

IN THE COURT OF COMMON PLEAS
DIVISION OF DOMESTIC RELATIONS
BUTLER COUNTY, OHIO

MARY L. SWAIN
CLERK OF COURTS
AUG 22 2023
FILED in Common Pleas Court
BUTLER COUNTY, OHIO

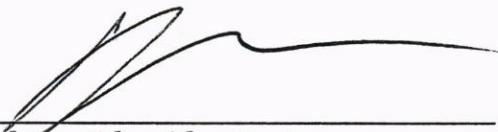
IN RE: :
: **ENTRY and ORDER**
Order to Adopt :
Amendments to :
Local Rule DR17 :
and :
Finding of : IR: 2023 08 0351
Immediate Need :
Under Sup.R. 5(A) :
and Civ.R. 83(B) :
:
: : : : :

It appearing to the court that there is an immediate need to adopt the amendments due to necessary and reasonable court procedural changes; and,

In consideration that the court will forthwith publish the amendments and accept comments thereon for no less than Twenty-Eight (28) days, and will duly consider all comments received;

Be it therefore **ORDERED** that the amendments, attached and incorporated as if fully rewritten herein, are adopted immediately and shall be effective and enforceable as of the date this Entry is filed.

IT IS SO ORDERED.



Barbara Schneider-Carter
Administrative Judge

DR 17. Standing Process Server/Posting of Notice Where Party's Address is Unknown for Indigent Cases

(A) Standing Special Process Server

- (1) An individual, or agent of a legal organization, may make application to be designated as a standing special process server. The applicant shall submit an affidavit and order for signature by a Judge of the Domestic Relations Division of the Court of Common Pleas. (See Appendix D.)
- (2) The Affidavit and Order shall set forth the name, address, telephone number and email of the person to be appointed as a standing special process server and an affirmation of the following:
 - (a) Applicant is eighteen (18) years of age or older;
 - (b) Applicant is not and will not be a party to any action for which the person will serve process;
 - (c) Applicant has no familial relationship to any party in an action for which the special process server will serve process;
 - (d) Applicant has no financial interest in the outcome of the action for which the Applicant is serving process;
 - (e) Applicant is a United States Citizen;
 - (f) Applicant holds a valid government-issued identification card, United States passport, or driver's license;
 - (g) Applicant has not in the past ten (10) years been convicted of any felony, offense of violence, or offense involving dishonesty or false statement, and is not currently under community control sanctions, probation, post-release control, or parole;
 - (h) Applicant is not currently a respondent under any civil protection order;
 - (i) Applicant will conduct themselves in a professional manner;
 - (j) Applicant shall carry out his or her duties in accordance with all applicable Local Rules and all rules established by the Supreme Court of Ohio.
- (3) After the Domestic Relations Judge has signed the order, the individual or agent of the legal organization shall file the Affidavit and Order with the Clerk of Courts. The Clerk of Courts shall record the affidavit and order on the "In Re – Miscellaneous" docket. Thereafter, the Clerk of Courts shall accept a time-stamped copy of the Affidavit and Order as proper designation of process server until the order expires or is vacated by the Court.
- (4) Expiration of Order. All affidavits and orders appointing standing or special process servers shall expire one year from the date of filing. Continued appointment beyond one year shall require reapplication as set forth in this rule.
- (5) A legal organization whose agent is a standing special process server shall not represent or advertise that it is the Court's official process server.

(6) The fee for filing the affidavit and order shall be set by order of the Court.

(B) Posting of Notice Where Party's Address is Unknown for Indigent Cases

In compliance with Ohio Civil Rules, the Clerk of Court shall post notice for IN FORMA PAUPERIS service by publication where the residence of the party is unknown in a conspicuous place in the lobby of the Government Services Center Building, Middletown Municipal Court, and the license registrar in the City of Hamilton.