

**CIVIL DIVISION
COST SCHEDULE**

**Delaware Municipal Court
Delaware County, Ohio**

Effective December 10, 2010

Complaints in Civil Cases

Filing a civil complaint (*plus* service fees)

Local costs	\$ 69.00
Computerized legal research fee (R.C. 1901.261(A) & (B))	\$ 13.00
Special Projects Fund (R.C. 1901.26(B)(1))	\$ 12.00
Legal aid societies and state public defender fee (R.C. 1901.26(C))	<u>\$ 26.00</u>
Total costs for filing a civil complaint (<i>plus</i> service fee)	\$ 120.00

Filing a small-claims complaint (*plus* service fees)

Local costs	\$ 34.00
Computerized legal research fee (R.C. 1901.261(A) & (B))	\$ 13.00
Special Projects Fund (R.C. 1901.26(B)(1))	\$ 12.00
Legal aid societies and state public defender fee (R.C. 1901.26(C))	<u>\$ 11.00</u>
Total costs for filing a small-claims complaint (<i>plus</i> service fee)	\$ 70.00

Attention filers:

1. If the plaintiff requests service by certified mail, the Clerk will automatically serve the complaint by ordinary mail if the certified mail is refused or is unclaimed. The cost of that ordinary mail service will be added to the court costs in the case.
2. Any person filing a new civil case must include the original complaint for the file, as well as two copies for each defendant named in the complaint.
3. Any person filing a new eviction case must include the original complaint for the file, as well as three copies for each defendant named in the complaint.
4. Any person filing a new small-claims case must include the original complaint for the file, as well as one copy for each defendant named in the complaint.

Other Costs

Amended complaint (<i>plus</i> service fee)	\$ 15.00
Appeals	
Filing a notice of appeal	\$ 65.00
Filing a notice of cross-appeal	\$ 25.00
Motion for stay of judgment pending appeal	\$ 15.00
Appraisal fee in executions and replevin actions (per appraiser) (<i>plus</i> the fees charged by the appraisers themselves) (R.C. 2335.02)	\$ 30.00
Attachment of	
Cash or other liquid assets – see Garnishment	
Personal property – see Execution	
Also see Appraisal	
Audio recording of court proceeding – see Copies	
Bad checks – see Checks	
Bureau of Motor Vehicles (BMV) matters	
Appeal of a 12-point license suspension	\$ 100.00
Application for driving privileges during a BMV-imposed suspension	\$ 90.00
Reinstatement-fee payment plan application (R.C. 4510.10) (a single \$90 fee will be charged if an applicant requests <u>both</u> driving privileges and a reinstatement-fee payment plan)	\$ 90.00
Request for a change in a previously-granted driving privileges order	\$ 30.00
Certificate of judgment	
Preparation of CJ after entry of judgment in this court	\$ 20.00
Transfer of a judgment from another court	\$ 75.00
Checks that are returned for insufficient funds, are drawn on closed accounts, or for which the drawer stops payment	\$ 30.00
Cognovit note – see filing fee for new civil complaint	
Commitment, preparation of (enforcing a court order imposing jail days)	\$ 10.00
Contempt	\$ 25.00
Asking the court to hold a party in contempt (<i>plus</i> service fee)	

Continuances – see Motions

Copies (*plus* service fee if the copies are not picked up from the Clerk's office)

Certified copy of a court record (<i>plus</i> the per-page cost of the copies)	\$ 3.00
Exemplified copy of a judgment entry (a copy signed by the Clerk and a judge)	\$ 25.00
Photocopy (per page)	\$ 0.05
Printout of court docket (per page)	\$ 0.25
Video and audio recording of court proceeding	\$ 5.00

Counterclaim, filing of (*plus* service fee) \$ 30.00

Credit card fee (charged whenever a credit card is used to pay any amount owed to the Clerk) \$ 5.00

Credit card stop-payment fee (charged if a payment is made by credit card and then the cardholder disputes the payment amount) \$ 100.00

Cross-claim, filing of (*plus* service fee) \$ 30.00

Debtor examination – see Judgment debtor examination

Discharge from the jail, order for \$ 5.00

Dormant judgment – see Motions

Driving privileges – see Bureau of Motor Vehicles

Eviction – see Set-Out

Execution (seizure and storage)

on a debtor's real or personal property, with assistance from a bailiff (<i>plus</i> 50.5¢ per mile to and from the site of the property)	\$ 150.00
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on a manufactured or mobile home, with no bailiff needed	\$ 40.00
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Exemplified copy – see Copies

Financial disclosure statement – see Judgment debtor examination

Garnishment

Bank Attachments	\$ 100.00
(<i>plus</i> \$1.00 check payable to garnishee for garnishment of non-	

wage property)

Wage Garnishments \$ 100.00

(each creditor's request for a wage garnishment is valid for six months from the date when we receive the first payment from the debtor's employer in response to that creditor's garnishment request, and each request can be renewed for an unlimited number of six-month periods by paying this six-month service rate)

Note: The court may require the creditor – rather than the debtor – to pay the court costs associated with a bank attachment or wage garnishment that generates no attachable or garnishable funds.

