



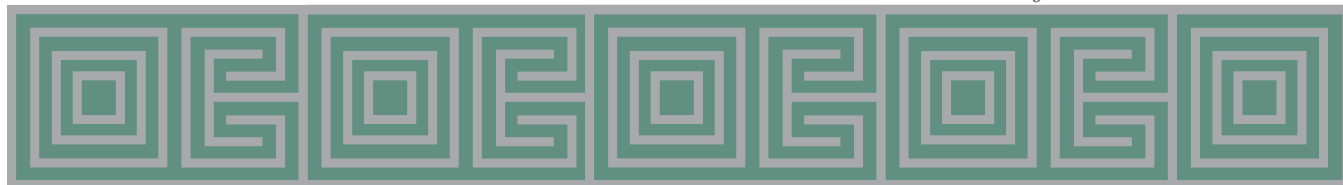
THE SUPREME COURT *of* OHIO

JUDICIAL & COURT SERVICES DIVISION ■ Case Management Section

MAYOR'S COURT EDUCATION & PROCEDURE RULES

Mayor's Courts

JUDICIAL & COURT SERVICES
TECHNICAL ASSISTANCE *and*
RESOURCES *for* OHIO COURTS



THE SUPREME COURT *of* OHIO

MAYOR'S COURT EDUCATION AND PROCEDURE RULES



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THE SUPREME COURT *of* OHIO

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Rule 1. Authority and Purpose; Citation

(A) Pursuant to sections 1905.03 and 1905.031 of the Revised Code and Section 6 of Amended Substitute Senate Bill 131 of the 118th General Assembly, and to serve the public interest that mandates the fair, competent, and efficient operation of mayor's courts throughout Ohio, the Supreme Court of Ohio hereby adopts the following Mayor's Court Education and Procedure Rules. Each mayor of a municipal corporation who is authorized to conduct a mayor's court pursuant to Chapter 1905. of the Revised Code and who wishes to exercise the jurisdiction and authority granted pursuant to Chapter 1905. of the Revised Code shall comply with these rules.

(B) These rules shall be known as the Mayor's Court Education and Procedure Rules and shall be cited as "May. R. __ ."

[Effective: February 18, 1991; amended effective August 1, 1991.]

Rule 2. Definitions

As used in these rules:

(A) "Alcohol or drug related traffic offense" means all of the following, subject to the limitation contained in division (B) (2) of section 1905.01 of the Revised Code:

(1) A violation of section 4511.19 of the Revised Code;

(2) A violation of any ordinance of a municipal corporation relating to the operation of a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;

(3) A violation of any ordinance of a municipal corporation relating to the operation of a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine.

(B) "Mayor" means a duly elected or appointed executive of a municipal corporation and includes a municipal official who is authorized by statute, charter, or municipal ordinance to conduct mayor's court in the absence of the mayor, and a magistrate appointed pursuant to section 1905.05 of the Revised Code.

[Effective: February 18, 1991.]

Rule 3. Initial and Continuing Education Requirements for Mayors; Alcohol or Drug Related Traffic Offenses

(A)(1) Prior to July 1, 1991, a mayor of a municipal corporation who is authorized to conduct a mayor's court and who, from July 1, 1991 to December 31, 1992, wishes to exercise the jurisdiction granted by section 1905.01 of the Revised Code over prosecutions involving an alcohol or drug related traffic offense shall obtain a minimum of six hours of classroom instruction related to all of the following:

(a) The general principles of law applicable to the hearing and determination of the prosecution of alcohol or drug related traffic offenses, including, but not limited to, the elements required to establish the existence of an alcohol or drug related traffic offense, and arrest, due process, and other constitutional issues presented in the hearing and determination of the prosecution of alcohol or drug related traffic offenses;

(b) The procedural requirements applicable to the hearing and determination of prosecutions of alcohol or drug related traffic offenses, including, but not limited to, all of the following;

(i) Use of the Ohio Uniform Traffic Ticket, as prescribed in the Ohio Traffic Rules, as the complaint and summons for alcohol or drug related traffic offenses;

(ii) Requirements relative to the initial appearance of the defendant, including the requirement that defendant be informed of his constitutional and statutory rights;

(iii) Consideration and disposition of pretrial motions, including motions to suppress evidence;

(iv) Applicable discovery rules;

(v) Procedures for the pretrial suspension of the operator's license of the defendant.

