\$150.00 & Costs
<b>1531.02 / 1501:31-15-02</b>	Shoot at a wild animal from, across or along a public road	\$ 150.00 & Costs

**NON-GAME SPECIES**

- 1533.07 Illegal taking or possession of non-game bird \$200 & Costs
- 1533.07 Taking or Possession of Hawks or Owls MUST APPEAR-\$525.00 BOND
- 1533.07 Taking or Possession of Eagle, Osprey, or Endangered Species MUST APPEAR-\$1,025.00 BOND
- 1531.02 / 1501:31-15-02 Disturb or destroy nest or den of wild animal \$150.00 & Costs

**HUNTING, TRAPPING OR FISHING WITHOUT PERMISSION**

- 1533.17 Hunt or trap without written permission \$150.00 & Costs
- 1533.17 Fishing without written permission \$100.00 & Costs

**LITTERING**

- 1531.29 Littering on State land or waters-Major (trash, rubbish, etc) \$300.00 & Costs
- 1531.29 Littering State land or waters-Minor (Cans, bottles, etc) \$50.00 & Costs
- 3767.32 Private property Litter-Major (trash, rubbish, etc) \$300.00 & Costs
- 3767.32 Private property Litter-Minor (cans, bottles, etc) \$50.00 & Costs

**DETERING**

- 1533.67 Resist, threaten or deter a Wildlife Officer M-1 MUST APPEAR-\$1,000 BOND

**WILDLIFE AREA (PUBLIC HUNTING AREA) REGULATIONS**

- 1531.02 / 1501:31-9-01 Motor vehicle in non-designated area \$50.00 & Costs
- 1531.02 / 1501:31-9-01 Curfew violation \$50.00 & Costs
- 1531.02 / 1501:31-9-02 Camping on Wildlife Area \$50.00 & Costs

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2016 FEB 5 5 01 PM 12 01  
Effective  
CONNELT  
MUNICIPAL COURT



CARL L. DIFRANCO, JUDGE

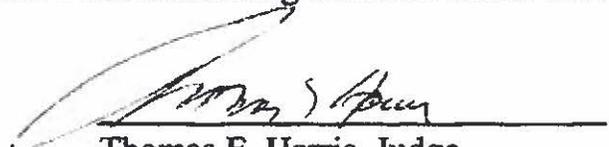
**IN THE CONNEAUT MUNICIPAL COURT**  
**ASHTABULA COUNTY, OHIO**  
**RULES OF PRACTICE**  
**CRIMINAL DIVISION**  
**RULE 13 (E)**  
**OHIO DEPARTMENT OF NATURAL RESOURCES**  
**WAIVER AND BOND SCHEDULE**  
**EFFECTIVE APRIL 3, 2008**

1547.03	Flashing lights prohibited.	. . . . .	\$20.00 & costs
1547.04	Siren prohibited.	. . . . .	20.00 & costs
1547.052	Operating regulations	. . . . .	20.00 & costs
1547.06	Child operators prohibited	. . . . .	20.00 & costs
1547.08	Restricted areas	. . . . .	20.00 & costs
1547.09	Mooring prohibited in certain areas	. . . . .	20.00 & costs
1547.14	Water skiing to be confined to ski zones	. . . . .	20.00 & costs
1547.15	Observed required when towing skier	. . . . .	20.00 & costs
1547.16	Water skiing after dark prohibited	. . . . .	20.00 & costs
1547.18	PFD's for skiers	. . . . .	20.00 & costs
1547.19	Ski jumps prohibited	. . . . .	20.00 & costs
1547.20	Permission for conducting special water events	. . . . .	20.00 & costs
1547.21	Sale of single ceded inflatable watercraft	. . . . .	20.00 & costs
1547.22	Sitting, standing, walking on moving crafts	. . . . .	20.00 & costs
1547.23	Engine warm-up required.	. . . . .	20.00 & costs

1547.24	Children under ten must wear lift jacket	.	.	20.00 & costs
1547.25	Specifications for life preservers (M4).	.	.	25.00 & costs
1547.251	Distress flag required	.	.	20.00 & costs
1547.26	Anchor, whistle and bell requirements.	.	.	20.00 & costs
1547.27	Specifications for Fire Extinguishers	.	.	20.00 & costs
1547.29	Ventilation requirements on power craft	.	.	20.00 & costs
1547.31	Exhaust muffler required (M4)	.	.	25.00 & costs
1547.32	Watercraft dwelling unlawful if a nuisance	.	.	20.00 & costs
1547.38	Safety equipment on Rental Craft (M4).	.	.	25.00 & costs
1547.39	Capacity plate for watercraft (M4).	.	.	25.00 & costs
1547.40	Load, HP limits (M4)	.	.	25.00 & costs
1547.41	Attachment of capacity plate required	.	.	20.00 & costs
1547.49(B),(C)	Littering	.	.	20.00 & costs
1547.52(2)	Nav. Rules, Lights	.	.	25.00 & costs
1547.53	Numbering of Watercraft	.	.	20.00 & costs
1547.54(E)	Appl. for numbers	.	.	20.00 & costs
1547.541	Historic registration	.	.	20.00 & costs
1547.542	Livery registration	.	.	20.00 & costs
1547.543	Dealers registration	.	.	20.00 & costs
1547.57	Display of tags	.	.	20.00 & costs

1547.59 Accident report . . . . . 20.00 & costs

Only the listed violations are waiverable, and in no event shall a violation resulting in an accident be waiverable, nor shall a second boating violation within a 12 month period be waived.



Thomas E. Harris, Judge  
Conneaut Municipal Court

FILED

2008 APR -3 A 11: 12

CONNEAUT  
MUNICIPAL COURT

LOCAL RULE FOR CONNEAUT MUNICIPAL COURT  
JURY MANAGEMENT PLAN



INTRODUCTION

This local Rule of Practice is being implemented in compliance with Municipal Court Superintendency Rule 18(C), which requires that each municipal court, prior to July 1, 1994, develop and implement a Jury Management Plan. It is the purpose of this Rule to implement an efficient and comprehensive system of jury use and management for the Conneaut Municipal Court.

JURY ELIGIBILITY

To ensure that the jury pool is representative of the adult population of the City of Conneaut, Ashtabula County, Ohio, all persons are eligible to serve on a jury, except as follows:

1. Persons less than 18 years of age.
2. Persons who are not residents of the City of Conneaut, Ashtabula County, Ohio

All reasonable efforts shall be made to accommodate prospective jurors who have special needs.

