

Jackson County Municipal Court

295 Broadway St. Jackson, Ohio 45640

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RULES OF PRACTICE AND PROCEDURE
of the
MUNICIPAL COURT
Of
JACKSON COUNTY, OHIO**

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LOCAL RULES OF THE COURT

RULES OF PRACTICE AND PROCEDURE

The following rules have been established by the Jackson County Municipal Court, Jackson County, Ohio pursuant to Article IV, Section 5(B) of the Ohio Constitution and Rule 18 of Ohio Supreme Court Rules of Superintendence for Municipal Courts and County Courts.

As used in these rules, "Civ. R." is a reference to the Ohio Rules of Civil Procedure; "Crim. R." is a reference to the Ohio Rules of Criminal Procedures; "Sup. R." is a reference to the Rules of Superintendence for Municipal and County Courts; "Traf. R." is a reference to the Ohio Rules of Practice and Procedure in Traffic Cases; and "ORC" is a reference to the Ohio Revised Code.

RULE 1: CITATION OF RULES

These rules shall be known as the Jackson County Municipal Court Rules of Practice and Procedure and may be cited as JMC-01-14. If at any time these rules conflict with the Rules of Superintendence, the Civil Rules, the Criminal Rules, or the Traffic Rules, these rules shall be subservient.

RULE 2: COURT SCHEDULE

(A) Court Facilities

(1) The **Jackson County Municipal Court** building located at 295 Broadway St., Jackson, Ohio shall maintain daily hours from 8:00 A.M. to 6:00 P.M. Monday thru Friday (*Wednesdays until 6:00 P.M. for Civil Division*) when the court is open for operation. Effective January 1, 2015 for a test period of 90 days. Rule subject to renewal or withdraw on judicial order.

(2) The Wellston Division of the Jackson County Municipal Court located at 203 Broadway St., Wellston, Ohio shall maintain normal business hours each Wednesday from 12:00 P.M. (Noon) to 4:00 P.M. when the court is open for operation.

(3) The Jackson County Municipal Court Community Control Division, Probation Department and Community Service Department, located on the lower level at 295 Broadway St., Jackson, Ohio (Broadway St. Entrance)

shall maintain normal daily hours from 8:00 A.M. to 4:00 P.M. Monday thru Friday.

(4) Pursuant to the Holiday Schedule set by the Jackson County Commissioners both Divisions of Court and all Divisions of Community Control shall be closed for operation for all specified **legal holidays**: New Year's Day; Martin Luther King, Jr. Day; President's Day; Good Friday; Memorial Day; Fourth of July; Labor Day; Columbus Day; Thanksgiving Day; Day after Thanksgiving; Christmas Day; and Day after Christmas. Due to the end of year reports required by the Bureau of Motor Vehicles, BCI and the updating of the computers for the coming year, the court shall also be closed New Year's Eve.

(5) See Appendix A for schedule of arraignments, hearings, and trials.

(6) The Judge may extend the hours to include evening, weekend, and holiday sessions when deemed necessary.

(B) Appearance at Arraignments, Pre-trials, and Trials

(1) All arraignments and initial hearings, including Wellston, shall be heard at Jackson on Tuesday and Thursday. All other Wellston proceedings shall continue at Wellston.

(2) All persons incarcerated in the Jackson County Jail Facility or out-of-county facilities shall be brought to arraignment following their arrest per the schedule providing they are physically able to attend and mentally able to understand the proceedings.

(3) In the event a defendant does not meet these requirements, the court shall be notified of the fact and the court will make special arrangements for the arraignment of the defendant. Arraignments at any other time will be done only with the prior approval of the court.

(4) Persons who are summoned to appear for arraignment in a criminal or traffic case shall report to the Clerk's Office at the time and place designated on their summons.

(a) If the summons is marked "Personal Appearance Required" the defendant must personally attend and appear before the court at that date and time, with or without counsel.

(b) If the summons is for a minor misdemeanor:

(i) The person may elect bond forfeiture and send his/her Notice of Bond Forfeiture (Form JMC-01-14) (also on back of citation) to the clerk with the required amount.

(ii) The person may file a Notice of Contest, with written Not Guilty Plea and include the bond amount as directed. If the provision for Waiver of Speedy Trial is signed and included for filing (Form JMC-02-14) then the matter will be set for Pre-trial Conference and followed by a trial date.

(c) If the summons is for a charge of Misdemeanor 1, 2, 3, or 4:

(i) The defendant must appear, even if represented by counsel.

(ii) Alternatively, counsel may proceed pursuant to Crim. R.

10(B)

(iii) The court will not allow Rule 10(B) treatment for:

- Domestic Violence
- Assault
- Aggravated Menacing
- Menacing
- OVI

(1) if counsel submits an entry approved by the prosecutor; separate motion asking for non-oral appearance; and a completed agreement by defendant and his/her counsel. Without inclusion of all three (3) documents the request will be denied by the court.

HISTORY: Amended, eff 8-1-05; Amended, eff 1-1-10; Amended, eff 1-5-15

RULE 3 DECORUM AND CONDUCT

(A) Courtroom Conduct

Upon the opening of any court session, all persons in the courtroom shall stand. All persons in the courtroom shall conduct themselves with decorum and in such a manner so as not to interfere with or obstruct judicial activities or proceedings. All persons appearing before the court shall, as far as practicable, appear in appropriate dress (no short shorts, short skirts, revealing shirts, shirts with offensive language or pictures, no hats or do rags).

(B) Food and Drink

No smoking, eating, chewing gum, or drinking in the courtroom. Nor shall anyone bring drinks or food into the courtroom. Please dispose of it properly before entering the courtroom. Do not leave food or drinks setting in the lobby.

(C) Loitering

No person shall loiter or behave in an unseemly or disorderly manner in the courtroom, in any halls or entryways leading thereto, or otherwise interfere with or obstruct judicial activities or proceeding.

(D) Children in the Courtroom

No child under the age of six shall be permitted in the courtroom. Persons with infants and/or small children will be ask to stay in the lobby after the start of the court session and will be called into the courtroom for their case.

(E) Electronics in the Courtroom

All cell phones must be placed on vibrate and musical devices turned off while in the courtroom. No cameras or video recordings will be allowed in the courtroom without prior written consent from the Judge.

(F) Admission to the Courthouse and Security

Anyone entering the courthouse is subject to search or inspection, which shall include the person, clothing, belongings, bags, briefcases, packages, and any carried items. The search and inspections shall be conducted, if necessary, by the bailiff or other court security officers. Anyone refusing the search or inspections shall not be admitted into the building.

The following items are prohibited from being brought into the courthouse: 1) firearms, including those under the authority of any concealed carry permits; 2) knives and any cutting blades that can be used as a weapon; 3) ammunition; 4) explosives; 5) pepper spray, mace, or any other chemicals to inflict harm; 6) illegal drugs; 7) handcuffs or cuff keys; 8) any tools or items that may be used as a weapon. The exemptions from the above for carrying a weapon are the following persons: 1) Judges in this court; 2) employees of this court who have been trained and/or authorized to carry a weapon; 3) uniformed law enforcement officers and non-uniformed law enforcement officers who exhibit their official department photo identification card, unless they are in court as a defendant. The bailiff of this court shall interpret the above provision and the bailiff's interpretation shall be final in any dispute. The probation officers of this court have also been designated as court security officers and in the absence of the bailiff, the Chief Probation Officer or the Chief's designee shall have the same duties as the bailiff under this section of the local rules.

(G) Attention to Rule

The court expects that counsel shall bring these rules to the attention of clients and witnesses.

(H) Newspaper, Radio, and Television Media

(1) Presiding Judge

The Judge presiding at the trial or hearing shall permit the broadcasting or recording by electronic means and the taking of photographs in the court proceedings open to the public as provided in Canon 3A(7) of the Code of Judicial Conduct. The Judge, after consultation with the media, shall specify the place or places in the courtroom where the operators and equipment are to be positioned. Requests for permission for broadcasting, televising, recording, or taking of photographs in the courtroom shall be in writing and the written permission of the Judge required by Canon 3A(7) shall be made a part of the record of the proceedings.

(2) Permissible Media Equipment and Operators

(a) Use of more than one portable camera (television, video tape, or movie) with one operator shall be allowed only with the permission of the Judge.

(b) Not more than one still photographer shall be permitted to photograph trial proceedings with permission from the Judge.

(c) For audio broadcast purposes, the audio pickup shall be as inconspicuous as possible but must be visible.

(d) Visible audio recording equipment may be used by news media with the prior permission of the Judge.

(e) Arrangements between or among media for "pooling" of equipment shall be the responsibility of the media representatives authorized to cover the proceedings. Such arrangements are to be made outside the courtroom and without imposing on the Judge or court personnel. In the event disputes arise over such arrangements between or among media representatives, the Judge shall exclude all contesting representatives from the proceedings.

(f) The use of electronic or photographic equipment which produces distracting sound or light shall be prohibited by the Judge. No artificial

lighting other than that normally used in the courtroom shall be employed, provided that if the normal lighting in the courtroom can be improved without becoming obtrusive, the Judge may permit modification.

(g) Still photographers, television, and radio representatives shall be afforded a clear view of the proceedings but must remain where they have been positioned by the Judge, except to leave or enter the courtroom. Media representatives moving about the courtroom during the proceedings shall be ordered to leave the premises.

(3) Audio, Broadcasting, and Filming

(a) Media representatives shall not have access to, record, or broadcast conferences conducted in the court facility between counsel and clients, counsel and co-counsel, or from the bench between the Judge and counsel.

(b) The Judge shall inform victims and witnesses of their right to object to being filmed, recorded, or photographed.

(4) Form JMC-03-14, provided by the Ohio Supreme Court is mandatory.

(5) Revocation of Permission

Upon failure of any media representative(s) to comply with the conditions prescribed by the Judge, the Superintendence Rules of the Supreme Court, or by interrupting or interfering with court proceedings, the Judge may revoke the permission to broadcast or photograph the proceedings

HISTORY: Enacted, 1-5-15

RULE 4: RESERVED

RULE 5: FILING OF UNIFORM TRAFFIC TICKETS AND UNIFORM MINOR MISDEMEANOR CITATIONS

Uniform traffic tickets and uniform minor misdemeanor citations shall be filed with the court at the end of each officer's tour of duty or deposited with the dispatcher at the Jackson County Sheriff's Office if court is not open

However, all tickets and citations for arraignment on Tuesdays shall be filed with the court no later than noon on the Monday before the scheduled arraignment.

All tickets and citations for arraignment on Thursdays shall be filed with the court no later than 9:00 A.M. on Wednesday before the scheduled arraignment.

Wellston tickets and citations to be arraigned in Jackson on Tuesdays shall be filed with the court no later than noon on the Monday before the scheduled arraignment.

Wellston tickets and citations to be arraigned in Jackson on Thursday shall be filed with the court no later than noon on the Wednesday before the scheduled arraignment.

HISTORY: Enacted 1-1-01, Amended, 1-5-15

RULE 6: FILING COPY OF TRAFFIC RECORD WITH UNIFORM TRAFFIC TICKETS

(A) Every law enforcement officer filing a uniform traffic ticket for an offense which requires a personal court appearance by the defendant shall file with the uniform traffic ticket a copy of the defendant's driving record as maintained by the Bureau of Motor Vehicles.

(B) No uniform traffic ticket requiring a personal court appearance by the defendant will be accepted for filing without a copy of the defendant's record.

HISTORY: Enacted 1-1-01

RULE 7: ELECTRONICALLY PRODUCED TICKET

In accordance with the Supreme Court of Ohio amendments to Traffic Rule 3 and 25 effective January 1, 2014, the use and filing of a ticket that is produced by computer or other electronic means is hereby authorized in the Jackson County Municipal Court. The electronically produced ticket shall conform in all substantive respects to the Ohio Uniform Traffic Ticket. If an 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, in compliance with Traffic Rule 3(F) (1) and (2).

