

IN THE NEW HOLLAND MAYOR'S COURT

NEW HOLLAND, Ohio

Administrative Order Effective February 1, 2026

Approval of Updated Local Rules and Court Costs

The New Holland Mayor's Court makes the following Finding of Fact:

- I. The Local Rules of the New Holland Mayor's Court had not been reviewed or substantively updated in several years.
- II. Similarly, the schedule of court costs had not been reviewed or adjusted in several years, resulting in inconsistencies and outdated provisions.
- III. The proposed updates bring the New Holland Mayor's Court's Local Rules and costs in line with standard practices and cost schedules of other Mayor's Courts in the Central Ohio region.
- IV. The updates include the addition of necessary costs to comply with House Bill 29, enacted on April 9, 2025, which imposed additional administrative and operational requirements on Mayor's Courts throughout Ohio.
- V. The Court has determined that the revised Local Rules and cost structure are fair, reasonable, and necessary for the continued efficient and lawful operation of the Court.

THEREFORE, IT IS ORDERED:

- I. The updated Local Rules of the New Holland Mayor's Court, including the revised court cost schedule, are hereby APPROVED AND ADOPTED, effective immediately upon the date of this Order.
- II. The Clerk of Court shall ensure that the updated rules and costs are published on the City of Hilliard's official website and are made available to the public at the Clerk's Office.

IT IS SO ORDERED.

1-29-2026
Date

Kathryn Hapner
Magistrate Kathryn Hapner

COURT RULES

Rule 1.0 Scope and Effective Date

These rules are adopted as local rules of the Village of New Holland Mayor's Court governing practice and procedure. They are adopted pursuant to the Court's inherent authority as set forth in the Rules of Criminal Procedure and the Rules of Superintendence. These rules may be cited as Village of New Holland Mayor's Court Rule, (i.e. M.C. Rule 1.0). They are effective as of February 1, 2026 and govern all proceedings filed subsequent to that date. These rules may be amended by orders of the magistrate.

Rule 1.1 Duties and Responsibilities

Processing and monitoring cases for compliance with court orders, maintaining the court docket and operating the traffic violations bureau.

Receipting payments for fines and court costs. All payments for fines and costs to the appropriate agencies (State of Ohio; Counties of Pickaway and Fayette; Circleville Municipal Court and the Village of New Holland) pursuant to the Ohio Revised Code (ORC) 733.40, 2743.70, 2949.094 and 4513.263.

Reporting all traffic convictions to the Bureau of Motor Vehicles (BMV) on a weekly basis and all criminal dispositions to the Bureau of Criminal Identification and Investigations (BCI&I) pursuant to ORC 1905.33.

Preparing a report to Village of New Holland City Council on a monthly basis and a quarterly report to the Supreme Court of Ohio pursuant to ORC 1905.033. Retaining all records according to the Village of New Holland's records retention schedule.

Rule 2.0 Court Schedule

Court will convene every third Thursday afternoon unless designated otherwise on the court calendar. The schedule by hearing type is as follows:

- Arraignments 3:00 pm
- Trials – After arraignments are completed.

The court calendar shall be published by the first of December for the following year. The magistrate and the court's clerk shall approve any deviations to this schedule.

Rule 2.1 Recording of Court Proceedings

In accordance with the Supreme Court of Ohio's Mayor's Court Rule 11(B) (2), all court proceedings shall be recorded and maintained according to the Village of New Holland's records retention schedule.

No Mayor's Court proceedings shall be recorded through the use of an electronic recording device, stenographer, or in any other similar manner without consent of the Mayor or magistrate. Any person bringing a recording device into the courtroom without having first obtained the Court's consent shall be requested by court security to remove such device from the courtroom.

Rule 2.2 Appointment of Magistrates

The mayor shall appoint a magistrate(s) to preside over court. Pursuant to 1905.05 of the Ohio Revised Code, no person shall be appointed unless the person has been admitted to the practice of law in this state and, for a total of at least 3 years preceding the appointment or commencement of service as a magistrate has been engaged in the practice of law in this state or served as a judge of a court of record in any jurisdiction in the United States, or both.