PROCEDURE FOR JURY SELECTION

Potential jurors shall be drawn from a jury source list, which shall constitute a list of all names from the list of qualified driver licensees certified by the registrar of motor vehicles pursuant to section 2313.06 of the Revised Code and from the list of electors certified by the Ashtabula County Board of Elections, pursuant to section 2313.06 of the Revised Code, by the Jury Commissioners, starting with the Seventeenth name and picking every Twentieth name, filling the Conneaut Municipal Court Jury Wheel with at least Three Hundred (300) names, that said list of names be prepared and certified and placed in said Wheel and delivered into the custody of the Clerk of this Court on or before the 8th day of January of said year, and that prior to placing said names in said Jury Wheel that the present names in said Wheel be destroyed.

In January of each year, the Jury Commissioners, duly appointed by the Court pursuant to Revised Code Section 2313.01, shall convene and select Twelve jury panels to cover potential jury dates throughout the calendar year. The jury source list shall be reviewed and unsuitable names purged from such list, in accordance with the powers provided to jury commissioners by ORC 2313.01.

In the event the Twelve jury panels drawn are insufficient to meet the needs for the court in the calendar year, the Jury

Commissioners shall reconvene as necessary to select additional jury panels, in accordance with ORC 2313.01.

If, in the opinion of the court, this jury source list is not representative of the adult population of the jurisdiction, additional source lists shall be utilized as authorized by law.

#### LOCAL RULE, JURY MANAGEMENT PLAN

Further, random selection processes shall be utilized to assign prospective jurors to specific panels and for assignment during voir dire.

Departures from random selection shall be permitted only as follows:

1. To exclude persons ineligible for service.
2. To excuse or defer prospective jurors.
3. To remove prospective jurors for cause or if challenged peremptorily.
4. To provide all prospective jurors with an opportunity to be called for jury service and to be assigned to a panel.

All prospective jurors shall be notified by Certified Mail of their requirement of service by the issuance of a summons directing them to appear on the date assigned (See attachment A). Further, all prospective jurors shall be required to complete a jury questionnaire and, if appropriate, a request for excuse, exemption or a deferral (See Attachment B). Said summons shall be phrased so as to be readily understood by an individual unfamiliar with the legal process, and shall be delivered by Certified Mail. Said summons shall clearly explain how and when the recipient must respond and the consequences of his failure to respond. Any person who fails to respond to a duly served summons shall be served with a citation for contempt of court, and must appear to answer on said summons or, if appropriate, shall be arrested and detained for examination as to why they failed to attend.

#### SUMMONING OF PROSPECTIVE JURORS

Prospective jurors shall be summoned only upon the filing of a written jury demand, if required. In civil cases, a jury deposit of Two Hundred Dollars (\$200.00) shall be assessed. If the jury demand is made upon the filing of a complaint or made upon the filing of a responsive pleading, Fifty Dollars (\$50.00) of the deposit shall accompany said pleading. An additional deposit of One Hundred Fifty Dollars (\$150.00) shall be tendered no less than two weeks before trial date. In the event either deposit is not made, no jury will be summoned, and the failure to make said deposit shall be deemed a waiver of the right to trial by jury. A person determined to be indigent may petition the Court for a waiver of the jury deposit requirement.

Prospective jurors shall be summoned to appear in sufficient numbers to accommodate trial activity. Panels of Sixty (60) persons per trial shall be summoned for service unless the Court determines that a lesser or greater number is necessary for a particular trial.

Every effort shall be made to resolve cases prior to summoning juries. A jury panel shall not be summoned unless it appears that there is a substantial likelihood of trial. The Court shall contact counsel, or the parties, which ever is appropriate, at least two weeks prior to the scheduled trial date. If it appears that trial is inevitable, a jury panel shall be summoned upon court order, at least Fourteen (14) days in advance of trial. Those costs associated with the summoning of a jury shall be assessed against the party requesting the trial.

In cases where multiple trials are set for the same date, jury costs shall be assessed to the last trial settled on that date. If a trial is settled on the day of trial, all lawful jury costs shall be assessed against the party who requested the jury.

Persons summoned for jury service shall receive compensation in the amount of Ten Dollars (\$15.00) per day for the first Ten (10) days they actually report for jury duty after which time they receive Fifteen Dollars (\$15.00) per day for the next Five (5) days they report, or until the completion of the case in which they are engaged. Such fees shall be promptly paid from the City or County Treasury, as appropriate.

Any juror wishing to waive his fee for service shall be permitted to do so in writing in the Clerk's office. All waived fees shall be returned to the City or County Treasury, as appropriate.

The term of service for any prospective panel shall be one day or the completion of one trial, whichever is longer.

#### EXEMPTION, EXCUSE, AND DEFERRAL

All persons except those who exercise their right to exemption are subject to service. Eligible persons who are summoned may be excused from service only if it is determined that their ability to receive and evaluate information is so impaired that they are unable to perform their duties as jurors, or that service upon a jury would constitute a significant hardship to them or members of the public. Persons excused from service shall be deferred and may be subject to jury service at a later time. All requests for excuse, exemption or deferral must be made on the form provided, and shall be accompanied by appropriate documentation. These documents shall be retained by the Court.

The following factors constitute a partial, although not exclusive, list of excuses for which a person may be excused or deferred from jury service:

In criminal cases, no deposit shall be required.

Prospective jurors shall be summoned to appear in sufficient numbers to accommodate trial activity. Panels of Sixty-Five (65) persons per trial shall be summoned for service unless the Court determines that a lesser or greater number is necessary for a particular trial.

Every effort shall be made to resolve cases prior to summoning juries. A jury panel shall not be summoned unless it appears that there is a substantial likelihood of trial. The Court shall contact counsel, or the parties, which ever is appropriate, at least two weeks prior to the scheduled trial date. If it appears that trial is inevitable, a jury panel shall be summoned upon court order, at least Fourteen (14) days in advance of trial. Those costs associated with the summoning of a jury shall be assessed against the party requesting the trial.

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The following factors constitute a partial, although not exclusive, list of excuses for which a person may be excused or deferred from jury service:

1. Any person who suffers from a substantial physiological

- or psychological impairment.
2. Any person who has a scheduled vacation or business trip during potential jury service.
3. Any person for whom jury service would constitute a substantial economic hardship.
4. Any person for whom service on a jury would constitute a substantial hardship on their family, clients, or members of the public affected by the prospective juror's occupation.
5. Any person who has served on a jury within the last year.
6. Any person for whom it may be readily determined is unfit for jury service.
7. Any person for whom it is readily apparent would be unable to perform their duty as a juror.
8. Other valid excuse.

No person shall be excused from jury service, except by the Judge or an individual specifically authorized to excuse jurors. No person who does not complete the jury excuse deferral or exemption form shall be excused from service. Once a prospective juror has submitted his request for excuse, the prospective juror must report for service unless otherwise notified by the Court.

#### EXAMINATION OF PROSPECTIVE JURORS

Examination of prospective jurors shall be limited to matters relevant to determining whether to remove a juror for cause, and to determine the juror's fairness impartiality.