(c) Defenses that may be raised by defendants charged with alcohol or drug related traffic offenses;

(d) Evidentiary issues presented in the hearing and determination of prosecutions of alcohol or drug related traffic offenses, including, but not limited to, the admissibility of breath, blood, and urine test results and the admissibility of field test results and other evidence;

(e) Considerations relative to the sentencing of persons convicted of alcohol or drug related traffic offenses, including, but not limited to, the sanctions required and allowed to be imposed under state law or local ordinance, the disposition of fines and costs imposed under state law or local ordinance, and the procedures required to ensure the proper reporting of violations to the Ohio Bureau of Motor Vehicles;

(f) Ethical considerations relative to the hearing and determination of prosecutions involving alcohol or drug related traffic offenses.

(2) A mayor who satisfies the education requirements of division (A)(1) of this rule may exercise jurisdiction pursuant to section 1905.01 of the Revised Code over prosecutions involving alcohol or drug related traffic offenses through December 31, 1992.

(B)(1) A newly elected or newly appointed mayor of a municipal corporation who is authorized to conduct a mayor's court and who wishes to exercise the jurisdiction granted by section 1905.01 of the Revised Code over prosecutions involving an alcohol or drug related traffic offense shall obtain, within sixty days of first assuming office, a minimum of six hours of classroom instruction related to all of the subjects listed in divisions (A)(1)(a) to (A)(1)(f) of this rule. A mayor who satisfies the education requirements of division (B)(1) of this rule may exercise jurisdiction pursuant to section 1905.01 of the Revised Code over prosecutions involving alcohol or drug related traffic offenses through the thirty-first day of December of the year immediately following the year in which the education was completed.

(2) A mayor of a municipal corporation who, after assuming office in a municipal corporation that does not operate or that has suspended operation of a mayor's court, subsequently is required or subsequently chooses to conduct a mayor's court and who wishes to exercise the jurisdiction granted by section 1905.01 of the Revised Code over prosecutions involving alcohol or drug related traffic offenses, shall obtain, prior to first exercising that jurisdiction, a minimum of six hours of classroom instruction related to all of the subjects listed in divisions (A)(1)(a) to (A)(1)(f) of this rule. A mayor who satisfies the education requirements of division (B)(2) of this rule may exercise jurisdiction pursuant to section 1905.01 of the Revised Code over prosecutions involving alcohol or drug related traffic offenses through the thirty-first day of December of the year immediately following the year in which the education was completed.

(C) After complying with the initial education requirements of division (A) or (B) of this rule, a mayor who wishes to continue to exercise the jurisdiction granted by section 1905.01 of the Revised Code over prosecutions involving an alcohol or drug related traffic offense shall obtain a minimum of three hours of continuing education annually on one or more of the subjects listed in divisions (A) (1) (a) to (A) (1) (f) of this rule. The continuing education required by this division shall be obtained on or before the thirty-first day of December in each year, beginning in the year immediately following the year in which the mayor complied with division (A) or (B) of this rule. A mayor who satisfies the education requirements of this division may exercise jurisdiction pursuant to section 1905.01 of the Revised Code over prosecutions involving alcohol or drug related traffic offenses through the thirty-first day of December of the year immediately following the year in which the education was completed.

(D) The education requirements of this rule shall not apply to a mayor or mayor's court magistrate appointed pursuant to section 1905.05 of the Revised Code who, during the term of his or her appointment, is either of the following:

(1) A retired judge who is eligible for assignment by the Chief Justice of the Supreme Court of Ohio to active duty in the general division of the court of common pleas, a municipal court, or a county court;

(2) A court magistrate who serves on a fulltime or part time basis in the general division of the court of common pleas, a municipal court, or a county court pursuant to the Rules of Criminal or Civil Procedure or the Ohio Traffic Rules.

