

IN THE WILLOUGHBY MUNICIPAL COURT  
LAKE COUNTY, OHIO

IN RE: AMENDMENT TO LOCAL RULES  
OF COURT & CASE MANAGEMENT  
(Rule 4) (Rule 11)

JOURNAL ENTRY

Effective on and after August 1, 2011, and pursuant to Rules of Superintendence for the Courts of Ohio, the Willoughby Municipal Court Local Rules of Court & Case Management, adopted January 1, 2007, Rule 4 and Rule 11 are hereby amended as follows:

**RULE 4. FILING FEES**

The schedule of filing fees in civil and criminal cases has been adopted by the Court (Appendix A), and may be amended from time-to-time by Court Order. Copies of such schedules are available from the Court website at [www.willoughbycourt.com](http://www.willoughbycourt.com).

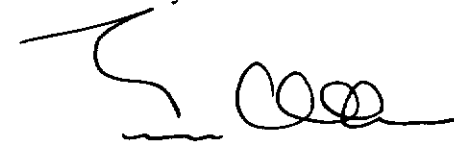
**RULE 11. FORCIBLE ENTRY & DETAINER ACTIONS.**

- A. Claims for forcible entry and detainer and claims for past due rent and money damages in the same case shall be heard separately by the court.
- B. In cases in which the court has issued a writ of restitution in actions in forcible entry and detainer, it shall be the responsibility of the plaintiff or his agents to provide for the actual moving out of the defendant from the residence premises, including the post move-out storage of any personal property of the defendant. The bailiff's office shall schedule the move-out and shall be in attendance at the time of the execution of the writ of restitution, but shall not make advanced arrangements for movers or conduct the move-out. Nothing in this rule shall prevent a party from recovering the costs of restitution of premises as damages in an appropriate case pursuant to law.
- C. Notice of Dismissals will be allowed by telephone pursuant to the provisions of Local Rule 10 D.
- D. Writs of Restitution will be issued only upon the written request and the payment of the journalized filing fee by the prevailing party. Requests to issue Writs of Restitution shall be filed only after the Judgment for Restitution has been journalized by the Clerk

A writ of restitution shall not be issued after thirty days from the date of judgment unless the parties have entered into an agreement to extend the period during which a writ may be issued. In no event shall a writ of restitution be issued after 120 days from the date of judgment. The writ shall not be re-activated after a request by the plaintiff for non-service.

Further, the Court finds that all other provisions provided in the Willoughby Municipal Court Local Rules of Court as amended from time to time are hereby ratified and shall remain in full force and effect subject to further order of the Court.

IT IS SO ORDERED.



JUDGE LARRY ALLEN

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WILLOUGHBY  
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