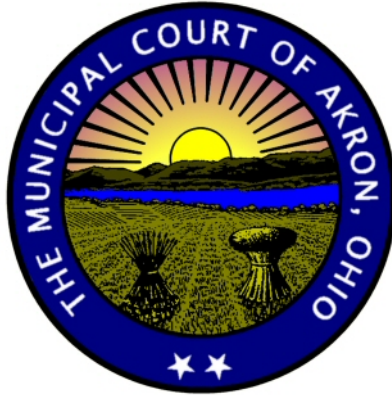




AKRON MUNICIPAL COURT

LOCAL RULES

Akron, Ohio

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AKRON MUNICIPAL COURT LOCAL RULES

RULE 1 – CITATION OF RULES

These rules shall be known as the Akron Municipal Court Rules of Practice and may be cited as AMCR No. _____. In the event of a conflict with the Rules of Superintendence for the Courts of Ohio, the Ohio Rules of Civil Procedure, the Ohio Rules of Criminal Procedure the Ohio Revised Code or the Ohio Traffic Rules, these rules shall be subservient.

RULE 2 – HOURS OF SESSION

The hours for holding the regular sessions of the Court shall be from 8:30 a.m. to 12:00 noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday of each week, except on those days designated by law as legal holidays, or by entry. A judge may extend the hours to include evening, Saturday, and holiday sessions when deemed necessary, and each judge may establish different hours for their Court.

The hours for arraignment court, traffic court, small claims court, and mediation are set forth in [Appendix A](#) at the end of these Rules.

RULE 3 – DECORUM AND CONDUCT

A. Courtroom Conduct

Upon the opening of any Court sessions, all persons in the courtroom shall stand. All persons in the courtroom shall conduct themselves with proper 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. All persons in the courtroom are subject to the Court Attire and Court Etiquette Policy, set forth in Appendix G at the end of these rules. Civ.R 73.5.

B. Food and Drink

No smoking, eating, or drinking is permitted in the courtroom, nor shall anyone bring food or drink into the courtroom without permission of the court.

C. Loitering

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

D. Attention to Rule

The Court expects that counsel shall call this rule to the attention of clients and witnesses.

E. Broadcasting and Photographing Court Proceedings. In accordance with Sup.R. 11:

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 court proceedings open to the public. Requests to broadcast or record magistrate's hearings shall be forwarded to the Presiding Judge for action. 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 order of the judge required by Sup.R.11 shall be made a part of the record of the proceedings. Civ.R. 73.5.

2. Permissible 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 without permission of the judge.
- (c) For radio 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 reporters 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 proceeding.
- (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 but shall not be permitted to move about in the courtroom during court proceedings from the places where they have been positioned by the judge, except to leave or enter the courtroom.

3. Limitations

- (a) There shall be no audio pickup or broadcast of conferences conducted in a court facility between attorneys and clients of co-

counsel, counsel, or of conferences conducted at the bench between counsel and the judge.

- (b) The judge shall inform victims and witnesses of their right to object to being filmed, videotaped, recorded or photographed.
- (c) This rule shall not be construed to grant media representatives any greater rights than permitted by law wherein public or media access or publication is prohibited, restricted or limited.
- (d) Media representatives shall not be permitted to transmit or record anything other than the court proceedings from the courtroom while the court is in session.

4. Revocation of Permission

Upon the failure of any media representative 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 trial or hearing.

F. Weapons in the Court Facility

NO WEAPONS SHALL BE PERMITTED IN AKRON MUNICIPAL COURT EXCEPT AS PERMITTED AS FOLLOWS:

- 1. Court security officers shall be permitted to carry weapons in the Court when acting within the scope of their employment.
- 2. Law enforcement officers shall be permitted to carry weapons in the Court when the law enforcement officer is acting within the scope of their employment.
- 3. If a Court security officer or law enforcement officer is a party to, a witness in, an interested party or an observer of a case outside the scope of their employment, the law enforcement officer is not permitted to carry a weapon in the Court.
- 4. Any person conveying a weapon which is intended to be used as evidence in a pending case, should notify court security upon bringing the weapon to the Court.

Sup.R. 14.17.

RULE 4 – CASE MANAGEMENT

A. Purpose

The purpose of this rule is to establish a system for case management that will provide the expeditious, fair, and impartial administration of cases.

These rules shall be construed and applied to eliminate unnecessary delay and expense for all parties involved in the court justice system. For both civil

and criminal cases, the Court will attempt to schedule hearings, pretrial conferences, and trials to accommodate attorney's schedules and to avoid unnecessary conflicts with other courts. Although the Court will attempt to schedule trials and hearings to accommodate counsel and witnesses, it is the primary responsibility of the party or counsel to make diligent efforts to notify the witness, including police officers, building inspectors, or other city employees of the scheduled date and to also promptly file a motion to continue if a witness is not available.

B. Criminal and Traffic Cases

1. Summoned

Persons who are summoned to appear for arraignment as defendants in a criminal misdemeanor case shall report to Room 100, the Criminal Division of the Clerk's office, at the time designated on the summons.

2. Released on Bail

Persons charged with a criminal misdemeanor or felony offense, who are released on bail shall appear for arraignment at the time and place designated on their bond papers.

3. Arrested

Persons arrested and held in custody for misdemeanor or traffic offenses shall appear at the next session of Felony or Traffic Court. Prisoners shall be brought before the Court as soon as practical before the next session of the court.

4. Charged with Traffic Violation

A defendant charged with a traffic violation, except for a minor misdemeanor, must be present at the arraignment and all subsequent hearings. Traf.R. 8(C).

5. Conducting Arraignments or Other Proceeding Through Video Transmissions

At the Court's discretion and in compliance with AMCR No. 4(D), the Court may hold bond hearings, misdemeanor arraignments or other court proceedings by means of closed-circuit video transmission from the Summit County Jail or any other correctional facility where a defendant is being held.

6. Bench Warrants and Bond Forfeiture Procedure

When a bench warrant is ordered by the Court, the following procedure shall occur, unless otherwise ordered by the Court:

(a) Complaint Prepared

A contempt complaint shall be prepared by the Clerk;

(b) Deposit Forfeited

Any cash deposit for bond shall be forfeited in accordance with R.C. 2937.35 and 2937.40.

(c) Complaint Issued

The contempt complaint shall be signed by a judge and issued to the appropriate law enforcement agency.

7. Conferences

In any criminal or traffic action the Court may in its discretion, assign such cause for pretrial conference and subsequent pretrials, if needed. Criminal or traffic cases which carry potential jail time shall be set for a pretrial. The prosecutor assigned to the case, defendant's counsel and the defendant shall be present. If the defendant fails to appear at the pretrial conference, the judge may issue a warrant for the defendant's arrest.

Prior to or at this pretrial, the prosecutor shall provide to defense counsel electronic discovery via the MATRIX system.

The prosecutor shall comply with all requirements of Chapter 2950 of the Revised Code and Marsy's law in conducting pretrials.

Both the prosecutor and defense counsel shall comply with all requirements of Criminal Rule 16 in handling any criminal case.

The prosecutor and defense counsel, to the best of their ability, shall make available to opposing counsel all Crim.R.16 discovery in their possession to the initial and any subsequent pretrial conferences.

8. Jury

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. R.C. 2947.23(A).

(a) General

In all 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 Summit County Jury Commissioner, but no later than the last working day before the date set for trial.

(b) Jury Management Plan

The jury management plan required by Sup. R. 3.2 is contained in [Appendix C](#).

9. Bonds

The Court shall determine appropriate bonds in criminal and traffic matters to ensure the appearance of a defendant at court and protect the community.

10. Representation of the Indigent

(a) Misdemeanor Appointments

(i) The Summit County Legal Defender Office is designated to provide the legal representation for an indigent charged with a criminal or traffic misdemeanor, other than a minor misdemeanor. A twenty-five dollar fee shall apply. Payment for the remainder of the services of the Summit County Legal Defender Office shall be from Summit County and/or other governmental bodies contracting with it.

(ii) In cases where there the Legal Defender's Office identifies to the Court a conflict of interest in representing that person, an attorney shall be appointed and paid as provided herein.

(iii) When a felony is reduced to a misdemeanor, or otherwise remanded back to the Municipal Court, an attorney previously appointed may continue with such representation and be paid as provided herein.

(iv) When other exceptional circumstances exist, and for good cause, a Judge may appoint an attorney in a misdemeanor case, and the attorney shall be paid as provided herein.

(b) Appointment List

(i) The Court, through the Akron Bar Association, shall maintain a list of attorneys in private practice who are willing to accept appointments for cases identified in AMCR No. 4(B)(a)(ii)-(iv), and felony cases arraigned in the Akron Municipal Court. Attorneys who wish to be placed on that list of Appointed Counsel shall apply in writing to the Akron Bar Association, and submit a photograph and proof of malpractice insurance along with that application. Applications may be found on the Akron Municipal Court's website, the Akron Bar Association website, or in the Felony Arraignment Court. Open enrollment for the list occurs at the creation of this rule for ninety (90) days, and thereafter in August and February of each year. During the months of February and August, members of the Appointed Counsel Committee of the Akron Bar Association will meet in person and review the list for any additions or changes. Sup.R. 4.31.

(ii) In order to be approved for inclusion on the Appointment List, an attorney must meet the following standards:

- (AA) Be a licensed Ohio attorney in good standing;
- (BB) Meet the requirements set forth in the Ohio Administrative Code 120-1-07 and 120-1-10;
- (CC) Take the Annual Criminal Law Update, offered through the Akron Bar Association or equivalent course, during each calendar year;
- (DD) Maintain professional liability (malpractice) insurance in the amount equal to the minimum coverage

required by the Ohio Rules of Professional Conduct. An attorney shall file a certificate of compliance with this requirement with their application, and thereafter with each renewal as prescribed in AMCR No.

4(B)(b)(vi);

(EE) For attorneys with less than two years of practice, take the ABCs of a Jury Trial, offered through the Akron Bar Association or equivalent course;

(FF) For attorneys with less than two years of practice, take the Nuts-n-Bolts of Criminal Practice, offered through the Akron Bar Association or equivalent course;

Sup.R. 4.31.

(iii) Upon appointment, the attorney shall perform basic duties as warranted by the facts of the case and shall act in a professional manner. Sup.R. 4.31(F).

(iv) The attorney shall have a working phone with an assistant and/or voicemail to be able to respond to calls from the Court or clients. The attorney shall inform the Court promptly of a change of address or phone number. Sup.R. 4.31(B).

(v) An attorney may be removed from the Appointment List with the approval of a majority of the Appointed Counsel Committee. Any attorney being considered for removal will be notified by the Committee in writing, with the reasons for removal, and given an opportunity to respond in writing within fourteen (14) days. Such response will be distributed prior to the Appointed Counsel Committee meeting at which the removal will be discussed and determined. If an attorney is so removed, the attorney may seek reinstatement upon correction of the reasons for removal. Such reinstatement is governed by AMCR No. 4(B)(10)(b)(vi) herein.

(vi) An attorney seeking renewal or reinstatement to the Appointment List must submit the application and supporting information required by the February and August application deadlines of each year. No renewals or reinstatements will be accepted during other times.

(c) Felony Appointments

Any person charged with a felony and found indigent will be appointed an attorney from the Appointment list maintained by the Summit County Court of Common Pleas. The Public Defender's Office will represent indigent defendants for this Court's arraignment proceedings unless counsel is retained otherwise by a defendant.

(d) Fee Schedule

The fee schedule applicable to all practicing attorneys on the Appointment List will be the fee schedule identified by the Ohio

Public Defender Commission and approved by Summit County at the time of the request, as well as expenses allowed by Court.