[Effective: February 18, 1991; amended effective March 1, 2000.]

Rule 4. Initial and Continuing Education Requirements for Mayors; Offenses other than Alcohol and Drug Related Traffic Offenses

(A)(1) Prior to July 1, 1992, a mayor of a municipal corporation who is authorized to conduct a mayor's court and who, from July 1, 1992 to December 31, 1993, wishes to exercise the jurisdiction granted by section 1905.01 of the Revised Code over prosecutions, other than prosecutions of alcohol or drug related traffic offenses, shall obtain a minimum of six hours of classroom instruction related to all of the following:

(a) The structure of the Ohio judicial system, the statutory and implied powers of mayor's courts, and the sources of law in Ohio, including the Ohio Constitution, Ohio Revised Code, municipal charters and ordinances, the Rules of Criminal Procedure, the Rules of Evidence, the Ohio Traffic Rules, the Mayor's Court Education and Procedure Rules, and the Code of Judicial Conduct;

(b) The general principles of law applicable to the hearing and determination of prosecutions, other than prosecutions of alcohol or drug related traffic offenses, including, but not limited to the elements and burden of proof required to establish the existence of an offense, appointment and waiver of counsel, and arrest, due process, and other constitutional issues;

(c) The procedural requirements applicable to the hearing and determination of prosecutions, other than prosecutions of alcohol or drug related traffic offenses, including, but not limited to, all of the following:

(i) Use of the Ohio Uniform Traffic Ticket, as prescribed in the Ohio Traffic Rules, as the complaint and summons for traffic offenses;

(ii) Requirements relative to the initial appearance of the defendant, including the requirement that defendant be informed of his constitutional and statutory rights, and the requirements relative to acceptance of guilty and no contest pleas;

- (iii) Consideration and disposition of pretrial motions, including motions to suppress evidence;
 - (iv) Applicable discovery rules;
 - (v) The requirements relative to the transfer of cases pursuant to section 1905.032 of the Revised Code;
 - (vi) The procedure for appeals from mayor's courts to municipal or county courts pursuant to sections 1905.22 to 1905.25 of the Revised Code.
- (d) Defenses that may be raised by defendants charged with an offense, other than an alcohol or drug related traffic offense;
- (e) Evidentiary issues presented in the hearing and determination of prosecutions, other than prosecutions of alcohol or drug related traffic offenses, including, but not limited to, hearsay, relevancy, the competency of the arresting officer and other witnesses to testify, the admissibility of evidence relating to speed measured by radar or other electrical or mechanical timing devices, and the documentation of violations of state law or municipal ordinance relative to driving under suspension;
- (f) Considerations relative to the sentencing of persons convicted of offenses, other than alcohol or drug related traffic offenses, including, but not limited to, the sanctions required and allowed to be imposed under state law or municipal ordinance, appropriate and available alternative sanctions, the defendant's right to be heard in mitigation, presentence investigations, probation, the disposition of fines and costs imposed under state law or local ordinance, and the procedures required to ensure the proper reporting of violations to the Ohio Bureau of Motor Vehicles;
- (g) Record keeping and reporting requirements applicable to mayor's courts including, but not limited to, maintenance of a docket, establishment of fine and bail schedules, and the reporting of violations to the Ohio Bureau of Motor Vehicles;
- (h) Ethical considerations relative to the hearing and determination of prosecutions, other than prosecutions of alcohol or drug related traffic offenses, including, but not limited to, the requirement that a mayor who conducts mayor's court serve as a neutral and detached magistrate, situations in which the mayor must disqualify himself from a proceeding or should disqualify himself from a proceeding to avoid the appearance of impropriety, and the requirement that a mayor not engage in ex parte communications with persons appearing before him.
- (2) A mayor who satisfies the education requirements of division (A)(1) of this rule may exercise jurisdiction pursuant to section 1905.01 of the Revised Code over prosecutions, other than prosecutions of alcohol or drug related traffic offenses, through December 31, 1993.
- (B)(1) A newly elected or newly appointed mayor of a municipal corporation who is authorized to conduct a mayor's court and who wishes to exercise the jurisdiction granted by section 1905.01 of the Revised Code over prosecutions, other than prosecutions of alcohol or drug related traffic offenses, shall obtain, within sixty days of first assuming office, a minimum of six hours of classroom instruction related to all of the subjects listed in divisions (A)(1)(a) to (A)(1)(h) of this rule. A mayor who satisfies the education requirements of division (B)(1) of this rule may exercise jurisdiction pursuant to section 1905.01 of the Revised Code over prosecutions, other than prosecutions of alcohol or drug related traffic offenses, through the thirty-first day of December of the year immediately following the year in which the education was completed.
- (2) A mayor of a municipal corporation who, after assuming office in a municipal corporation that does not operate or that has suspended operation of a mayor's court, subsequently is required or subsequently chooses to conduct a mayor's court and who wishes to exercise the jurisdiction granted by section 1905.01 of the Revised Code over prosecutions, other than prosecutions of alcohol or drug related traffic offenses, shall obtain, prior to