All prospective jurors shall be placed under oath in accordance with the Ohio Revised Code. The oath administered shall incorporate an oath to assure the truthfulness of the answers provided on jury questionnaires.

Jury questionnaires indicating basic background information concerning panel members shall be made available to counsel prior to jury selection (See Attachment C). Counsel is permitted to record or copy the information contained on the questionnaires, except addresses and telephone numbers, so long as all copies of jury questionnaires are returned to the court upon the completion of trial. Under no circumstances may counsel or a party retain any jury questionnaire.

Neither counsel nor any party will be permitted to question prospective jurors as to matters contained in the questionnaire. Parties and counsel may be permitted to ask follow up questions concerning such information.

The Court shall conduct a preliminary voir dire examination concerning basic and relevant matters, and counsel shall be permitted a reasonable period of time to question panel members thereafter. Counsel or parties shall conform their voir dire

questioning to the following rules:

1. Counsel may not examine prospective jurors concerning the law or possible instructions.
2. Counsel may not ask jurors to base answers on hypothetical questions.
3. Counsel may not argue the case while questioning jurors.
4. Counsel may not engage in efforts to indoctrinate jurors.
5. Jurors may not be asked what kind of verdict they might return under any circumstances. No promises may be elicited from jurors.
6. Questions are to be asked collectively of the panel whenever possible.
7. Counsel may inquire by general questions concerning the validity and philosophy of reasonable doubt or the presumption of innocence.

In the event there exists a potential for sensitive or potentially invasive questions, the Court or the parties may request a hearing preceding voir dire to consider these questions.

In all cases, voir dire shall be held on the record, but may be conducted outside the presence of other jurors in order to protect juror privacy, or to avoid juror embarrassment.

If it is determined by the court during the voir dire process that an individual is unable or unwilling to sit in a particular cause fairly and impartially, the individual shall be removed from the panel. Such motion for removal for cause may be made by counsel, a party if unrepresented, or upon the motion of the court. Further, Ohio Revised Code 2313.42 and Ohio Criminal Rule of Procedure 24(B) set forth additional cause challenges which may be made against potential jurors.

Peremptory challenges shall be exercised alternatively as presently established by Revised Code 2945.23, and Civil Rule 47, and Criminal Rule 24, unless prior to trial the parties agree on the record to another method. Unless otherwise agreed, all challenges shall be made in open court. In special circumstances, challenges may be made outside the hearing of the prospective jurors. There shall be no limit to challenges for cause, however peremptory challenges shall be limited to that number as established by the Rules of Civil and Criminal Procedure.

Challenges to the jury array shall be made in accordance with established rules of procedure.

In criminal cases, the jury shall consist of eight regular jurors and one alternate juror. In civil cases, the jury shall consist of eight regular jurors and one alternate juror, unless by agreement, the parties stipulate to a lesser number. In special

circumstances, additional alternate jurors may be selected.

#### JURY ORIENTATION

Jurors shall report for service no later than 8:45 a.m., unless otherwise directed. After orientation, voir dire shall commence promptly. All unresolved trial issues must be brought to the attention of the court before the completion of orientation. No motions shall be entertained by the court the day of trial, except those which the court must consider by law or by rule of procedure.

Prospective jurors may be provided with written and audio/visual orientation materials upon their initial appearance and prior to service. The court shall give preliminary instructions to all prospective jurors, as well as additional instructions following the impaneling of the jury to explain the jury's rule, trial procedures of the court, along with other basic and relevant legal principals.

Upon the completion of the case and prior to jury deliberations, the court shall instruct the jury on the law and the appropriate procedures to be followed during the course of deliberations. In accordance with the Civil and Criminal Rules of Procedure, the parties or their counsel may request that special instructions be given to the jury.

A final jury charge shall, whenever possible, be committed to writing, and shall be provided to the jury for its use during deliberation.

Upon appearance for service, all prospective jurors shall be placed under the supervision of assigned personnel and shall direct any questions or communications to such court personnel for appropriate action.

All communications between the judge and the members of the jury panel, from the time of reporting to the court through dismissal, shall be committed to writing or placed on the record in open court. Counsel for each party shall be informed of any communication, and shall be given the opportunity to be heard as to such communication. Under no circumstances shall counsel, a party, or other witnesses, have any contact with jurors.

All jury deliberations shall be conducted in the jury deliberation room. Jury deliberation rooms shall include space furnishings and facilities conducive to reaching a fair verdict. Court personnel shall endeavor to secure the safety of all prospective jurors, and shall arrange and conduct all activities so as to minimize contact between jurors, parties, counsel and the public. Upon the commencement of deliberations, all jurors shall remain in the care of court personnel and shall not be permitted to leave the court without permission.

Deliberations shall not continue after a reasonable hour, unless the trial judge determines that evening or weekend deliberations would not impose an undue hardship upon the jurors, and are required in the interest of justice. Jurors shall be consulted prior to any decision.

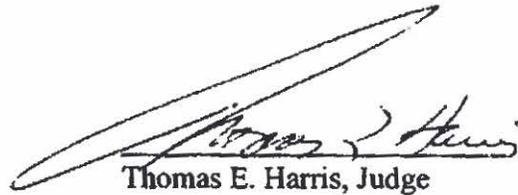
If jury deliberations are halted, jurors shall be permitted to be separated, unless for good cause shown, the court finds that sequestration is necessary. If a jury is sequestered, the court shall undertake the responsibility to oversee the conditions of sequestration and the transportation of all jurors.

Upon reaching a verdict, all jurors shall return to the courtroom where the verdict or verdicts shall be read in open court. Upon the reading of the verdict, in criminal cases, either party may request that the jury be polled.

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

MISCELLANEOUS RULE 8

Effective January 1, 2008, Conneaut Municipal Court will require employees to exhaust all available sick or vacation hours before granting a leave of absence without pay.



Thomas E. Harris, Judge

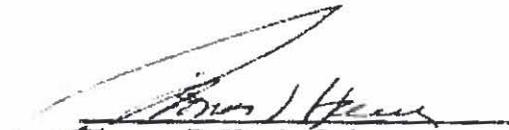
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2014 JUN 25 PM 3 16

CONNEAUT  
MUNICIPAL COURT

**IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO  
MISCELLANEOUS RULE 9**

It is hereby ordered that effective July 7, 2014, the Conneaut Municipal Court shall accept and use the filing of electronically produced tickets that are produced by computer or other electronic means. The electronically produced ticket shall conform in all substantive respects to the Ohio Uniform Traffic Ticket. If any electronically produced ticket is issued at the scene of an alleged offense, the issuing officer shall provide the defendant with a paper copy of the ticket.