A magistrate must have initial training before presiding over court. Completion of the two six-hour training requirements (general and OVI) authorizes the magistrate to hear cases through the 31st day of December of the year immediately following the year in which the education was completed. Following the six hour initial training requirements, the magistrate shall receive each year, three hours of continuing education for offenses other than alcohol and drug related offenses and another three hours of continuing education in cases related to alcohol and drug related traffic offenses if they hear first offense OVI cases.

Rule 3.0 Case Numbering

Cases filed with Village of New Holland Mayor's Court shall be categorized as traffic, criminal, or other and serially numbered within each category on an annual basis beginning with the first day of January of each year. The case number shall consist of the year/case type/number.

2001/TRD/0001	Year/Traffic Complaint/Number
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2001/TRC/0002	Year/OVI Complaint/Number
2001/CRB/0001	Year/Criminal Complaint/Number
2001/OTH/0001	Year/Zoning Complaint/Number

Each case type shall be assigned a case number from its own number pool except for OVI (Operating a Vehicle under the Influence) cases which shall be assigned numbers from the traffic pool.

Multiple traffic charges arising out of the same incident shall be assigned the same traffic case number. Any criminal complaints arising out of the same incident as a traffic complaint shall be assigned a criminal case number. No additional costs are assessed when criminal charges arise out of the same incident as traffic. Costs shall be assessed on the traffic case only. If at disposition, the traffic case is dismissed and there is a guilty finding on the criminal case, the costs shall be assessed on the criminal case.

This system is in accordance with the Ohio Supreme Court Rule of Superintendence 43.

Rule 3.1 Joinder and Separation of Cases

Criminal and traffic cases which are filed at the same time against the same defendant shall be adjudicated together throughout the entire court process. Any motions for separation must be approved by the magistrate.

Rule 3.2 Case Management

Village of New Holland Mayor's Court shall make every effort to adjudicate its cases within the time limits prescribed by the Supreme Court of Ohio. The current time limit for criminal, traffic, and OVI cases is 6 months.

Rule 3.3 Interpreters

Interpreters shall be provided for defendants who do not speak, hear or understand the English language. If necessary, the case will be rescheduled until an interpreter can be provided. The cost shall be paid by Village of New Holland Mayor's Court unless the defendant does not show up for court. If defendant is a No Show, they will be billed \$60 for the interpreter.

Rule 3.4 Court Filings

All paper documents filed with the court shall not exceed 8 ½ inches x 11 inches. All motions must be presented and filed in duplicate, in writing, accompanied by sufficient

memoranda not less than 14 days before the next hearing date for the case. Unless the following statement appears prominently on the first page of the motion, no oral hearing will be permitted: "Counsel requests an oral hearing at which _____ witnesses will be presented." All parties wishing to respond in writing to a motion shall do so in duplicate not later than the tenth day following service of the motion on the responding party. Motions, where an oral hearing is requested, will be heard during the next scheduled court night. A party may not file a motion prior to the entry of a plea in misdemeanor, criminal and traffic cases, except motions listed as exceptions in Criminal Rule 12(B)(2) and motions listed as exceptions in Ohio Traffic Rule 11(B)(1).

Rule 4.0 Duties of Counsel

Designation of Trial Counsel – Attorneys, not defendants, will designate their capacity as trial counsel on all papers filed with the court and shall include their firm's address and telephone number. A law firm shall not be named as a trial attorney. However, the substitution of counsel within the same law firm at hearings is authorized.

Withdrawal of Counsel – Counsel shall be allowed to withdraw from counsel responsibilities only with consent of the magistrate. No such application will be considered unless a written entry or motion is presented stating the reasons for the withdrawal. Withdrawal of counsel will not be approved if the application is made within 5 days of the trial date except for good cause shown.

Motions Practice – All motions shall be in writing, served on opposing counsel and made within the time limits prescribed in the Ohio Rules of Criminal Procedure. Motions will be supported by memoranda of law containing applicable statutory and case law citations. Copies of significant decisions shall be attached to the original filing only. Unless the following statement appears prominently upon the first page of the motion, no oral hearing will be allowed: Counsel requests an oral hearing.