first exercising that jurisdiction, a minimum of six hours of classroom instruction related to all of the subjects listed in divisions (A)(1)(a) to (A)(1)(h) of this rule. A mayor who satisfies the education requirements of division (B)(2) of this rule may exercise jurisdiction pursuant to section 1905.01 of the Revised Code over prosecutions, other than prosecutions of alcohol or drug related traffic offenses, through the thirty-first day of December of the year immediately following the year in which the education was completed.

(C) After complying with the initial education requirements of division (A) or (B) of this rule, a mayor who wishes to continue to exercise the jurisdiction granted by section 1905.01 of the Revised Code over prosecutions, other than prosecutions of alcohol or drug related traffic offenses, shall obtain a minimum of three hours of continuing education annually on one or more of the subjects listed in divisions (A)(1)(a) to (A)(1)(h) of this rule. The continuing education required by this division shall be obtained on or before the thirty-first day of December in each year, beginning in the year immediately following the year in which the mayor complies with division (A) or (B) of this rule. A mayor who satisfies the education requirements of this division may exercise jurisdiction pursuant to section 1905.01 of the Revised Code over prosecutions, other than prosecutions of alcohol or drug related traffic offenses, through the thirty-first day of December of the year immediately following the year in which the education was completed.

(D) The education requirements of this rule shall not apply to a mayor or mayor's court magistrate appointed pursuant to section 1905.05 of the Revised Code who, during the term of his or her appointment, is either of the following:

(1) A retired judge who is eligible for assignment by the Chief Justice of the Supreme Court of Ohio to active duty in the general division of the court of common pleas, a municipal court, or a county court;

(2) A court magistrate who serves on a fulltime or part-time basis in the general division of the court of common pleas, a municipal court, or a county court pursuant to the Rules of Criminal or Civil Procedure or the Ohio Traffic Rules.

[Effective: February 18, 1991; amended effective August 1, 1991; March 1, 2000.]

Rule 5. Certification of Course Attendance; Content of the Certificate

A mayor who successfully completes an accredited education program required by these rules shall receive, from the sponsor of the course, a certificate attesting to the mayor's satisfactory completion of the course. The certificate shall include all of the following:

(A) The name of the mayor to whom the certificate is issued and the name of the municipal corporation of which he serves as mayor;

(B) The title and sponsor of the course;

(C) The date on which the course was held;

(D) The number of hours of classroom instruction received at the course and whether those hours of instruction satisfy the initial education requirements of May. R. 3(A) or (B) or the continuing education requirements of May. R. 3(C);

(E) The date on which the certificate expires, which shall be the thirty-first day of December of the year immediately following the year in which the education program was completed.