IT IS SO ORDERED.

  
Thomas E. Harris, Judge

Date: June 25, 2014

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

**FILED**

2013 JAN 25 P 4:02

**MISCELLANEOUS RULE**

CONNEAUT  
MUNICIPAL COURT

**When an employee of the Conneaut Municipal Court qualifies for retirement with at least ten (10) years of continuous employment, he/she may elect at the time of retirement to be paid in cash for the value of his/her accrued but unused vacation for a maximum two (2) year accrual plus current year accrued vacation.**

**When an employee of the Conneaut Municipal Court qualifies for retirement with at least ten (10) years of continuous employment with the Employer, he/she may elect at the time of retirement to be paid in cash value of his/her accrued but unused sick leave credit not to exceed twelve hundred (1,200) hours of sick time upon retirement. Such payment shall be based on the employee's rate of pay at the time of retirement. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. The employer shall have no further liability to pay for unused sick leave.**

**Dated: January 25, 2013**

  
\_\_\_\_\_  
**Thomas E. Harris, Judge**

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

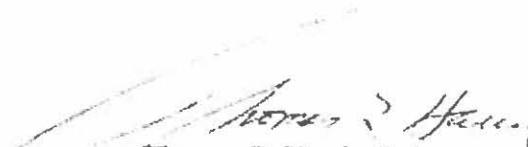


ORDER

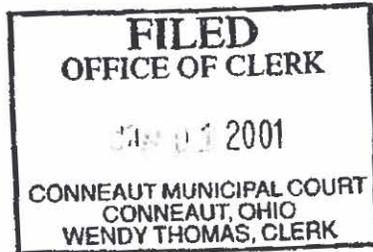
April 16, 1999

Effective April 16, 1999, all areas of the Conneaut Municipal Court are non-Smoking areas.

IT IS SO ORDERED.

  
Thomas E. Harris, Judge

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO



ORDER

JANUARY 1, 2001

Effective January 1, 2001, an Off-site Trial charge of One Hundred Dollars (\$100.00) shall be imposed in addition to the filing fee for cases heard outside the Conneaut Municipal Court.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Thomas E. Harris". The signature is written in a cursive style and is positioned above a horizontal line.

Thomas E. Harris, Judge

**FILED**

2013 MAR -6 P 2:11

CONNEAUT  
MUNICIPAL COURT

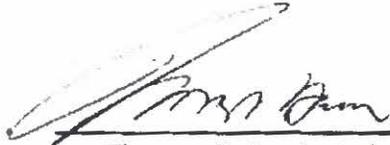
IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

**ORDER**

**MARCH 1, 2013**

Effective March 1, 2013, a charge of One hundred dollars (\$100.00) shall be imposed in addition to base costs for cases assigned to Supervised Community Control.

**IT IS SO ORDERED.**

  
Thomas E. Harris, Judge

**CONNEAUT MUNICIPAL COURT**  
**CONNEAUT, OHIO**

FILED

2004 JAN -9 P 2:02

CONNEAUT MUNICIPAL COURT  
City Hall Building  
Conneaut, Ohio 44030

CONNEAUT  
MUNICIPAL COURT

IN RE:

ADMINISTRATIVE ORDER  
JANUARY 1, 2004

Conneaut Municipal Court  
Improvement Fund

WHEREAS this Court concludes as follows:

- 1) That on January 31, 1991, this Court created the Conneaut Municipal Court Improvement Fund.
- 2) That on August 28, 1998, this Court ordered that Ohio Revised Code Section 1901.26(B) would be the statutory authority for controlling the Conneaut Municipal Court Improvement Fund.

IT IS THEREFORE ORDERED that:

This Court determines that, for the efficient operation of this Court, additional funds are necessary to acquire and pay for special projects of the court including, but not limited to, the acquisition of additional facilities or rehabilitation of existing facilities, the acquisition of equipment, the hiring and training of staff, community service programs, mediation or dispute resolution services, the employment of magistrates, the training and education of judges, acting judges, and magistrates, and other related services.

The Court shall charge a fee, in the sum of Twenty-one Dollars (\$21.00), in addition to all other court costs, on the filing of each criminal cause, civil action or proceeding, or the judgment by confession, effective January 1, 2004.

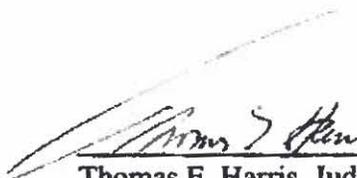
All monies collected by the Clerk of Court under this Order and Ohio Revised code Section 1901.26(B) shall be paid into the Finance Office of the City of Conneaut, with Six Dollars (\$6.00) per case being paid into line item 214.000.45100 for the Municipal Court Improvement Fund, Five Dollars (\$5.00) per case being paid into line item 214.000.45101 for the Court Security Fund, Five Dollars (\$5.00) being paid into line item 214.000.45102 for the Adult Supervision Fund, and Five Dollars (\$5.00) per case being paid into line item 214.000.45103 for the Automated Payment Fund, all fund which constitute the Conneaut Municipal Court Improvement Fund as a whole.

IT IS FURTHER ORDERED that monies in said Fund shall be paid by the Finance Director upon future Orders of this Court.

IT IS FURTHER ORDERED that the Finance Director shall deposit and credit to the Fund all receipts from the Clerk of Court made payable to the Municipal Court Improvement Fund, and that all interest, dividends or other income on said Fund shall be paid to said Fund.

The Finance Director of the City of Conneaut is further Ordered to take such steps as are necessary to accomplish the purposes of the Fund in this Order.

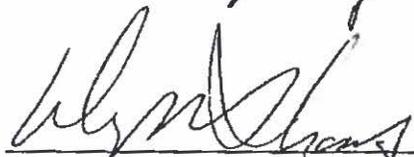
IT IS SO ORDERED.

  
\_\_\_\_\_  
Thomas E. Harris, Judge

  
\_\_\_\_\_  
Wendy M. Thomas, Clerk of Court

**Certificate of Service**

I hereby certify that a copy of the foregoing Administrative Order was hand delivered to Tim Hansley, Conneaut City Manager; John Williams, Conneaut Finance Director; and, Lori Lamer, Conneaut Law Director this 9<sup>th</sup> day of January 2004.

  
\_\_\_\_\_  
Wendy M. Thomas, Clerk of Court

FILED

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

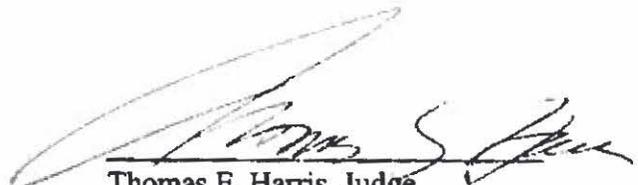
2005 MAR 15 P 2:03

CONNEAUT  
MUNICIPAL COURT

LOCAL RULE

The Conneaut Municipal Court hereby adopts a "Drug Free Workplace" policy;  
that is attached hereto and incorporated herein as of fully rewritten. Effective March 15,  
2005.