Unless otherwise scheduled by the magistrate, all oral hearings will occur immediately prior to the commencement of a defendant's trial. Parties wishing to respond in writing to such motions shall do so not later than the fourteenth (14) day following service of the motion or three days prior to the oral hearing date, if an oral hearing has been requested. In a MOTION TO SUPPRESS, the grounds must be stated with particularity, and the items of evidence shall be specified. Any motions filed which are not in compliance with this rule may be summarily overruled. All motions, where an oral hearing is not required, shall be accompanied by an entry.

Rule 5.0 Continuances

Requests for continuances shall be in written format and made either via fax or email. Under no circumstances can a request for continuance be made verbally. It is the responsibility of the defendant or the defendant's counsel to confirm the request was received by the clerk's office.

All requests for continuances shall include the date and time the case is being continued to, a time waiver and the defendant or defendant's attorney's signature. The date is obtained by contacting the clerk's office and the person accepting the continuance shall enter the information into the case management system.

Requests for continuances on cases going to trial shall be made at least 7 calendar days prior to the court date in order to allow the court clerk time to contact all parties involved via phone or mail. Any requests made less than 7 days prior to the trial date shall have the prior approval of the magistrate. The court clerk will make every attempt to confirm the continuance with all parties and witnesses.

The court clerk's office is hereby granted permission to continue a case, at the defendant's request, a maximum of 2 times, not to exceed a total period of 3 months. Any further continuances are subject to approval by the prosecutor or magistrate. Village of New Holland Mayor's Court shall strive to ensure all cases are adjudicated following court's guidelines for case management (see M.C. Rule 3.2).

Rule 5.1 Summons/Warrants/Supplemental Citations

If a defendant fails to appear for their initial arraignment on an unclassified or minor misdemeanor, the clerk shall issue a supplemental citation with a new arraignment date not less than 30 days from their initial scheduled arraignment. If the defendant fails to appear again on the date specified on the supplemental citation, the court clerk shall determine if a warrant block, license forfeiture, registration block or a combination thereof shall be issued.

Warrant blocks may also be issued for failure to appear or comply for criminal violations and traffic offenses after the defendant made an initial appearance in court.

The Magistrate, or their designee, may authorize a summons to be issued for a code compliance violation, violations of probation or on other cases as applicable.

Rule 5.2 Warrant Blocks/License Forfeiture Suspensions/Registration Blocks

Warrant blocks shall be issued in conjunction with arrest warrants on traffic and criminal cases. The warrant block prohibits defendants with an outstanding warrant from obtaining/renewing a certificate of registration for a motor vehicle. Once the warrant has

been cancelled, served or recalled, the court clerk's office shall notify the BMV to remove the warrant block.

License forfeiture suspensions shall be issued in conjunction with arrest warrants on traffic cases or for failure to answer to the charge on a minor misdemeanor traffic case. The forfeiture suspends the defendant's driving privileges indefinitely. Once the warrant has been cancelled, served, recalled, or the defendant appears before the clerk, the clerk's office shall notify the BMV to clear the license forfeiture suspension. Registration blocks shall be issued on any unpaid parking tickets in lieu of issuing a warrant. Registration blocks shall also be issued for failure to answer the charge on minor misdemeanor traffic cases. The registration block prohibits defendants from obtaining/renewing a certificate of registration for a motor vehicle. Once the minor misdemeanor traffic case has been paid in full, or the defendant appears before the clerk, the clerk shall notify the BMV to clear the registration block.

Rule 5.3 Record Sealings/Expungements

Applications for record sealing or expungement must be filed with the clerk's office during normal business hours. There is a non-refundable application fee of \$50.00 unless the applicant is determined to be indigent or if the charges the applicant wishes to seal or expunge were dismissed or resulted in a finding of not guilty. Upon filing of the application and payment of the fee, where applicable, the case is scheduled for a sealing/expungement hearing and given to the clerk of court for investigation. The clerk of court shall submit the application and investigation findings to the prosecutor to either approve or file an objection. If approved, the court shall then gather and delete any related index references to that case and seal or destroy if expunged, all related case files and paperwork. The criteria and eligibility for expungements are outlined in Chapter 2953 of the Ohio Revised Code.