[Effective: February 18, 1991; amended effective August 1, 1991.]

Rule 6. Accreditation of Education Courses

(A) Courses offered and completed to satisfy the education requirements of these rules shall be accredited, prior to being offered, by the Commission on Continuing Legal Education established by Rule X of the Rules for the Government of the Bar of Ohio. Each course offered and completed for the purposes of May. R. 3 or 4 shall consist of a single-day session that includes the minimum number of hours of actual instruction required by the applicable Mayor's Court Education and Procedure Rule and that is devoted to the topics required by the applicable Mayor's Court Education and Procedure Rule. Courses offered and completed for the purposes of May. R. 3(C) or 4(C) may be offered and completed jointly in a single-day, six hour session.

(B) In evaluating education programs required by these rules, the Commission shall consider the purposes of these rules, the required content of courses completed to satisfy the education requirements of these rules, the standards for accreditation set forth in Gov. Bar R. X, Section 4(B)(1) and (B)(3) to (5), and the applicable regulations adopted pursuant to Gov. Bar R. X. Time guidelines for accreditation of courses completed to satisfy the education required by this rule shall be identical to those applicable to courses submitted for accreditation pursuant to Gov. Bar R. X, except that a course offered prior to July 1, 1991 may be submitted for accreditation thirty days prior to the date on which the course will be offered. Each course submitted for accreditation pursuant to this rule clearly shall be denoted as a mayor's court education course.

[Effective: February 18, 1991; amended effective August 1, 1991.]

Rule 7. Attendance by Mayor's Court Personnel

Mayors should require mayor's court personnel, including clerks of mayor's courts, and should encourage other persons involved in the operation of the mayor's court, to attend the education courses required of mayors pursuant to these rules.

[Effective: February 18, 1991.]

Rules 8 to 10 are reserved.

Rule 11. Mayor's Court Facility Standards; Courtroom Conduct

(A) In order to maintain an appropriate and dignified atmosphere and to serve the public properly, the mayor's court should be located in a municipal building or other facility that is readily accessible to the public. The facility shall be clean, properly maintained, well-lighted, and adequately heated and ventilated. The facility should have adequate seating capacity so that litigants and other members of the public are not required to stand in hallways and areas adjacent to the room in which mayor's court is conducted.

(B)(1) The room in which mayor's court is conducted should have an elevated bench or a separate table from which the mayor presides that is flanked by the United States and Ohio flags. Adequate shelving or other storage facility should be provided near the bench or table for necessary legal reference materials, including the Revised Code, the rules governing the courts of Ohio, and the ordinances of the municipal corporation.

(2) All participants must be able to hear and be heard. If the room acoustics are unsatisfactory, an efficient public address system shall be provided. An audio system to record mayor's court proceedings should be provided and tapes of proceedings should be maintained in accordance with established records retention schedules. A blackboard or other demonstrative aid should be available. Unnecessary material or equipment should not be stored in the room in which mayor's court is conducted.

(3) Desks, tables, and chairs should be provided for all mayors' court personnel regularly present during a mayor's court session. Tables and chairs for all parties and counsel and a lectern should be provided. Tables shall be situated to allow all participants to hear. If the tables are not situated to allow private exchanges between a party and counsel, a separate consultation room should be provided.

(4) Fines should be collected by court personnel in a room separate from the room in which mayor's court is conducted. If it is not possible to collect fines in a separate room, a separate area of the room in which mayor's court is conducted, away from the bench or table from which the mayor presides, should be designated as the area in which fines are collected.

(5) Security necessary for the protection of the mayor, mayor's court personnel, and the public should be provided.

(C)(1) In conducting mayor's court, the mayor shall wear clothing appropriate to demonstrate the dignity of the office and of the proceeding. Mayor's court personnel shall wear clothing appropriate to demonstrate the dignity of the proceeding.