IT IS SO ORDERED.



Thomas E. Harris, Judge

Date: March 15, 2005

## **DRUG FREE WORKPLACE POLICY AND TESTING PROCEDURE**

### **I. INTRODUCTION & PURPOSE**

In an effort to promote and maintain a safe and healthy environment for Conneaut Municipal Court employees, establish a standard of conduct for Conneaut Municipal Court employees, protect the public health, safety, and welfare, and to uphold the public confidence in the work performed by Conneaut Municipal Court employees, the Conneaut Municipal Court has determined that an employee drug & alcohol testing program should be established. The purpose of this Policy is to establish such a program; to implement procedures governing the administration of the program; and to publish a policy statement regarding the establishment of the program.

This Policy shall be applicable to all personnel of the Conneaut Municipal Court, (full-time, part-time, auxiliary, temporary and seasonal), and shall be strictly enforced by the Judge, Clerk and other supervisory personnel. Questions regarding this Policy should be directed to the Judge.

### **II. POLICY**

Any location at which City business is conducted, whether at this or any other site, is hereby declared to be a **DRUG-FREE WORKPLACE**. This means that **all employees** are **absolutely prohibited** from unlawfully manufacturing, distributing, dispensing, possessing, or using controlled substances in the workplace. Reporting for work while under the influence of alcohol and/or illegal drugs, or with any residual effects from alcohol and/or illegal drug use (e.g. impaired judgement, sickness, impaired reflexes, etc.) is likewise prohibited. For purposes of this policy, an employee is considered to be "under the influence" of a drug or controlled substance when any detectable amount of such drug or controlled substance (or any of its metabolites) is found to be present in the employee.

Conneaut Municipal Court employees are also hereby advised that any building, facility, structure, property, etc., or the contents thereof (i.e. employee lockers, offices, desks, etc.), owned or leased by the City shall be subject to unannounced inspection at any time by appropriate supervisory personnel and Court officials.

The following constitutes a partial list of controlled substances: (For a more detailed listing and explanation of controlled substances, please consult the attached listing entitled "Controlled Substances - Uses & Effects.")

- \* Narcotics (heroin, morphine, etc.)
- \* Cannabis (marijuana, hashish)
- \* Stimulants (cocaine, diet pills, etc.)
- \* Depressants (tranquilizers)
- \* Hallucinogens (PCP, LSD, "designer drugs", etc.)

Compliance with this policy shall be strictly enforced and shall be a condition of continued employment. Any employee violating this policy shall be subject to appropriate disciplinary action, which may include suspension or dismissal.

Conneaut Municipal Court employees are hereby advised that they may also be subject to appropriate disciplinary action for engaging in off duty, illegal conduct/behavior unbecoming a Court employee emanating from the use of alcohol and/or illegal drugs which, in the judgement of the Judge or Clerk, detracts from the image or reputation of the Court as an organization or which, in the judgement of the Judge or Clerk, erodes the public confidence in the Court as an organization (e.g. disorderly conduct, domestic violence assault, fighting, criminal menacing, disturbing the peace, OVI, etc., or other criminal acts).

It shall be the policy of the Court that, Court employees, including supervisory personnel, shall be required as a condition of employment, to submit upon request, to a urinalysis, breath, saliva and/or blood test (whichever the Court deems most appropriate) to detect the presence of illegal drugs or alcohol in their system in the following circumstances:

- A. Pre-employment;
- B. Random Selection (NOTE: Random drug and alcohol screening will apply to those positions that presently require random screens under federal law. Random screening for all employees may be instituted at a later date and employees will be notified in advance of the implementation of this policy);
- C. When the Court has reasonable suspicion to believe that an employee is under the influence of illegal drugs or alcohol while on Court premises or on City business;
- D. Following a serious violation of safety policies, rules, and regulations.
- E. Following a work-related accident resulting in any of the following:
  - (1) bodily injury (other than minor abrasions/contusions) to the employee or any third party requiring off-site medical attention;
  - (2) issuance of a traffic citation to the employee for a moving violation in connection with a vehicular accident;

- (3) property damage in apparent excess of \$1,000;
- (4) non-vehicular property damage in apparent excess of \$500;
- (5) any accident involving fatalities.

**F. Return to work following treatment for an alcohol or drug problem.**

Employees who are directed to submit to testing shall be required to sign the attached consent form, which includes consent that notice of the test results will be released to Judge. However, any and all records pertaining to results as well as assessment and treatment services are considered confidential. Such documentation shall be maintained in a separate file and shall not be considered part of the employee's personnel file.

Employees are hereby advised that if required to submit to testing, failure to consent to the testing may result in appropriate disciplinary action, which may include suspension or dismissal. The actual discipline to be imposed shall take into consideration all facts and circumstances including the expressed reasons for the employee's refusal, the need for the testing, the employee's desire for rehabilitation, and the employee's job performance.

Employees who have been found, through the testing procedures identified in Section V. of this Policy, to have been under the influence of drugs or alcohol, or who have engaged in conduct which obstructs the testing procedures (i.e. the use of masking agents or other products to adulterate or dilute specimens), shall not be paid for the time they are off work awaiting the testing results, and shall be subject to appropriate disciplinary action including suspension or dismissal.

**III. DRUG-FREE AWARENESS AND EMPLOYEE ASSISTANCE**

Employees have a right to know the dangers of drug abuse in the workplace, the City's policy regarding such drug abuse, and what help is available to combat drug problems. This Policy articulates the City's policy on this matter.

The City will institute an annual awareness program for all employees on the dangers of drug abuse in the workplace. Posters, brochures, and appropriate guest speakers at periodic group meetings will communicate information to employees. Topics will include: information related to alcohol and drug abuse; how substance abuse affects work performance and safety; the effects, signs and symptoms of alcohol and drug abuse; and where to obtain help for an alcohol or drug problem.

In addition, to assist employees in overcoming drug abuse problems, the City will offer the following rehabilitative help where applicable:

**A. Medical benefits for drug-abuse treatment**

B. Information about community resources for assessment and treatment

C. Employee Assistance Program

Employees are hereby advised that where rehabilitative assistance is offered by the City and agreed to by the employee, failure of the employee to adhere to conditions with regard to the rehabilitative program may result in appropriate disciplinary action including suspension or dismissal.