No attorney, including the Legal Defender, appointed to represent an indigent defendant, shall receive any fees other than public funds for services relative to that appointment. Before the appointed attorney shall receive any money from or on behalf of an indigent for services in such representation, the Court shall immediately be notified, withdrawing with waiver of any fees from public funds.

11. Probable Cause

When a private citizen or attorney files a criminal or traffic affidavit without a prosecutor, law enforcement officer or judge, the Clerk shall number, index and docket that affidavit separate from other filings. Such affidavit shall be assigned as provided in AMCR No. 7, and the assigned judge shall schedule a date for a probable cause hearing. A copy of the affidavit shall be forwarded to the City of Akron Prosecutor's Office. R.C. 2935.09. 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 assigned judge as required.

12. Use of Electronically Produced Tickets

The use and filing of a ticket that is produced by a computer or other electronic means is hereby authorized in The Akron 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. A paper copy shall also be filed with The Akron Municipal Court. Traf.R. 3(F).

13. Administrative Appeal of Traffic Law Photo-Monitoring Device/Civil Violation Ticket

Pursuant to R.C. 1901.20 and R.C. 4511.099, this Court has jurisdiction over administrative appeals relating to written decisions rendered by hearing officers contesting civil violation traffic tickets originating from the use of a traffic law photo-monitoring device.

The parties subject to the administrative appeal shall follow the procedures set forth in R.C. Chapter 2506 as it relates to filing the notice of appeal, the transcript/record of proceedings, and hearing. Furthermore, the following timetable for appeal shall apply when no additional evidence is required:

- (a) Appellant's brief containing assignments of error and brief shall be filed within thirty days after the filing of the record of proceedings with the Clerk of Court,
- (b) Appellee's brief containing assignments of error, if any, and brief within thirty (30) days after the filing of Appellant's brief,
- (c) Appellant's reply brief within ten days after the filing of Appellee's brief,
- (d) For good cause shown, the Court may, upon motion, extend or otherwise modify the foregoing schedule,
- (e) The Court may grant hearing for oral arguments, if requested. Any request for hearing on the evidence pursuant to R.C. 2506.03 shall be filed within fourteen days after the filing of the record of proceedings, supported by an affidavit requesting the submission of additional evidence and specifying the nature and type of additional evidence to be submitted and the reasons therefor.

If the Appellant fails to file his/her brief and assignments of error within the timetable provided, the Court may dismiss the appeal or otherwise dispose of the case as justice requires.

The Court shall follow the procedures set forth in R.C. 2506.04 as it relates to the above administrative appeal.

14. Criminal Motion Practice

An application to the Court for an order shall be by motion which, unless made during a hearing or trial, shall be made in writing unless waived by the judge. A motion, whether written or oral, shall state with particularity the grounds therefore, and shall set forth the relief or order sought. Crim. R. 47. A written motion, and any supporting affidavits, shall be served in accordance with Crim.R. 49 unless the motion can be heard ex parte.

C. Civil Cases

1. Official Notice of Civil Proceedings

The Akron Legal News is the official daily journal of the Akron Municipal Court as authorized by R.C. 2701.09. Publication in The Akron Legal News shall be deemed official and complete notification to all local counsel of any assignment of any case for any purpose, and it shall be the duty of counsel to ascertain such notice from The Akron Legal News. Non-local counsel and parties representing themselves shall be notified by mail. Notwithstanding provisions of any rule to the contrary, any mail notification provided shall be sufficient.

2. Form

All papers filed with the Clerk shall be filed under the style and number of the cause, and shall include:

- (a) case caption including the names of the plaintiff and defendant
- (b) the case number, if any;
- (c) the name of the judge assigned the case, if any;
- (d) a notation as to the type of case;
- (e) a short description of the pleading or motion being filed;
- (f) any other information required by Civ.R. 10.

All papers shall remain in the Office of the Clerk of Courts except when required by the Court.

3. Space for Time-Stamp

The caption on all pleadings shall provide a blank space of approximately three inches (3") in diameter on the upper right portion of the pleadings for the Clerk's time-stamp imprint.

4. Address of Attorney

All pleadings, motions, and other papers filed in an action shall be signed by the attorney or pro se party and shall bear the name, address, and telephone number, facsimile number, and email address when applicable. An attorney shall also include their registration number. Civ.R.11.

5. Certificate of Service

Other than the original complaint, every pleading, motion or other paper filed with the Clerk shall contain a certification of service to the other parties to the action. In every proceeding where there is an attorney of record, the service shall be made upon such attorney unless service upon the party is ordered by the Court. Civ.R.5(B).

6. Size of Paper

All pleadings and other papers shall be typewritten or printed on (8-1/2 x 11 inch) paper only, front side only and suitable for a flat filing system. Original documents attached or offered as exhibits are exempt from this requirement, provided that all exhibits shall be neatly bound.

7. Electronically Transmitted Filings

Pursuant to Sup.R 12.02 the Court will allow the filing by electronic fax transmission, through the Clerk of Court's Office, of complaints, motions, pleadings, letters, documents and all other matters with the following additional provisions:

- (a) The Clerk shall maintain a dedicated phone line of [\(330\) 375-2427](tel:330-375-2427) to accept electronically transmitted faxed filings.
- (b) An attorney shall provide all required identification on the first page of transmission in the format prescribed in Sup.R 12.03. Transmissions without such information will not be accepted. A transmitted document must be no longer than ten (10) pages and must pertain to only one case. If a fax filing is longer than 10 pages the original document must be filed. Sup.R. 12.06(C).
- (c) The electronically transmitted document's filing date is determined by court hours. Any filings sent electronically by fax

and received by the Court after 4:00 p.m. Eastern Time will be file-stamped the next business day.

- (d) The individual making a fax filing does not need to file the source document. However, that individual must maintain the source document in their records and have available for inspection upon request of the Court.

Deposit for costs must accompany the complaint or other original document. If costs do not accompany the documents, it will not be accepted by the Clerk, and the electronically transmitted filing will be discarded.

- (e) Electronically transmitted faxed filings must contain all information included in the original filing in addition to the transmitting phone number of the responsible attorney and the date and time of the electronic fax transmission.

8. Privacy / Redaction of Personal Identifying Information

No “personal identifiers” should be included in any case document.

“Personal identifiers” are social security numbers except the last four digits, financial account numbers, and employee identification numbers. The responsibility for redacting personal identifiers from a case document submitted to the Court shall rest solely on the party filing the court document. The Court and Clerk of Court are not required to review a case document to confirm that personal identifiers have been redacted, nor shall the Clerk of Court refuse to accept or file the document on that basis. Sup. R. 11.09 and 11.13.

9. Civil Court Costs

The Clerk of Court shall not accept for filing any civil action or proceeding unless a filing fee is deposited as set forth on [Appendix B](#) and unless exempted by law or ordered by the signing or assigned Judge. Such prescribed fees may be amended from time to time by order of the Court. All entries or other dismissals terminating any case shall indicate the party having responsibility for payment of the court costs. Signing Judge or assigned Judge may issue order for Waiver of Indigency.

The Court may waive civil court costs for filings by a government entity.

10. Dismissals on Failure of Service

A civil case pending for six (6) months or longer in which service of process of the complaint has not been perfected shall be dismissed

after notice to the plaintiff, unless, for good cause shown, Signing Judge otherwise directs. [Sup.R. 5.23]

11. Civil Leaves to Plead

In all civil cases a party may obtain one automatic leave to plead by certification to the Clerk or by motion and order, with notice to other parties stating that no previous leaves have been taken in that case. Such leave may not exceed twenty-one (21) days.

Any additional leave to plead must be obtained from the assigned judge. The request for such leave shall be made in writing, with notice to other parties, stating the reason for requesting such leave and setting forth the particulars of the prior leave. Such additional leave shall not exceed twenty-one (21) days. A judge, for good cause, may waive any requirement in this paragraph.

12. Civil Motion Practice

An application to the Court for an order shall be by motion which, unless made during a hearing or trial, shall be made in writing unless waived by the judge. A motion, whether written or oral, shall state with particularity the grounds therefore, and shall set forth the relief or order sought. Civ.R. 7(B). A written motion, and any supporting affidavits, shall be served in accordance with Civ.R. 5 unless the motion can be heard ex parte.

Motions for a definite statement pursuant to Civ.R. 12(E) and motions to strike pursuant to Civ.R. 12(F) shall set forth the language sought to be stricken or claimed to be indefinite.

Motions will not be set for hearing except as the Court, in its discretions, orders. A party desiring a hearing should request one. When a motion is set for hearing, the Court shall notify the parties to the action of the date and time of the hearing.

Responses to all motions, including motions for summary judgment, shall be filed and served within fourteen (14) days after service of the motion, and a movant's reply within seven (7) days after the service of the response to the motion. Civ.R 6(C).

The Court, in its discretion, may extend the time for filing and answering motions, unless prohibited by statute or the civil and criminal rules.

13. Civil Conferences

In any civil action the Court may, in its discretion, set the case for an initial pretrial conference and subsequent pretrials, if needed. All attorneys and a party without counsel shall be present for the pretrial

conference, unless the judge orders otherwise.

At the pretrial conference, the court may establish the following deadlines and dates:

- (a) Motion and discovery deadlines;
 - (b) Final pretrial and trial dates as well as deadlines for filing motions in limine, exhibits and witness lists, and agreed upon jury instructions, verdict forms, and special interrogatories;
 - (c) Any other matters that the Court may require.
- Attorneys and parties without counsel shall also be prepared to discuss the legal theories of the case as well as the possibility of settlement.

14. Civil Jury Trials

A demand for trial by jury shall be made in accordance with Civ. R. 38. If no number is specified on the jury demand, the number of jurors shall be eight (8). 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 required in Appendix B or other such sum as established by the Court. If no number is specified on the jury demand, the number of jurors shall be eight (8). 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.

15. 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. 41(B)(1).

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 in accordance with AMCR No. 4(E).

16. Subpoenas

Witnesses may be served by filing a praecipe/request with the Clerk of Court or by a person designated by any order of the Court as provided in Civ. R. 45(B). Any praecipe/request for subpoena or order designating a person to serve a subpoena should be filed with the Clerk of Court 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 nonappearance of a witness shall not constitute grounds for a continuance.

17. Civil Continuances

- (a) Written Request

No party shall be granted a continuance of a trial or hearing without first submitting a written motion to the assigned judge or magistrate stating the reason for such request.

(b) Scheduling Conflict

When a continuance is requested for reason that counsel is scheduled to appear in another case assigned for trial or hearing on the same date in the same or another court of this state, or a federal court of the Northern District of Ohio, the case which was first set shall have priority on the date assigned. A copy of the conflicting assignment shall be attached to the motion. 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 or hearing is a matter within the discretion of the trial court for good cause shown. Sup.R. 5.24.

(c) Stipulations

Stipulated continuances shall not be granted as a matter of course.

(d) Waiver

A judge or magistrate, for good cause, may waive any requirement in this Rule.

D. Remote Hearings

This Rule is intended to promote uniformity in the practices and procedures related to remote appearances in cases where such an appearance is permitted by these rules, court orders, statutory or other rules of court. Court practice shall favor personal appearance, but the Court may use remote appearances as outlined by this Rule. Notwithstanding any other provisions of this rule, a judge or magistrate may order a party's in-person appearance in court for any conference, hearing, or proceeding. "Remote" is defined as the use of live two-way video and/or audio technology.

1. Remote Court Appearances

The Court on its own motion, or upon the request of any party, may permit remote appearance using a two-way video and audioconferencing platform (virtual) for both attorneys and unrepresented parties provided the remote attendance complies with the requirements set forth in Ohio Criminal, Civil, Traffic Rules and the Akron Municipal Court Local Rules. Links for remote attendance at hearings will be provided in Hearing Notices.