Rule 6.0 Transfer of Cases to Municipal Court

Pursuant to ORC 1905.032, if a person who is charged with a violation of a law or an ordinance is brought before a mayor's court and the violation charged is not within the jurisdiction of the court, the magistrate shall transfer the case to the municipal court, county court, or court of common pleas with jurisdiction over the alleged violation and shall require the person to enter into a recognizance to appear before that court.

If a person who is charged with a violation of a law or an ordinance is brought before a mayor's court and the violation charged is within the jurisdiction of the court, as set forth in section 1905.01 of the Revised Code, the magistrate, at any time prior to the final disposition of the case, may transfer it to the municipal court, county court, or court of

common pleas with concurrent jurisdiction over the alleged violation. If a magistrate transfers a case under this provision, the magistrate shall require the person charged to enter into a recognizance to appear before the court to which the case is transferred.

Upon the transfer of a case by a magistrate, all of the following apply: the magistrate shall certify all papers filed in the case, together with a transcript of all proceedings, accrued costs to date, and the recognizance given, to the court to which the case is transferred. All further proceedings under the charge, complaint, information, or indictment in the transferred case shall be discontinued in the mayor's court and shall be conducted in the court to which the case is transferred.

Rule 6.1 Trial De Novo/Appeal

For purposes of appeal under 1905.25 of the Ohio Revised Code, a defendant shall have ten days from the date of judgement to file a written notice of appeal. Only the final disposition of a case is subject to appeal. Any subsequent action(s) that may occur: i.e. probation hearing, expungement hearing are not subject to appeal.

Rule 7.0 Village of New Holland Employees/Contractual Providers Directly Involved in Court Operations

This rule applies to Village of New Holland personnel and their immediate families (spouses and children) who are directly involved in court operations. Included in this rule are all Court Services personnel, the village law director, assistant law director, prosecutors, and the magistrates. Any deviations from this rule shall include a written justification for the deviation signed by the mayor.

If the citation is a payable offense, the defendant may plead guilty and pay the waiver.

If the case requires a mandatory court appearance, or if the defendant wishes to go before the court to contest the citation, the case shall immediately be transferred to Pickaway or Fayette County Municipal Court based on the location of the offense.

Rule 7.1 Village of New Holland Employees Not Directly Involved in Court Operations

This rule applies to all Village of New Holland personnel and their immediate families (spouses and children) not defined as directly involved in court operations (Court Rule 7.0). Any deviations from this rule shall include a written justification for deviation signed by the mayor.

If the citation is a payable offense, the defendant may plead guilty and pay the waiver. If the defendant wishes to plead no contest or not guilty to a payable offense or a mandatory

appearance offense, he/she may do so.

This rule does not affect the right of the magistrate to transfer any case to Pickaway or Fayette County Court when appropriate.

Rule 8.0 Establishment of Violation Bureau

In accordance with Traffic Rule 13 and Criminal Rule 4.1 of the Ohio Rules of Court, a traffic violations bureau is established, and the court clerk is designated as the violations clerk. The traffic violations bureau may dispose of all traffic offenses except those listed in division (B) (1) to (9) of Traffic Rule 13 and all minor misdemeanor criminal offenses which are listed on the Village of New Holland Mayor's Court Fine Schedule.

Rule 8.1 Fine Schedule

Violations that do not require a court appearance shall be listed on the Village of New Holland Mayor's Court fine schedule. The magistrate shall review the schedule of fines and costs annually. The schedule of fines and costs shall be prominently displayed at the place where fines are paid and posted on the Village of New Holland Mayor's Court website. All procedures stated in Traffic Rule 13 and Criminal Rule 4.1 shall be strictly followed.