HISTORY: Enacted 10-1-14

**RULE 8: CIVIL FILINGS CONCERNING DRIVING RIGHTS
APPEAL OF ADMINISTRATIVE LICENSE SUSPENSION**

(A) A defendant may appeal an Administrative License Suspension (ALS) which was placed on their operator's license for:

(a) a blood alcohol content (BAC) of .08 for a person over the age of 21 or .04 for a person under the age of 21;

(b) a refusal to take a BAC test.

In order to challenge an ALS the defendant must file an "ALS Appeal". The Appeal must be filed using Form JMC-04-14 and a filing fee of Forty-five Dollars (\$45.00) and court costs of Ninety Dollars (\$90.00). An ALS Appeal will be assigned a separate case number and the proceedings associated with the ALS Appeal shall be set on dates set by the Civil Docket. The prosecutor assigned to the DUI charge will be assigned to represent the Bureau of Motor Vehicles (BMV) on the ALS Appeal.

(B) In the ALS hearing the prosecutor will have to prove the following to the satisfaction of the Judge:

(a) Whether the arrest was made with probable cause;

(b) Whether the BAC test was properly requested;

(c) Whether the defendant was made aware of consequences of refusal or failure;

(d) Whether the defendant refused or tested over the limit.

If the ALS Appeal is successful the court can "replace" the ALS with a regular DUI pretrial suspension.

(C) In making application for modification of the court order suspending driving privileges, a written application shall be submitted containing the following:

1. Application with reason for application: See Form JMC-05-14;
2. The distance from home to the place of employment and how long it takes to travel said distance;
3. Proof of work schedule with days and beginning and ending time of work. Schedule shall be on company letterhead and signed by the supervisor;

4. If the request is for driving privileges during hours of employment, a statement of whether employment will be terminated if request is not granted;
5. Type of vehicle to be operated and proof of ownership of the vehicle. Proof of ownership shall be in form of title or registration;
6. Proof of insurance (or SR22 bond) with the date insurance or bond is paid through, verified by the agency; (*Cards and policies are not acceptable.*)
7. Educational/vocational limited driving privilege shall include *official class schedule and proof of enrollment*;
8. Medical limited driving privilege, family necessity, and single parents shall have a separate written explanation of need included in the submitted request;
9. Mandatory suspensions required by the Ohio Revised Code shall not be modified except as permitted by law;
10. The entry granting the relief containing case number, driver's date of Birth, driver's operator's license number, and social security number. See Form JMC-06-14
11. A deposit of a filing fee of Forty-five Dollars (\$45.00) and court costs of Ninety Dollars (\$90.00)
12. Renewals of Limited Driving Privilege shall be Ten (\$10.00) each.

HISTORY: Amended, eff 8-1-05, Amended, eff -1-10, Amended, eff 1-5-15

RULE 9: FILING RETURNS OF SERVICE OF SUMMONS/WARRANTS/SUBPOENAS

(A) Return of Service

(1) All service returns shall be promptly filed after service with the clerk of this court but in no event later than 8:30 A.M. on the day the service requires the appearance of the defendant or witness to appear before the court.

(2) In those cases where service returns are not filed before the fine(s) and costs are assessed to the defendant, the service costs will not be collected by the court.

(B) Service of Warrants

(1) Summons may be served upon a defendant by delivering a copy to the defendant personally, or by leaving it at the defendant's usual place of residence with some person of suitable age and discretion then residing therein, or, except when the summons is issued in lieu of executing a warrant by arrest, by mailing it to the defendant's last known address by certified mail with a return receipt requested. When service of summons is made by certified mail it shall be served by the clerk in the manner prescribed by Civil Rule 4.1(1). A summons to a corporation shall be served in the manner provided for service upon corporations in Civil Rule 4 through 4.2 and 4.6(A) and (B), except that the waiver provisions of Civil Rule 4(D) shall not apply.

(2) Return. The officer executing a warrant shall make return of the warrant to the issuing court before whom the defendant is brought pursuant to Crim. R. 5. At the request of the prosecuting attorney, an unexecuted warrant(s) shall be returned to the issuing court and canceled by a Judge of that court. When the copy of the summons has been served, the person serving summons shall endorse that fact on the summons and return it to the clerk, who shall make the appropriate entry on the appearance docket.

(3) At the request of the prosecuting attorney, made while the complaint is pending, a warrant returned unexecuted and not canceled, or a summons returned un-served, or a copy of either, may be delivered by the court to an authorized officer for execution of service.

HISTORY: Amended, eff 8-1-05

RULE 10: TIME FOR FILING PRAECIPE FOR SUBPOENAS

All praecipe for subpoenas shall be filed with the Clerk of the Municipal Court with sufficient time to allow the Sheriff, Police, or Bailiff adequate time for serving the subpoenas. If the praecipe is filed within four (4) working days prior to trial or hearing, the court will not consider the absence of a witness due to non-service of subpoenas as sufficient grounds for a continuance unless the party requesting the continuance shows extraordinary circumstances to excuse the timely filing of the praecipe.

HISTORY: Enacted 1-1-01

RULE 11: CRIMINAL AND TRAFFIC DIVISION PRE-TRIAL PROCEDURE

(A) Pretrial Conference

In any criminal or traffic action the court may in its discretion, with or without request of a party, assign such cause for pre-trial conference/status hearing. When a criminal or traffic case is set for a pre-trial conference, the prosecutor assigned to the case, defendant's counsel, and the defendant shall be present. If the defendant fails to appear for the pre-trial conference the Judge may issue a warrant for the defendant's arrest.

The complaining witness and the arresting officer or other appropriate officer shall be notified of the pre-trial conference. An officer involved in the pre-trial conference may, with the approval of the court, make arrangements with the prosecutor prior to the pre-trial conference so as to eliminate the necessity of his appearance.

The prosecutor shall bring to the pre-trial conference the following information:

- 1.** Any written or recorded statement of the defendant or co-defendant, or a summary of any such oral statement;
- 2.** Criminal record of the defendant, as is available to the prosecutor, including the BMV printout in traffic cases;
- 3.** Reports of tests or examinations made in connection with the case, accident reports, and in DUI/BAC cases, calibration information and alcohol influence reports, or in the alternative, have this information available to the defendant's counsel within a reasonable time;
- 4.** A written list of the names and addresses of all known witnesses intended to be called at trial, together with any record or prior felony convictions of any such witnesses;
- 5.** Documents or tangible objects which may be material to the defense if used at the trial or which were obtained from or belong to the defendant;
- 6.** A written statement of all known evidence favorable to the defendant and material either to guilt or punishment;

7. Any discovery issues;
8. Any remaining unsolved matters.

The defendant's counsel shall bring to the Pre-trial Conference the following information and/or be prepared to discuss the following:

1. Documents or other tangible objects which may be material to the case or used at the trial;
2. Reports of tests or examinations made in connection with the case, including chemical tests in DUI cases;
3. A written list of names and addresses of all witnesses intended to be called at trial, together with any record of prior felony convictions of any such witnesses;
4. A final offer of settlement, if there is one to be offered;
5. Any discovery issues;
6. Any remaining unsolved matters.
7. At least thirty days immediately following the date of arraignment in the case, the attorneys, shall each file with the court Pre-trial Statements.

(a) Final Pre-trial Statements shall include:

- (i) Each and every issue which is in dispute in this matter;
- (ii) A list of all witnesses and his/her address, with telephone number. Any witness not listed may not be allowed to testify at trial except for good cause shown.
- (iii) A list of all exhibits which each party intends to use at trial. Said exhibits shall be exchanged at said pre-trial.
- (iv) Any proposed stipulations that may be made concerning facts.

(b) All proposed jury instructions for the alleged offenses, defenses, and/or lesser included offenses shall be submitted with the pre-trial statement for all jury trials.

Any plea offer must be accepted by 12:00 Noon, on the next business day following the date of the pre-trial. Thereafter, no resolution short of pleading

to all charges will be permitted.

Form JMC-07-14 shall be completed.

No provisions contained in this Rule shall be construed to limit or otherwise modify the requirements and procedures by Crim. R. 16.

HISTORY: Amended, eff 8-1-05; Amended, eff 1-1-10, Amended, eff 1-5-15

RULE 12: COLLECTION OF FINES

(A) Enforcing Fines by Imposing Jail

1. A person may be jailed for a willful refusal of nonpayment of a fine that he or she has the ability to pay.
2. Prior to committing an offender to jail for nonpayment of fines, an economic ability-to-pay hearing is required, but this requirement does not arise until the trial court decides to jail the offender for failure to pay fines.
3. Notice must be provided at a reasonable time prior to the hearing.
4. A person has a right to counsel (including a public defender or court-appointed attorney) for the hearing.
5. Any person jailed for failure to pay a fine shall receive credit upon the fine the rate of fifty dollars (\$50.00) per day or per fraction of a day.
6. The court shall inquire and make a determination of an offender's ability to pay a fine, which shall be supported by findings of fact set forth in a judgment entry that indicates the offender's ability to pay, as well as the income, assets, debts, as presented by the offender.
7. A person cannot be ordered to serve additional days for failure to pay a fine if the maximum jail sentence was imposed and served. Under R.C. 2947.14(E), no commitment pursuant to this section shall exceed six (6) months.

(B) Collection of Fines May Include Other Methods

The collection of fines may be done in one or more of the following permitted methods:

1. Voluntary Payment

2. Payment Plan
3. Collection Agency
4. Community Service
5. Attachment of Prisoner Accounts
6. Execution of Civil Judgment
7. Registration Block
8. Imposing Jail (see Enforcing Fines)
9. Driver's License Forfeiture
10. Warrant Block.

HISTORY: Enacted 1-5-15

RULE 13: COLLECTION OF COSTS

Rules during 2014 shall be promulgated to assist the collection of costs and fees due the court.

(A) All funds due the court if not defined as fines shall be considered costs.

1. Trial court must impose court costs at the time of sentencing.

- ❖ Stated at sentencing hearing
- ❖ Written in sentencing order

2. Trial court has a mandatory duty to inform a defendant at the time of sentencing that failure to pay court costs may result in imposition of community service.

3. Trial court retains jurisdiction to waive, suspend, or modify the payment of costs at the time of sentencing or any time thereafter.

4. A court may not order a person to appear or issue a warrant for unpaid court costs.

NOTE: When both fines and costs are owed, the court has the obligation to

segregate and/or allocate the amounts when imposing jail time for nonpayment, so that the appropriate mechanisms can be utilized to collect each.

(B) Collection of Court Costs May Include the Following

The collection of court costs may be done in one or more of the following permitted methods:

1. Voluntary Payment
2. Payment Plan
3. Collection Agency
4. Community Service
5. Attachment of Prisoner Accounts
6. Execution of Civil Judgment
7. Registration Block

HISTORY: Enacted 1-5-15

RULE 14: CONTEMPT

(A) Contempt of Court

Contempt of court may be applied if a defendant fails to appear for a court-ordered hearing, including a hearing under R.C.2947.14, but only after the defendant has been served with a separate citation for contempt of court, notice, and advised of the right to counsel (including appointed, if applicable) and jury trial. Contempt may not be used to create a jail sentence that does not exist with the underlying offense. Contempt for non-appearance cannot be used on a summary basis. If contempt is used for non-appearance at a payment hearing, then any imposition of jail time must be based upon the failure to appear, not the failure to pay fines.

(B) Limitations of Contempt

1. Contempt **may not** be used in lieu of R.C. 2947.14 to impose jail time to collect fines.

2. Contempt **may not** be used to collect costs.

3. If community service is in lieu of either fines or court costs, contempt **may not** be imposed for failure to perform.

HISTORY: Enacted 1-5-15

**RULE 15: ALLOCATION OF COURT COSTS, FINES RESTITUTION
AND REIMBURSEMENTS (O.R.C. 2949.111)**

(A) 2949.111 assigning payment toward satisfaction of costs, restitution, fine, or supervision fees.