(a) Upon proper application, the Court may allow remote appearance at the following conferences, hearings, and proceedings:

- (i) case management/scheduling and status conferences;
- (ii) all uncontested hearings;
- (iii) pre-trial hearings;

- (iv) criminal and civil bench trials;
 - (v) traffic court proceedings;
 - (vi) criminal arraignments and temporary protection hearings; and
 - (vi) any hearing approved in advance by the Court for remote appearance.
 - (b) Remote appearance is limited to only the individual attorney, party, or witness who makes proper application and receives permission for remote appearance from the Court.
 - (c) The Court may require a personal appearance at a hearing, conference, or proceeding, if the Court determines that a personal appearance will assist in the determination of the proceedings or in the effective management or resolution of any particular case.
 - (d) If at any time during a hearing, conference, or proceeding where a remote appearance was allowed the Court determines that a personal appearance is necessary, the Court may continue the matter and require a personal appearance.
 - (e) Parties shall not assume that they may attend a hearing remotely unless the Court has set the hearing as remote in advance. If a party wishes to attend an in-person hearing remotely they must file a motion requesting permission to attend remotely seven days in advance of the hearing.
 - (f) The Court may approve remote attendance even when the above outlined request for remote attendance has not been filed in a timely manner, in order to facilitate party or witness attendance when necessary.
- (2) All evidentiary proceedings involving remote appearances must be recorded and reported to the same extent as if the participants had appeared in person.
- (3) Production of Exhibits in Virtual Hearings
As with in-person hearings, exhibits used in remote appearances shall be exchanged between parties in advance of the hearing. All exhibits must comply with the Ohio Rules of Evidence.
- (4) Witnesses
- (a) If the hearing is a contested matter and therefore occurring in-person, a motion shall be filed by the party requesting a witness to appear remotely. The moving party shall indicate if approval from other parties was obtained prior to the filing. If a party objects to a witness appearing remotely, the objections shall be filed within seven days following the request.
 - (b) The Court may approve remote attendance even when the above outlined request for remote attendance has not been filed in a timely manner, in order to facilitate party or witness attendance

when necessary, so long as the Court finds that an exception to face-to-face confrontation is necessary to further an important state interest or public policy objective.

(5) Technical Standards and Equipment

The equipment and platform used in any hearing or proceeding conducted under this rule must conform to the following minimum requirements:

- (a) all participants must be able to see and/or hear and communicate with each other simultaneously;
- (b) all participants must be able to see, hear, or otherwise observe any documents, physical evidence, or exhibits presented during the proceedings, either by video, facsimile, or other method;
- (c) a record of the proceedings will be made and maintained by the Court when the nature of the proceeding so requires. Any other recording of proceedings by parties is prohibited unless previously approved after written application in accordance with Sup.R 11 and AMCR No. 3;
- (d) the use of telephonic or audiovisual technology in conducting remote appearances shall in no way abridge any right of the public;
- (e) there are times when the Court may request that a party turn off their camera due to connectivity issues as it deems appropriate to regulate proceedings.
- (f) remote or telephonic technology will be able to be used by people with disabilities for reasonable accommodations under the Americans with Disabilities Act (“ADA”). Requests for any reasonable accommodation under the ADA shall be made by written motion or the Court’s ADA Title II Accommodation Request Form. The Court reserves the right to request supporting documentation for any requested accommodation. Any accommodation granted by the Court will apply only to the individual(s) who made valid application. The Court’s ADA Title II Accommodation Request Form is available on the Court’s website: <https://akronmunicipalcourt.org/court-info/rights-and-expectations/ada-request/>

(6) Telephonic Appearances

The Court on its own motion or upon the request of any party, may in its discretion conduct conferences, hearings and proceedings via telephone with attorneys and unrepresented parties.

- (a) A party may appear by telephone at the following conferences, hearings, and proceedings:
 - (i) case management/scheduling/status/review hearings;
 - (ii) non-evidentiary motion hearings;
 - (ii.) hearings on discovery matters;

- (iv) scheduling conferences and status conferences;
 - (v) pre-trial hearings; and
 - (vi) any hearing is approved in advance by the court for an appearance by telephone.
 - (b) The court may specify:
 - (i.) the time and the person who will initiate the conference;
 - (ii.) any other matter or requirement necessary to accomplish or facilitate the telephone conference.
 - (c) The court may require a party to appear in person at a hearing, conference, or proceeding in which a telephone appearance is otherwise permitted if the court determines that a personal appearance would assist in the determination of the proceedings or in the effective management or resolution of the particular case.
 - (d) If at any time during a hearing, conference, or proceeding conducted by telephone the Court may determine that a personal appearance is necessary, and the court may continue the matter and require a personal appearance.
- (7) Decorum

Proceedings involving remote or telephonic appearances are court proceedings and should be respected as such.

All remote participants shall comply with the court decorum standards set forth in AMCR No. 3. Attorneys and/or parties who appear remotely are required to keep their cameras on for the entire proceeding if they have video capabilities unless otherwise directed by the Court. All remote participants shall be appropriately dressed and conduct themselves as if they were physically present in the courtroom. All parties and witnesses shall ensure that they are in a quiet environment with no distractions. No parties or witnesses will be permitted to operate a motor vehicle during a video appearance. It is the expectation of the Court that users will not interrupt or disrupt proceedings during a virtual appearance. If a party does not comply with any part of this rule the Court may, at its own discretion do any of the following: mute the disruptive party's audio, remove them from the hearing, require that they attend any future hearings in person, continue the hearing, or any other relief deemed appropriate. Removal of a party or a witness for failing to comply does not automatically continue the hearing.

E. Judgment Entries

Whenever a judgment or dismissal entry is required in any case, the Court may prepare it or order that counsel prepare the same. The proposed entry shall be submitted or filed within thirty (30) days. 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. Civ.R 58 and Crim.R. 32.

F. Transfer of a Case to Another Court

1. Monetary Jurisdiction

The party causing a case to be transferred to the Summit County Common Pleas Court based upon the filing of a monetary amount in excess of the court's jurisdiction or a counterclaim, cross-claim or third-party claim exceeding the monetary jurisdiction of the court, shall pay the required costs for such transfer to the Clerk of this Court and to the Clerk of the Common Pleas Court and physically transport the file to the office of the Clerk of Common Pleas.

2. Venue

The plaintiff in a case that is ordered transferred because of improper venue or other reason shall pay the required costs for such transfer to the Clerk of this Court and to the Clerk of the transferee court.

3. Failure to Comply

Failure to comply with subdivision (1) or (2) of this rule within fourteen (14) days shall be deemed to be a failure to prosecute under Civ. R. 41(B)(1). A Court, in its discretion, may grant additional time, but failure to comply within that extended period shall also be deemed to be a failure to prosecute under Civ.R.41(B)(1).

G. Recording of Court Proceedings

The court has determined that audio electronic recording devices shall be used to record the official proceedings of the court. All requests for audio taped copies of court proceedings shall be made in writing and directed to the secretary/court records officer. Such requests may be made on the form provided by the Court Reporter.

The Court Reporter shall prepare a verbatim, audio tape copy of the court proceedings and provide same to any requesting party within 48 hours of said request. The requesting party shall pay the cost of the tapes at a rate of \$2.50 per tape. The requesting party may then cause the tape to be transcribed in accordance with 9(A) of the Rules of Appellate Procedure. Sup. R. 10.

Master audio tapes, except Arraignment Court, shall be erased three (3) years after the last day recorded on that tape. Sup. R. 10.

Master audio tapes from the Arraignment Court shall be erased after six (6) months from the last day recorded on the tape reel. Sup. R. 10.

Any other electronic or audio recording of the proceedings is prohibited unless prior written approval is granted in accordance with Sup.R. 11 and AMCR No. 3.

H. Magistrates

1. A Magistrate shall have a minimum of six (6) years experience as a licensed attorney. The Administrative Judge shall notify the Supreme Court within thirty days of the appointment or termination of

appointment of a magistrate for the court. A magistrate shall annually register with the Supreme Court by filing a certificate of registration. (Sup.R. 4.2).

2. In accordance with Sup.R. 4.21, the Court shall employ one or more magistrates who may do the following:
 - (a) Small Claims case proceedings under R.C. 1925;
 - (b) Forcible Entry and Detainer proceedings under R.C. 1923, in which the right to trial by jury is waived or not demanded as well as including second causes of action for money damages;
 - (c) Traffic misdemeanor proceedings in which there is a "guilty" or "no contest" plea or written waiver of the right to trial by a judge;
 - (d) Civil proceedings as set forth in Civ.R. 53 and criminal proceedings as set forth in Crim.R. 19, and traffic cases as set forth in Traf.R. 14;
 - (e) Mandatory orders;
 - (f) License suspension hearings under R.C. 4510.17 and R.C. 4510.54;
 - (g) Default proceedings under Civ.R. 55 where a hearing has been ordered;
 - (h) Post judgment proceedings;
 - (i) Replevin and other prejudgment attachment;
 - (j) Other appropriate matters as referred by the Presiding or assigned judge.

As limited above, a Magistrate assigned to a case shall have the same signing and other authority and discretion that a judge assigned to the case would have. A Magistrate in Traffic Court is authorized to issue warrants and summons Pursuant to Crim. R. 4(A)(1).

3. Motions to set aside civil magistrate's orders and objections to magistrate's decisions shall be filed in accordance with Civ.R. 53(D).
4. In accordance with Crim.R. 19 and Civ.R. 53, Magistrate's Findings of Facts and Conclusions of Law will be adopted by signature of a Judge of this Court.
5. In accordance with Crim.R. 32, Magistrate Sentencing Recommendations, including Crim.R 11 plea agreements, will be adopted by a signature of a Judge of this Court.
6. Judicial signatures may be made electronically through the Court's case management system.

I. Forcible Entry and Detainer Actions

1. Complaint

A complaint in Forcible Entry and Detainer shall be filed in accordance with AMCR No. 4(C)(2) and shall contain a reason for the eviction, a copy of the notice given under R.C. 1923.04, a copy of the written

instrument, if applicable, upon which the claim is founded, and proof that the property is registered with the Summit Country Fiscal Office Rental Registry, and the City of Akron Rental Registry if the property is located in the City of Akron, or evidence that the property is exempt from the Registry(ies). A plaintiff/owner must file a complaint personally or through a licensed attorney. Noncompliance with this rule shall result in the dismissal of the complaint.

2. Trial

A defendant shall be served at least seven (7) days prior to the date set for trial. Motions shall be heard at the trial, unless the assigned judge or magistrate directs otherwise.

A continuance shall be filed in accordance with AMCR No.

4(C)(17). Unless otherwise granted, no continuance shall be extended for more than three (3) calendar days. No continuance in an action under this chapter shall be granted for a period longer than eight (8) days, unless the plaintiff applies for the continuance and defendant consents to it, or unless the defendant applies for the continuance and gives a bond to the plaintiff, with good and sufficient surety, that is approved by the Court and conditioned for the payment of rent that may accrue, if judgment is rendered against the defendant. R.C. 1923.08.

3. Jury trial

A demand for jury trial shall be made in accordance with AMCR No. 4(C)(14), except that said demand shall not be made less than five (5) days prior to the trial date.

4. Writs of Restitution

The Clerk shall not issue a writ of restitution or an alias writ of restitution after sixty (60) days has expired from the date a Court ordered restitution of the premises, unless authorized by the Presiding or signing Judge, or stipulated to by the parties in writing and filed with the Clerk.