(2) All persons appearing before a mayor's court should wear respectful clothing. Litigants and other members of the public shall refrain from talking during the proceeding, except when addressing the mayor, testifying, or conferring with counsel. All persons participating in the proceeding shall refrain from using foul or abusive language. Smoking, eating, and other activities that detract from the proceeding shall be prohibited in the room in which mayor's court is conducted.

(D) The mayor and mayor's court personnel should act in an appropriate and dignified manner when addressing parties, counsel, witnesses, and members of the public appearing in the mayor's court. First names and nicknames should not be used. Mayor's court personnel shall treat all persons appearing before the mayor's court in a fair and impartial manner. Mayor's court personnel shall refrain from offering legal advice or suggesting to a defendant or counsel the manner in which a particular case may be decided.

[Effective: August 1, 1991.]

Rule 12. Mayor's Court Operation

(A)(1) It is the duty of the mayor to ensure that each defendant understands the nature of the proceeding and the charges against the defendant. Each defendant shall be provided with a written list of rights, as outlined in Rule 10 of the Ohio Rules of Criminal Procedure and Rule 8 of the Ohio Traffic Rules, or shall have those rights read to him, or both. The mayor shall inquire of each defendant whether the defendant understands these rights and may ask the defendant to sign a form declaring that the defendant has read and understands these rights.

(2) Interpreters shall be provided for persons who do not speak or understand the English language.

(3) If a defendant is charged with an offense that carries the potential for incarceration and is unable to afford to retain counsel, the mayor is responsible for appointing counsel unless the case is transferred to the court of common pleas or municipal or county court pursuant to section 1905.032 of the Revised Code.

(B) The mayor shall give each defendant the opportunity to address the court prior to making a finding of guilt or innocence and shall give each defendant the opportunity to address the court prior to imposing sentence. The mayor shall not take into consideration any prior convictions of the defendant before making a determination of guilt or innocence.

(C) The mayor shall determine whether a defendant is able to pay any fine imposed. This finding shall be signed by the mayor and journalized on the record.

(D) The mayor shall make a judgment or journal entry with regard to each case of which the mayor disposes. The entry shall indicate a finding of guilt, innocence, or dismissal without a finding, the disposition of the case, and other required information. The entry shall be signed by the mayor and journalized on the record. [Effective: August 1, 1991.]

Rule 13. Mayor's Court Personnel; Absence of the Mayor

(A) The mayor is responsible for the fair, dignified, and orderly operation of the mayor's court. The mayor may delegate authority for conducting certain nonadjudicatory functions to the appropriate personnel and should administer an oath of office to all mayors' court personnel.

(B) A mayor's court should have a clerk who, in addition to those duties delegated by the mayor, should be responsible for processing and maintaining all documents filed with the mayor's court, maintaining the docket of the court, administering the traffic violations bureau, collecting and distributing to the proper sources all fines and costs imposed by the court, and submitting abstracts of the court record and other information required by the Ohio Bureau of Motor Vehicles.

(C) A mayor's court should have a court officer or bailiff who, in addition to those duties delegated by the mayor, should be responsible for serving warrants and capiases, transporting defendants to and from jail facilities, and assisting the mayor during mayor's court.

(D) Each mayor who conducts a mayor's court shall prepare and maintain written procedures regarding the conduct of mayor's court. The procedures shall identify the individual who, pursuant to the Revised Code, municipal charter, or municipal ordinance, presides over mayor's court in the absence of the mayor and any other information considered necessary by the mayor.

[Effective: August 1, 1991.]

Rule 14. Forms

The forms contained in the Appendix of Forms are illustrative and not mandatory. The Forms may be found online at: <http://www.sconet.state.oh.us/Rules/mayor/>

[Effective: August 1, 1991.]

Rule 15. Mayor's Court Registration and Reporting Requirements

(A) Each mayor of a municipal corporation that operates a mayor's court shall submit to the Court Statistical Reporting Section of the Supreme Court the following reports on a form prescribed by the Section:

(1) A Mayor's Court Registration on or before the fifteenth day of January of each year or not less than fifteen days prior to conducting mayor's court, whichever is later.

