IN THE MASSILLON MUNICIPAL COURT
STARK COUNTY, OHIO

FILED
2018 JAN 22 PM 1:48
JOHNNIE A. MAIER
CLERK OF COURT
MASSILLON OHIO

STATE OF OHIO:

SS:

STARK COUNTY:

JOURNAL ENTRY #8-2018

RE: 2018 CIVIL DIVISION COURT COSTS

IT IS HEREBY ORDERED that the Massillon Municipal Court, Stark County, Ohio adopts the following 2018 Civil Division Court Costs of The Massillon Municipal Court, Stark County, Ohio. It is further **ORDERED** that effective March 1, 2018, fees and costs for the Civil Division Court Costs are modified. It is further **ORDERED** that the fees and court costs for all newly filed cases and for all new matters filed in old or pending cases, shall be as listed upon the attached schedule, except in a specific case where the court orders a different amount.

I. CIVIL COMPLAINT

A. Complaint **$150.00**

1. Includes $26.00 Legal Aid Fee
2. Includes $10.00 Clerk Computer Fee
3. Includes $3.00 Court Computer Fee
4. Includes $10.00 Capital Improvement
5. Includes $30.00 ADR Fee
6. Includes $71.00 Court Cost

B. Each Defendant over two **$10.00****

1. Includes $5.00 ADR Fee
2. Includes $5.00 Court Cost

II. SMALL CLAIMS

A. Small Claims Complaint **$70.00**

1. Includes $11.00 Legal Aid Fee
2. Includes $10.00 Clerk Computer Fee
3. Includes $3.00 Court Computer Fee
4. Includes $10.00 Capital Improvement
5. Includes $20.00 ADR Fee
6. Includes $16.00 Court Cost

B. Each Defendant over two **$10.00****

1. Includes $5.00 ADR Fee
2. Includes $5.00 Court Cost

C. Transfer to Civil Docket **$139.00**

1. Includes $15.00 Legal Aid Fee
2. Includes $10.00 Clerk Computer Fee
3. Includes $3.00 Court Computer Fee
4. Includes $10.00 Capital Improvement
5. Includes $30.00 ADR Fee
6. Includes $71.00 Court Cost

III. FORCIBLE ENTRY & DETAINER

NOTE: Bailiff Service is REQUIRED when Eviction is based on illegal drug activity, to comply with ORC. 1923.051

A. Complaint **$130.00**

1. Includes $26.00 Legal Aid Fee
2. Includes $10.00 Clerk Computer Fee
3. Includes $3.00 Court Computer Fee
4. Includes $10.00 Capital Improvement
5. Includes $30.00 ADR Fee
6. Includes $51.00 Court Cost
7. Includes Certificate of Mailing Service
8. Includes Writ of Restitution

B. Each Defendant over two **$10.00****

1. Includes $5.00 ADR Fee
2. Includes $5.00 Court Cost

C. Writ of Execution for Removal **$100.00**

(Regarding mobile homes)

1. Includes $100.00 Court Cost

D. Eviction Set Out By Bailiff Service **$100.00**

1. Includes$100.00 Eviction Set Out

NOTE: Advance payment required before the Bailiff will supervise set-out of defendant. If set-out is canceled prior to scheduled date, this fee will be refunded.

IV. CIVIL OTHER

Application for Driving Privileges
Financial Responsibility - Section 4509.101(A)(2)(a) & (b)
Breathalyzer/Intoxilyzer - Defense Section 4511.191
12 Points Suspension - Section 4510.037
Other Suspensions - Section 4510.17E
Application for Appeal to Dog Classification
Application for Appeal to Parking Violation
Other Filings determined to be Civil

A. Application **$60.00****

1. Includes $10.00 Capital Improvement
2. Includes $50.00 Court Cost

V. COGNOVIT NOTE

A. Complaint and Judgment **$150.00**

1. Includes all Fees and Costs as distributed in I.A. 1-6

VI. REPLEVINS

A. Complaint **$150.00**

1. Includes all Fees and Costs as distributed in I.A. 1-6

B. Emergency Orders of Replevin with Execution **$500.00**

1. Includes $150.00 in Fees and Costs as distributed in I.A. 1-6
2. Includes $350.00 Advance Deposit for Emergency Replevin Hearing and Execution Fee

VII. RENTAL ESCROW **1% charge**

Charge taken at distribution of Escrow Funds as Court Cost

VIII. TRANSFER OF JUDGMENT FROM OTHER COURT

A. Certificate of Judgment from other Court located in Stark County **$50.00**

1. Includes $10.00 Clerk Computer Fee
2. Includes $3.00 Court Computer Fee
3. Includes $10.00 Capital Improvement
4. Includes $27.00 Court Cost

B. Certificate of Judgment from Court outside of Stark County **$120.00**

1. Includes $10.00 Clerk Computer Fee
2. Includes $3.00 Court Computer Fee
3. Includes $10.00 Capital Improvement
4. Includes $97.00 Court Cost

IX. FILINGS

A. Complaint / Filings **$20.00****

Charged as $10.00 ADR Fee
$10.00 Court Cost

1. **Amended Complaint**
2. **Third Party Complaint**
3. **Cross-Claim / Counterclaim**
4. **Amended Garnishment**