J. Small Claims

1. Commencement

The small claims division is established pursuant to R.C. 1925.01 et. seq. An action is commenced when the plaintiff, or the plaintiff's attorney, states the amount and nature of the plaintiff's claim. The commencement constitutes a waiver of any right of the plaintiff to trial by jury upon such action. At the time of the filing of an action, the plaintiff, or the plaintiff's attorney shall pay the filing fees in accordance with R.C. 1901.26(C) and as set forth in [Appendix B](#). The plaintiff, or the plaintiff's attorney, shall state the plaintiff's and the defendant's place of residence, the military status of the defendant,

and the nature and amount of the plaintiff's claim. The claim shall be reduced to writing in concise, nontechnical form. Such writing shall be signed by the plaintiff, or the plaintiff's attorney, under oath.

A notice of 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 R.C. 1925.04, R.C. 1925.05.

2. Continuance

A continuance may be granted as provided in AMCR No. 4(C)(17). Unless otherwise granted, no continuance shall be extended for more than five (5) calendar days.

3. Mediation

In accordance with R.C. 1925.03, the Court has established a mandatory Mediation Program for all small claims with the exception that tax recovery actions may be set for mediation on voluntary basis. The following shall apply to all Small Claims mediation hearings:

- (a) all parties shall attend;
- (b) participation by the parties in the hearing is mandatory;
- (c) the purpose is to attempt to resolve the dispute between the parties;
- (d) if the plaintiff fails to appear, the claim may be dismissed without prejudice;
- (e) if the defendant fails to appear, then a judgment by default may be entered;
- (f) if the dispute cannot be resolved, then a trial shall be scheduled on the claim.

4. Transfer

In the discretion of the Court, a case duly entered on a case filed in the Small Claims Division may be transferred to the regular docket upon motion of the Court, upon motion of a defendant, or upon the filing of a counterclaim in an amount greater than the six thousand dollars (\$6,000), the jurisdiction of the Small Claims Division of a party against whom a claim, counterclaim, or cross-claim is instituted or upon the motion of a third party defendant. The motion of a defendant shall be accompanied by an affidavit stating that a good defense to the claim exists and setting forth the grounds of defense and the compliance of the defendant with any terms fixed by the Court. Such a transfer is at the discretion of the Court and is not mandatory. The motion shall be accompanied by an affidavit stating that a good defense to the claim exists, setting forth the grounds of the defense, and setting forth the compliance of the party or third-party defendant with any terms fixed by the court. The failure to file a motion under this division to transfer a case to the regular docket of the Court

constitutes a waiver by the party or third-party defendant of any right to trial by jury.

If the court grants the motion and a case is ordered transferred to the regular docket, the defendant shall pay the required deposit and comply with any other orders. This deposit must be paid before the case is transferred to the regular docket. Said case shall be allotted in accordance with AMCR No. 7.

K. Bond Schedule

The Court Adopts a Bond Schedule as set forth in Appendix D. In lieu of bond set by a judge or magistrate, the Clerk is authorized to release a person charged in this Court with a crime based on the schedule set forth in Appendix D.

RULE 5 – PRESIDING/ADMINISTRATIVE JUDGE

The judges shall, by majority vote, elect one of their members to serve as the Presiding/ Administrative Judge, hereinafter referred to as the Presiding Judge. The term of the presiding judge shall be for one year beginning January 1st. The annual election or designation of the presiding judge shall occur on or before December 31st of the preceding year of the term. The Presiding Judge will call and chair at least one meeting each month. The Presiding Judge or their representative may represent the Court at all public or civic functions occurring during the Presiding Judge's term of office. Sup.R. 4 and 4.10.

If the Judges of a Court are unable to elect a presiding judge of the Court, the presiding judge shall be determined pursuant to Sup.R. 4.

In the absence of the Presiding Judge, the currently active judge, who was the last Presiding Judge, and who is still an active judge, shall assume the role of Presiding Judge. Sup.R. 4.

The Presiding judge will be relieved a portion of the Judge's case or trial duties in order to manage the calendar and docket or division. The docket of the Presiding Judge shall be assigned twenty percent (20%) fewer civil and criminal cases than the remaining Judges. Sup.R. 4.14.

The Presiding Judge shall notify the Administrative Director of the Supreme Court of the Judge's designation or election as the presiding Judge by January 15th of the year of the term.

RULE 6 – ROTATIONAL JUDICIAL DUTIES

On a rotational weekly basis, each Judge shall perform the following additional duties including but not limited to: civil signing (motions for default judgement, objections to magistrate's decisions, garnishments, and other miscellaneous and ex-

parte orders), performance of weddings, presiding over arraignments, and the signing of after-hour search warrants.

Regarding after-hour search warrants, Judges shall be on-call and shall be contacted in the following order: arraignment week judge, signing week judge, and the presiding judge. The on-call rotation shall be from 8:00 a.m. Monday through 7:59 a.m. the following Monday. Should a judge be on vacation during his/her on-call week, arrangements shall be made and communicated to the Clerk of Court's office with the name of the covering judge.

RULE 7 – ASSIGNMENT OF CASES TO JUDGES

All cases shall be assigned to a judge by lot as provided in this Rule. The case file and lot card shall show the date the lot was assigned, the lot number, and who pulled the lot. The case file for each such case shall be brought to the assigned judge within twenty-four (24) hours of assignment, unless otherwise directed by the assigned judge.

Refiled cases shall be assigned to the original judge of the underlying case.

The Case Auditor's Office/Service Bailiff's shall keep a record of all cases assigned to each judge and provide each with a current listing of those cases so assigned and pending three times a month. The cases so assigned shall include:

A. Civil Cases

Civil cases, in which an answer, other pleadings or motion (other than for default judgment) has been filed, and except for those cases heard by a magistrate.

B. Criminal Misdemeanor Cases

Criminal misdemeanor cases, upon a "Not Guilty" plea or the "filing of" a motion, and except for cases containing a companion felony.

C. Traffic Misdemeanor Cases

In unrelated Traffic misdemeanor cases, and traffic minor misdemeanor cases, or, upon a "Not Guilty" plea, or upon the "filing of" a motion.

D. Multiple Offenses / Defendants

When a defendant is charged with multiple offenses, or multiple defendants are charged as a result of a single event, then pursuant to Crim. R. 8 and 13 the case shall be assigned to one judge by one lot. In the event new charges are filed against a defendant who has either an active pending matter or an open violation with the court, the new case or cases shall be assigned to the judge presiding over the pending case.

E. Violation of Probation

In the event a new charge is filed against a defendant who has a probation case, the new case shall be assigned to the judge currently presiding over the defendant on probation.

F. Assigned Judge and Unavailability

The judge assigned to a case shall be responsible for the determination of every issue and proceeding in that case until its termination. Emergency orders and orders as of right, including requests for continuance, shall be submitted to the assigned judge. If the assigned judge is unavailable, the matter may be submitted to the Presiding Judge, to determine whether undue prejudice would exist by not considering and ruling upon the matter at that time.

RULE 8 – REASSIGNMENT OF CASES

A. Related Case

If an assigned case under AMCR No. 6 is found to be related to another case or cases, or if there is a companion case which presents substantially the same issues for determination, such fact shall be called to the attention of the Presiding Judge by submitting a "Related Case Transfer Entry" signed by the transferring judge and the receiving judge. If the related case transfer entry has been approved by the transferring judge and the receiving judge, the Presiding Judge shall approve the same and reassign such case or cases to the receiving judge. The Presiding Judge may transfer the case without the approval of the receiving judge when he or she finds such transfer appropriate. As used herein, the receiving judge shall be the judge with the lowest lotted case number of the companion case(s) unless the affected judges otherwise agree.

B. Disqualification

If, for any reason, a judge is disqualified to hear an assigned case, that judge shall sign and submit a case transfer entry to the Presiding Judge. If approved by the Presiding Judge, a new lot shall be drawn and that case shall be assigned to another judge. The transferring judge shall then receive the next case that would have been assigned by lot to the receiving judge. Sup.R. 5.19.

C. Illness or Absence

In the event of the protracted illness or absence of a judge, the Presiding Judge may reassign said cases to another judge, a visiting judge, or a Magistrate as the Presiding Judge may determine.

D. General

The Presiding Judge may reassign any case in the furtherance of justice. A judge appointed or elected to succeed another shall handle the cases assigned to their predecessor. When there is a transfer of a case, the case file and the other records shall be changed to reflect the reassignment to the receiving judge. Sup.R. 5.18.

RULES 9 – DUTIES OF ATTORNEYS

A. Withdrawal or Change of Counsel

It shall be the duty of any attorney in any proceeding to promptly notify in writing the assigned judge and the clerk when a withdrawal or change of

counsel occurs, with proof of service on all parties, including the affected client.

B. Permission to Withdraw

Notwithstanding subdivision (A) of this rule, an attorney cannot withdraw from any case unless he or she first makes the request for such withdrawal in writing and obtains the written approval of the assigned judge or magistrate.

C. Designated Trial Attorney

Each party represented by counsel shall have one attorney designated as trial attorney. All notices and communications from the court and all documents required to be served will be sent to the designated trial attorney. Old Sup.R removed by 2026 edits.

RULE 10 – COURT REPORTER AND TRANSCRIPT FEES

The responsibility of arranging for the attendance of a court reporter shall rest with the attorney and/or party desiring the same.

An individual requesting court transcripts shall file a written request to the Court Reporter under the assigned case number and make full payment to the court in accordance with the rate schedule as set forth in [Appendix B](#).

Rule 11 – RECORDS RETENTION

The Akron Municipal Court adopts Court Records Management and Retention Rules as outlined in Appendix E. Sup.R. 11.28(E).

RULE 12 – INSTALLMENT PAYMENTS OF FINES AND COSTS

The clerk of court collects all fines and costs. Court costs may include issuing subpoenas and jury costs. The clerk shall add any other costs required by law and will collect a \$20.00 fee on all cases where the defendant requests additional time to pay after sentencing. Installment payments will be accepted by the clerk without a judge's order before the date the payment is due as set by the clerk.

Requests for extensions for time to pay are authorized by the clerk without a judge's order. If fines and costs are not paid when due and the defendant has not requested an extension, the clerk of court will refer the case to an authorized collection agency.

RULE 13 – COMMUNITY SERVICE PROGRAM

- A. A community service program is an alternative to sentencing and payment of fines and court costs alternative. The sentencing judge or magistrate may allow a person convicted of a misdemeanor who qualifies for the community service program to elect to perform community service work as approved by the Probation Department. The Probation Department shall establish the guidelines for the qualification and administration of the community service program. The community service work may be performed for the following:

1. as a condition of suspended confinement;
 2. in lieu of confinement; and/or
 3. in lieu of payment of fines and court costs. R.C. 1901.44(A)(1).
- B. When a defendant performs community service in lieu of fines and court costs, the defendant shall be credited \$80.00 per eight hour day or \$10.00 per hour. Said credited amount shall not be less than the wage rate that is specified in 26 U.S.C.A. 206(a)(1) under the federal Fair Labor Standards Act of 1938, current in effect.
- C. Any violation of the community service program relating to a suspended sentence or in lieu of confinement by a defendant, is a violation of a court order and subjects the defendant to sanctions as provided by law.

RULE 14 – SPECIALIZED DOCKETS

The Court may create specialized dockets as certified by the Supreme Court to respond to local needs and resources.

The Court has adopted the following specialized dockets pursuant to the 'specialized docket standards' under Sup.R. 7.

