



COMMON PLEAS COURT
GENERAL DIVISION

Richard E. Berens, Judge
David A. Trimmer, Judge

May 20, 2026

Pursuant to Ohio Rules of Superintendence Rule 5(B), the General Division of the Fairfield County Court of Common Pleas hereby provides notice and an opportunity for comment on proposed revisions to the General Division's Local Rules of Court attached hereto. Any public comments regarding the proposed revisions can be made in the following manner:

Via email to:

joshua.horacek@fairfieldcountyohio.gov;

Via regular mail to:

Fairfield County Court of Common Pleas
ATTN: Joshua Horacek, Magistrate and Court Administrator
224 E. Main Street
Lancaster, OH 43130

Comments should be received no later than **Friday, June 18, 2026, at 4:00 p.m.**

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PROPOSED REVISIONS TO THE LOCAL RULES

CIVIL

4.A. AUDIO AND VISUAL RECORDING IN THE HALL OF JUSTICE. The taking of photographs and any audio or visual recording are prohibited while in the Hall of Justice unless prior judicial approval is obtained. A Request for Broadcast template can be found here. Permission may be revoked upon failure to comply with the limitations set forth by the Judge in writing or orally during the hearing. Photographing or video recording of jurors or witnesses anywhere in or around the Hall of Justice is expressly prohibited without prior express written judicial approval.

10.D. MAGISTRATES. Magistrates shall be appointed by the Court and serve as full-time employees of the Court as provided by Civil Rule 53, having all powers and duties as set forth therein and as authorized by the Court.

1. OBJECTIONS TO MAGISTRATE'S DECISIONS. Objections to magistrate's decisions are governed by Civ.R. 53(D)(3). If a timely objection is made to the factual findings of the magistrate it is the responsibility of the objecting party to obtain and file the transcript with the Court within thirty days after filing the objections, unless the court extends the time for preparation of the transcript. The transcriber of the proceedings must be approved by the court. The objecting party can obtain a list of pre-approved transcribers from the Court Services Coordinator or can submit the name of a proposed transcriber to the Court Services Coordinator for approval. The Court Services Coordinator will provide an audio copy of the relevant hearing(s) to the transcriber at the request of the objecting party. The transcript filed to support the objections shall conform to App.R. 9(B)(6)(a)-(e) and (h)-(i).

2. SUPPLEMENTAL OBJECTIONS. Unless otherwise ordered by the Court, the objecting party shall have 14 days from the filing of the transcript to supplement their previously filed objections. The opposing party may file a response to the objections within 14 days of the objecting party filing its supplement. If the objecting party files no supplement to the objections, the opposing party may file a response to the original objections no later than 28 days after the filing of the transcript. The objecting party may file a reply within 7 days of the opposing party filing their response.

10.G. INITIAL CONFERENCE / SCHEDULING ORDER. Once all parties are served, and after time has expired for the parties to file responsive pleadings, the Court will hold an initial scheduling conference (~~Judge Berens~~) and/or ~~send all parties an order to file a 26(F) Report (Judge Trimmer)~~. If no responsive pleadings have been filed, or if the Court believes that issuing a scheduling order is unnecessary, the Court may elect not to ~~request a scheduling order or~~ conduct an initial conference or may issue a scheduling order sua sponte.

10.J. MOTIONS. All motions shall be accompanied by a supporting memorandum citing authorities relied upon and any underlying operative facts. Parties are also encouraged to submit a proposed order for consideration by the Court.

1. BRIEFING SCHEDULE. Upon the filing of a motion that the Court deems to be substantive (such as motion to dismiss or motions for summary judgment), the Court will issue a Notice/Order setting an oral or non-oral hearing date. Unless otherwise stated, all response and reply deadlines will be governed by the Ohio Rules of Civil Procedure. If scheduled for a non-oral hearing, the parties need not appear in Court; the Court will rule on the motion based on a review of the parties' written arguments. For procedural motions (motions that seek to regulate the proceedings but are not dispositive of a claim or defense of a part, such as a motion to adjust the case scheduled) the Court may not issue a notice/order setting an oral or non-oral hearing date, and Court will decide such a motion after the deadline for filing responses and replies in accordance with Civ.R. 6.

10.N. RECORD OF PROCEEDINGS. Unless otherwise ordered by the Court, all matters of record shall be preserved by digital recording and maintained indefinitely. To review a recorded court proceeding, an individual may request ~~either an official transcript or an unofficial~~ audio recording from the Court.

1. Official Transcript. — ~~To request an official transcript, a party must complete, file, and serve the designated Court Reporter with a Praeceptum for Transcript, which is available [here](#) (“Praeceptum to the Court Reporter”) or from the Court’s Court Services Coordinator. Presently, the Court Services Coordinator is Kelly Starkey, who can be reached at kelly.starkey@fairfieldcountyohio.gov. The Praeceptum must contain a detailed description of the hearings to be transcribed, including whether or not voir dire is being requested. Transcript request templates are available [here](#) (under “Criminal Appellate Forms”). Individuals are also encouraged to contact the Court’s Court Services Coordinator with any questions regarding the preparation of an official transcript. The rates per page to~~

~~be charged by the designated Court Reporter to prepare an official transcript of any Court proceedings are as follows:~~