Rule 8.2 Court Costs

The court costs in New Holland Mayor's Court for traffic cases (moving violations) and criminal cases shall be \$93.00 and non-moving violation cases are \$83.00. This sum shall be distributed as follows unless ordered waived by the presiding magistrate:

\$34.00*	General fund of the Village of New Holland
\$20.00	Court's computerization fund, pursuant to ORC 1901.261B
\$20.00	Treasurer of the State of Ohio for deposit in the IDSF (Indigent Defense Support Fund) as required by ORC 2949.091
\$9.00	Treasurer of the State of Ohio for deposit in the state reparations account pursuant to ORC 2743.70 (Victims of Crime)
\$1.50*	County indigent alcohol driver's treatment fund (IDAT)
\$5.00*	Treasurer of State of Ohio for deposit in the state reparations account for indigent defense support fund
\$3.50*	Treasurer of State of Ohio for deposit in the OCJS (Ohio Criminal Justice

Services) indigent alcohol treatment fund

*Exception: Criminal cases - General Fund is \$44.00

In addition to the basic court costs above, the following additional costs shall be assessed unless ordered waived by the magistrate:

\$10.00	Continuances (first one is free)
\$15.00	Summons
\$15.00	Subpoena
\$10.00	Late Payment Fee
\$40.00	Dishonored Check/E-Check Fee
\$60.00	Interpreter Fee (to be paid only when an interpreter is scheduled for a defendant and they fail to appear)
\$12.00	Certified Mail
\$20.00	License Forfeiture Fee
\$20.00	Registration Block Fee
\$20.00	Non-Resident Violator Compact Fee
\$20.00	Warrant Block Fee
\$50.00	Sealing/Expungement Fee (\$50 to state;\$50 to Village)
\$50.00	Trial Rescheduling Fee

Rule 9.0 Forms of Acceptable Payments

Payments for fines and/or costs may be made by cash, credit card, money order, or personal check (local bank only). In accordance with Traffic Rule 13, the court will accept credit card payments via the internet. Once a payment has been received, it constitutes a guilty plea and a waiver of trial rights.

Rule 9.1 Overpayments

Overpayments of \$20.00 or less will not be refunded to the defendant. The overpayment shall be applied to the ticket processing fee of the applicable case and disbursed to the Village of New Holland's general fund.

Rule 9.2 Returned Checks

If a check is returned due to insufficient funds or is returned initially due to a closed account or stop payment, the court clerk shall assess a bad check fee and notify the defendant that they have 20 days to either pay the citation or appear in court. If the defendant fails to pay or appear, the magistrate may authorize the issuance of a summons/warrant, license forfeiture, or registration block.

Rule 10.0 Proof of Financial Responsibility

Pursuant to 4509.101(A) (1) of the Ohio Revised Code, no person shall operate, or permit the operation of, a motor vehicle in this state, unless proof of financial responsibility is maintained continuously throughout the registration period with respect to that vehicle, or, in the case of a driver who is not the owner, with respect to that driver's operation of that vehicle.

If a person who is issued a citation fails to show the law enforcement officer proof of financial responsibility, they shall be required to provide proof to the court. A copy of the insurance card or declarations page presented to the court shall be placed in the defendant's file. An electronic version of proof of insurance shall be emailed to a member of the court staff so that a copy can be printed and placed in the defendant's file. Failure to provide proof may result in a Bureau of Motor Vehicles (BMV) suspension of your driving privileges.

Rule 11.0 Reporting to Law Enforcement & Compliance Plan

The Court shall develop and adopt a Compliance Plan which will identify procedures for obtaining and reporting fingerprints to the Bureau of Criminal Investigation (BCI), reporting information to the Ohio Department of Public Safety's Bureau of Motor Vehicles, and sealed and expunged records to BCI, LEADS, and other law enforcement databases, all as required by relevant Ohio Revised Code provisions.

The Clerk of Court, weekly, shall report disposition information to the Bureau of Criminal Investigation for cases involving the misdemeanors specified in Ohio R.C. 109.572. The report must contain:

- Incident Tracking Number (ITN);
- Style and number of case;
- Date of arrest, offense, summons, or arraignment;

- Date of disposition – conviction, guilty plea, adjudication, not guilty finding, dismissal, mistrial, not competent finding, nolle prosequi, any other final determination;
- Statement of original charge with corresponding Ohio Revised Code section violated.
- The sentence, disposition, or terms of probation imposed;
- A statement in the summary if the offense involved the disarming or an attempt to disarm a law enforcement officer.