- A. [Recovery Court](#)
- B. [Family Intervention Court](#)
- C. [Mental Health Court](#)
- D. [OVI Court](#)
- E. [Valor Court](#)
- F. [RISE Court](#)

RULE 15 – REPORTING TO LAW ENFORCEMENT

- A. The Court has a duty to ensure complete, accurate, and timely submission of information into the state's computerized criminal history repository at the Bureau of Criminal Investigation (BCI), the Ohio Law Enforcement Automated Data System (LEADS), and other law enforcement databases. Sup.R. 3.04.
- B. The Court, along with the Clerk of Court, law enforcement agencies, and other applicable justice system partners, will develop a Reporting to Law Enforcement and Compliance Plan.
- C. The Reporting to Law Enforcement and Compliance Plan will identify procedures and timelines for:
 1. Obtaining and reporting fingerprints per the Revised Code and Supreme Court of Ohio rules, including R.C. 109.57(A)(2), 109.60 (A), 2923.12, 2929.44(B), and 2945.402(E)(1), Crim. R. 39 and Crim.R. 9(A);

2. Reporting information regarding protection orders as prescribed by the Revised Code and Supreme Court Rules, including R.C. 2903.213, R.C. 2903.214, R.C. 2919.26 and Civ.R. 65.1 and CrimR. 38;
3. Reporting information to the Ohio Bureau of Motor Vehicles as prescribed by R.C. 4510.03, R.C. 4512.37, R.C. 5502.10 and Supreme Court Rules;
4. Maintaining complete and accurate records in accordance with 18 U.S.C. 992(g), the Revised Code, including R.C. 2923.13 and Supreme Court Rules in the event of an audit by the Federal Bureau of Investigation, BCI, or state or local auditors; and
5. Reporting sealed and expunged records to BCI, LEADS, and other law enforcement databases pursuant to the Revised Code, including Revised Code 2953 and R.C. 2903.214 and R.C. 2930.171.

D. The Court will review the Reporting to Law Enforcement and Compliance Plan every three years from its adoption date.

RULE 16 – TECHNOLOGY PLAN

In accordance with Sup.R. 3.03, the Court has adopted and maintains a court technology plan, as amended from time to time, which includes:

- A. a comprehensive strategy for implementing and maintaining technology solutions for conducting remote hearings, electronic service, the acceptance of electronic signatures, and any other technology-related solution utilized by the court or division; and
- B. procedures for notifying and providing instructions to the public on how to use the technology solutions implemented by the court and how the solutions will comply with any accessibility accommodation requirements, including any applicable requirements of the “Americans with Disabilities Act.” The Court’s Technology Plan is available in Appendix I.

RULE 17 – USE OF GENERATIVE ARTIFICIAL INTELLIGENCE

- A. No attorney for a party, or a pro se party, may use artificial intelligence (“AI”) in the preparation of any filing submitted to this Court. The Court does not intend this AI ban to apply for information gathered from legal or general search engines, such as Westlaw, LexisNexis, or Google.
- B. No attorney for a party, pro se party, or person otherwise present in the courtroom may use AI to record, listen to, or transcribe any activity in the courtroom
- C. All parties and their counsel have a duty to immediately inform the Court if they discover unpermitted use of AI in any filing in their case.
- D. Parties and their counsel who violate this rule may face sanctions at the Court’s discretion, including, but not limited to: striking the pleading from

the record, the imposition of economic sanctions, contempt, or dismissal of the lawsuit.

RULE 18 – THE AKRON MUNICIPAL COURT’S CLERK OF COURT

- A. The maintenance of the records of this court shall be the primary responsibility of the clerk of court and their management staff, department heads, and unit supervisors. The clerk of court shall maintain, store and reproduce, wherever practicable, all of the official records of this Court. The clerk of court shall direct the day-to-day operation of the clerk’s office pursuant to the provisions of the Ohio Revised Code. The records maintained by the clerk remain the property of The Akron Municipal Court.
- B. The clerk shall, therefore, generally exercise authority over the policy, management, administration and function of their office. However, the court, by majority vote, may rescind, modify or void any action taken by the clerk in order to advance the interest of judicial efficiency and justice of The Akron Municipal Court as an institution.
- C. The administrative judge shall have full responsibility and control over the administration, docket and calendar of this court and shall develop accounting and auditing systems for the purpose of case management within the court and the office of the clerk of court. These systems shall be so designed as to ensure the accuracy and completeness of all reports required by the Rules of Superintendence for the Courts of Ohio.
- D. The administrative judge may issue orders directed to the clerk on minor administrative matters seeking administrative details concerning matters that relate to case control and case disposition without a majority vote of the judges.

APPENDIXES

APPENDIX A

Individual Docket	A.M.	P.M.
Monday	8:30 - 12:00	1:00 - 4:00
Tuesday	8:30 - 12:00	1:00 - 4:00
Wednesday	8:30 - 12:00	1:00 - 4:00
Thursday	8:30 - 12:00	1:00 - 4:00
Friday	8:30 - 12:00	1:00 - 4:00
Arraignment Room	Felony A.M.	Misdemeanor P.M.
Monday	8:30 - 12:00	1:00 - 4:00
Tuesday	8:30 - 12:00	1:00 - 4:00
Wednesday	8:30 - 12:00	1:00 - 4:00
Thursday	8:30 - 12:00	1:00 - 4:00
Friday	8:30 - 12:00	1:00 - 4:00
Saturday	8:30 - 12:00	-----
Traffic Docket	A.M.	P.M.
Monday	8:30 - 12:00	1:00 - 4:00
Tuesday	8:30 - 12:00	1:00 - 4:00
Wednesday	8:30 - 12:00	1:00 - 4:00
Thursday	8:30 - 12:00	1:00 - 4:00
Friday	8:30 - 12:00	1:00 - 4:00
Small Claims Docket	A.M.	P.M.
Monday	8:30 - 12:00	1:00 - 4:00

Tuesday	8:30 - 12:00	1:00 - 4:00
Wednesday	8:30 - 12:00	1:00 - 4:00
Thursday	8:30 - 12:00	1:00 - 4:00
Friday	8:30 - 12:00	1:00 - 4:00
Mediation Hearings	A.M.	P.M.
Saturday	8:30 - 12:00	-----

APPENDIX B

Description	Cost
Regular Civil Case Filing w/Certified Mail Service (Up to 2 Defendants)	\$176.00
Each additional defendant	\$20.00
Eviction Case Filing w/Certified Mail, Bailiff Service, Regular Mail (1 Defendant)	\$193.00
Eviction Case Filing w/Certified Mail, Bailiff Service, Regular Mail (2 Defendants)	\$203.00
Each Additional Defendant w/Certified Mail, Bailiff Service, Regular Mail	\$30.00
Replevin (Up to 2 Defendants)	\$176.00
With Locksmith Order (1 Defendant)	\$191.00
With Locksmith Order (Each Additional Defendant)	\$20.00
Cognovit Note	\$173.00
Small Claims (1 Defendant)	\$133.00
Each Additional Defendant	\$20.00

License Suspension Appeal	\$94.00
Transfer of Judgment from Another Court	\$103.00
Alias Bailiff Service	\$20.00
Alias Certified Mail	\$15.00
Alias Regular Mail	\$10.00
Amended Complaint & Cross-Complaint (up to 2 parties)	\$43.00
Additional service per defendant:	
Certified Mail	\$15.00
Bailiff Service	\$20.00
Regular Mail	\$10.00
Counterclaim & Third Party Complaint (up to 2 parties)	\$78.00
Additional service per defendant:	
Certified Mail	\$15.00
Bailiff Service	\$12.00
Regular Mail	\$10.00
Appeal / Transcript	\$50.00
Certificate of Judgment	\$45.00
Change of Venue / Transcript	\$40.00

Execution	\$60.00
Foreign Service:	
Sheriff Service	\$40.00
Secretary of State Service	\$15.00
FRR	\$9.00
Garnishment - Personal Earnings:	
If Total Amount Now Due is \$3,000 or Less	\$143.00
If Total Amount Now Due is Greater than \$3,000	\$203.00
Garnishment - Other Than Personal Earnings:	
Bailiff Service (In-County)	\$66.00
Certified Mail (Out-of-County)	\$95.00
Jury Demand	\$350.00
Mandatory Order, Show Cause w/Certified Mail or Bailiff Service (1 Defendant)	\$50.00
Each additional defendant	\$15.00
Motions (Any Civil Motion Which Would Terminate the Action):	
Summary Judgment, Default Judgment, Judgment on the Pleadings & Dismissals (Except 1st and 2nd Cause of Evictions)	\$25.00
Motions to Vacate & any other Civil Motion that modifies a final judgment	\$60.00
NSF Check	\$40.00

Objection to Magistrate Decision	\$50.00
Order of Sale and Appraisal for Executions	\$78.50
Pay Order	\$7.00
Photocopies:	
No Charge for First Ten Copies	\$0.25
Certified	\$1.00
Exemplified	\$3.00
Revivor w/Certified Mail or Bailiff Service (1 Defendant)	\$93.00
Each additional defendant	\$18.00
Subpoenas w/ Certified Mail or Bailiff Service (1 Witness) - Does not include witness fee	\$10.00
Transfer to Regular Court Docket/Other Court	\$40.00
Trusteeship (First 10 Creditors)	\$60.00
Writ of Restitution	\$40.00

Criminal Waiver Costs

Criminal Local and State Costs

Description	Costs
Local Basic Costs	\$41.00
State Public Defender	\$20.00
State Victims of Crime	\$9.00

Computerization Fee	\$23.00
Crimestoppers	\$1.00
Bank Automation Fee	\$3.00
Special Projects Fund	\$45.00
Total	\$142.00

City of Akron Ordinances

City Ord.	Violation	Fine	Total
92.08-92.14	Dog Violations	\$14.00 & Costs	\$156.00
92.25 B1	Dog at Large	\$14.00 & Costs	\$156.00
96.01	Vehicles Operated in Parks	\$14.00 & Costs	\$156.00
111.471	Rubbish Haulers License	\$14.00 & Costs	\$156.00
111.474	Covered Rubbish Vehicles	\$24.00 & Costs	\$166.00
132.01	Disorderly Conduct	\$69.00 & Costs	\$211.00
132.13	Disturbing the Peace	\$69.00 & Costs	\$211.00
139.06	Curfew	\$14.00 & Costs	\$156.00

State of Ohio Ordinances

State Ordinance	Violation	Fine	Total
715.55	Disturbing the Peace	\$69.00 & Costs	\$211.00
951.02	Dog at Large	\$14.00 & Costs	\$156.00
955.01	Registration of Dog	\$14.00 & Costs	\$156.00
1545.09	Park District & Turnpike Violations (See City and States Codes)		

1547.	Watercraft Violations	\$14.00 & Costs	\$156.00
1548.	Watercraft Violations	\$14.00 & Costs	\$156.00
2917.11	Disorderly Conduct	\$69.00 & Costs	\$211.00

Traffic Waiver Costs

Traffic Local and State Costs

Description	Costs
Local Basic Costs	\$42.00
State Public Defender	\$20.00
State Court Cost (HB 562)	\$10.00
State victims of Crime	\$9.00
Computerization Fee	\$23.00
Bank Automation Fee	\$3.00
Special Projects Fund	\$45.00
Total	\$152.00

All waiverable accidents are \$221.00 regardless of charge

Chapter 70 GENERAL PROVISIONS

City Ord.	Violation	Fine	Total
52.01-52.18	Garbage & Refuse Violation	\$24.00 & Costs	\$176.00
70.04	Resisting Police Officer	\$69.00 & Costs	\$221.00
70.07	Prohibitions on Use of Freeway	\$14.00 & Costs	\$166.00

70.08	Shortcutting Across Private Property	\$14.00 & Costs	\$166.00
70.20-70.24	Traffic Control Device; Red Lights; Pedestrian Control Signals; and Flashing Traffic Signals	\$34.00 & Costs	\$186.00

Chapter 71 LICENSING PROVISIONS

City Ord.	Violation	Fine	Total
71.01 C	Expired Drivers License	\$19.00 & Costs	\$171.00
71.15	License Plate and Validation Sticker Violations:		
	(1) No License Plates	\$34.00 & Costs	\$186.00
	(2) Expired License Plates:		
	A. 1 To 7 Days	\$19.00 & Costs	\$171.00
	B. 8 To 30 Days	\$19.00 & Costs	\$171.00
	C. 31 To 90 Days	\$19.00 & Costs	\$171.00
	D. Over 90 Days	\$19.00 & Costs	\$171.00
71.17	Using License Plates of Former Owner	\$69.00 & Costs	\$221.00
71.18	Ohio Resident Using License Plates From Another State	\$69.00 & Costs	\$221.00

