

**RULES OF PRACTICE
OF THE
COURT OF COMMON PLEAS**

STATEMENT OF PURPOSE

Delay in criminal and civil cases in the Courts of Common Pleas throughout the state of Ohio is a serious problem in the administration of justice. Constitutional courts were created to serve the litigants and the interest of the public at large, not for the convenience or benefit of judges and lawyers. Unnecessary delay erodes the public's confidence in the judicial system.

It is the obligation of the judges of the Court of Common Pleas, Franklin County, Ohio, to operate the Court in a manner that is lawful, fair, just, and efficient for the benefit of the citizens of Franklin County and all other litigants that come before it. To that end, the following rules are designed (1) to expedite the disposition of both criminal and civil cases in this Court, while at the same time safeguarding the rights of litigants to the just processing of their cases; (2) to expedite and make consistent the disposition of cases in the general branch of the Court; and (3) to serve the public interest which mandates the prompt disposition of all cases before this Court.

RULE 97 - NOTARIES PUBLIC

97.01 For the purpose of assisting this Court in the performance of its duties pursuant to R.C. Chapter 147, the Court hereby establishes a committee of 15 persons to be known as the Notaries Public Committee.

97.02 In July of each year the Court shall, by journal entry, duly filed with the Clerk, appoint the members of the committee to serve until their successors are appointed. The President of the Columbus Bar Association shall submit recommendations to the Court for appointment. All members of the committee shall serve at the pleasure of the Court.

97.03 The committee shall investigate the moral character, the qualifications, and ability to discharge the duties of the office of notary public of all applicants for a commission. Applications shall be upon a form prescribed by the committee. Any person applying for the first time for a commission and any person whose commission has expired five years or more prior to the date of his or her application shall be required to take a written examination to be prepared and graded by the committee.

97.04 The committee shall schedule examinations to be held at regular intervals and the chairman of the committee shall appoint a member to conduct each examination. The member conducting an examination shall be paid the sum of \$30 for each examination conducted by the Columbus Bar Association.

97.05 The committee shall promptly transmit to the Court the names of the persons who have successfully completed the examination and those whose applications have been approved. No judge of this Court shall consider or act upon the application of any person to become a notary public unless there is first submitted to him or her the report of the committee concerning the applicant.

97.06 Should any applicant after filing an application for examination fail to appear for the examination within 90 days after the filing of his or her application, the application shall become null and void and the fee paid shall be forfeited.

97.07 An applicant who fails to pass the examination may not file a new application for re-examination sooner than 30 days from the date of his or her last examination.

97.08 Attorneys-at-law admitted to the practice of law in this state and those persons who have held a commission as notary public at any time within five years prior to the date of their application shall not be required to take the examination, but their applications shall be on the form prescribed by the committee.

97.09 Applications shall be accompanied by the following fees: where the applicant is required to take the examination or is an attorney-at-law, the sum of \$55; where the applicant is not required to take the examination, the sum of \$55; where the applicant is seeking a name change only, the sum of \$15; where the applicant is seeking a name change only and is an attorney-at-law admitted to the practice of law in this state, the sum of \$15; where the applicant seeks to replace a lost certificate, the sum of \$4. In addition, the application shall be accompanied by the fee provided by law for the Commission Clerk in the Secretary of State's office, which amount shall be refunded to the applicant in the event that his or her application is not approved. (Amended, January 2, 2008.)

97.10 All fees set forth herein shall be paid to the Columbus Bar Association which shall pay the compensation provided for in Loc. R. 97.04 and retain the balance to cover the expenses of the committee and the costs of the secretarial, clerical, and accounting services rendered to the committee. The Columbus Bar Association shall present to this Court on or before October 1 of each year an accounting of all fees received by virtue of this rule and of all expenditures made by the committee. (Amended October 2, 2008)

97.11 Whenever it comes to the attention of the committee that any notary public is allegedly improperly exercising his or her office or powers in this county, it shall be the duty of the chairman of the committee to, and in his or her absence or inability, then any member of the committee may, convene a meeting of the committee at the offices of the Columbus Bar Association. The meeting shall determine whether or not there is cause to file a complaint with this Court setting forth in a brief manner the acts or things allegedly done improperly by the notary public. If the committee feels that the filing of a complaint is warranted, the complaint shall request a time and place to be set for a hearing, and shall order that the notary public be given notice. The Administrative Judge, or a judge designated by him or her, shall, at such time and place as the Administrative Judge or the Trial Judge may determine, after notice has been given to the notary public against whom the complaint has been filed, conduct a hearing on the complaint and make such orders or findings as in his or her discretion are just and proper in the circumstances.