(A) As used in this section:

(1) "Court costs" means any assessment that the court requires an offender to pay to defray the costs of operating the court.

(2) "State fines or costs" means any costs imposed or forfeited bail collected by the court under section 2743.70 of the Revised Code for deposit into the reparations fund or under section 2949.991 of the Revised Code for deposit into the indigent defense support fund established under section 120.08 the Revised Code and all fines, penalties, and forfeited bail collected by the court and paid to a law library association under section 307.515 of the Revised Code.

(3) "Reimbursement" means any reimbursement for the costs of confinement that the court orders an offender to pay pursuant to section 2929.23 of the Revised Code, any supervision fee, any fee for the costs of house arrest with electronic monitoring that an offender agrees to pay, any reimbursement for the costs of an investigation or prosecution that the court orders an offender to pay pursuant to section 2929.71 of the Revised Code, or any other costs that the court orders an offender to pay.

(4) "Supervision fees" means any fees that a court, pursuant to sections 2929.18, 2929.28, and 2951.021 of the Revised Code, requires an offender who is under a community control sanction to pay for supervision services.

(5) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(B) Unless the court, in accordance with division (C) of this section, enters in the record of the case a different method of assigning payments, if a person who is charged with a misdemeanor is convicted of or pleads guilty to the offense, if the court orders the offender to pay any combination of court

costs, state fines or costs, restitution, a conventional fine, or any reimbursement, and if the offender makes any payment of any of them to a clerk of court, the clerk shall assign the offender's payment in the following manner:

(1) If the court ordered the offender to pay any court costs, the offender's payment shall be assigned toward the satisfaction of those court costs until they have been entirely paid.

(2) If the court ordered the offender to pay any state fines or costs and if all of the court costs that the court ordered the offender to pay have been paid, the remainder of the offender's payment shall be assigned on a pro rata basis toward the satisfaction of the state fines or costs until they have been entirely paid.

(3) If the court ordered the offender to pay any restitution and if all of the court costs and state fines or costs that the court ordered the offender to pay have been paid, the remainder of the offender's payment shall be assigned toward the satisfaction of the restitution until it has been entirely paid.

(4) If the court ordered the offender to pay any fine and if all of the court costs, state fines, or costs, and restitution that the court ordered the offender to pay have been paid, the remainder of the offender's payment shall be assigned toward the satisfaction of the fine until it has been entirely paid.

(5) If the court ordered the offender to pay any reimbursement and if all of the court costs, state fines or costs, restitution and fines that the court ordered the offender to pay have been paid, the remainder of the offender's payment shall be assigned toward the satisfaction of the reimbursements until they have been entirely paid.

(6) If a person who is charged with a misdemeanor is convicted of or pleads guilty to the offense and if the court orders the offender to pay any combination of court costs, state fines, or costs, restitution, fines, or reimbursements, the court, at the time it orders the offender to make those payments, may prescribe an order of payments that differs from the order set forth in division (B) of this section by entering in the record of the case the order so prescribed. If a different order is entered in the record, on receipt of any payment, the clerk of the court shall assign the payment in the manner prescribed by the court.

(R.C. 2949.111)

(C) Unless the court enters in the record of the case a different method of assigning payments, the clerk shall assign the offender's payment in the

following manner:

1. Court costs, Supervision fees (Probation & Community Control) until entirely paid, then;
2. Reimbursements, (Drug Test fees and kits) then;
3. Fines, until entirely paid, then;
4. Restitution, until entirely paid, then;
5. State fines or costs, on a pro rata basis until entirely paid.

HISTORY: Enacted 1-5-15

RULE: 16 COMMUNITY SERVICE SCHEDULE

OFFENSE	STATUTORY AUTHORITY	LIMITATION
Minor Misdemeanor	R.C. 2929.27(D)	Maximum 30 Hours
Second, Third, and Fourth Degree Misdemeanor	R.C. 2929.27(A)	Maximum 200 Hours
First Degree Misdemeanor	R.C.2929.27(A)	Maximum 500 Hours
Unclassified Misdemeanor	Suspended License Offenses	Maximum 500 Hours
Felony	R.C. 2929.17 R.C. 2951.02	Maximum 500 Hours
Satisfaction of Court Costs	R.C. 2947.23	Federal minimum hourly wage rate and must be allowed by separate court order
Satisfaction of Fines	R.C. 2929.28	Not specified; hearing not required

HISTORY: Enacted 1-5-15

RULE 17: NOTICE OF BANKRUPTCY

Any counsel representing a party who files for Relief under Title 11 of the Bankruptcy Code shall:

(1) Immediately file with this court a Suggestion of Stay. Said suggestion shall include all case number(s) of all the debtor's cases in local court with the debtor's name as it appears in said local case(s), debtor's attorney's name, address, and telephone number, and the name, address, and telephone number of the bankruptcy trustee;

(2) Advise this court pursuant to Bankruptcy Abuse and Consumer Protection Act of 2005 if the pending action is stayed;

(3) Failure of counsel to file Suggestion of Stay shall cause this court to cite counsel of the debtor for contempt.

HISTORY: Enacted 1-4-06

RULE 18: CONTINUANCES

(A) All requests for continuances must be in writing and made at the earliest time possible after receipt of the court's notice, but not less than three (3) working days prior to the date of trial or hearing and must state reasonable grounds for the requested continuance. The earlier a motion for continuance is filed and with the inclusion of a time waiver, the more likely it is to be granted. A proposed order must be submitted with the motion. An example of the entry is set forth in the appendix.

(B) In the event of emergency, the request for a continuance must state with particularity the nature of the emergency, its expected duration and its effect upon the moving party if the continuance were denied.

(C) It shall be the obligation of the moving party to notify all the witnesses to be called upon movant's behalf as to the fact of any continuance granted and counsel for the moving party shall certify to the court that this was accomplished.

(D) The moving party shall notify the opponent's witnesses upon receipt of their names, addresses and phone numbers from said opponent and shall certify to the court that such notice was accomplished.

(E) If the opposing party does not furnish the moving party the names, addresses and phone numbers of his/her witnesses, then said opposing

party has the obligation of notifying his/her witnesses of the fact of the continuance and shall certify to the court that such notice was accomplished.

(F) In all cases where insufficient notice to parties and witnesses is rendered the party responsible for the failure of notice is responsible for the witness fees incurred by the appearance of witnesses and reasonable expenses of the parties who were not notified.

(G) The court may summarily deny any motion for continuance for one or more of the following reasons:

(1) The motion does not prominently display the consent, or attempt to obtain consent, to continuance by the moving legal counsel's client either by signature or consent by telephone.

(2) In the case of a schedule conflict, the motion does not clearly express the caption and style of the conflicting case, the date and time of the conflicting hearing, and date when the conflicting court had scheduled its hearing. **A requesting attorney shall attach to the motion a copy of the notice of hearing for the conflicting case.**

(3) In the case of a schedule conflict in which moving legal counsel had received the other court's notice of hearing before he received this court's notice of hearing, legal counsel fails to file his motion promptly, after he receives this court's notice of hearing, unless good cause is shown for the tardy filing.

(4) The motion is filed after the jury has been summoned for the trial of the case.

(5) The moving legal counsel had previously filed a motion for continuance in the same case. If the moving legal counsel is too busy to attend hearings, conferences, and the trial of an action, then counsel may wish to consider arranging for co-counsel.

(6) The court may deny the motion due to age of case or previous delay.

HISTORY: Amended, eff 8-1-05, Amended, eff 1-5-15

RULE 19: TIME LIMITS FOR PLEA NEGOTIATIONS AND WAIVER OF JURY

When a jury has been demanded and called for service in a particular case, the court will not accept any negotiated plea or waiver of jury unless the defendant enters a plea of guilty as charged unless the particulars of the negotiated plea and/or waiver of the jury are entered upon the record in open court before 12:00 Noon on the business day immediately following the pre-trial conference. This rule does not relieve the defendant from the obligation of paying all court costs incurred in the calling and appearance of any jurors who appear as originally directed. Examples of waiver of jury trial and speedy trial are set forth in Form JMC-08-14 and JMC-02-14

RULE 20: FILINGS OF PLEADINGS, MOTIONS, ETC.

(A) In every pleading, motion or document filed on behalf of a party or parties, there shall be set forth in the caption the names of all parties with complete addresses, if known, whose names appear in the proceeding for the first time and unless otherwise provided herein, all pleadings, motions, and other filing shall comply in form and content with the Ohio Rules of Civil and Criminal Procedure.

(1) All original pleadings, motions, or documents shall be signed by the party or his/her attorney, if represented.

(2) Every pleading, motion, or document filed on behalf of a party shall have printed or typed thereon the name, address, and telephone number of counsel filing the same, and if filed by the law firm, the name of the particular attorney having primary responsibility for the case shall be indicated thereon.

(3) Sufficient copies of every pleading, motion, or document to be served by the clerk, bailiff, or sheriff, shall be filed with the clerk.

(4) All motions shall be accompanied by a brief stating the grounds and citing the authorities relied upon.

(B) In all cases where the filing of a pleading, motion, or amended pleading is not fixed by law or another rule, the pleading, motion, or amended pleading shall be served on or before the fourteenth (14th) day after the date of the entry requiring or granting leave for the filing of such pleading or amended pleading, or overruling or sustaining a motion, unless otherwise specified in the entry.

The opposing party shall move or plead to the pleading or amended pleading so filed on or before the fourteenth (14th) day after such pleading or

amended pleading is filed, unless otherwise ordered by the court.

(C) Where a case is transferred from small claims court to the regular docket of the court pursuant to Section 1925.10, Ohio Revised Code, the answer of the defendant or defendants shall be filed within fourteen (14) days of the date of the entry ordering such transfer.

(D) It shall be the duty of the party or attorney filing a pleading, written motion, or brief subsequent to the complaint to mail or deliver a copy thereof to each other party to the case, or the attorney for such party. Failure to comply with this rule shall be sufficient cause to strike the pleading, motion, or brief from the files.

(E) If a copy of a pleading is to accompany a summons to be served in the case, it shall be sufficient compliance with this rule to deposit such copy with the clerk. The fact of such mailing or delivery to the adverse party shall be noted on the original. Insofar as the party filing a document is aware of the Judge to whom the case is assigned, he shall note the same between the case number and title of the document in the caption.

(F) In the absence of a request to the court for an oral hearing, notice of which request shall have been previously given to opposing counsel, a motion shall be deemed submitted on written briefs unless the opposing counsel requests in writing an oral hearing, which request shall be submitted within seven (7) days of receiving the motion.

(G) All motions, pleadings, and the like seeking relief shall be accompanied by a proposed entry designed and tendered by the moving party granting the relief prayed for. Failure to submit such entry may be grounds for denial of the request.

(H) For pleadings, motions, or other documents not complying with this rule of court shall not be accepted for filing by the clerk.

HISTORY: Amended, eff 8-1-05; Amended, eff 1-1-10

RULE 21: NOTICE OF LEGAL COUNSEL

(A) Any attorney appearing in a case after the initial document has been filed shall file a notice of appearance identifying the party on whose behalf the attorney is appearing.

(B) Any attorney who withdraws representation of a party shall file a notice of withdrawal. The court reserves the right to reject and to deny any

notice of withdrawal of counsel.

(C) Legal counsel may not withdraw from a case without leave ordered by the court. After a case has been set for trial, leave to withdraw is not likely to be granted unless the client approves the withdrawal and substitute counsel has by then appeared in the case.