Chapter 72 TRAFFIC RULES

City Ord.	Violation	Fine	Total
72.01	Lanes of Travel on Roadways	\$29.00 & Costs	\$181.00
72.02	Driving in Marked Lane	\$29.00 & Costs	\$181.00
72.03	Vehicles Traveling in Opposite Direction	\$29.00 & Costs	\$181.00
72.04-72.08	Passing Violations	\$29.00 & Costs	\$181.00
72.09	One-way Streets & Rotary Traffic Island	\$29.00 & Costs	\$181.00
72.10	Divided Roadways	\$29.00 & Costs	\$181.00

72.11	Following Too Closely	\$24.00 & Costs	\$176.00
72.12-72.26	Right of Way Violations	\$34.00 & Costs	\$186.00
72.28	Through Streets	\$29.00 & Costs	\$181.00
72.30-72.33	Railroad Crossing Violations	\$29.00 & Costs	\$181.00
72.35	Operating Motor Vehicle with Control or Vision Obstructed	\$24.00 & Costs	\$176.00
72.36	Occupying Trailer while in Motion	\$14.00 & Costs	\$166.00
72.37-72.39	Driving on Closed Street or Sidewalk; Obstructing Vehicles	\$24.00 & Costs	\$176.00
72.45	Driving Through Safety Zone	\$24.00 & Costs	\$176.00
72.47	Opening Doors in Traffic Zone	\$25.00 & Costs	\$177.00
72.70 B1	Non-Use of Seat Belt Driver	\$30.00 & Costs*	\$143.00*
72.70 B2	Non-Use of Seat Belt Passenger	\$20.00 & Costs*	\$133.00*

*Costs for Seat Belts are \$113.00

Chapter 73 MOTOR VEHICLE CRIMES

City Ord.	Violation	Fine	Total
73.10	Reckless Operation	\$69.00 & Costs	\$221.00
73.11	Unsafe Vehicle	\$34.00 & Costs	\$186.00
73.12	Peeling	\$29.00 & Costs	\$181.00
73.13	Failure to Control	\$34.00 & Costs	\$186.00
73.20	Speeding Violations		
	(1) School Zones		
	A. Speed Charged Not More than 35 MPH	\$90.00 & Costs	\$242.00
	B. Speed Charged More Than 35 MPH	\$140.00 & Costs	\$292.00
	(2) All Other Zones		

	A. Speed Charged No More Than 15 MPH Above Limit	\$29.00 & Costs	\$181.00
	B. Speed Charged From 16-20 MPH Above Limit	\$34.00 & Costs	\$186.00
	C. Speed Charged From More Than 20 MPH Above Limit	\$69.00 & Costs	\$221.00
73.20 A	Assured Clear Distance	\$69.00 & Costs	\$221.00
73.21	Slow Speed	\$14.00 & Costs	\$166.00
73.33	Accident Report	\$14.00 & Costs	\$166.00

Chapter 74 EQUIPMENT AND LOADS

City Ord.	Violation	Fine	Total
74.05-74.56	Mechanical Defects Including: all Lights; Red Reflectors; Extended Load; Horn, Siren, and Warning Devices; Windshield and Wiper; Mirrors; Bumpers; and Mufflers	\$14.00 & Costs	\$166.00
74.47	Tinted Glass	\$24.00 & Costs	\$176.00
74.58	Wheel protectors on Heavy Commercial Vehicles	\$25.00 & Costs	\$177.00
74.59	Maximum Width, Height & Length	\$25.00 & Costs	\$177.00
74.70-74.74	Load Violations Including: Extended and Insecure Loads; Towing Rules; Weighing Vehicles; and Special Permits	\$24.00 & Costs	\$176.00

Chapter 75 BICYCLES, MOTORCYCLES AND SNOWMOBILES

Chapter 76 PARKING REGULATIONS

City Ord.	Violation	Fine	Total
75.01-75.26	Bicycle, Motorcycle, Snowmobile and All-Purpose Vehicles	\$9.00 & Costs	\$161.00
76.01	Parking on Highways	\$24.00 & Costs	\$176.00
76.02	Unattended Motor Vehicle	\$25.00 & Costs	\$177.00
76.12 C	Parking on Highway	\$24.00 & Costs	\$176.00

Chapter 77 PEDESTRIANS

City Ord.	Violation	Fine	Total
77.01	Pedestrian Violations	\$24.00 & Costs	\$176.00
77.02	Fail to Yield Right of Way to Pedestrian	\$29.00 & Costs	\$181.00
77.03-77.09	Pedestrian Violations	\$24.00 & Costs	\$176.00
77.10	Pedestrian Intoxication on Highway	\$69.00 & Costs	\$221.00

Chapter 4503 LICENSING OF MOTOR VEHICLE Chapter 4507 DRIVER'S LICENSE LAW Chapter 4510 DRIVER'S LICENSE SUSPENSION

State Ordinance	Violation	Fine	Total
4503.21	License Plate and Validation Sticker Violations:		
	(1) No License Plates:	\$34.00 & Costs	\$186.00
	(2) Expired License Plates:		
	A. 1 to 7 Days	\$19.00 & Costs	\$171.00
	B. 8 to 30 Days	\$19.00 & Costs	\$171.00
	C. 31 to 90 Days	\$19.00 & Costs	\$171.00
	D. Over 90 Days	\$19.00 & Costs	\$171.00
4507.02	(A)(1), (A)(3)(See 4507.99(B) Penalty Section)		
	Expired Drivers License	\$19.00 & Costs	\$171.00
4510.12	(C)(2) MM		
	Operate Motor Vehicle - Expired License	\$19.00 & Costs	\$171.00

Chapter 4511 TRAFFIC LAWS - OPERATION OF MOTOR VEHICLE

State Ordinance	Violation	Fine	Total
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4511.051	Prohibitions on Use of Freeway	\$14.00 & Costs	\$166.00
4511.12-4511.15	Traffic Control Devices; Red Lights; Pedestrian Control Signals; and Flashing Traffic Signals	\$34.00 & Costs	\$186.00
4511.20	Reckless Operation	\$69.00 & Costs	\$221.00
4511.202	Failure to Control	\$34.00 & Costs	\$186.00
4511.204	Driving While Texting	\$100.00 & Costs	\$252.00
4511.21	Speeding Violations		
	(1) School Zones:		
	A. Speed Charged No More Than 35 MPH	\$29.00 & Costs	\$181.00
	B. Speed Charged More Than 35 MPH	\$69.00 & Costs	\$221.00
	(2) Construction Zone (Fines Doubled)		
	A. Speed Charged Not More Than 15 MPH Above Limit	\$58.00 & Costs	\$210.00
	B. Speed Charged from 16-20 MPH Above Limit	\$68.00 & Costs	\$220.00
	C. Speed Charged More Than 20 MPH Above Limit	\$138.00 & Costs	\$290.00
	(3) All Other Zones:		
	A. Speed Charged Not More Than 15 MPH Above Limit	\$29.00 & costs	\$181.00
	B. Speed Charged From 16-20 MPH Above Limit	\$34.00 & Costs	\$186.00
	C. Speed Charged More Than 20 MPH Above Limit	\$69.00 & Costs	\$221.00
4511.22	Slow Speed	\$14.00 & Costs	\$166.00
4511.25	Lanes of Travel on Roadways	\$29.00 & Costs	\$181.00

4511.26	Vehicles Traveling in Opposite Direction	\$29.00 & Costs	\$181.00
4511.27-4511.31	Passing Violations	\$29.00 & Costs	\$181.00
4511.32	One-Way Streets & Rotary Traffic Islands	\$29.00 & Costs	\$181.00
4511.33	Driving in Marked Lanes	\$29.00 & Costs	\$181.00
4511.34	Following Too Closely	\$24.00 & Costs	\$176.00
4511.35	Divided Roadways	\$29.00 & Costs	\$181.00
4511.36-4511.40	Turns at Intersections; U-Turns and Stop Signals; Hand and Arm Signals; Starting and Backing Vehicles	\$34.00 & Costs	\$186.00
4511.41-4511.451	Right of Way Violations	\$34.00 & Costs	\$186.00
4511.452-4511.48	Pedestrian Violations	\$24.00 & Costs	\$176.00
4511.481	Pedestrian Intoxication on Highway	\$69.00 & Costs	\$221.00
4511.49-4511.511	Pedestrian Violations	\$24.00 & Costs	\$176.00
4511.52-4511.56	Bicycle, Motorcycle, Snowmobile, and All-Purpose Vehicles	\$9.00 & costs	\$161.00
4511.60	Driving Through Safety Zone	\$24.00 & Costs	\$176.00
4511.61-4511.64	Railroad Crossing Violations	\$29.00 & Costs	\$181.00
4511.65	Through Streets	\$29.00 & Costs	\$181.00
4511.66	Parking on Highway	\$24.00 & Costs	\$176.00
4511.661	Unattended Motor Vehicle	\$25.00 & Costs	\$177.00
4511.68	Prohibited Standing or Parking Places	\$25.00 & Costs	\$177.00
4511.69	Parking Near Curb and Handicapped Parking	\$25.00 & Costs	\$177.00
4511.70	Operating Motor Vehicle with Control or Vision Obstructed	\$24.00 & Costs	\$176.00
4511.701	Occupying Trailer While in Motion	\$14.00 & Costs	\$166.00

4511.71-4511.712	Driving on Closed Street or Sidewalk; Obstructing Vehicles	\$24.00 & Costs	\$176.00
4511.79	Driving with Impaired Alertness or Ability	\$69.00 & Costs	\$221.00
4511.81	Child Restraint Violations	\$100.00 & Costs	\$252.00

Chapter 4513 TRAFFIC LAWS -- EQUIPMENT; LOADS

State Ordinance	Violation	Fine	Total
4513.02	Unsafe Vehicle	\$34.00 & Costs	\$186.00
4513.021-4513.28	Mechanical Defects Including: All Lights; Red Reflectors; Extended Load, Horn, Siren, and Warning Devices; Windshield and Wiper; Bumpers; and Mufflers	\$14.00 & Costs	\$166.00
4513.241	Illegally Tinted Glass	\$24.00 & Costs	\$176.00
4513.263 B1	Non-Use of Seat Belt Driver	\$30.00 & Costs*	\$143.00*
4513.263 B2	Non-Use of Seat Belt Passenger	\$20.00 & Costs*	\$133.00*
4513.30-4513.34	Load Violations Including: Extended and Insecure Loads; Towing Rules; Weighing Vehicles; and Special Permits	\$24.00 & Costs	\$176.00
4513.36	Resisting Police Officer	\$69.00 & Costs	\$221.00
4513.64	Abandoning Junk Vehicle	\$25.00 & Costs	\$177.00
4513.65	Failure to Comply with Order to Remove Junk Vehicles	\$69.00 & Costs	\$221.00

*Costs for Seat Belts are \$113.00

Chapter 4549 MOTOR VEHICLE CRIMES
Chapter 5577 LOAD LIMITS ON HIGHWAYS
Chapter 5589 OFFENSES RELATING TO HIGHWAYS

State Ordinance	Violation	Fine	Total
4549.11	Using License Plates of Former Owner	\$69.00 & Costs	\$221.00
4549.12	Ohio Resident Using License Plates from Another State	\$69.00 & Costs	\$221.00
5577.05	Maximum Width, Height, & Length	\$25.00 & Costs	\$177.00
5577.11	Wheel Protectors on Heavy Commercial Vehicles	\$25.00 & Costs	\$177.00
5589.08-5589.081	Vehicles with Spikes, Lugs, or Chains	\$29.00 & Costs	\$181.00

Transcript Costs

The requesting party shall pay the court for transcripts (per page) prepared by the official court reporter according to the following rate schedule set forth below:

Category	Civil	Criminal/Traffic
Ordinary Delivery	\$4.00 per page	\$5.00 per page
Priority Delivery	\$6.50 per page	\$6.50 per page
Audio CD	\$5.00	

The requesting party must file a written request for transcripts under the case number and make full payment to the court prior to receiving the transcript. There shall be no charge by a court reporter employed by the court for any transcript requested by a Judge of this court. Transcribers hired as independent contractors by the court shall be deemed by accepting the undertaking to have waived any claim of copyright in the transcripts produced from the court's audio recordings. Payment to the Clerk may be made by cash, check, money order, or Visa/Master Card.

