

IN THE COURT OF COMMON PLEAS, WYANDOT COUNTY, OHIO

In the Matter of

25 MS 0005

The Adoption of Local Court Rule 4.01 &
Local Court Rule 4.02
of the Rules of Court for Wyandot County
Court of Common Pleas

JUDGMENT ENTRY

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This matter has come before the Court for purpose of updating Local Court Rule 4.01 and adopting Local Court Rule 4.02 both rules attached hereto and incorporated herein by reference. Said Local Court Rule 4.01 and Local Court Rule 4.02 shall be effective **July 31, 2025** until further Order of the Court.

IT IS SO ORDERED.

Douglas D. Rowland, Judge

WYANDOT COUNTY
COMMON PLEAS COURT
2025 JUL 31 AM 9:56
EILEEN A. YALOW
CLERK OF COURTS

Local Court Rule 4.01

Pleadings, Files and Paper by Electronic Transmission (Fax) Civil Rule 5 (E)

All pleadings and other papers may be filed with the court by electronic transmission (fax) subject to the following provisions:

- 1.) Attorneys should limit requests for electronic transmission (fax) to filings of an emergency to time-critical nature. The Court reserves the right to revoke this privilege from any attorney who appears to be abusing the privilege.
- 2.) A document filed by electronic transmission (fax) will be accepted as original consistent with Civil Rule 5 (E).
- 3.) In the event the documents being transmitted requests service of process, the Clerk will receive said documents, cause them to be file stamped and will make service if no deposit is required. If a deposit is required, service will be made after receipt of the same.
- 4.) The attorney must provide all required identification information on the first page (cover sheet) of transmission in a format prescribed by the Court. Transmissions without such information will not be accepted for filing. A transmitted document must be no longer than ten pages and must pertain to only one case. A transmission with more than ten (10) pages shall not be accepted unless prior approval is granted for said pages and for good cause shown to the Court.
- 5.) The attorney should retain receipt generated by sending device as evidence of filing. The Clerk will phone the attorney if the transmitted document cannot be filed for any reason. Transmissions received during other than normal business hours will be considered filed on the next day the office is open. All documents submitted via fax, mail or personal will be considered filed with date/time stamped by the Clerk. Electronic filing via the portal will be considered filed when submitted once accepted by the Clerk.
- 6.) The clerk will maintain on the premises a device capable of facsimile transmission which will be attached to a dedicated telephone line and dedicated electronic circuit protected by a surge protector. It will automatically place the date and time of receipt on the printed transmission.
- 7.) Users of the facsimile device other than members of the staff of the Clerk of Courts or the Judge of Common Pleas Court, All Divisions, shall first receive permission from the Clerk of Court or the designated deputy clerk prior to using said device with the transmission of receipt of document (s).

Local Court Rule 4.02

Electronic Transmission Filing (E-Filing)

1) Implementation

- a. The Court's goal is to make e-Filing available in all cases and case types, with limited exceptions. However, to assure a smooth transition between e-Filing and paper filing, e-Filing will be available in some case types prior to others. Counsel and persons representing themselves pro se shall consult the Clerk's website before initiating a case. Documents to be e-Filed are subject to the requirements, exceptions and limitations set forth in these rules.
- b. At this time, we are not accepting the following via e-Filing: Court of Appeals; transcripts or briefs; garnishments; search warrants & their returns; protection orders; certificate of judgments; and cognovit note collection actions.

2) Users/Registration

- a. All persons e-Filing documents shall be registered as users in the e-Filing Portal which can be found via our website at www.wyandotcountyclerk.org.
- b. At this time, pro se litigants are exempt from being e-Filers. Parties who are represented by counsel, are NOT permitted to e-File documents or pleadings on their own behalf. Such filings shall be rejected.

3) Format of Documents Electronically Filed

a. Document Types

All documents submitted for filing shall be in PDF form. The exception is proposed orders and entries. Those SHALL be submitted in WORD form. Such documents may either be signed by hand and scanned-in or they may be signed electronically as set forth in this Rule. Paper courtesy copies of documents filed electronically SHALL NOT be delivered to the Court, unless required by applicable rules or requested by the Court.

- b. All electronically filed pleadings shall be formatted in accordance with the applicable rules governing formatting of paper pleadings. Filers must leave a marginal location at the top right of the first page of a document for date and time stamps. This space must be no less than 2-1/2 inches wide and 1 inch high.

c. Signatures

Attorney's/Submitter's Signature. Any document submitted electronically with the Clerk that requires an attorney's or a submitter's signature (other than hand-signed documents scanned in

PDF format) shall be signed with the conformed signature of “/s/ (name).” The correct format for an attorney’s signature is as follows:

/s/Attorney Name

Attorney Name, Registration Number

The conformed signature on an electronically-submitted document is deemed to constitute a legal signature on the document.

Multiple Signatures. When a stipulation or other document requires two or more signatures:

The submitting party or attorney shall sign the stipulation or document himself or herself as follows: “/s/ John Smith.”

The submitting party or attorney shall then include an affirmation that the contents of the document are acceptable to all persons required to sign the document. The submitter shall indicate the agreement of all other counsel and/or parties at the appropriate place in the document, usually on the signature line.

The submitting party or attorney shall then submit the document electronically, identifying all of the other signatories as follows: “/s/ Jane Doe, per written authorization, by John Smith,” etc.

Third-Party Signatures. A document containing the signature of a third party, who is not a party to the action (i.e., affidavit signed by a doctor, military affidavit signed by a staff member or company representative, etc.), shall be electronically submitted only as hand-signed and scanned-in PDF document.