HISTORY: Amended, eff 9-3-04; Amended, eff 1-1-10

RULE 22: JURY TRIALS AND DEMANDS

(A) Civil

(A) A demand for trial by jury shall be made in accordance with CIV. R. 38. To obtain a jury in a civil case, a written jury demand shall be filed with the clerk, together with a jury deposit in the sum of \$450.00 as a security for the first day jury cost. Said sum shall be applied to the costs of the case in the event that costs are taxed to the party posting such deposit upon disposition of the case. Otherwise, the deposit shall be refunded to the party posting it at the conclusion of the case. If no number is specified on the jury demand, the number of jurors shall be eight (8). To be effective, a jury demand requires both a written request and a \$450.00 deposit. The jury deposit may be waived if the party files an Affidavit of Indigency and the assigned judge determines that the party making the jury demand is indigent. The non-prevailing side shall be responsible for jury costs unless the court otherwise directs.

(B) In the event a civil case is settled or dismissed prior to trial and it is not possible to notify all jurors of such cancellation, the requesting party shall bear the cost of juror fees for those jurors who report on the day of trial.

(B) Criminal/Traffic

Where there is a right of jury trial, the jury demand shall be made in accordance with Crim. R. 23. In criminal and traffic cases, the defendant, if found guilty, shall be responsible for the jury costs.

(C) General

In all civil, criminal, and traffic cases, when a jury is requested and not used, the jury costs shall be assessed against the party making the demand,

unless the demand is withdrawn in writing before the time set by the Jackson County Municipal Court Jury Commissioner, but no later than the last working day before the date set for trial.

(D) Jury Management Plan

See Appendix B

HISTORY: Enacted 1-1-01; Amended 1-1-10

RULE 23: SUPBOENAS AND WITNESSES

Witnesses may be served by filing a praecipe with the clerk, or person designated by any order of the court as provided in Civ. R. 45©. Any praecipe for subpoena or order designating a person to serve a subpoena should be filed with the clerk at least seven (7) days before the date of trial. If the subpoena is filed less than seven (7) days before trial, failure of service or non-appearance of a witness shall not constitute grounds for a continuance unless the court makes a Finding that less than seven (7) days is permitted in order to prevent injustice or potential injustice.

HISTORY: Enacted 1-5-15

RULE 24: PROBATION FEES

As a general rule all defendants who are placed on probation shall be required to pay a probation fee. The probation fee for all probationers in the Jackson County Municipal Court shall be \$240.00 per case. This fee may be paid within 30 days of sentencing or added to the defendant's other court costs and set up on a payment plan.

RULE 25: INFORMAL DISCOVERY IN CIVIL CASES

Legal counsel shall freely exchange discoverable information and documents upon informal request made at least two weeks prior to the date and time set for discovery cutoff. The purposes of this rule are to reduce the expense to the parties of discovery, and to avoid filing unnecessary formal interrogatories and request for discovery.

HISTORY: Enacted 1-1-01

RULE 26: PRE-TRIAL PROCEDURE IN CIVIL CASES

(A) The pre-trial procedure called for in Ohio Civil Rule 16 shall be used by this court, insofar as may be applicable or practical, in all contested civil cases, that is civil cases which are at issue on an answer or a reply to a counterclaim.

(B) It is the order of this court that attorneys appear for pre-trials as scheduled, and that the parties to the case, or a representative of the party, also appear unless dispensed from appearance by the court.

(C) Unless leave of court is first obtained, failure of plaintiff or plaintiff's attorney to appear at a scheduled pre-trial conference may be grounds for dismissal of the case pursuant to Ohio Civil Rule 41(BB)(1); failure of any other party or their attorney to appear may be deemed a contempt of this court, and punished accordingly.

(D) Continuances of pre-trials may be granted only by the court, and no continuance shall be granted without approval of the Judge before whom the pre-trial is scheduled.

HISTORY: Amended, eff 8-1-05

RULE 27: FINAL PRE-TRIAL CONFERENCE IN CIVIL CASES

(A) The court may schedule a Final Pre-trial Conference for a date and time after discovery has been completed.

Attendance is mandatory at such a conference for all parties and attorneys of record, and the order scheduling the Final Pre-trial Conference shall require each legal counsel to prepare a written pre-trial report.

(B) The Final Pre-trial Report shall set forth techniques to streamline the trial presentation. The techniques may include stipulating facts, organizing and numbering exhibits, and eliminating unnecessary or repetitive testimony. The parties shall exchange the witness list of expert and non-expert persons. Legal counsel shall also be expected to discuss whether instructions of law other than standard form instructions will be necessary.

(C) If an insurance company is involved in the case, the carrier's legal counsel shall arrange, in advance, for an authorized adjuster to be available for consultation by telephone at the time of the Final Pre-trial Conference. At the request of any trial attorney in the case or upon its own motion, the court may order an authorized representative of a party's insurance

company to appear in person at the conference. In a case where one or more parties have demanded a jury, legal counsel may expect to discuss settlement in detail at the Final Pre-trial Conference. In a case where no jury has been demanded, legal counsel shall have the option not to disclose settlement posture.

(D) It shall be the duty of legal counsel to come to a Final Pre-trial Conference fully prepared and authorized to negotiate toward settlement of the case. Failure to comply with pre-trial procedural obligations may result in imposition of sanctions similar to the sanctions specified in Ohio Civil Rule 37 for failure to comply with discovery obligations.

HISTORY: Amended, eff 8-1-05

RULE 28: DEFAULT JUDGMENT AND FAILURE OF SERVICE

(A) In all cases where no answer, motion, or pleading is filed, it is the duty of the complainant or his/her attorney to file an appropriate default judgment entry or, in the alternative, to request a hearing for the taking of evidence prior to the taking of default judgment, whichever may be appropriate. Such action shall be taken within thirty (30) days after answer day. Military affidavits pursuant to the Soldiers and Sailors Relief Act shall be filed with the proposed entry of default judgment, unless filed earlier.

(B) In the event there is a failure of service of summons, the complainant or his/her attorney shall make an additional effort to obtain service of summons within ninety (90) days of the original failure of service.

(C) If complainant or his/her counsel fail to comply with this rule, the court may proceed to dismiss the case for failure to prosecute pursuant to Ohio Civil Rule 41.

(D) The court will set a non-oral hearing date and time for any motion for default judgment, not less than seven (7) days after the filing of such motion or default. A written notice of said hearing shall issue to all parties.

RULE 29: CIVIL TRIAL DATE ASSIGNED

When a civil case is assigned a date for trial, the case shall proceed to trial on that date, unless the court directs otherwise. If plaintiff is not willing to proceed, the court may dismiss the case with or without prejudice, pursuant

to Civ.R. 47.

If a civil case set for trial is settled, the attorneys assigned to that case shall immediately notify the court. The court may order an appropriate judgment entry or stipulation to be filed.

HISTORY: Enacted 1-5-15

RULE 30: JUDGMENT ENTRIES

Whenever a judgment or dismissal entry is required in any case, the court may order that counsel prepare the same. The entry shall be filed within thirty (30) days and tendered as three (3) copies in all. If such entry was to be prepared and presented by counsel. The court may prepare and file the same when it is not timely presented to the court.

Any judgment or dismissal entry prepared by counsel shall have the following language below the line prepared for the signature of the Judge:

"Pursuant to Civ. R. 58(8) the Clerk of Courts shall serve upon all parties not in default for failure to appear notice of this judgment and its date of entry upon the journal. This is a Final Appealable Order and there is no just cause for delay."

"Judgment or Dismissal Entry" as used in this Rule includes all decrees and orders from which an appeal lies as provided in R.C. 2505.02.

RULE 31: MAGISTRATES AND MAGISTRATE HEARINGS

(A) Magistrates

The court shall employ one or more magistrates who may hear the following unless otherwise ordered:

- (1) Small Claims case proceedings under O.R.C. 1925;
- (2) Forcible Entry and Detainer proceedings under O.R. C. 1923, including second causes of action for money damages.
- (3) Traffic misdemeanor arraignments, and dispose of such cases when there is a "guilty" or "no contest" plea;
- (4) Traffic minor misdemeanors when defendant waives trial by a Judge;

(5) Mandatory orders;

(6) A. License suspension hearings under O.R.C. 4511.191 and O.R.C. 4507.02;

B. Limited Driving Privilege Hearings and Orders;

(7) Default proceedings under Civ. R. 53 where a hearing is required;

(8) Post judgment hearings;

(9) Replevin, prejudgment attachment, etc, all proceedings in aid of execution;

(10) Other appropriate matters as referred by the Presiding/ Administrative Judge.

(B) Magistrate Hearings

At trial you will have an opportunity to present your argument and your evidence to the court. You must have all of your evidence, substantiation, witnesses, etc., with you at the hearing of your case. You will also have a right to cross examine the defendant and his witnesses, in order to bring out points in your favor. Similarly, the defendant will have an opportunity to present his evidence and to ask questions of the plaintiff. Individuals signing a Small Claims Complaint must appear at the hearing. NOTE: A CORPORATION APPEARING WITHOUT AN ATTORNEY MAY NOT ENGAGE IN CROSS EXAMINATION, ARGUMENT, OR OTHER ACTS OF ADVOCACY. IT IS STRONGLY RECOMMENDED THAT A CORPORATION BE REPRESENTED AT THE HEARING BY AN ATTORNEY. THE PERSON SIGNING THE COMPLAINT MUST APPEAR. IF AN ATTORNEY SIGNS THE COMPLAINT, THE PLAINTIFF MUST APPEAR ALSO.

The court, after hearing the case on its merits, will render a decision. The decision may be announced at the conclusion of the case, or it may be mailed to you in the form of a written opinion.

Within fourteen (14) days from the filing of the Decision of the Magistrate, any party may file with the court written objections to the Magistrate's Decision. The objecting party must serve notice of the objections to the opposing side. The objections and the case will then be handed over to the Judge for his consideration. The Judge may then modify the recommendation of the magistrate, order a new hearing, or approve the Decision of the Magistrate and enter a judgment. There is a filing fee for

Objections to the Magistrate's Decision, which is established annually by the court.

If the case is decided in favor of the plaintiff, the defendant should make arrangements to pay the plaintiff the amount of the judgment. Otherwise, the plaintiff can proceed against the defendant, to collect the judgment amount through garnishment of personal earnings, bank attachment, etc., or other proceedings in aid of execution.

RULE 32: COMPLAINT IN FORCIBLE ENTRY AND DETAINER

A complaint in Forcible Entry and Detainer (Eviction) shall be filed in accordance with JMCR and shall contain a reason for the eviction, a copy of the notice given under O.R.C. 1923.04 and a copy of the written instrument upon which the claim is founded. A plaintiff/owner must file a complaint personally or through a licensed attorney. When the plaintiff/owner is a corporation, the complaint must be signed by a licensed attorney. Noncompliance with this rule shall result in the dismissal of the complaint.

RULE 33: TRIAL IN FORCIBLE ENTRY AND DETAINER

There shall be no "Answer Day" or "Call Day" as the term is used in other civil cases, and the trial date shall be set forth in the summons. Defendant shall be served at least five (5) days prior to the date set for trial. Motions shall be heard at the trial, unless the Judge or magistrate directs otherwise.

A continuance may be granted as provided in JCMC No. 18, except the number of days in JCMC No. 33 shall be three (3) calendar days prior to hearing date.

RULE 34: WRIT OF RESTITUTION

The clerk shall not issue a writ of restitution or an alias writ of restitution after sixty (60) days from the date a court ordered restitution of the premises, unless authorized by the Judge or magistrate to do so.

RULE 35: SMALL CLAIMS TRIALS

A memorandum of the time and place set forth for trial shall be given to the person signing the claim. The time set for such trial shall not be fewer than

fifteen (15) nor more than forty (40) days after commencement of the action. Notice shall be served on the defendant pursuant to O.R. C. 1925.04.

A continuance may be granted as provided in JCMC No. 18, except the number of days in JCMC No. shall be three (3) days prior to hearing date.

RULE 36: INSTALLMENT PAYMENTS OF FINES AND COSTS

In any criminal or traffic matter when the Judge or visiting Judge gives the defendant time to pay such fines and costs, the fines and costs may be paid in installments; however, if a payment plan of longer than thirty (30) days is requested a \$25.00 handling charge will be added after the thirty (30) day mark. Installment payments shall not be received beyond the date set forth for payment unless authorized by the Judge. In the event the time for installments is not specified the court may insert four (4) to twelve (12) months.