It should be noted that medical benefits for drug abuse treatment, as mentioned above, shall be limited to those covered by the City of Conneaut medical plan. In addition, it should also be noted that the City medical plan is a benefit provided only to those employees of the City that are serving in Full-Time Permanent positions. Furthermore, it should be noted that the Employee Assistance Program (EAP), as mentioned above, is a benefit, which will be provided only to employees serving in Full-Time or Part-Time Permanent positions.

#### **IV. SUPERVISORY TRAINING**

The City will also provide training to assist supervisory personnel in identifying alcohol and/or illegal drug use by employees. This training will be conducted by a qualified trainer holding one of the following credentials:

- A. Substance Abuse Professional (SAP);
- B. Certified Employee Assistance Professional (CEAP);
- C. Certified Chemical Dependency Counselor (CCDC III);
- D. Ohio Certified Prevention Specialist (OCPS);
- E. Ohio Certified Prevention Consultant (OCPC).

This training shall cover the following subjects:

- A. The physical, behavioral, and the performance indicators of drug use/abuse;
- B. The effects of drug use/abuse;
- C. Recognizing performance deficiencies caused by drug use/abuse;
- D. Confronting employees with suspected alcohol and/or drug use/abuse.

#### **V. DRUG AND ALCOHOL TESTING PROCEDURES**

Drug & Alcohol testing shall be conducted in the following manner:

- A. When circumstances arise which require drug and/or alcohol testing, the Judge or Clerk shall escort the employee to a designated D.H.H.S.

(Department of Health and Human Services) certified laboratory. After specimen collection, the employee shall be escorted home. (In circumstances involving "post accident" testing, where the employee requires off-site medical attention, the testing procedure shall be initiated after proper medical attention has been rendered. In the event the employee is hospitalized, testing shall be accomplished by blood within the hospital environment as soon as possible.)

- B. In screening for the presence of drugs or alcohol generally accepted screening procedures shall be used. Whenever an employee is required to provide urine or blood for the screening procedure, the employee shall be required to provide a split specimen at the time of collection in order to facilitate the screening procedure.
- C. When screenings are performed, the threshold level for determination shall be established in accordance with generally accepted medical procedures and existing laws or regulations.
- D. Urine or blood specimens will be tested for alcohol, marijuana, opiates, benzodiazepines, cocaine, amphetamines, propoxyphene, PCP, barbiturates, methadone, and phencyclidine.
- E. In testing urine or blood specimens for the presence of illegal drugs and/or alcohol, the first specimen shall be submitted for testing to a certified laboratory. If illegal drugs and/or alcohol are found in the first specimen, then that same specimen shall be submitted for further verification (confirmatory) testing. If both initial and verification (confirmatory) tests are positive for an illegal drug and/or alcohol, the Judge, or his designee, shall be notified by the Medical Review Officer (MRO) at the certified laboratory. The Judge or Clerk, or his designee, shall in turn contact the employee.
- F. The employee must then decide whether or not he/she wishes the second specimen provided at the initial collection to be further tested. The employee shall have seventy-two (72) hours from the positive test report to request retesting. If the employee so requests, then the second specimen shall be tested using a second certified laboratory. The employee shall be responsible for the cost for retesting a split specimen testing.
- G. If the employee does not request the screening of the second specimen after the initial specimen tests positive, or if the employee does request the testing of second specimen and it also tests positive for an illegal drug or alcohol, appropriate rehabilitative and/or disciplinary action shall be taken, which may include suspension or dismissal.

- H. In the initial testing of the first blood/urine specimen provided at the time of collection, should masking agents (e.g. Klear, Ur-n-luck, Zydol, etc.) be detected, such shall be considered as a "refusal to submit to testing" and the option to pursue testing of the second specimen shall be forfeited. The Court shall be so notified. Such "refusal to submit to testing" shall result in appropriate disciplinary action, including suspension or dismissal.
- I. In the testing of blood/urine specimens provided at time of collection, should a "dilute negative" result be received by the Court, the employee shall be required to repeat the testing procedure within 24 hours. The result of the second test shall then become the test of record. Should the employee decline to take the second test, such shall constitute a refusal to submit to testing, which shall result in appropriate disciplinary action, including suspension or dismissal. Should a "dilute positive" result be received by the Court on the first or second test, such shall be considered as a verified positive test, which shall result in appropriate disciplinary action, including suspension or dismissal.
- J. Should the City use breath alcohol testing as an alternate method to blood/urine testing, all breath testing shall be administered by a trained Breath Alcohol Technician (BAT). In addition, only Evidential Breath Testing (EBT) devices certified by the Federal Government shall be used along with the prescribed breath alcohol testing form.
- K. In the administration of breath alcohol testing, an initial breath test shall be conducted via the Evidential Breath Testing (EBT) device. If the initial test results in a reading of less than 0.02, the test shall be recorded as "negative". If the initial test results in a reading of 0.02 or greater, a confirmatory test shall be administered. Prior to the administration of a confirmatory test, there shall be a 20-30 minute waiting period to ensure that the presence of mouth alcohol from recent use of food, tobacco, or hygiene products does not artificially raise the test result. Should the confirmatory test result be different from the initial test result, the confirmatory test shall be deemed the final result. A test result of 0.02 or greater on the confirmatory test shall result in appropriate disciplinary action, which may include suspension or dismissal.
- L. Following the receipt of drug and/or alcohol testing results by the Court, the Court shall advise the employee regarding his/her return to work.

## VI. REFERRAL TO EMPLOYEE ASSISTANCE PROGRAM

If the results of drug and/or alcohol testing do not warrant dismissal of the employee, a referral to the Employee Assistance Program will be offered. Employees are hereby advised that although offered an assessment through the Employee Assistance Program, they are still subject to appropriate disciplinary action. If offered a referral

to the Employee Assistance Program, an employee has five (5) calendar days following the referral to contact the EAP representative.

If an employee accepts a referral to the EAP for assessment as a result of a positive drug and/or alcohol test, and/or a criminal conviction for violation of a criminal drug statute, he/she must comply with any recommendation made by the EAP Drug and Alcohol Counselor resulting from an assessment, as a condition of continued employment. The employee shall further comply with random drug and/or alcohol testing for a period of up to two years. Failure to comply with any of the conditions associated with referral to the EAP, the recommendations of the Counselor, the conditions associated with the rehabilitation program, or the random testing, as specified above, may result in dismissal of the employee.

The employee shall be responsible for any and all out of pocket expenses related to assessment, treatment and return-to-work alcohol and drug screening.

#### VII. CRIMINAL CONVICTION

Pursuant to the provisions of the Drug-Free Workplace Act, any employee convicted of violating a criminal drug statute in this workplace must inform the Judge or Clerk of such conviction (including pleas of guilty and nolo contendere) within **five (5) days of the conviction occurring**. Failure to so inform the Judge or Clerk shall subject the employee to appropriate disciplinary action including suspension or dismissal.