Jail commitment – see Commitment

Jail release – see Discharge

Joinder of additional party or parties, request for (*plus* service fee) \$ 30.00

Judgment, certificate of – see Certificate

Judgment debtor examination, request for (*plus* service fee) \$ 25.00
(if a financial disclosure statement is filed in lieu of an appearance at a judgment debtor examination, the same \$25.00 fee will be charged)

Judgment, reviving a dormant – see Reviving

Judgment, vacating a satisfaction of – see Motions

Jury Demand \$ 50.00
(the party requesting a jury trial must also deposit \$1,400 with the Clerk no later than seven days before the trial date) (R.C. 1901.26(A)(3))

Jury fees (daily fee assessed for – and payable to – each juror and alternate juror selected for jury service) \$ 40.00

Jury venire (daily fee assessed for – and payable to – each person who appears for jury duty when (1) the case is resolved or continued on the day of trial before a jury is seated, and (2) the trial judge determines that costs should be charged) \$ 25.00

Magistrate's decision, objection to – see Objection

Magistrate's order, motion to set aside – see Objection

Marriage – see Wedding

Mileage Fees – see Service or see Subpoena

Motion for

Change of venue – see Venue

Contempt – see Contempt

Continuance \$ 20.00

(The Clerk will not charge this fee when a party requests more time to mediate a case, or for requests to delay file-review dates (so-called “non-oral hearings”). The fee will be charged, though, for motions to continue scheduled hearing dates, and the Clerk will charge **an additional \$10** if the motion to continue is filed less than 24 hours before the time of the scheduled court hearing. The fee for a motion to continue must be paid at the time the motion is filed.)

Default judgment (Civil Rule 55) \$ 20.00

Intervention (Civil Rule 24) \$ 30.00

Judgment debtor examination – see Judgment debtor

New trial (Civil Rule 59) \$ 20.00

Relief from judgment or order (Civil Rule 60) \$ 20.00

Revival of a dormant judgment (*plus* service fee) \$ 25.00

Stay of judgment pending appeal – see Appeals

Substitution of parties (Civil Rule 25) \$ 20.00

Summary judgment (Civil Rule 56) \$ 20.00

Vacate a judgment – see Relief from judgment in this section

Vacate a satisfaction of judgment \$ 20.00

Objection to magistrate’s decision or motion to set aside magistrate’s order \$ 50.00

Payment by credit card – see Credit card

Personal property, execution on – see Execution

Photocopies – see Copies

Possession, writ of – see Set-Out

Receiver, appointment of \$ 15.00

Recording of court proceeding – see Copies

Rent escrow (R.C. 3733.121(D) & 5321.08(D))	one percent of the rent deposited
Replevin – see filing fee for new civil complaint Also see Appraisal; Execution	
Restitution, writ of – see Set-Out	
Reviving a dormant judgment – see Motions	
Satisfaction of judgment, motion to vacate – see Motions	
Service or delivery fees (a separate charge is assessed for <u>each party</u> upon whom service is requested)	
Certified mail	\$ 12.00
Express mail [at the current U.S. Postal Service rate]	
Ordinary mail	\$ 4.00
Personal service (<i>plus</i> 50.5¢ per mile)	\$ 20.00
Service on the Ohio Secretary of State by personal service (<i>plus</i> certified-mail service fee and any costs owed to the Franklin County Sheriff's Office or other process server)	\$ 20.00
Service by publication (<i>plus</i> the actual cost of publication)	\$ 12.00
Registered mail	\$ 15.00
Residence service (<i>plus</i> 50.5¢ per mile)	\$ 20.00
Set-out fee (must be paid no later than 4 p.m. on the day before a bailiff's presence is needed for the enforcement of an eviction order) (<i>plus</i> 50.5¢ per mile between the court and the set-out site)	\$ 60.00
Payment of the set-out fee and the mileage rate will entitle the landlord to a bailiff's presence for up to two hours during a set-out. Additional time spent by a bailiff at the set-out location will be billed to the landlord in 10- minute increments at:	\$ 42.00/hour
<i>Note:</i> The set-out fee will be refunded by the Clerk if the party who requested the bailiff's presence notifies the Clerk by 11:00 a.m. on the date of the set-out that a bailiff will not be needed.	

Small-claims case, transfer to civil division – see Transfer

Subpoena (<i>plus</i> service fee) (R.C. 1901.26(A)(4))	\$ 6.00
<i>Plus</i> the witness's mileage at 50.5¢ per mile and witness fees for:	
One-half day or less	\$ 6.00
Full day	\$ 12.00

(A half day's attendance means a day on which a witness is required or requested to be present at the court or at some other legal proceeding either before or after 12:00 p.m. (noon), but not both, regardless of whether the witness actually testifies.) (R.C. 1901.26(F)(2))

(A full day's attendance means a day on which a witness is required or requested to be present at the court or at some other legal proceeding both before and after 12:00 p.m. (noon), regardless of whether the witness actually testifies.) (R.C. 1901.26(F)(1))

Third-party defendant, filing a claim against – see Joinder

Transfer of small-claims case to civil division	\$ 50.00
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Transfer to or from another court – see Venue

Trustee, application for appointment of – see filing fee for new civil complaint
(The Clerk will also charge a fee equal to 2% of the money disbursed)

Venue, Change of

Case transferred to this court from another court – see filing fee for a new civil complaint

Motion seeking a change of venue from this court to another court	\$ 20.00
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Additional charge if the court grants a motion seeking a change of venue from this court to another court	\$ 20.00
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Video recording of court proceeding – see Copies

Warrant (plus service fee)	\$ 60.00
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Wedding ceremony	\$ 40.00
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Witness Fees – see Subpoena