4) Availability of e-Filing – Acceptance of Documents

a. Definitions. As used in this section:

“Submission” of a document means the act of transmitting a document electronically from a filing party to the Clerk of Courts through the e-Filing Portal for the purpose of causing it to be filed.

“Filed” means the acceptance of a document into the record of a case.

“Rejected Document” refers to a document containing deficiencies such as errors or omissions of a party failing to comply with the procedural aspects of these Local Rules, technical requirements of the e-Filing Portal, or clerical errors while submitting a document for filing. Such document will not be considered filed until deficiencies have been corrected.

b. Documents may be submitted to the Clerk for e-Filing 24 hours per day, 7 days per week.

c. Documents accepted by the Clerk shall be considered filed upon date of submission.

d. Notice of Deficiencies in Submissions

The Clerk shall notify a submitting party of any deficiencies. That notice is sent from the Clerk of Court’s e-Filing Portal to the submitting party. The notification component of e-Filing **MUST** be turned on or you may not be aware that your filing was rejected.

If the document is rejected, the burden for timeliness falls on the filing party. A rejected document will be considered filed upon resubmission, provided any deficiencies are corrected in a timely manner.

By way of examples, notification of deficiencies may be given for reasons including, but not limited to, the use of incorrect electronic file format; failure to pay correct filing fees, submitting multiple documents in one uploaded file; incomplete or inaccurate party information; submission of orders or entries and incorrect case number.

Corrective Orders. Upon motion of a party, or upon its own initiative, the Court shall have discretion to issue orders necessary to correct and cure any deficiencies and to make modification to its records consistent with this Rule.

The Court may deny a motion requesting a corrective order to any party who acts in bad faith or otherwise manipulates the e-Filing system to gain unfair advantage or circumvent legal deadlines.

e. Filing of Initial Pleadings. When any complaint or third-party complaint is submitted for electronic filing, the filing party shall complete and file a case designation sheet (see attached). Consistent with Ohio Rules of Civil Procedure, the filing party shall also file instructions for service and the Clerk shall issue a summons and serve the complaint or third-party complaint according to such instructions. The Clerk shall produce paper copies of these initial pleadings and charge a fee of .10 cents per page, as stated in the Clerk’s fee schedule, for production of service copies, which shall be assessed as costs. All electronically filed cases shall have service issued pursuant to Civil Rule 4 with United States Postal Service being the Clerk’s preferred method of service unless otherwise instructed in a request and/or praecipe for service.

f. Effect of Technical Error. If a submission is not received by the Clerk due to an error caused by the hardware or software of either the Clerk or the submitting party, upon satisfactory proof and for good cause shown, the Court may enter an order permitting the document to be filed nunc pro tunc to the date the submitter intended the document to be filed. Ultimately, it shall be the submitting party's responsibility to ensure all documents are properly received, docketed and served.

g. The availability and utilization of electronic filing shall not serve to eliminate any requirements to serve opposing counsel or parties with filing pursuant to the Rules of Civil Procedure. **The filing party is required to perfect service.**

WYANDOT COUNTY COURT OF COMMON PLEAS
Civil Case Designation Sheet

Plaintiff

Case No. _____

v.

Defendant.

☐ **RE-FILING**

Former Case Number: _____

☐ **DOMESTIC**

- ☐ Divorce with Children
- ☐ Divorce without Children
- ☐ Dissolution with Children
- ☐ Dissolution without Children
- ☐ Change of Residential Parent/Legal Custodian
- ☐ Visitation/Enforcement/Modification
- ☐ Support Enforcement Modification
- ☐ Domestic Violence
- ☐ URESA/UIFSA
- ☐ Parentage
- ☐ All Other Domestic

☐ **PRODUCTS LIABILITY**

- ☐ Personal Injury
- ☐ Wrongful Death
- ☐ _____

☐ **OTHER TORT**

- ☐ Personal Injury
- ☐ Wrongful Death
- ☐ Intentional Tort
- ☐ Damages
- ☐ _____

☐ **WORKERS' COMPENSATION**

- ☐ Appeal
- ☐ Non-Compliant Employer

☐ **FORECLOSURE**

- ☐ Foreclosure
- ☐ Foreclosure - Taxes
- ☐ Foreclosure - Mechanics's Lien

Permanent parcel no. _____

☐ **PROFESSIONAL TORT**

- ☐ Medical Malpractice
- ☐ Dental Malpractice
- ☐ Optometric Malpractice
- ☐ Chiropractic Malpractice
- ☐ Legal Malpractice
- ☐ Other Malpractice

☐ **ADMINISTRATIVE APPEAL**

☐ **OTHER CIVIL**

- ☐ Arbitration Award
- ☐ Appropriation
- ☐ Breach of Contract
- ☐ Boundary Dispute
- ☐ Cognovit
- ☐ Complex Litigation classification request
- ☐ Consumer Sales Act (Rev. Code § 1345)
- ☐ Declaratory Judgment (related case)

- ☐ Foreign Judgment
- ☐ Forfeiture
- ☐ Fraud
- ☐ Habeas Corpus
- ☐ Injunctive Relief
- ☐ Mandamus
- ☐ Partition
- ☐ Quiet Title
- ☐ Replevin
- ☐ Specific Performance
- ☐ Stalking Civil Protection Order
- ☐ Wrongful Discharge
- ☐ Wrongful Incarceration
- ☐ Civ. R. 3(F) Notice of Pending Litigation
- ☐ _____

Date: _____

ATTORNEY/PARTY: _____

OHIO SUPREME COURT NUMBER: _____