RULE 37: RESERVED

RULE 38: CONDUCT OF TRIALS

(A) Voir Dire.

(1) The court will conduct a preliminary voir dire which should not be repeated by counsel.

(2) The case may not be argued in any way while questioning the jurors.

(3) Counsel may not engage in efforts to indoctrinate jurors.

(4) Jurors may not be questioned concerning anticipated instructions or theories of law.

(5) Jurors may not be asked what kind of verdict they might return under hypothetical circumstances.

(6) Questions are to be asked collectively of the entire panel whenever possible.

(7) Counsel may not question a potential juror in such a way as to extract a promise or commitment from him or her. For this reason, most

hypothetical questions will not be allowed in voir dire.

(B) Trial

(1) Counsel may examine witnesses while sitting at the trial table or while standing at a lectern, unless identifying or discussing exhibits. Counsel may not approach a witness closely without first obtaining consent from the court to do so.

(2) No grounds for objections should be stated in front of the jury unless requested by the court. If counsel desires to state grounds, or to argue the admissibility of evidence, he or she should do so at a bench conference.

(3) Legal counsel should not argue between themselves in front of the jury.

(4) No attorney participating in a pending trial shall make statements to the press or public outside the courtroom regarding the case.

(5) If legal counsel intends to introduce more than ten (10) exhibits during a hearing or trial, then he or she (and not the court reporter) shall mark the exhibits in advance.

HISTORY: Enacted 1-1-01

RULE 39: EXHIBITS

(A) Parties shall organize and number all exhibits prior to hearing.

- (1) State/City/Plaintiff will use numbers in order.
- (2) Defendant will use letters in order.
- (3) Joint exhibits should be marked by Roman numerals.

(B) Parties should have sufficient copies of all their exhibits providing the opposing counsel/party and the court with copies when reviewing the same during a trial or hearing.

HISTORY: Enacted 1-1-01

RULE 40: COMMUNITY SERVICE

(A) The Judge as a term of probation may sentence a defendant to community service. Community service is to be performed at Jackson, Oak

Hill, or Wellston for any defendant living within Jackson County. Defendants living outside of Jackson County may request of the Director of Community Service to be allowed to perform community service in the county in which they reside. Community service performed outside of Jackson County must be done for a non-profit organization approved by the Director of Community Service.

All hours must be completed within a reasonable time after sentencing based upon the amount of hours to be performed. Defendants must report for community service each business day until completed. This time may be extended if the defendant is employed full-time and special arrangements may be made to complete hours.

A defendant may request to perform community service to assist in their payment of fines. Hours worked for fines shall be paid at the rate of \$8.00 per hour. Defendants working off fines must report for work each business day until completed.

A defendant may request to perform community service to assist in their payment of costs. Hours worked for fines shall be paid at the rate of \$10.00 per hour. Defendants working off fines must report for work each business day until completed.

(B) The court has implemented a community service program as part of sentencing. A defendant may be sentenced to perform community service as part of their sentence per the Community Service Schedule in JCMC No. 16.

A defendant sentenced to community service must report to the Director of Community Service in the Probation Department to be assigned a work site. The Director will attempt to place the defendant at a convenient site. If a defendant does not complete the number of hours they are sentenced to perform, a probation violation, or if defendant is not on probation, a contempt of court citation will be issued.

A defendant may, at the completion of all court ordered community service hours, request in writing to be allowed to work community service for credit towards their fines at the rate of ten dollars (\$10.00) per hour. If fines are exhausted then ten dollars \$10.00 per hour credit may be given to costs by request.

A defendant performing community service, whether court ordered or for credit towards fines, is required to report to community service each and every day. If the defendant has a family emergency, doctor's appointment, legal appointment, or job interview that prevents them from reporting to community service proof of such emergency or appointment must be

provided to the Director of Community Service the next business day.

HISTORY: Enacted, 1-5-15

RULE 41: PROBABLE CAUSE FOR FILING CHARGE

(A) When a private citizen or attorney files a criminal or traffic affidavit without authorization from a prosecutor, law enforcement officer or Judge, the clerk shall number, index, and docket that affidavit separate from other filings. The Judge shall schedule a date for a probable cause hearing. A copy of the affidavit shall be forwarded to the Prosecutor's Office for distribution to the proper prosecutor. The prosecutor or Law Director may at any time file a Notice of Dismissal.

If the Judge finds no probable cause for the affidavit, it shall be ordered dismissed, and the clerk shall enter that finding on the probable cause docket. If the Judge finds probable cause, the clerk shall assign to it a case number and the proceedings shall be held in that case by the Judge as required.

(B) RESERVED

HISTORY: Enacted 1-5-15

RULE 42: CASE MANAGEMENT IN CRIMINAL CASES

(A) The purpose of this rule is to establish 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) In compliance of the Rules of Superintendence for the Courts of Ohio, scheduling begins from the date of arraignment, and shall be governed by the Rule of Superintendence for the Courts of Ohio.

(C) All pre-trials shall be conducted in accordance with Criminal Rule 17.1 and the local rules. A written memorandum of all matters shall be filed in said cases and shall be signed by counsel. Any request for a pre-trial shall toll the periods set forth in O.R.C. 2945.71

(D) All discovery shall be completed by the date of pre-trial unless specific authority is granted to continue discovery for good cause shown. No second pre-trial shall be granted without a specific request approved by the opposing counsel unless the court so determines.

(E) All cases shall be set for trial to the court unless a jury is demanded in writing in a timely manner in accordance with Ohio law. Trials must and shall be set to a jury for all OVI **third offenses within six (6) years without demand.**

(F) Motions: All motions shall be made in writing accompanied by a written memorandum containing the factual and legal arguments of counsel with specific citations to precedent supporting all arguments. Motions must be filed within the time limits established by the Ohio Rules of Criminal Procedure unless specific authority is granted for good cause shown. All such motions that qualify shall be set for oral hearing, and shall toll the periods set forth in O.R.C. 2945.71

(G) Trials: Each case not resolved at pre-trial shall be set for trial to the court. If a jury demand is timely filed, then the case will be set for jury.

(H) Sentencing: Sentencing hearings shall be held the day of the finding or within seven (7) days of receipt of the pre-sentence report.

HISTORY: Enacted 1-1-01; Amended eff 1-1-10

RULE 43: CASE MANAGEMENT IN CIVIL CASES

(A) Purpose: The purpose of this rule is to establish 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 Ohio Rules of Civil Procedure. In the event there is a failure of service, the clerk shall notify counsel immediately for other instructions or complete regular mail service if an "unclaimed" or "refused" is returned. If counsel failed to obtain service of

summons within six (6) months from the date the cause of actions has been filed, then the clerk shall notify counsel that the case will be dismissed in ten (10) days unless good cause is shown to the contrary.

(2) Upon appearance of service, the clerk shall notify counsel. Failure to submit an entry for default judgment within fifteen (15) days may result in the case being dismissed.

(3) After any responsive pleading is filed, the clerk shall immediately set said pleading and file for hearings. A "consolidated notice" shall set discovery deadlines, summary judgment deadlines, formal pre-trial and trial dates. Those dates shall establish reasonable goals and should not be deviated from unless on motion approved by the parties and counsel.

(4) If no actions have been taken on a file for a six (6) month period and the case is not set for trial or formal pre-trial, then the clerk shall notify the moving party that the matter will be dismissed within fifteen (15) days unless good cause is shown.

(5) When either counsel notes that a "settlement entry to come" and the entry has not been received within thirty (30) days, then the clerk shall notify all parties that the case will be dismissed unless the entry is received within ten (10) days.

(D) Judicial steps:

(1) Status Management: After an answer is filed, the clerk will forward the file to the Judge to set hearing dates noted above.

(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.

There will be no oral hearing granted in said motion unless the parties request an oral hearing in writing and the court deems it necessary.

(3) Pre-trial: 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 of 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 or default may be granted.

Consolidated notices shall be given to all counsel of record by mail and/or by telephone from the clerk not less than thirty (30) days prior to the hearing date.

Any Judge presiding at pre-trial conference or trial shall have the authority to dismiss the action for want of prosecution on the motion of defendant upon failure of plaintiff's counsel and/or plaintiff to appear in person at the conference; to order the plaintiff to proceed with the case and to decide and determine all matters *ex parte* upon failure of the defendant and/or defendant's counsel to appear in person at the conference; and to make such other order as the court may deem appropriate under all the circumstances.

If the case cannot be settled at pre-trial, the case will be tried at the time previously scheduled to all parties.

(4) Continuances: No party shall be granted a continuance of a trial or a hearing without a written motion signed by the party and his counsel stating a substantial 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 one 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.

(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.

Notification from the clerk that the case has defaulted, prevailing counsel shall submit an application for default judgment with in fifteen (15) days or

the case will be dismissed for want of prosecution.

The journal entry shall state which party will pay the court cost, the interest rate and effective date of interest, if any.

HISTORY: Enacted 1-1-01

RULE 44: COURT RECORDS MANAGEMENT AND RETENTION

(A) Definition of docket.

As used in this rule, "docket" means the record where the clerk of the municipal or county court enters all of the information historically included in the appearance docket, the trial docket, the journal, and the execution docket.

(B) Municipal Court.

The municipal court shall maintain an index, docket, journal, and case files in accordance with Sup. R. 26(B) and divisions (A) and (C) of this rule.

(C) Content of docket.

(1) The docket shall be programmed to allow retrieval of orders or judgments of the municipal court in a chronological as well as a case specific manner. Entries in the docket shall be made as events occur, shall index directly and in reverse the names of all parties to cases in the municipal or county court and shall include all the following:

(a) Names and addresses of all parties in full;

(b) Names, addresses, and Supreme Court attorney registration numbers of all counsel;

(c) The issuance of documents for service upon a party and the return of service or lack of return;

(d) A brief description of all records and orders filed in the proceeding, the date filed, and a cross reference to other records as appropriate;

(e) A schedule of court proceedings for the municipal court and its officers to use for case management;

(f) All actions taken by the municipal court to enforce orders or

judgments.

(2) "Financial record" means a record that is related to the imposition of fines, costs, and other fees in cases and controversies heard in the municipal court.

(D) Retention schedule for financial records

(1) Auditor reports.
Auditor of State reports shall be retained permanently.

(2) Monetary records.
Monetary records shall be retained for three (3) years after the issuance of an audit report by the Auditor of State.

(3) Rental escrow account records.
Rental escrow account records shall be retained for five (5) years after the last date of deposit with the municipal court.

(4) Yearly reports. Yearly reports shall be retained permanently.

(E) Retention schedule for index, docket, cashbooks, and journal.

The index, docket, and journal shall be retained for twenty-five (25) years.

(F) Judge and clerk notes, drafts, and research.

Judge and clerk notes, drafts, and research prepared for the purpose of compiling a report, opinion, or other document or memorandum may be kept separate from the case file, retained in the case file, or destroyed at the discretion of the preparer.

(G) Retention schedule for case files

(1) **Civil case files.** Civil case files shall be retained for two (2) years after the issuance of an audit report by the Auditor of State.

(2) **OVI case files.** Operating under the influence of alcohol or drug ("OVI") case files shall be retained for fifty (50) years after the date of the final order of the municipal court.

(3) **First through fourth degree misdemeanor traffic and criminal case files.** Except for OVI case files, first through fourth degree misdemeanor traffic and criminal case files shall be retained for twenty-five (25) years after the date of the final order of the municipal court or one (1)

year after the issuance of an audit report by the Auditor of State, whichever is later.

(4) **Minor misdemeanor traffic and minor misdemeanor criminal case files.** Minor misdemeanor traffic and minor misdemeanor criminal case files shall be retained for five (5) years after the final order of the municipal or county court or one (1) year after the issuance of an audit report by the Auditor of State, whichever is later.

