

## RULE 20. Fees

### **(A) Partition Cases**

Fees allowed in partition cases as costs therein shall be predicated either upon the appraised value of the property, if partitioned, or upon the proceeds of sale, if sold, and shall not exceed the following: seven percent of any sum not exceeding \$10,000; four percent of any sum exceeding \$10,000 and not exceeding \$15,000; three percent of any sum exceeding \$15,000; provided that the minimum fee in any partition case shall not be less than \$100. If any action for partition is terminated other than upon the merits, the trial attorney for plaintiff shall be allowed a fee for the reasonable value of that attorney's services, commensurate with the time and labor required and expended, the novelty and difficulty of the questions involved, and the skill requisite to perform the service properly. The Court shall tax in costs the fees so allowed in favor of the trial attorney for plaintiff, unless the Court awards some part thereof to the other trial attorneys in the cause for services for the common benefit of all parties.

### **(B) Receivers**

Fees of receivers and their attorneys shall be allowed only upon an application filed in the cause with an affidavit setting forth in detail the services rendered in the case. Written notice of the time and place of the hearing of said applicant shall be served upon all attorneys, parties and known creditors, a reasonable time before hearing. The Court may direct that notice be given by publication or in such other manner as it deems proper. If the property involved in the receivership is not sufficient to pay court costs, receiver's fees and the premium on the receiver's bond, the fee of the receiver, together with the premium for receiver's bond, shall be taxed as costs in the action, which shall be paid by the party upon whose application the appointment of a receiver was made. The minimum fee of a receiver shall be \$100.

### **(C) Defense of Indigent Persons**

A schedule of fees for the defense of indigent persons has been established by resolution of the Board of County Commissioners pursuant to Revised Code Section 2941.51 (B). The Court Administrator shall maintain a copy of the current schedule on file at all times.

(Amended September 17, 1982)

### **(D) Forensic Examiners**

In any criminal case in which the Court appoints one or more independent forensic examiners to evaluate the mental condition of the accused, the fee allowable for such examination and for the testimony of such specialists in Court shall be \$125.00 per hour. Unless otherwise ordered by the trial judge the maximum allowable for examination, evaluation and written report as provided in Section 2945.371 of the Revised Code shall

be \$625.00 (up to 5 hours) and the maximum allowable for testimony shall be \$625.00. At the discretion of the trial judge and upon satisfactory documentation additional compensation may be granted at the rate of \$125.00 per hour. Such billings will be routinely examined by the Court Administrator.

### **(E) Deposition**

In the event an order is made for the taking of depositions in a criminal Prosecution, the attorney assigned for the defendant and the Hamilton County Prosecuting Attorney and/or the Prosecuting Attorneys assistant shall be allowed the necessary expense incurred at the place of taking such depositions and expense of travel not to exceed the reimbursement rates established by the Board of County Commissioners for officers and employees of Hamilton County. A copy of the most recent resolution concerning this subject shall be made available to appointed counsel and the Prosecuting Attorney by the Court Administrator.

(Amended September 17, 1982)

- (1) Application for advanced for the purpose of attending a deposition shall first be approved by either the Hamilton County Prosecuting Attorney or the Public Defender. The application should then be presented to the Assigned Judge for approval and delivered to the Court Administrator for coding and approval. Such advances shall be limited to the amount required for transportation and lodging. If an advance is approved and received, an accounting must be filed no later than 30 days after the completion of the deposition.
- (2) All claims for reimbursement for travel expenses or accountings for advances shall be made on the standard county form labeled "Travel Expense Voucher" available from the Court Administrator. All claims must be supported by receipt or affidavit. The Prosecutor shall present such voucher to the Court Administrator and appointed counsel shall present said vouchers to the Public Defender, who shall routinely review, code and approve same.

### **(F) Interpreters**

In any case in which the Court appoints an interpreter for persons with hearing, speech or other impediments, the fee allowable for such services, pursuant to Revised Code Section 2311.14, shall be \$45.00 per hour. A one hour minimum will be billed if after a twenty (20) minute wait for the scheduled start time, interpreter serviced cannot be initiated due to the unavailability of the client. Whenever possible, the Court will give 48 hours' notice.

(Effective as of October 1, 1991)

**(G) Transcripts**

Pursuant to Revised Code Sections 2301.24 and 2301.25, the fee for an original official transcript of a Court proceeding in either civil or criminal case is on a per page basis as listed below. These rates apply for any transcript ordered on or after September 10, 2012.

(Effective September 10, 2012)

(1) Regular Rate.....	\$4.50
Expedited (by 8 a.m. the next calendar day) rate.....	\$7.95
1 to 5 business day(s) rate.....	\$5.95
6 to 10 business days rate.....	\$5.45
Realtime (unofficial transcript) rate.....	\$7.95

(Effective September 10, 2012)

- (2) The fee for a copy of a prepared transcript is \$0.10 per page for a paper copy or free from an electronic copy.

(Effective February 1, 2008)

**(H) Appraiser**

The fee for each appraiser appointed pursuant to Revised Code Chapter 2329 shall be \$125.00, for a combined total of \$375.00 per parcel.

(Effective February 1, 2008)

**(I) Grant of Costs**

In the event that an indigent party requests a transcript of official shorthand notes in a criminal case, and is not represented under the Public Defender Program, there must be a signed Entry by the Trial Court granting the cost of such transcript be taxed into costs at the State's expense.

(Effective June 1, 1992)

**(J) Public Defender & Assigned Counsel**

In all criminal cases wherein the defendant is represented by a Public Defender or Assigned Counsel and the Court orders as part of the sentence that the defendant pay costs, the Clerk of Courts shall assess the \$25.00 application fee, pursuant to Revised Code 120.36 and the reimbursement of the Public Defender fees in the amount of \$75.00 for probation violations, \$325.00 for a plea, \$600.00 for a trial, and \$750.00 for a jury trial and the

defendant shall be required to pay such amount unless the Court specifically waives this requirement in its sentencing entry.

(Effective July 1, 2006)

**(K) Photocopies**

Where the statutes or ruled require the clerk of the trial court to make a photocopy of the transcript of the proceedings, the court reporter shall file an additional transcript of proceedings with the Court at the rate set out in section (G) (2) above. Where the public photocopies said transcript, the clerk will instruct the transcript binding shall not be broken. Broken binding will render the transcript certification void.

(Effective September 16, 1997)

**Effective: (March 1, 2023)**