(2) A Mayor's Court Report no later than the fifteenth day of January, April, July and October of each year reflecting the work of the mayor's court for the calendar quarter immediately preceding the filing date.

(B) A mayor shall prepare and submit a report to the Bureau of Criminal Identification and Investigation of every conviction that is a misdemeanor on a first offense and a felony on any subsequent offense upon entry of the judgment of conviction.

Rules 16 to 19 are reserved.

Rule 20. Effective Date

(A) The Mayor's Court Education and Procedure Rules adopted by the Supreme Court of Ohio on February 5, 1991, shall be effective on February 18, 1991.

(B) The amendments to Rules 1, 4, 5, and 6 of the Mayor's Court Education and Procedure Rules, new Rules 11, 12, 13, and 14, and the Appendix of Suggested Forms, adopted by the Supreme Court of Ohio on June 26, 1991, shall be effective on August 1, 1991.

(C) The amendments to Rules 3(D) and 4(D) of the Mayor's Court Education and Procedure Rules adopted by the Supreme Court of Ohio on January 25, 2000, shall be effective on March 1, 2000.

(D) The amendments to May. R. 15 adopted by the Supreme Court of Ohio on June 24, 2003, shall be effective on January 1, 2004.

APPENDIX OF SUGGESTED FORMS

The following forms are for purposes of illustration only. The forms are limited in number and are not intended to constitute a complete manual of forms for use in mayor's courts.

Departure from the suggested forms is permitted and shall not void papers that otherwise are sufficient. Forms may be varied when necessary under the facts of a particular case.



FORM A
STATEMENT OF RIGHTS
WAIVER OF RIGHTS
PLEA OF GUILTY OR NO CONTEST

Defendant's Name: _____

In the _____ Mayor's Court, _____, Ohio

Case No. _____ Charge(s) _____

I am present in Court today and have been told:

- (1) The law requires this Court to bring me to trial within thirty days of the date I was charged.
- (2) I have a right to have a lawyer here at any time, and I may have my case continued to get a lawyer.
- (3) If the charge I am facing carries a possible jail sentence, the Court will appoint a lawyer at no cost to me if I cannot afford to hire one.
- (4) If the charge I am facing carries a possible jail sentence, I have the right to a jury trial.
- (5) I have a right to remain silent. Anything I say can be used against me.
- (6) The maximum penalty I can receive if I am convicted. If this is a traffic case, I also may lose the right to drive for some time and have points added to my driving record.
- (7) If I am not a United States citizen, that a conviction could result in my deportation or denial of citizenship according to the laws of the United States.
- (8) I have the right to remain free on a reasonable bail while my case is awaiting trial.

I HAVE READ THIS STATEMENT AND I UNDERSTAND IT. I WAS GIVEN THE CHANCE TO ASK QUESTIONS AND THEY WERE ANSWERED.

I have decided on my own to waive my rights and proceed today. I do not want a continuance to talk to a lawyer.

I plead: **Guilty** **No Contest**

Signed: _____

Date _____

Witnessed by: _____

Date _____



FORM B

JUDGMENT ENTRY

Defendant's Name: _____

In the _____ Mayor's Court, _____ Ohio

Case No. _____ Charge(s) _____

The Defendant was advised of charges against him/her and possible maximum penalty. After fully explaining his/her rights and the consequences of the pleas and after determining that the defendant knowingly, voluntarily, and intelligently waived his/her rights, the Court accepts the plea.

Plea: _____ Finding: _____

Trial held. Finding of: _____

Other: _____

Minor Misdemeanor \$ _____ Fine and Court Costs \$ _____

Ability to pay: _____ Due: _____

\$ _____ of fine will be suspended.

First to fourth degree misdemeanor: Your sentence is as follows: _____ days in jail. \$ _____ fine and Court Costs of \$ _____. _____ days will be suspended and \$ _____ fine will be suspended.

Ability of pay: _____ Due: _____

Probation of _____ months or _____ years.