APPENDIX C

A. Jury Eligibility and Procedure for Jury Selection

Juror eligibility shall be determined and prospective jurors shall be selected by the jury commission of the Summit county Court of Common Pleas in accordance with its policies and procedures for potential service with the Akron Municipal Court.

B. Summoning of Prospective Jurors

Prospective jurors shall be summoned only on the filing of a written jury demand and pursuant to AMCR No. 4(B)(8) and (C)(14).

Every effort shall be made to resolve cases prior to summoning juries. A jury panel shall not be summoned unless it appears that there is a substantial likelihood of trial.

C. Examination of Prospective Jurors

Examination of prospective jurors shall be limited to matters relevant to the matter before the Court and to determine the juror's fairness and impartiality.

All prospective jurors shall be placed under oath in accordance with the Ohio Revised Code.

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

Questions are to be asked collectively of the panel whenever possible. Counsel may inquire by general questions concerning the validity and philosophy of reasonable doubt or the presumption of innocence

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

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

If it is determined by the Court during the voir dire process that an individual is unable or unwilling to sit in a particular cause fairly and impartially, the individual may be removed from the panel for cause. Such motion for removal for cause may be made by counsel or a party if unrepresented, or sua sponte by the Court. Further, R.C. 2313.42 and Crim R. 24(B) set forth additional cause challenges which may be made against

potential jurors.

Peremptory challenges shall be exercised alternately as presently established by R.C. 2945.23, Civ. R. 47, and Crim R. 24, unless prior to trial the parties agree on the record to another method. In special circumstances, challenges may be made outside the hearing of the prospective jurors. There shall be no limit to challenges for cause; however, peremptory challenges shall be limited to that number as established by the Rules of Civil and Criminal Procedure.

In criminal cases, the jury shall consist of eight (8) regular jurors and one (1) alternate juror. In civil cases, the jury shall consist of eight (8) regular jurors and one (1) alternate juror, unless by agreement, the parties stipulate to a lesser number. In special circumstances, an additional alternate juror may be selected.

D. Jury Orientation

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

The Court shall give preliminary instructions to all prospective jurors, as well as additional instructions following the impaneling of the jury to explain the jury's role, trial procedures of the court, along with other basic and relevant legal principles as the Court deems necessary and appropriate.

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

A final jury charge may in the discretion of the judge be committed to writing, and may be provided to the jury for its use during deliberation.

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

All jury deliberations shall be conducted in the jury deliberation room. Jury deliberation rooms shall include space, furnishings and facilities conducive to reaching a fair verdict. Court personnel shall endeavor to secure the safety of all prospective jurors and shall arrange and conduct all activities so as to

minimize contact between jurors, parties, counsel and the public. Upon the commencement of deliberations, all jurors shall remain in the care of court personnel and shall not be permitted to leave the court without permission.

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

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

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

Upon completion of service, each juror shall be given a personalized certificate of appreciation at the discretion of the judge.

APPENDIX D

The Akron Municipal Court Judges hereby set the bail schedule for misdemeanor charges, including traffic offenses, unless excluded below, as follows:

Personal recognizance is the rule.

If the police officer or prosecutor, based on the circumstances of the case, has reasonable cause to believe that a personal recognizance bond is insufficient, the judge or magistrate shall be contacted for additional authority. If the judge or magistrate determines that personal bail is insufficient, the conditions of release shall be set pursuant to Crim.R. 46.

When a judge or magistrate has previously set bail in a case, or has ordered a new amount in its last capias or warrant entry, that bail shall remain in effect unless otherwise ordered by a judge or magistrate.

For all other charges, the judge or magistrate of the court shall set bail:

Felonies of the 1st, 2nd, or 3rd degree and any felony offense of violence. (e.g. Assault on a Peace Officer, Aggravated Assault, Gross Sexual Imposition, etc.).

Misdemeanor charges, regardless of whether charged under the Ohio Revised Code, local ordinance, or other statutory provision:

Domestic violence or any other offense of violence if the victim is a family or household member (see: R.C. 2919.251);

Violation of any protection order or condition of community control, supervision, or probation involving prohibition from contact with specified persons or places;

The following offenses if the accused was subject to a protection order and/or has a prior conviction involving the same complainant/victim, pursuant to RC 2903.212:

Aggravated menacing (R.C. 2903.21);

Menacing by stalking (R.C. 2903.211);

Menacing (R.C. 2903.22);

Aggravated trespass (R.C. 2911.211);

Any sexually oriented offense as defined by R.C. 2950.01.

Any other offense when the victim, police officer, or prosecutor is seeking a protection order, no contact order, or other conditions of bond.

The following offenses in addition due to concerns about potential danger to the community and/or likely court appearance:

Resisting Arrest;

Solicitation, Loitering to Engage in Solicitation, Procuring, Prostitution,

Importuning, Sexual Imposition;

Contempt on Contempt, More than One Open Contempt.

APPENDIX E

The Akron Municipal Court adopts the following Court Records Management and Retention Rules. Sup.R. 11.28(E). The combined records, indexes, dockets, journals, and case files may be combined. Combined records must be retained in accordance with the record that has the longest retention period. But see Sup.R. 11.33(E) and RC 1901.41 – shall be retained for 25 years.

A. Exhibits Sup.R. 11.34(B)(2)

Unless otherwise provided by any other provision set forth in Sup.R 11.28 through 11.33, exhibits may be destroyed at the conclusion of litigation, including times for direct appeal, if all of the following conditions are satisfied:

1. the party who tendered the exhibits is notified in writing, at their last known address, that the party may retrieve exhibits, depositions, or transcripts within sixty days from the date of the written notification;
2. the written notification informs the party that the exhibits will be destroyed if not retrieved within sixty days from the date of the notification;
3. the written notification informs the party of the location for retrieval. Sup. R 11.34(B)(3) & (4).

- B. Exhibits may be destroyed one year following the date from the written notification if the notification is returned addressee unknown, undeliverable, or moved, with no forwarding address.
- C. For cases concluding on or after April 1, 2025, after one year from the conclusion of litigation, including times for direct appeal, exhibits may be destroyed without prior notice to the party who tendered the exhibits.
- D. Retention Schedule for the Administrative Documents of the Court Sup.R.

11.29

1. Administrative Journal. Administrative journals that consist of court entries, or a record of court entries, regarding policies and issues not related to cases shall be retained permanently.
2. Annual reports. Any required annual report shall be retained permanently.
3. Communication, correspondence, calendar, and general office records. Communication, correspondence, calendar, and general office records, including paper, telephonic, and electronic records, may be destroyed as soon as they are considered to be of no value by the person holding them.
4. Drafts and informal notes. Drafts and informal notes may be destroyed as soon as they are considered to be of no value by the person holding them.
5. Employment applications. Employment applications shall be retained for two years.
6. Employee benefit and leave records. Employee benefit and leave records, including life and medical insurance records, not retained by the appropriate city, county, or state fiscal officer shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
7. Employee history and discipline records. Records concerning the hiring, promotion, evaluation, attendance, medical issues, discipline, termination, and retirement of court employees shall be retained for ten years after termination of employment.
8. Financial records. Financial records, including cash books, bank transaction records, and expense and receipt ledgers, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
9. Fiscal records. Fiscal records, including copies of transactional budgeting and purchasing documents maintained by another office or agency, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.
10. Grant records. Records of grants made or received by a court shall be retained for three years after expiration of the grant. Records of unsuccessful grant applications submitted by a court may be destroyed

as soon as they are considered to be of no value by the person holding them.

11. Payroll records. Payroll records of personnel time and copies of payroll records maintained by other office agency shall be retained for three years or until the issuance of an audit report, whichever is later.

12. Publications received. Publications received by a court may be destroyed as soon as they are considered to be of no value by the person holding them.

13. Request for proposals, bids, and resulting contracts. Requests for proposals, bids received in response to requests for proposals, and contracts resulting from requests for proposals shall be retained for three years after the expiration of the contract that is awarded.

E. Retention schedule for financial records Sup.R. 11.33(A)

1. Auditor reports. Auditor reports shall be retained permanently.

2. Separate account of receipts and disbursements records. A separate account of receipts and disbursements in civil and criminal cases shall be retained permanently.

3. Rental escrow account records. Rental escrow account records shall be retained for five years after the last date of deposit.

F. Retention Schedule for the index, docket and journal. Sup.R. 11.33(B). The index, docket, and journal shall be retained for twenty-five years.

G. Recordings of proceedings. Sup.R. 11.33(C). Recordings of proceedings shall be retained for five years after the final judgment in the case.

H. Judge, Magistrate, and Clerk drafts, and research. Sup.R. 11.33(D). Judge, Magistrate, and clerk drafts, notes, and research may be destroyed as soon as they are considered to be of no value by the person holding them.

I. Retention schedule for case files Sup.R. 11.33(E)

1. Civil case files. Civil case files shall be retained for two years after the final judgment and issuance of an audit report by the Auditor of State, unless a longer minimum retention period is established by local rule.

2. OVI case files. Operating a vehicle under the influence of alcohol or drug case files shall be retained for fifteen years after the final judgement. Documents within a case file admissible as evidence of a prior conviction, including evidence that a defendant was represented by counsel or waived their right to counsel, shall be retained for fifty years after the final judgment.

3. Felony criminal case files. Felony criminal case files shall be retained for two years after the final judgment of the municipal or county court.

4. Misdemeanor criminal case files. Except for minor misdemeanor criminal cases, misdemeanor criminal case files shall be retained for fifteen years after the final judgment of the municipal or county court. Documents within a case file admissible as evidence of a prior misdemeanor criminal conviction, including evidence that a defendant

was represented by counsel or waived their right to counsel, shall be retained for fifty years after the final judgement.

5. First through fourth degree misdemeanor traffic files. Except for operating a vehicle under the influence of alcohol or drug case files, first through fourth degree misdemeanor traffic files shall be retained fifteen years after the final judgment of the municipal or county court. Documents within a case file admissible as evidence of a prior conviction including evidence that a defendant was represented by counsel or waived their right to counsel, shall be retained for twenty-five years after the final judgment.
6. Unclassified misdemeanor, minor misdemeanor traffic, and minor misdemeanor criminal case files. Unclassified misdemeanor, minor misdemeanor traffic, and minor misdemeanor criminal case files shall be retained for five years after the final order of the municipal or county court.
7. Parking ticket records. Parking ticket records shall be retained until the ticket is paid and the Auditor of State issues an audit report.
8. Real estate. Case files of matters that resulted in a final judgment determining title or interest in real estate shall be retained permanently.
9. Search warrant records. Search warrant records shall be indexed and the warrants and returns retained in their original form for five years after the date of service or last service attempt.

APPENDIX F

Pursuant to Sup. R. 14.10, the Akron Municipal Court implemented a security policy and procedure plan on July 1, 1995, which addresses the Ohio Court Security Standards adopted by the Supreme Court of Ohio on October 17, 1994. Said plan has been filed with the clerk of the Supreme Court and shall not be a public record.