(5) **Search warrant records.** Search warrant records shall be indexed and the warrants and returns retained in their original form for five (5) years after the date of service or last service attempt.

(6) **Probation files.** Probation files shall be retain for up to five (5) years after final entry.

(7) **All cases** that have been finally disposed of for fifteen (15) years or more prior to the adoption of this rule, the court may order the immediate destruction or otherwise dispose of said files without having copied or reproduced the files prior to their destruction.

HISTORY: Amended, eff 8-1-05 Amended, eff 1-5-15

RULE 45: SPECIALIZED DOCKET

The Jackson County Municipal Court establishes by this rule a specialized docket court.

(A) Drug Court Specialized Docket

(A) This docket is created pursuant to the authority and requirements under Sup. R. 36.20 and 36.29.

(B) This session of court shall be known as the Jackson County Municipal Court Drug Court Division. The Drug Court shall be comprised of five (5) phases and the duration shall be two (2) years.

(C) The Drug Court shall offer a non-adversarial and therapeutic oriented judicial approach to providing court supervision and appropriate treatment to individuals whose charges are drug or alcohol related. The primary focus of the drug court will be to prevent recidivism, save life, and prevent destruction of property by improving the quality of life for the individuals and their families through treatment, accountability, and support.

(D) The Drug Court Team shall consist of the Judge, Drug Court Administrator, Drug Court Coordinator, Court Chemical Dependency Specialist, Defense Counsel and Prosecutor. The Judge may add additional team members as deemed necessary.

(E) The Drug Court staff shall consist of the aforementioned individuals as well as the Assistant Drug Court Administrator, Drug Court Probation Officer, law enforcement liaison, MIS Evaluator, and Drug Court Aftercare Coordinator.

(B) Certification and Recertification

(A) The Jackson County Municipal Court Drug Court was certified as a Specialized Docket Court on August 15, 2014.

(B) Pursuant to Sup. R. 36.28 every three (3) years after receipt of certification or within six months after a change in the Judge assigned to the session, whichever comes first, the Drug Court shall successfully recomplete the certification application process pursuant to Sup. R. 36.21 through 36.26. The Specialized Docket Section of the Ohio Supreme Court may abbreviate the first certification to allow for rotating certification periods among the courts and divisions.

(C) Placement in the Jackson County Municipal Court Drug Court

(A) An applicant for Drug Court may be referred from the bench, by defense counsel, or the prosecutor's office. The individual may request to apply for drug court at either arraignment or the sentencing phase of their case.

(B) Applicants will be assessed by the court's Chemical Dependency Specialist to determine if the applicant meets the criteria of a chemical dependent person.

(1) After the assessment is completed and it is determined the applicant qualifies for Drug Court the Administrator or Coordinator shall request of law enforcement a CCH/LEADS to determine the applicant's past criminal and/or traffic history.

(2) When all collateral information has been gathered the Chemical Dependency Specialist shall report to the Drug Court Team the results of the applicant's assessment. At this time the Team shall vote as to whether or not to accept the applicant into the program.

(3) Drug Court Teams meeting shall be held on Thursdays following Drug Court when deemed necessary.

(D) Applicants must meet the following qualifications:

(1) Be a resident of Jackson County unless requirement is waived by the Judge.

(2) Be motivated to meet all the conditions of the Drug Court and prepared to become actively involved in their recovery.

(3) Have current or past criminal behavior that is associated directly or indirectly with drugs or alcohol use.

(4) Have a current charge that is probationable.

(5) Be determined to be chemical dependent via clinical interview.

(6) Have no significant history of trafficking or violent behavior.

(E) Case Management

The Drug Court Staff shall provide support, resources, accountability, and guidance throughout the Drug Court program. Upon entering the program the participant shall receive a Participant Handbook outlining the Drug Court program and the participant's rights and responsibilities. Treatment for participants shall be provided by Health Recovery Systems (HRS), Spectrum, and/or TASC or Warriors 4 Christ.

(F) Termination or Modification from the Jackson County Municipal Court Drug Court

Termination from the program may result from, but not limited to, the following:

(1) A participant's behavior negatively impacts the other participants.

(2) Continued participation would compromise the integrity of the program.

(3) Another level of care is indicated.

(4) Chronic non-compliance.

The presiding Judge shall make the final decision on termination of a participant after review of all documentation, and hearing unless waived by the participant.

HISTORY: Enacted 1-5-15

APPENDIX A

**JACKSON COUNTY MUNICIPAL COURT
SCHEDULE OF COURT SESSIONS
(See JCMC RULE 2)**

**ARRAIGNMENTS AND PRELIMINARY HEARINGS
(Traffic and Criminal)**

	AM	PM
Monday (inmates only)	9:00 – 12:00	1:00 – 4:00
Tuesday	9:00 - 12:00	1:00 – 4:00
Wednesday	9:00 – 12:00	
Thursday	9:00 – 12:00	

BENCH TRIALS

Monday		1:00 – 4:00
Tuesday		1:00 – 4:00
Wednesday (Wellston)		1:00 – 4:00

JURY TRIALS

Friday	8:30 – 12:00	1:00 – 4:00
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DRUG COURT

Thursday		2:00 – 4:00
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CIVIL AND SMALL CLAIMS

Wednesday		4:00 – 6:00
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APPENDIX B

JURY MANAGEMENT PLAN

INTRODUCTION

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

JURY ELIGIBILITY

To ensure that the jury pool represents the adult voting population of Jackson County, Ohio, all registered voters 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 Jackson County
3. Persons convicted of a felony that have not been restored to their civil rights.

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." That list shall consist of all registered voters in Jackson County. Random Selection procedures using automated data processing equipment in conformity with O.R.C. 2313.01 and O.R.C. 2313.21 shall be used to select a jury venire for Jackson County Municipal Court.

Not less often than once annually or as otherwise required by Ohio law, the Jury Commissioner, duly appointed by the Common Pleas Court pursuant to O.R.C. 2313.01, shall convene and select a jury venire for Jackson County Municipal Court to cover potential jury trial dates throughout the calendar year. Unless otherwise directed, 400 eligible jurors shall be chosen for each quarter. "Venire" is the term used to describe those persons that the Sheriff is directed to cause to come before a court so that the truth of the matters tried may be better known.

In the event the jury venire drawn is insufficient to meet the needs of the court in the calendar year, the Jury Commissioner shall reconvene as necessary to select additional jurors, also according to O.R.C. 2313.01

If, in the opinion of the court, the jurors selected are not representative of the adult population of the jurisdiction, additional source lists shall be utilized as authorized by law. The additional list authorized by law consists of licensed drivers, who need not be registered voters. (See O.R.C.2313.08)

Further, a pure random selection process shall be used to assign prospective jurors to specific periods of service and for assignment during vior dire.

Departures from random selection shall be allowed only as follows:

1. To exclude persons ineligible for service as set forth in this rule.
2. To excuse or defer prospective jurors. (O.R.C. 2313.12, 2313.13 or 2317.16)
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.

NOTICE BY SHERIFF OR SELECTION FOR POTENTIAL SERVICE

The Sheriff of Jackson County, Ohio, shall notify each juror of his or her selection for a term of service not to exceed ninety (90) days. Ohio law defines the methods used to notify the jurors chosen from the source list that they have been selected. The Sheriff decides the method of service or notification. The court plans to carry out this rule in such a manner to reduce the number of persons required for jury service without discouraging litigants from requesting jury trials.

SUMMONING OF PROSPECTIVE JURORS FOR ACTUAL SERVICE

Prospective jurors shall be notified by regular mail of their service requirement by the issuance of a summons directing them to appear on the date assigned (See Form JMC-09-14). Further, all prospective jurors shall be requested to complete a jury questionnaire approved by this court and, if appropriate, a "Request for Excuse, Exemption or Deferral" (See Forms JMC-10-14 and JMC-11-14). The jurors summons shall be phrased to be readily understood by an individual unfamiliar with the legal process. The jury summons shall clearly explain how and when the recipient must respond and the consequences for failing to respond. A parking pass will be provided to each juror upon arrival at the courthouse for the day of service.

Any person who fails to respond to a duly served summons may be served with a citation for contempt of court and must after that appear to answer that summons, if appropriate, may be arrested and detained for examination about why they failed to attend.

A DEMAND FOR JURY SERVICE IS NECESSARY

Prospective jurors shall be summoned only upon the filing of a written "jury demand" or where the potential penalty is 365 days or more for any single offense. The granting of a continuance at a defendant's request will not extend the time for filing a jury demand. In civil cases, an advance "deposit" of Four Hundred Fifty Dollars (\$450.00) shall be assessed. The deposit shall be filed with the clerk no later than fourteen (14) days before the first scheduled trial date. In the event the deposit is not made, no jury will be summoned and the failure to make said deposit shall be deemed a waiver of any right to trial by jury at any subsequent time. A person without funds to pay a deposit may petition the court for a waiver of the jury deposit requirement.

In criminal cases, no deposit shall be required.

Prospective jurors shall be summoned to appear in sufficient numbers to accommodate trial activity. A panel of twenty-five (25) persons per trial shall be summoned for service unless the court decides that a lesser or greater number is necessary for a particular trial. Waiver of deposit does not equate the waiver of fees.

PLEA BARGAINS

Every reasonable effort shall be made by the parties to resolve cases by pleas or agreement before summoning juries. In criminal/traffic cases **no amended charges or plea bargain will be approved without thorough consultation with any victim, the arresting authority and factual justification.** Under no circumstance shall a defendant with previous multiple OVIs, crimes against children, or crimes against the elderly be deemed appropriate for reduced charges. No amended charges or pleas to reduced charges or dismissals will be accepted after a jury is summoned. A jury panel shall not be summoned unless it appears that there is a substantial likelihood of trial or multiple jury cases shall be set to insure jurors are utilized.

DUTY OF COUNSEL

The counsel of record or the parties, whichever is appropriate, at least ten (10) working days before the scheduled trial date shall advise the court that a jury either will or will not be required. If it appears that a jury is required, a jury panel shall be summoned upon court order. No one shall be treated prejudicially for requesting a jury determination. Those costs associated with the summoning of a jury shall be assessed against the party requesting the trial, unless acquitted or otherwise exonerated by trial.

If any civil or criminal matter is settled on the day of trial, all lawful jury costs shall be assessed against the party who requested the jury. In cases where multiple trials are set for the same date, jury costs shall be assessed to the last trial resolved on that date. Costs shall also include transportation arrangements made for views requested.

Persons summoned for jury service shall receive compensation in the amount of Fifteen Dollars (\$15.00) per day or as otherwise set by the Board of County Commissioners. Such fees shall be promptly paid from the County Treasury, as appropriate.

Any juror wishing to waive his fee and/or mileage for service shall be allowed 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 jury panel shall be one day or the completion of one trial, whichever is longer.

TALESMEN JURORS

A "talesman" juror is someone summoned by the Sheriff to act as a juror when a jury panel is exhausted. A talesman juror is selected from bystanders. There shall be provided the Sheriff a list of eligible persons who could be called as talesmen in the event insufficient jurors appear for service or if the panel is insufficient for any reason. If practical, no talesmen juror shall be associated by blood, affinity, employment, or commission to any law enforcement agency.

EXEMPTION, EXCUSE, AND DEFFERAL

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 on 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 later. All requests for excuse, exemption or deferral must be made on the form provided (See Form JMC-11-14), and shall be accompanied by appropriate documentation. The court shall retain these documents.

The following factors are 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 from whose attitude 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.

No person shall be excused from jury service except by the Judge or an individual specifically authorized by the Judge to excuse jurors in the Judge's behalf. 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-VOIR DIRE

Voir dire is the preliminary examination of a prospective juror, under oath, to allow the Judge or parties to decide if the prospective juror is subject to removal from service for some cause or otherwise as permitted by law. On the day of the trial, examination of prospective jurors shall be limited to matters relevant to determining whether a juror must be removed for cause or to decide the juror's fairness and impartiality.