The Court reserves the right to offer employees convicted of violating a criminal drug statute in the workplace, participation in an approved rehabilitation or drug abuse assistance program. If such a program is offered, and accepted by the employee, then the employee must adhere to conditions with regard to the rehabilitation as a condition of continued employment.

#### VIII. EMPLOYEE ACKNOWLEDGMENT

All employees shall be required to acknowledge, in writing, that they have read this Policy, have been permitted to ask questions concerning the policy and agree to abide by it in all respects. This acknowledgment and agreement shall be required of each employee as a condition of continued employment.

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

IN THE MATTER OF  
COUNTY SECURITY

LOCAL RULE  
JOURNAL ENTRY

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The Court makes the following order pursuant to the Court's inherent powers to protect the public, including litigants, witnesses, and others with whom the Court comes in contact in the performance of the Court's duties and pursuant to United States Court of Appeals decisions holding that courts may, by order, require limited warrantless searches of persons seeking to enter sensitive facilities to protect against a real danger of violence. McMorris v. Alioto, 567 F. 2d 897 (9th Cir, 1978); Justice v. Elrod, 832 F. 2d 1048 (7th Cir, 1987).

Based upon discussions with other Judges and my own experiences, this Court finds that there is a sufficient basis for a limited administrative search of those persons entering facilities which are maintained for holding sessions of Court and Court related activities.

IT IS HEREBY ORDERED that for the protection of the public, all persons may be required to be checked by a hand held magnetometer before entering the Conneaut Municipal Court, at 294 Main Street, Conneaut, Ohio.

The following terms and conditions shall control the

operation of the security system. The operator passes over a person with the detector, and if a metal object is detected, such person shall be informed that they may leave the Courthouse without any further search or questions, or empty their pockets and have the hand held magnetometer pass over them a second time. If the detector registers again, such person shall be denied access to the building unless they consent to a more extensive search.

Such search will be limited and not be more intrusive than necessary to prevent persons from entering the secured areas carrying concealed or exposed weapons, but nevertheless reasonably effective to discover those weapons the search is designed to detect. All packages, briefcases, pocketbooks or other items carried by a person must be offered for inspection, but law enforcement officers are directed to inspect only those briefcases and parcels in which the prohibited items could be concealed. Any unprohibited items discovered during this administrative search will be returned immediately, as such items are beyond the scope of this search.

Any person failing to comply with this system will be informed that they are being denied access to the building areas and any unauthorized entry into the facility may subject that person to charges of criminal trespass and contempt of this Order. Upon an individual's unauthorized entry, law enforcement officers shall file charges for criminal trespass.

This Order shall be posted and displayed at the entrances of the Conneaut Municipal Courthouse.

No person shall enter the Conneaut Municipal Courthouse

facility carrying on or about their person or ready at hand, concealed or exposed, any of the following:

- A explosive devise as defined by R.C. 2923.11(H);
- B dangerous ordnance as defined by R.C. 2923.11(K);
- C knife or scissors with a blade(s) of three or more inches;
- D switch-blade knife of any length;
- E straight razor;
- F any instrument which is designed or specially adapted as a weapon or carried, possessed, or used as a weapon.

No person, except law enforcement officers on official law enforcement duty, shall enter the Conneaut Municipal Courthouse facility with any firearm as defined in R.C. 2923.11(B), on or about their person or property concealed or exposed. Anyone carrying a concealed firearm which is either loaded or for which the person has ammunition ready at hand, or a dangerous ordnance, is subject to arrest for committing a felony. Any prohibited item as defined above, except for contraband, firearms, explosive devices, and dangerous ordinances, shall be checked at the Conneaut City Police Department with receipt and returned to the person once that person produces the receipt and exits the building. The Judge of the Conneaut Municipal Court shall make the final determination as to which instruments will be allowed into the court area. Firearms, explosive devised and dangerous ordinances shall be turned over immediately to the Conneaut Police Department.

All prisoners in the custody of law enforcement officers shall remain handcuffed at all times, unless otherwise ordered by the Judge. Prisoners shall be seated in the Jury Box or at the

tables in the courtroom, and the law enforcement officer having custody of the prisoners shall position themselves so as to ensure the safety of the public and court personnel, and to block access to any exit doors from the courtroom.

This Order is effective April 1, 1995 and shall remain in effect until modified by this Court.

IT IS SO ORDERED.

  
Thomas E. Harris, Judge

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO  
RULES OF PRACTICE  
MISCELLANEOUS PILE 1

Attorney Registration Number

Pursuant to Rule 19, Ohio Rules of Superintendence for Municipal and County Courts, effective January 1, 2002, all attorneys are required to include their attorney registration number, issued by the Supreme Court of Ohio, as their exclusive identification number, on all documents filed with this Court.

  
Thomas E. Harris, Judge

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO  
RULES OF PRACTICE  
MISCELLANEOUS RULE 3

SUBPOENA - COURT POLICE

When precipes for Subpoenas are filed during a period of time when the Court's Bailiff is absent from work and is not expected to return to work the following day, the Deputy Clerk of Court assigned to the case (i.e. Traffic, Civil or Criminal) shall prepare the subpoena and issue it to the Conneaut City Police Department for service in the City of Conneaut; or, to the Ashtabula County Sheriff's Department for service outside of the City of Conneaut with the approval of the Judge of this Court.

  
Thomas E. Harris, Judge

DATE: November 19, 1990

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO  
RULES OF PRACTICE  
MISCELLANEOUS RULE 4

Bereavement Leave

It is hereby ordered that any employee of the Conneaut Municipal Court shall be given three (3) consecutive working days for bereavement leave due to death in the immediate family. Immediate family consists of:

Great Grandparents	Father-in-law	Sister
Grandparents	Spouse	Brother
Mother	Children	Sister-in-law
Father	Son-in-law	Brother-in-law
Mother-in-law	Daughter-in-law	Grandchildren

It is ordered that this policy shall become effective June 1, 1990.

IT IS SO ORDERED.

  
Thomas E. Harris, Judge

IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO

RULES OF PRACTICE  
MISCELLANEOUS RULE 4  
FAX FILINGS

The Conneaut Municipal Court will accept the filing of Pleadings and other papers, other than the original filing of complaints in civil or criminal cases, by telephone facsimile transmission, in accordance with Rule 5(E), Ohio Rules of Civil Procedure, subject to the following provisions:

- A. Any signature on electronically transmitted pleadings or papers shall be considered that of the attorney or party it purports to be for all purposes. If it is established that the pleadings or papers were transmitted without authority, the Court shall order the filing stricken.
- B. A document filed by telephone facsimile transmission will be accepted provisionally, and the person filing said document shall cause the original document to be filed with the Court within Five (5) days of the date of the filing of the facsimile filing. The original document must be identical to the document filed by telephone facsimile transmission, unless leave of Court is first obtained to file an amended pleading or document, or the original document will be stricken by the Court.
- C. A transmitted document must not be longer than Ten (10) pages, not including the cover page, and must pertain to only one case. Each filing must be made by a separate transmission. The attorney shall verify with the Clerk, within One (1) business day of the filing, the receipt and acceptance of said facsimile filing.