- ~~• Regular Rate: \$5.50 per page (cost includes original transcript to be filed with the Court and one copy)~~
- ~~• Expedited Rate: The designated Court Reporter has the right to charge an expedited rate when applicable. Expedited rates for transcripts provided at the State's expense for indigent defendants must be approved by the Court.~~
- ~~• Additional Copies: If requested, an electronic copy will be provided by the designated Court Reporter at no charge. Additional hard copies may be obtained from the Clerk's Office at the Clerk's copy rate.~~

2 1. AUDIO RECORDING. Any party or interested person may request an audio CD of court proceedings that were conducted on the record. To do so, the individual must complete an Audio Request Form and send, hand-deliver or e-mail it to the Court Services Coordinator. Presently, the Court Services Coordinator is Kelly Starkey, who can be reached at kelly.starkey@fairfieldcountyohio.gov The Audio Request Form is available [here](#). There is no cost associated with obtaining an audio CD; however, to play its contents, individuals may be required to download additional free software.

a. SEALED PROCEEDINGS. If an individual is requesting an audio CD of a sealed hearing, he or she must obtain permission from the Court prior to receiving a recording of those proceedings.

b. LIMITATIONS. Audio CDs and any unofficial written transcription of their contents do not constitute the Court's official record; therefore, they may not be used during any proceeding for which an official transcript is required, unless leave of Court is requested and granted.

11.E. CIVIL STALKING PROTECTION ORDER/CIVIL SEXUALLY ORIENTED OFFENSE PROTECTION ORDER CASES.

1. PLEADING. Actions under Ohio's civil protection order statute, R.C. 2903.214, may be initiated by filing a Petition for Civil Stalking Protection Order or Petition for Civil Sexually Oriented Offense Protection Order. The Petition for Civil Stalking Protection Order or Petition for Civil Sexually Oriented Offense Protection Order shall be treated as a separate action at all times. The Petitions shall not be incorporated, merged, or consolidated into any other pending civil action.

2. PROCEDURE.

(A) Forms are available from the Clerk of Courts. Electronic forms are available on the Court's website and the Supreme Court of Ohio's website Information and interactive forms can be found on the Ohio Legal Help website (ohiolegalhelp.org).

(B) All Petition for Civil Stalking Protection Order or Petition for Civil Sexually Oriented Offense Protection Order must be filed in person with the Clerk of Courts during regular business hours. Electronic filing is not permitted for any document filed in a civil protection order case.

3. DURATION OF PROTECTION ORDERS.

(A) Any Ex Parte Civil Stalking Protection Order or Ex Parte Civil Sexually Oriented Offense Protection Order or issued following an ex parte hearing shall be valid for one (1) year from the date of issuance, or until another date set by the judge/magistrate at the ex parte hearing, unless otherwise superseded or vacated after the full hearing

(B) Any Civil Stalking Protection Order or Civil Sexually Oriented Offense Protection Order issued after a full hearing on the Petition shall be valid until a date certain, but not later than five (5) years from its date of issuance.

(C) A party seeking to extend a Civil Stalking Protection Order or Civil Sexually Oriented Offense Protection Order beyond its original expiration date must file a motion. The motion should be filed at least 14 days prior to the scheduled expiration of the protection order.

CRIMINAL

13.L. ENTRIES. It shall be the responsibility of the Prosecutor's Office to timely prepare all criminal entries and rulings of the Court for journalization, unless otherwise directed by the Court. ~~Such entries need not be submitted to defense counsel for approval prior to submission to the Court unless defense counsel requests, on the record, to be provided with a copy of the proposed entry for review.~~ All entries prepared by the Prosecutor's Office must include a "Submitted by" signature line, which must be signed either electronically or by hand. The Prosecutor's Office shall electronically copy defense counsel on all entries submitted to the Court. Entries of Sentence shall be held by the Court for 72 hours prior to consideration by the Court to allow defense counsel an opportunity to review said entry. If defense counsel has suggested revisions, they

shall email the revisions to the Judge's Assignment Commissioner during that period and copy the Prosecutor's Office.

17. REPORTING TO LAW ENFORCEMENT & COMPLIANCE PLAN*

17.A. DUTY OF COMPLIANCE. 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.

17.B. DEVELOPMENT OF PLAN. The Court, in collaboration with the clerk of court, law enforcement agencies, and any other applicable justice system partners, will develop a Reporting to Law Enforcement & Compliance Plan.

17.C. PLAN PROCEDURES AND TIMELINES. The Reporting to Law Enforcement & Compliance Plan will identify procedures and timelines for:

1. Obtaining and reporting fingerprints as prescribed by the Revised Code and Supreme Court of Ohio rules, including R.C. 109.57(A)(2), 109.60(A), 2923.14, 2929.44(B), and 2945.402(E)(1), Sup.R. 95(C) 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, 2903.214, and 2919.26, and Sup.R. 10(A);

3. Reporting information to the Ohio Department of Public Safety's Bureau of Motor Vehicles as prescribed by R.C. 4510.03, 4513.37, and 5502.10 and Supreme Court rules;

4. Maintaining complete and accurate records in accordance with 18 U.S.C. 922(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 R.C. Ch. 2953 and R.C. 2903.214 and 2930.171.

17.D. REVIEW OF PLAN. The Court will review the Reporting to Law Enforcement & Compliance Plan every three years from its adoption date.

**Current rule 17. GENERAL JURY INFORMATION will be renumbered to rule 18.*