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

Jury questionnaires showing basic background information concerning panel members shall be made available to counsel before the day on which jury selection is to begin (See Form JMC-10-14). Counsel shall be allowed to record or copy the information contained on the questionnaires. The court upon the completion of trial shall retain all jury questionnaires. Under no circumstances may counsel or a party retain any jury questionnaire.

Neither counsel nor a party will be permitted to question prospective jurors at to matters contained in the questionnaire unless an answer is unclear. Parties and counsel may be allowed to ask follow-up questions concerning such information.

The court may conduct a preliminary voir dire examination concerning basic and relevant matters. Counsel shall be allowed a reasonable period to question panel members after that. One hour of voir dire to secure eight (8) jurors is deemed reasonable. 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 give answers to hypothetical questions.
3. Counsel may no argue their 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 form jurors.
6. Questions are to be asked collectively of the panel whenever possible.
7. Counsel may ask by general questions concerning the validity and philosophy of reasonable doubt or presumption of innocence.

In the event there exists a potential or sensitive or potentially invasive voir dire questions, the court or any of 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 to protect juror privacy, or to avoid juror embarrassment.

If the court determines during the voir dire process that an individual is unable or unwilling to sit in a particular case 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, O.R.C. 2313.42 and Ohio Criminal Rule of Procedure 24(B) set forth additional "challenges for cause" which may be made against potential jurors.

Peremptory challenges shall be exercised alternatively as presently established by O.R.C.2945.23 and Civil Rule 24, unless before 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 established by the Rules of Civil and Criminal Procedure. Objections to the manner in which peremptory challenges were exercised must be made on the record and before impaneling and swearing of the jurors after voir dire. No *Batson v. Kentucky* (1986) 476 U.S. 79 challenges shall be entertained without a specific supported pattern of discrimination.

Challenges to the jury array shall be made according to Ohio law.

In criminal cases, the jury shall consist of eight regular jurors and one alternate juror, unless there is an alternate agreement. 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. The court shall entertain no motions the day of trial, except those that the court must consider by law or by rule of procedure.

JURY ORIENTATION

Orientation is a brief tour of the court, its facilities, an introduction to staff personnel and an explanation of the court's programs. Jurors shall report for service on the trial date by 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.

Prospective jurors shall be provided with written and audio/visual orientation materials upon their initial appearance and prior to service. The court may give preliminary information to all prospective jurors, as well as preliminary instructions following the impaneling of the jury to explain the jury's role, trial procedures of the court, along with other basic and relevant legal principles to insure that jurors feel comfortable with their role as finders of fact.

Upon 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 deliberations. According to the Civil and Criminal Rules of Procedure, the parties or their counsel may request special instructions. Proposed written instructions shall be submitted not later than seven (7) days before trial.

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

Jurors may be permitted to take notes during the presentation of evidence after proper instruction by the court. Jurors shall be allowed to ask questions of witnesses subject to court approval and upon appropriate instruction.

The procedure for jurors asking questions shall be as follows:

a. Upon impaneling, the court shall provide pens, pencils, and paper to each juror.

b. At the conclusion of direct and cross-examination of a witness, any juror may ask a witness any question allowed by the rules of evidence.

c. The juror question must first be reduced to written form and reviewed by the Judge.

Deliberations shall not continue after a reasonable hour, unless the trial Judge decides that evening or weekend deliberations would not impose an undue hardship upon the jurors. Jurors shall be consulted before any decision.

If jury deliberations are halted, jurors shall be allowed 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. All such expenses shall be assessed as costs.

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.

Upon the completion of service, each juror shall be given a personalized "Certificate of Appreciation." (See Form JMC-12-14)

CONCLUSION

The court shall collect and analyze information regarding the performance of this jury management plan to evaluate the representativeness of the jury pool; the effectiveness of the summoning procedures; the responsiveness of individual citizens to jury summons; the efficient use of jurors; the cost effectiveness of this plan; and general juror satisfaction.

To achieve these goals, the court shall adopt and use a juror exit survey (See Form JMC-13-14) along with maintaining regular data on all jury pools.

APPENDIX C

SCHEDULE OF TRAFFIC VIOLATION AMOUNT

SPEED...1ST OFFENSE:

>5 MPH over posted speed-----	\$123.00
>10 MPH over posted speed-----	\$148.00
>30 MPH over posted speed	REQUIRED APPEARANCE
2 ND offense within 12 months-----	Add \$43.00 to the stated amount

SEAT BELT

Driver, seat belt citation only-----	\$103.00
Driver, seat belt citation as second charge-----	\$ 78.00
Passenger-----	\$ 93.00
Child Restraint-----	\$123.00

Reckless Operation -----	\$223.00
Failure to Signal Turn -----	\$123.00
Following too Close -----	\$148.00
Left of Center-----	\$148.00
One Way Street-----	\$123.00
Improper Passing-----	\$148.00
Failure to Yield Right of Way-----	\$148.00
Assured Clear Distance-----	\$148.00
Improper Lane Change-----	\$123.00
Squealing and Peeling-----	\$123.00
Crossing Yellow Line-----	\$148.00

AUTO LICENSE LAW

One Tag-----	\$123.00
Failure to Display Tag-----	\$148.00
Failure to Register Vehicle-----	\$148.00
Failure to Transfer Registration-----	\$123.00
Expired Plates/Fictitious Tags-----	\$123.00
Unsafe Vehicle-----	\$123.00
Muffler Violation-----	\$123.00
Pedestrian on Freeway-----	\$123.00
Defacing or Removing Signs-----	\$123.00
Failure to Control-----	\$148.00
Slow Speed-----	\$123.00
Stop Sign/ Red Light-----	\$123.00
No Headlights-----	\$123.00
No Taillight on License Plate-----	\$123.00
Failure to Dim Lights-----	\$123.00
Window Tint-----	\$123.00
Moving Violation Not Listed-----	\$123.00
Equipment Violation Not Listed-----	\$123.00
Driver's License Expired Less than 6 months-----	\$148.00
Failure to Produce-----	\$148.00

OFFICER ENTER AMOUNT DUE \$ _____

Bond Waiver or Forfeiture

Local Procedure in Waiver & Forfeiture of Bond Cases

The defendant chooses to enter the plea of NO CONTEST by affixing his or her signature below. The defendant must post bond in the amount specified. Upon receipt of the defendant's No Contest Plea the court will order bond forfeiture upon the following signature of the defendant.

X _____

Defendant

Return a signed copy of this Form along with your bond deposit to:

**Municipal Court Clerk
295 Broadway Street
Suite 101
Jackson, OH 45640**

Ohio Traffic Rule 10(B) Effect of guilty or no contest pleas

With reference to the offense or offenses to which the plea is entered:

- (1) The plea of guilty is a complete admission of the defendant's guilt.
- (2) The plea of no contest is not an admission of defendant's guilt, but is an admission of the Truth of the facts alleged in the complaint and such plea or admission shall not be used against the defendant in any subsequent civil or criminal proceeding.
- (3) When a plea of guilty or no contest is accepted pursuant to this rule, the court shall proceed with sentencing under Criminal Rule 32.

IN THE JACKSON COUNTY MUNICIPAL COURT
JACKSON, OHIO

STATE OF OHIO

CASE NO. _____

City of _____

Village of _____

PLAINTIFF

VS.

TIME WAIVER

DEFENDANT

Comes Now, Defendant, counsel to notice the court that the above named Defendant herein waives time for speedy trial pursuant to Defendant's statutory right to speedy trial, *O.R.C. Sec. 2945.71, et. Seq;* *Ohio Const., Art. I, Sec. 10*, constitutional right to speedy trial; and United States Constitution, Sixth Amendment right to speedy trial, *U.S.C.A. Const. Amend. 6*.

An accused's express written waiver of his statutory right to a speedy trial also waives the coextensive constitutional right, *State of Ohio v. O'Brien*, 34 Ohio St. 3d 7, 516 N.E. 2d 218 (1987).

DEFENDANT

JACKSON COUNTY MUNICIPAL COURT
JUDGE MARK T. MUSICK

Part I of II - Request to Broadcast, Televise, Record or Photograph a session of the Jackson County, Ohio Municipal Court

The undersigned media representative requests permission on behalf of the below-referenced media organization to broadcast, televise, record and/or photograph all or a portion of a session of the Jackson County Municipal Court on the date referenced below. This request is made pursuant to the Supreme Court of Ohio Guidelines for News Organizations Broadcasting, Televising, Recording and Photographing Sessions of Court, which have been made available to said media representatives and are posted at:

www.supremecourt.ohio.gov/PIO/MediaRequestInfo/default.asp.

Media Representative _____

Media Organization Name _____

Address _____

Telephone _____ Fax _____

E-Mail _____

Date of Court Session _____ Case No. _____

Case Name _____

Medium to be Used (circle all that apply):

Broadcast

Televise

Record

Photograph

Names of Media Representatives Attending Court Session (List all attending personnel)

Date Submitted _____

Signature of Media Representative

Approved

Not Approved

Judge Mark T. Musick

Part II of II - Request to Broadcast, Televise, Record or Photograph a session of the Jackson County Ohio Municipal Court

MEDIA GUIDELINES

- ➔ Media organizations wanting to carry live broadcast-quality video and/or audio of sessions of the Supreme Court of Ohio may do so by accessing the Ohio Government Telecommunications (OGT) feed, which is available in the Media Room (104) through a mult box. This is the method encouraged for radio and television access to Supreme Court audio and video. Tapes also are available free of charge by contacting OGT at 614.995.5562.
- ➔ Interviews may take place **only after** a case has been heard by the Court.
- ➔ Interviews should be conducted in available conference rooms
- ➔ Other rooms will be made available, upon request, for interviews. Contact a court staff member at the Clerk's window to request a room.
- ➔ Interviews are not permitted in the courtroom if the Judge is still present or if a defendant who is in custody is still present.
- ➔ The Court is not responsible for providing any broadcast equipment other than what is outlined here. Additionally, the Court is not liable for the operation of any media organization equipment.
- ➔ All media organization representatives and their equipment must go through building security procedures upon entering the court room. Each person must present a valid driver's license or other government photo ID and must wear a visitor's badge for the duration of the visit.

I acknowledge the above guidelines

Date

Signature of Media Representative



Fax both parts of this completed form to the Jackson County Municipal Court at 740.286.0679



OHIO DEPARTMENT OF PUBLIC SAFETY
BUREAU OF MOTOR VEHICLES
ALS COURT DISPOSTION NOTIFICATION

SUBJECT NAME		SOCIAL SECUTIRY NUMBER	DATE OF BIRTH
ADDRESS		CITY	
RE: COURT CASE NUMBER	DATE OF HEARING	DATE OF OFFENSE	DRIVER LICENSE NUMBER

This matter came for hearing on the date indicated above in reference to the suspension action in accordance with the provisions of Section 4511.197 of the Ohio Revised Code.