- D. All documents submitted will be considered filed when the date/time has been stamped by the Clerk on the telephone facsimile transmitted document. For purposes of this section, the date/time stamp produced by the Clerk's facsimile machine shall constitute the date/time stamp of the Clerk.
- E. A fee of \$1.00 per page shall be charged to the person who causes a document to be filed with the Court by means of a telephone facsimile machine. The risk of facsimile filing remains with the sender, and the Court assumes no new responsibilities or liabilities.
- F. 1. Any user of the telephone facsimile filing shall prepare a cover page using the following format:

FAX FILING

TO: Conneaut Municipal Court  
1-216-593-6402

FROM: \_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Telefax Number)

\_\_\_\_\_  
(Office Number)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Case Name)

\_\_\_\_\_  
(Case Number)

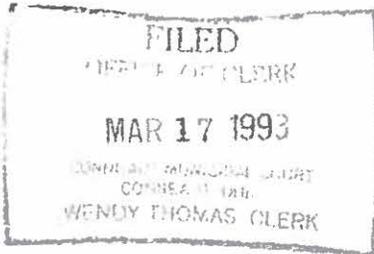
\_\_\_\_\_  
(Name of Opposing Counsel, if any)

The sender acknowledges that they are financially

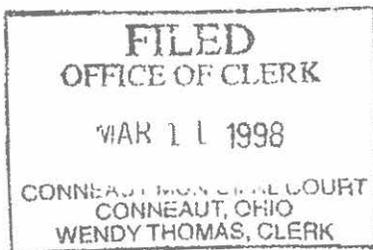
responsible for the cost of \$1.00 per page for each page filed with the Court by use of a telephone facsimile machine.

2. Transmissions that do not substantially comply with the aforementioned format may be ordered stricken by the Court.

G. This rule does not alter any duty imposed upon a party or their attorney under the Ohio Rules of Criminal and Civil Procedure to serve a copy of all pleadings upon the opposing party or their attorney.



  
Thomas E. Harris, Judge



ASHTABULA COUNTY  
JOINT COURT MEDIATION PROJECT

MISCELLANEOUS RULE 5

(A) Mediation Policy

In any civil case or any non-violent criminal case before its jurisdiction, the Court may, upon its own motion or upon the motion of either party, refer the case to mediation. Matters referred for mediation shall be continued for up to 90 days. Referral of a case to mediation shall not operate as a stay of discovery proceedings unless otherwise ordered by the court or agreed to in writing by the parties. Mediation shall be conducted by court personnel or other individuals who have successfully completed training designated as appropriate by the Joint Court Mediation Project. Judgment entries issued for cases ordered to mediation shall note whether parties are responsible for payment of fees for mediation services.

(B) Referral to Mediation

- (1) **Good faith effort.** Parties so ordered shall make a good faith effort to resolve issues in dispute and to cooperate in all matters pertaining to the mediation.
- (2) **Orientation.** An orientation shall be scheduled within fourteen (14) days of the order. During the orientation, court personnel or a mediator assigned by the coordinator shall instruct the parties on the mediation process, identify the issues to be resolved and otherwise prepare for the initial session by appropriate means. If payment is to be made for mediation services, amount for which each party is responsible shall be indicated during the orientation.
- (3) **Initial mediation session.** The initial session may follow the orientation immediately or at a later date. If another mediator is to conduct subsequent sessions, or if the initial session is to be conducted at a later date, parties shall be informed during the orientation.
- (4) **Subsequent sessions.** The mediator and parties shall schedule subsequent sessions as needed to resolve the issues. Mediation may be concluded at any time at the decision of either party or the mediator.

MISCELLANEOUS RULE 5  
page two

- (5) **Other participants.** Parties' counsel or other appropriate persons may participate in mediation sessions at the request of parties.
- (6) **Inappropriate cases.** If at any time a case is identified as inappropriate for mediation by the coordinator or the mediator of the case, it shall be returned to the court's active docket.

(C) Confidentiality

- (1) **Statutory restrictions.** The provisions of R.C. 2317.023 and 3109.052(C) regarding confidentiality apply to any case ordered to mediation pursuant to this local rule.
- (2) **Limitations on testimony.** No party to mediation shall call the mediator as a witness for any purpose.

(D) Mediation Report

- (1) **Memorandum of understanding.** Upon request of the parties, the mediator shall prepare a memorandum of understanding detailing the terms as agreed by the parties within thirty (30) days of conclusion of the mediation. The memorandum shall identify any issues that may be unresolved, and when necessary, the case shall be returned to the court's active docket.
- (2) **Review of memoranda.** No agreement developed in mediation shall be legal binding until reviewed and approved by the parties and their attorneys. Approved memoranda shall be included with an agreed judgment entry prepared by the mediator or by the attorney for one of the parties and submitted to the court.

  
Thomas E. Harris, Judge

Date: 3/11/98

**IN THE CONNEAUT MUNICIPAL COURT  
ASHTABULA COUNTY, OHIO  
MISCELLANEOUS RULE  
APPOINTMENT OF COUNSEL FOR INDIGENT DEFENDANTS**

FILED

No attorney shall be appointed to represent an indigent person unless

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his/her name appears on the Court Appointed Counsel List.

A. The Ashtabula County Public Defender Office shall represent indigent defendants in misdemeanor criminal and traffic cases in which there is a potential jail sentence and for felony bind over appointments. The Court Appointed Counsel List shall be used when there is a conflict in the public defender's office.

B. Application: The attorney must submit a written application to the Judge. Said application must include the attorney's name, business address, office telephone number, cell phone number, fax number, Ohio Attorney Registration Number, and whether the attorney is in good standing with the Supreme Court of Ohio. The application shall also include any special areas of expertise, such as language fluency or legal specialization. Upon ascertaining that the attorney is in good standing with the Ohio Supreme Court, the attorney's name shall be placed on the Court Appointed Counsel List. The attorney shall indicate whether he or she will accept misdemeanor and felony cases or only misdemeanor cases.

C. Removal: In its sole discretion, the court may decline to accept any application for inclusion on any list, or may remove the name of any attorney from the list.

D. Assignment: Attorneys shall be assigned to represent indigent defendants by appointment from the Court Appointed Counsel List in a rolling order.

IT IS SO ORDERED.

  
\_\_\_\_\_  
Carl L. DiFranco, Judge

Date: December 15, 2016