B. Alias Filings **$15.00****

Charged as Court Cost

1. **Alias Summons**
2. **Alias Garnishment**
3. **Alias Aid in Execution**

C. Subpoena for Each Person Named in the Writ **$5.00**

Charged as Court Cost

Charged as Witness Fee

1. **Advance Witness Fee per witness for 1/2 day** **$6.00**
2. **Advance Witness Fee per witness for full day** **$12.00**

NOTE: Full day is any time over four (4) hours

D. Objections to Magistrate Decision **$20.00**

Charged as Court Cost

E. Debtor Examination

1. Financial Questionnaire for Civil Cases **$30.00**
- a. Includes $10.00 ADR Fee
- b. Includes $20.00 Court Cost

2. Each Additional Defendant **$15.00****
- a. Includes $10.00 ADR Fee
- b. Includes $5.00 Court Cost

F. Assets and Liabilities

1. Financial Questionnaire for Small Claims **$20.00**
- a. Includes $20.00 Court Cost

X. METHODS OF SERVICE

All Filings include Certified Mail as the default Method of Service, unless stated otherwise.

Charged as Court Cost

A. Certified Mail for second address of defendant **$10.00****
B. Certified Mail with Addressee Only **$20.00****
C. Bailiff Service **$40.00****
D. Process Server **$20.00****

Charged as Sheriff Fee

E. Sheriff Service **$40.00****

XI. GARNISHMENTS AND AID IN EXECUTION

A. Aid in Execution of Wages **$90.00**
1. Includes $10.00 Capital Improvement
2. Includes $30.00 ADR Fee
3. Includes $50.00 Court Cost
4. Includes Service to Employer

B. Aid in Execution - Bank Attachments and Other than Wage Attachments **$59.00**
1. Includes $7.00 Capital Improvement
2. Includes $30.00 ADR Fee
3. Includes $22.00 Court Cost
4. Includes Notice to Debtor, Service to Financial Institution

NOTE: A separate $1.00 check made payable to the Garnishee is required

XII. **CERTIFICATE OF JUDGMENT**

A. **For Lien or Transfer** — **$25.00**
   1. Includes $10.00 ADR Fee
   2. Includes $5.00 Court Cost
   3. Includes $10.00 Clerk Computer Fee

XIII. **EXECUTION with Bailiff Service**

A. **Filing Fees** — **$500.00**
   1. Includes $100.00 Court Cost
   2. Includes $400.00 Advanced Deposit for Emergency Hearing and Execution Fee

B. **Filing on Cash Drawer Only** — **$50.00**
   1. Includes $50.00 Court Cost

XIV. **CONTEMPT OR SHOW CAUSE ORDER**

A. **Personal Service required** — **$60.00****
   1. Includes $40.00 Service, if filing requests Bailiff Service
   2. Includes $40.00 Service as Sheriff Fee, if filing requests Sheriff Service

XV. **CAPIAS or CIVIL WARRANT** — **$80.00****
Charged as Court Cost

XVI. **EXEMPLIFIED OR AUTHENTICATED COPY** — **$20.00**
Charged as Court Cost

XVII. **JURY DEMAND** — **$300.00**
Fee must be paid at the time of filing demand

XVIII. **REVIVOR** — **$30.00****
Charged as Court Cost

XIX. TRANSFER OF CASE TO ANOTHER COURT

Charged as Court Cost

A. For Venue	**$50.00**
B. To Common Pleas Court	**$50.00**

XX. TRANSFER/CHANGE OF CASE FROM ANOTHER COURT

A. For Venue - Civil **$150.00**

Includes all Fees and Costs as distributed in I.A. 1-6

B. For Venue - Small Claim **$70.00**

Includes all Fees and Costs as distributed in II.A. 1-6

XXI. FIFTH DISTRICT COURT OF APPEALS

A. Notice of Appeal **$190.00**

1. Includes $10.00 Clerk Computer Fee
2. Includes $3.00 Court Computer Fee
3. Includes $10.00 Capital Improvement
4. Includes $25.00 ADR
5. Includes $39.00 Court Cost
6. Includes $103.00 Advance Deposit to Fifth District Court of Appeals

B. Cross Appeal **$100.00**

1. Includes $32.00 Court Cost
2. Includes $68.00 Advance Deposit to Fifth District Court of Appeals

XXII. TRUSTEESHIP

A. Filing Fee as Court Cost	**$20.00**
1. Each additional creditor over 12	**$2.00**
2. Each creditor added after original filing	**$2.00**
3. Distribution of Costs	**3% Charge**

XXIII. NSF/RETURNED CHECK FEE **$50.00**

XXIV. PHOTOCOPY

A. Per Page as Court Cost	**$0.05**
B. Certified per page as Court Cost	**$2.00**

** Represents the Fees per party to case.

John / Jane Doe listed with an address as party to a case, will be considered as an additional Defendant regarding filing fees and service.

THE CLERK OF COURT WILL REQUIRE AN ADVANCE DEPOSIT FOR THE FOLLOWING THAT WERE NOT MENTIONED ABOVE:

I. Publication Fees (Partial Advance Deposit) **$500.00**
Or as ordered by the Court

IT IS SO ORDERED,

HON. EDWARD J. ELUM
Administrative and
Presiding Judge