- The appellant's appeal was granted upon the court's determination of one or more of the following conditions :
- The arresting law enforcement officer did not have reasonable ground to believe that an OVI violation or a violation of O.R.C. 4511.194 (Physical Control) was committed before the test.
 - The officer did not request the appellant to submit to the chemical test.
 - The officer did not inform the appellant of the consequences of a refusal or of submitting to the test.
 - The appellant did not refuse the test. (Refusal Case).
 - The test results did not indicate a prohibited concentration of alcohol. (Positive Test case)

<input type="checkbox"/> Pre-Trial suspension imposed. Please provide the following information:		
DESCRIPTION OF OFFENSE	DATE OF HEARING	PLEA

- Stay of Administrative License Suspension issued.
- Appellant withdrew the appeal
- The appellant's appeal was denied for Failure to Show error.
 - Previous stay of ALS rescinded ALS re-imposed. Suspension from _____ until _____
- Limited driving privileges granted from _____ to _____
- Plea of Guilty to OVI [O.R.C. 4511.191(B)(2) and (C)(2)]
- Conviction of OVI after a plea of No Contest to OVI [O.R.C. 4511.191(B)(2) and (C)(2)]
- Finding of Not Guilty to OVI, O.R.C. 4511.19, or municipal OVI, after a positive test result[O.R.C.4511.197(D)]

CLERK	COURT
CITY	4 DIGIT COURT CODE

X _____

SIGNATURE OF PROSECUTING ATTORNEY

COMPLETION OF THIS FORM PURSUANT TO ORC 4511.197

X _____

SIGNATURE OF JUDGE

MAIL FORM TO:

OHIO BUREAU OF MOTOR VEHICLES
Attn: ALS
P.O. Box 16784
Columbus, Ohio 43216-6784

IN THE JACKSON COUNTY, OHIO MUNICIPAL COURT

IN RE Operator's License of:

CASE NO. _____

Driver's Name

Residential Addressee

Mailing Address

Operator's License Number

Telephone Number

Social Security Number

Cell Number

Date of Birth

APPLICATION FOR LIMITED DRIVING PRIVILEGE

- ____ 1. I seek Limited Driving Privileges pursuant to ORC Secs. 4510.021, 4510.31. **A letter from the Ohio Bureau of Motor Vehicles is attached to this application explaining license status.**
- ____ 2. I attach a **Dated** Proof of Insurance revealing the date the policy is actually paid until _____, signed by my insurance agent, underwriter, or insurance provider, subject to verification.
- ____ 3. I am employed by _____, attach proof of employment and schedule, and my days/hours of employment are described as:
_____.
- ____ 4. I must leave my residence no later than _____ . **m.** to arrive at my work on time.
- ____ 5. I usually will return to my residence after work no later than _____ . **m.**
- ____ 6. I must attend medical and or counseling visits for myself and or other persons in my family.
- ____ 7. I must attend court proceedings, community control activities, and or meet counsel
- ____ 8. I am a student at _____ with driving needs. I attach a proof of enrollment and class activity schedule. My driving needs are as follows: _____
- ____ 9. I allege Family Necessity described at the attached page.
- ____ 10. I submit proof of ownership by way of title and or registration.
- ____ 11. **I am requesting extension of a previously granted privilege. I submit updated Proofs with this application.**

I am filing this application in order to prevent undue financial or other hardship to myself and or my family, and or prevent the loss of my employment.

X _____
Applicant

IN THE JACKSON COUNTY, OHIO MUNICIPAL COURT

IN RE Operator's License of: CASE NO. _____

Driver's Name

Operator's License Number

COURT ORDER GRANTING
LIMITED DRIVING PRIVILEGE

This matter came before the court upon the Application for Limited Driving Privileges with required attached proofs seeking limited driving privileges for Occupational, educational, vocational, or medical purposes; the driver's or commercial driver's license examination; attending court-ordered treatment, driving to and from court, community control (work) activities, Court proceedings, and or Family necessity.

The court finds that the appropriate proofs are submitted with the Application and that the Limited Driving Privileges shall be granted through the date as presented that the insurance is paid until_____.

_____ Defendant is granted the Limited Driving Privilege therefore upon the following times and days of week as follows:

- Mon _____ from _____ .m. until _____ .m.
- Tue _____ from _____ .m. until _____ .m.
- Wed _____ from _____ .m. until _____ .m.
- Thu _____ from _____ .m. until _____ .m.
- Fri _____ from _____ .m. until _____ .m.
- Sat _____ from _____ .m. until _____ .m.
- Sun _____ from _____ .m. until _____ .m.

The Applicant-Driver must carry the court's authorization to drive upon his or her person at all times when operating a motor vehicle pursuant to this order.

Any ingestion of alcohol, illicit drugs, harmful inhalant, or abuse of prescription medication will void this authority to drive.

_____ The Applicant-Driver shall be required to operate only the motor vehicle described as follows that are registered with the special OVI license plates.

Date

Judge

IN THE JACKSON COUNTY, OHIO MUNICIPAL COURT

STATE OF OHIO
City or Village of _____
(Agency)

CASE NO. _____

PLAINTIFF

VS.

FINAL PRETRIAL STATEMENT
FOR _____

DEFENDANT

Now comes the undersigned party, or that counsel for the party to the above styled case, to submit Defendant's Pre-Trial Report as follows:

1. Issues in Dispute: _____

 2. List of Witnesses and Addresses: **Attached** **None**

3. List of Exhibits Presenting Party plans to use at trial.
 Attached **None**

4. Proposed stipulations: **Attached** **None**

5. Proposed Jury Instructions: **Attached** **None**

Date

Submitted by

IN THE JACKSON COUNTY, OHIO MUNICIPAL COURT

STATE OF OHIO
City or Village of _____
(Agency)

CASE NO. _____

PLAINTIFF

JURY TRIAL WAIVER

VS.

DEFENDANT

I, the undersigned Defendant in the above case, hereby voluntarily waive and relinquish my right to trial by jury, and elect to be tried by a Judge of the Court in which the said case may be pending. I fully understand that under the laws of this State, I have a Constitutional right to a trial by jury.

Defendant

JACKSON COUNTY MUNICIPAL COURT

295 Broadway Street, Suite 101

Jackson, Ohio 45640-1764

(740) 286-2718

Greetings:

You are hereby notified that you are to appear for JURY DUTY in the
foresaid Court on _____ at _____.

You are also requested to call this office at (740) 286-2718 before 4:00
o'clock p.m. the day before the trial to see if the trial is still scheduled. You may
also wish to listen to the radio and Channel 15 TV station during the week the trial
is scheduled for any announcements.

Should you have any additional questions please do not hesitate to contact
the Court.

Sincerely,

Mark T. Musick
Judge

JACKSON COUNTY MUNICIPAL COURT

Jackson County, Ohio

JUROR QUESTIONNAIRE

Name and Age: _____
(First) (M. Initial) (Last) (Age)

Home Address: _____

Phone Number (Home) _____ (Work) _____

JACKSON COUNTY MUNICIPAL COURT

Jackson County, Ohio

JUROR EXCUSE FORM

Name and Age: _____
(First) (M. Initial) (Last) (Age)

Home Address: _____

Phone Number (Home) _____ (Work) _____

I claim exemption from Jury Service because:

_____ Moved from Jackson County. My new address is: _____

_____ Physical inability to serve. **ATTACH AN EXCUSE SIGNED BY YOUR DOCTOR.**

_____ Recent death or dangerous illness of my spouse or near relative. **ATTACH DETAILED EXPLANATION.**

_____ Material harm to the interests of the juror or public. **ATTACH DETAILED EXPLANATION AND COMPLETED QUESTIONNAIRE.**

_____ Member of a cloistered religious organization.

_____ Prior Jury service within the previous twelve (12) months. Date of last service: _____

_____ Student attending college outside Jackson County. **ATTACH PROOF OF REGISTRATION.**

_____ Convicted Felon.

Dated: _____

Signature

Certificate of Appreciation

THIS is to certify that _____ has
Rendered Loyal and Patriotic Services as a _____ MUNICIPAL COURT _____ Juror
in this Court during the _____ Term of Court, 20_____

This Certificate is awarded in recognition of this valuable service to the people
of Jackson County, Ohio and this Court.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the
seal of this Court, on this, the _____ day of _____, 20_____

Clerk of Jackson County Municipal Court
Jackson, Ohio

Judge, Jackson County Municipal Court
Jackson, Ohio

JACKSON COUNTY MUNICIPAL COURT

Jackson County, Ohio

JUROR QUESTIONNAIRE

1. Name and Age: _____
(First) (M. Initial) (Last) (Age)

2. Home Address: _____

3. Phone Number (Home) _____ (Work) _____

4. Education: Completed to: (Indicate completion by "X" or uncompleted by years attended)

Grade School _____ High School _____ College _____ Graduate School _____

5. Your occupation and employer: _____

6. Your spouse's occupation and employer: _____

7. Marital Status: Married _____ Separated _____ Widow _____ Single _____

Divorced _____ Widower _____

Number of children _____

8. List living members of your family (Spouse and children only)

<u>Relationship</u>	<u>Age</u>	<u>Living with you</u> <u>Yes</u> <u>No</u>	<u>Occupation</u>	<u>Employer</u>
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9. Have you ever been convicted of a state or federal crime, punishable by imprisonment for more than one year? Yes _____ No _____
If YES, describe the nature of the crime. _____

10. Have you served as a juror prior to this term? Yes _____ No _____
If YES, when and where? _____
11. Have you, or any member of your family listed above, been sued, or sued another person? Yes _____ No _____
If YES, complete the following: Type of law suite _____

- When _____ Where _____
12. Have you or any member of your family listed above, ever suffered any bodily injury?
Yes _____ No _____
13. Have you or any member of your family listed above been a victim of crime?
Yes _____ No _____
14. Has a claim for personal injury ever been made against you or your family
NOT INVOLVING A LAWSUIT? Yes _____ No _____
15. Are you related to, or a close friend of any law enforcement officer?
Yes _____ No _____
16. Do you drive an automobile? Yes _____ No _____
16. Name of your physician or surgeons: _____
18. Name of your attorney, if any, _____
19. Are you or any members of our immediate family stockholders in any Insurance Casualty Company, automobile or otherwise, or are they employed by any automobile liability insurance or casualty company? Are you or any members of our immediate family stockholders in any insurance casualty company, automobile or otherwise, or are they employed by any automobile liability insurance or casualty company? Yes ___ No ___ _____
20. Are you or any members of your immediate family connected in any way with any insurance agency that sells automobile liability or casualty insurance? If so, name the company and the member of your family and the agency. _____

21. Are you or any members of your immediate family employed by the Ohio Bureau of Workmen's Compensation and Industrial Commission? If so, name such member of the family _____
22. Are you or any members of your immediate family connected in any way with any health and accident insurance company, such as blue Cross or any other similar company that sells health and accident insurance? Is so, name the company and the member of the family. _____
23. Do you carry automobile casualty insurance? If so, name the Company _____
24. Please state your correct address if the address used is in error, and set forth your correct telephone number, at home: _____ work: _____
Correct address: _____
25. I feel I should be exempt from Jury Duty because: _____

STATE OF OHIO

JACKSON COUNTY, SS:

I do hereby solemnly (swear or affirm) that the answers to the foregoing questions are true and correct to the best of my knowledge and belief.

Dated: _____

(Signature)

JURY EXIT QUESTIONNAIRE

Your answer to the following questions will improve Jury Service. All responses are voluntary and confidential.

1. Approximately how many hours did you spend at the Jackson Municipal Court? _____
2. Of these hours in the Court, how many were spent in the Jury Room: _____
3. Have you ever served on Jury duty before? _____
4. Did a Judge speak with you, other than during the initial orientation or the trial? ___Yes
___No

If so, when? _____

5. How would you rate the following factor" (Please answer all that apply)

	Good	Average	Poor	NA
a. Initial Orientation	[]	[]	[]	[]
b. Treatment by Court Personnel	[]	[]	[]	[]
c. Physical comforts	[]	[]	[]	[]
d. Personal Safety	[]	[]	[]	[]
e. Parking facilities	[]	[]	[]	[]
f. Eating facilities	[]	[]	[]	[]
g. Scheduling of your time	[]	[]	[]	[]

6. Did you lose income as a result of Jury Service? _____Yes _____No
7. Are you paid by your employer during Jury Service? _____Yes _____No
8. After having served, what is your impression of Jury Service? (Answer one)
 - a. The same as before – favorable []
 - b. The same as before – unfavorable []
 - c. More favorable than before []
 - d. Less favorable than before []

9. In what ways do you think Jury Service can be improved? _____

The following information is OPTIONAL, but will help evaluate the results and responses to this questionnaire:

10. Age: (please circle one) 18-20 21-24 25-34 35-44 45-54 55-64 65-over
11. Gender: [] Female [] Male
12. Occupation: _____