(When applicable): Drivers license suspension for _____ months. Proof of FRA: _____

Fine Due: _____ Enforcement of Days: _____

In addition to abiding to all rules and regulations of probation, special conditions are as follows:
(check if ordered)

- Alcohol counseling or treatment as determined by probation
- Pay all fines and costs.
- _____ hours of community service.
- Restitution
- No same or similar violations.
- Other _____

Mayor _____ Date _____

Court Number (issued by Bureau of Motor Vehicles) _____



FORM C

DEMAND FOR TRIAL

Defendant's Name: _____

In the _____ Mayor's Court, _____, Ohio

Case No. _____ Charge(s) _____

The Defendant demands a trial and states the following:

- I have been informed of the offense(s) with which I am charged and given a copy of the complaint.
- I plead NOT GUILTY.
- I give up my right to a trial by jury.
- Check one of the following:
- I want my case tried within the time provided by law. (Thirty days from date of arrest or service of summons. Each day I am held in jail is counted as three days from the date of arrest).
- I am giving up my right to be tried within the time set by law, and I request that the Court notify me when my case will be set for trial.

Date of arrest or service of summons: _____

Days in jail before release on bail: _____

Arraignment date: _____

Trial date : _____

New counsel: Yes No

Defendant's Signature

Attorney's Signature

Defendant's Name

Attorney's Name

Defendant's Address

Attorney's Registration Number

Defendant's Telephone Number

Attorney's Telephone Number



FORM D

MOTION AND ENTRY FOR CONTINUANCE

Defendant's Name: _____

In the _____ Mayor's Court, _____, Ohio

Case No. _____ Charge(s) _____

The _____ moves for a continuance of the _____

(arraignment/trial)

scheduled for _____

for the following reason: _____

Therefore, the case is continued to _____ at _____ m.

Date case filed: _____

Date last in court: _____

Time waived nor not waived: _____

Prior number of continuances granted: _____

Mayor: _____

Date: _____

APPROVED:

Date: _____

Counsel for _____

Date: _____

Defendant/Counsel for defendant

Note: A copy of this Entry must be filed with the Clerk's office and served on opposing counsel or party.



FORM E
HEARING TO REVIEW PAYMENT
OF FINES AND COST

Defendant's Name: _____

In the _____ Mayor's Court, _____, Ohio

Case No. _____ Charge(s) _____

The Defendant appeared in court on _____, 20____. The status of the payment of defendant's obligation was reviewed by the Court and the following information was provided by the Defendant:

Based on the foregoing information, the Court finds:

- The Defendant does not have a present ability to pay.
The case will be reviewed again.

- The Defendant is employed and has agreed to make payments as follows:

- The Defendant willfully has failed to abide by the order of the Court while having an ability to do so. Sentence previously given or amended is to be enforced as follows:

Mayor _____ Date _____



FORM F

JUDGMENT ENTRY OF TRANSFER

Defendant's Name: _____

In the _____ Mayor's Court, _____, Ohio

Case No. _____ Charge(s) _____

Upon motion of _____ and for good cause shown, this case is hereby

transferred to the _____ Court for the reason stated below:

- The court lacks jurisdiction to proceed pursuant to section 1905.01 of the Revised Code.
- Defendant has demanded a trial by jury.
- A conflict exists that prevents the Mayor from impartially deciding the case.
- Defendant has filed a written notice of appeal pursuant to section 1905.23 of the Revised Code.
- The case is transferred pursuant to section 1905.032 of the Revised Code.

The Clerk is hereby ordered to certify all original documents filed in this case and, together with a transcript of all proceedings, accrued costs, and bond posted by the Defendant, transfer this case to the

_____ Court for further proceedings in accordance with law.

All further proceedings in this Court are stayed.

Mayor _____ Date _____

Court Number (issued by Bureau of Motor Vehicles): _____



THE SUPREME COURT *of* OHIO

JUDICIAL & COURT SERVICES DIVISION
Case Management Section
65 South Front Street
Columbus, Ohio 43215-3431