APPENDIX G

Failure to follow this list shall result in immediate removal from the Akron Municipal Court and surrounding premises. If the offender is a litigant, the Civil, Criminal, or Traffic matter shall be rescheduled. Electronic devices are prohibited without permission of the Court. Electronic devices, including recording and transmitting devices, cell phones, pagers, must be turned off before entering the courtroom. Attorneys/licensed counsel must be dressed in professional attire. Sunglasses must be removed prior to entering the courtroom. No food or drink (other than water) permitted in the courtroom. No children permitted in the courtroom. Prohibited clothing:

- Flip flops, house slippers, or similar footwear
- Non-religious headwear, including hair rollers, bonnets, caps, hoodies, or face masks

- Bath robes, pajamas, clothing akin to pajamas, or nightwear i.e. lingerie
- Pants, shorts, dresses, skirts, or shirts that are worn to expose undergarments to any extent
- Shorts, skirts, or dresses that expose mid-thigh or above
- Underwear or undergarments worn as outer garments
- Halter tops, tank tops, crop tops, muscle shirts, see-through tops, bare midriff tops, or tops with open backs
- Body suits, swim wear, or bathing suits
- Ripped/torn pants, shorts, dresses, skirts, or shorts
- Clothing with vulgar/inappropriate writing, derogatory language, or obscene or suggestive writing. This includes sexual, drug, tobacco, gang affiliations, or alcohol-related language

APPENDIX H

Law Enforcement Reporting Compliance Plan

Pursuant to Sup.R. 3.04 the Akron Municipal Court hereby establishes a Compliance Plan for the submission of Fingerprints, Incident Tracking Numbers (ITN) and case disposition numbers; Mental Health Adjudications; Protection Orders; and Ohio Bureau of Motor Vehicle associated convictions and license points.

Fingerprint, Incident Tracking Numbers (ITN), and Case Disposition Reporting

1. Prior to each arraignment session, the Court's case management system and court staff will identify defendants set for arraignment who have not previously been fingerprinted or not assigned an Incident Tracking Number (ITN) pursuant to R.C. 109.57 and R.C. 109.60. Said information will be provided to the judicial officer conducting the arraignment session.
2. The judicial officer will order those individuals not previously fingerprinted or assigned an ITN to report to the Summit County Jail within twenty-four hours of the arraignment for fingerprinting and ITN assignment.
3. Sheriff personnel will capture all required prints from the defendants and ensure an ITN is assigned by the AFIS system prior to transmitting fingerprints and ITN to the Ohio Bureau of Criminal Investigation (BCI).
4. The ITN will be entered into the Court's case management system by Clerk of Court staff.
5. Upon conviction, the Clerk or Office of Information Technology shall transmit case dispositions to BCI on a weekly basis.

6. Each transmission shall be reviewed, any corrections made to any rejected transmissions and corrected transactions resent where necessary.
7. The Clerk will respond within twenty-four hours to any FBI inquiry about any defendant's potential firearm disqualification under 18 U.S.C. 922(g).

Mental Health Adjudication Reporting

1. Where any defendant is convicted of an offense of violence as defined by R.C. 2901.01(A)(9)(a) or any substantially similar municipal ordinance; or convicted of conspiracy or attempt to commit an offense of violence as defined by R.C. 2901.01(A)(9)(a) or any substantially similar municipal ordinance and being ordered to complete a mental health evaluation; or being found not guilty by reason of insanity; or being found incompetent to stand trial, the Court shall complete Form 95 NCIC Mental Health Notice with all required information required at the time of conviction.
2. The Clerk of Courts shall docket the completed Form 95, maintain the original case file, and transmit a copy of the completed Form 95 to the Summit County Sheriff's Office to enter into appropriate law enforcement databases.

Protection Orders

Whenever a Motion for Temporary Protection Order is granted:

1. The Court will ensure required defendant signatures are obtained.
2. Court or Sheriff staff will provide defendants with a copy of the order.
3. The Court will ensure Form 10-A Notice to NCIC is completed.
4. The Clerk of Courts shall docket an image of the completed Form 10-A.
5. A copy of the Protection Order shall be sent to the Summit County Sheriff's Office.
6. Court staff will timely transmit Form 10-A information to relevant law enforcement databases and local law enforcement upon the form's completion.

Ohio Bureau of Motor Vehicle (BMV) Reporting

1. Clerk of Court reporting of BMV related Court actions for the week shall occur each Friday. This includes reporting of convictions of operating a vehicle impaired (OVI).
2. The Clerk shall collate all suspensions to be reported.
3. The report shall be in the format prescribed by the BMV.
4. The Clerk will send the report to the BMV.
5. The Clerk shall ensure reporting is correct and take corrective action when needed.

6. The Clerk shall create a docket entry reflecting the date case information is sent to the BMV.

Sealing and Expungement Reporting

1. Per R.C. 2930.171, the Akron Municipal Prosecutor's Office shall notify victims when a sealing or expungement is granted by the Court.
2. The Clerk of Courts shall transmit notice of sealed or expunged records to law enforcement agencies as required by R.C. 2953.
3. The Probation Department shall notify the Clerk of Courts when to send notice of a sealed or expunged file to BCI.
4. The Clerk shall maintain sealed records in a confidential file and only released pursuant to Court Order or pursuant to R.C. 2953.34.

Maintaining Reporting Records

1. The Clerk of Court shall implement internal audit mechanisms and maintain logs of their submissions to law enforcement in compliance with Sup.R. 3.04, 18 U.S.C. 922(g) and R.C. 2023.13.
2. These mechanisms and logs shall be available in the instance of an audit by the FBI, BCI, or local auditors.
3. Reporting mechanisms will be standardized. Appropriate Clerk staff will receive regular training to ensure ongoing compliance on at least a yearly basis.
4. The Clerk's Criminal Supervisor shall serve as a liaison to facilitate communication with outside auditors.
5. The Clerk will validate reported records and correct reported records the same day they are sent to law enforcement where necessary. The Clerk will gather necessary records to be provided to state and federal auditors within the time frame prescribed by the requesting agency or relevant Revised Code section. The Clerk's criminal supervisor or Chief Deputy will check for updates to state and federal reporting requirements and record retention schedules on at least a six-month basis.

APPENDIX I

Overview

The Court Technology Plan serves as a governance document that establishes a structured framework for the management, administration, security, support, and ongoing use of technology systems throughout the Court. As technology continues to play a critical role in judicial operations, this plan ensures that all applications are implemented, maintained, and utilized in a manner that promotes operational excellence, cybersecurity, regulatory compliance, and continuity of court services.

The plan provides a centralized inventory of the Court's technology applications, identifies each system's business purpose, defines departmental ownership and responsibilities, and documents how employees receive training and operational guidance. By clearly establishing roles, responsibilities, and governance practices, the Court strengthens accountability, reduces operational risk, and promotes consistent technology management across all departments.

In addition, this plan supports strategic decision-making by providing court leadership with a clear understanding of the technology environment, enabling informed planning for future upgrades, resource allocation, disaster recovery, cybersecurity initiatives, and business continuity. It also serves as a valuable resource during audits, accreditation reviews, vendor management activities, and technology modernization efforts.

Executive Summary

The purpose of the Court Technology Plan is to provide a standardized approach for governing the technology applications that support the administration of justice and daily court operations. This document identifies each application used throughout the Court, its business purpose, methods for user training and communication, and the department responsible for system administration and operational support.

The Technology Plan is designed to:

1. Establish an inventory of Court technology applications.
2. Define the business purpose and operational value of each application.
3. Assign clear ownership, accountability, and departmental responsibilities.
4. Standardize user training, documentation, and communication processes.
5. Support cybersecurity, data protection, and regulatory compliance.
6. Improve operational efficiency through consistent technology governance.
7. Facilitate business continuity and disaster recovery planning.
8. Support strategic planning, budgeting, technology lifecycle management, and future modernization initiatives.
9. Promote transparency, accountability, and collaboration across all Court departments.

Ultimately, this Technology Plan serves as a strategic management tool that aligns technology resources with the Court's mission of delivering fair, efficient, secure, and accessible justice. By documenting technology assets and governance practices in a single authoritative resource, the Court is better positioned to maintain reliable operations, respond to emerging technology needs, and provide exceptional service to the judiciary, court staff, justice partners, and the public.

Technology Inventory & Responsibility Matrix

Application Name	Purpose	How Users Receive Instructions	Department Role / Responsibility
Adobe Reader	Provides users with the ability to securely view, open, print, search, annotate, and complete PDF (Portable Document Format) documents used for court operations, administrative processes, and official records. Adobe Reader supports access to court forms, policies, procedures, reports, training materials, and other official electronic documents while preserving document formatting and integrity.	Court IT or Department SME	Court IT
AMCIS	READ ONLY; LIMITED USERS: Serves as the Court's legacy case management system, providing historical case information, docket records, dispositions, financial data, and archived court records for research, reporting, and reference purposes.	Court IT or Department SME	L. Lee
City Intranet	Provides a secure, centralized internal communication platform where employees can access organizational news, policies, procedures, forms, training materials, announcements,	Court IT or Department SME	City IT Court IT

	calendars, departmental resources, and other business information necessary to support daily operations and collaborative tools that support efficient court operations and informed decision-making.		
FTR Player	Allows authorized users to access, review, and playback digitally recorded court proceedings for case review, transcription support, and quality assurance.	Court IT or Department SME	Court IT
FTR Record	Captures and securely records courtroom proceedings to create an official digital audio record of hearings, trials, and other judicial proceedings.	Court IT or Department SME	Court IT
Milestone Camera	Provides centralized video surveillance and security monitoring to enhance facility safety, protect court assets, support investigations, and maintain recorded video evidence	Court IT or Department SME	Court IT
Microsoft 365 Copilot	Utilizes artificial intelligence to enhance employee productivity by assisting with document creation, data analysis, meeting summaries, email drafting, research, and workflow automation across Microsoft 365 applications.	Court IT or Department SME	City IT /Court IT

Microsoft Office	Provides a suite of productivity applications used to create, edit, analyze, and manage business documents, spreadsheets, presentations, reports, and official correspondence.	Court IT or Department SME	City IT/ Court IT
Microsoft OneDrive	Provides secure cloud-based file storage, synchronization, backup, and document sharing while supporting collaboration and remote access to authorized files.	Court IT or Department SME	City IT/ Court IT
Microsoft Teams	Supports secure collaboration through instant messaging, virtual meetings, video conferencing, file sharing, project collaboration, and internal communications	Court IT or Department SME	City IT/ Court IT
The Visitor	Manages visitor registration, identification, badge issuance, and visitor tracking to enhance facility security and maintain accurate visitor records.	Court IT or Department SME	
Tyler Jail	Manages jail-related information, inmate records, booking data, release information, warrants, and custody records while supporting	Court IT or Department SME	Summit County Jail/APD

	communication between the Court and detention facilities.		
Tyler Enterprise Justice Systems (TEJS)	Provides an enterprise case management system for managing court case information, electronic filings, dockets, hearings, judicial workflow, financial records, and official court documents.	Court IT or Department SME	Denny/RaMona/Tamara/Dave/Court IT
Tyler Supervision	Supports community supervision programs by managing probation cases, offender compliance, appointments, assessments, case notes, and supervision reporting.	Court IT or Department SME	Denny
Zoom	Provides secure virtual meeting and video conferencing capabilities for remote hearings, staff meetings, training sessions, public outreach, and collaboration with external stakeholders	Court IT or Department SME	Court IT
VLC Media Player	Enables users to securely view and play multiple digital audio and video file formats for evidence review, training materials, surveillance recordings, and multimedia presentations.	Court IT or Department SME	Court IT