

## FAQS Regarding Process

- **Can I represent myself?**

You may represent yourself; however, you are expected to have knowledge of the law and legal procedure. A self-represented litigant is subject to the same standard as those represented by an attorney. *Fontain v. Sandhu*, 2021-Ohio-2750, ¶ 13 (1st dist.).

However, please note that it is considered unauthorized practice of law to hold yourself out as an attorney, when you are not licensed to practice law, and render legal services to another. Rendering legal services includes appearing on behalf of another in court, preparing legal documents, and giving legal advice. Unauthorized practice of law can extend to your own representation of certain business entities. See *Ohio State Bar Ass'n v. Watkins Global Network, L.L.C.*, 2020-Ohio-169, ¶ 9.

- **Can I speak to the Judge?**

You are not permitted to speak to the Judge outside of a court proceeding without the opposing side present. Such communications are prohibited as it would be unfair to the opposing side. This would be an example of an ex parte communication, meaning of or from one side or party. Ex parte communication is prohibited to ensure fairness and equal treatment.

- **What can I do if I cannot talk to the Judge?**

You can file a written motion with the Hamilton County Clerk of Courts asking for an outcome in your case and explain why you feel that outcome is warranted.

- **Can I ask Court Staff questions regarding my case?**

Court staff cannot communicate with you about your case without the other side present as it is prohibited and would be unfair to the opposing side. This would be an example of ex parte communication meaning of or from one side or party. Ex parte communication is prohibited to ensure fairness and equal treatment for all persons.

Court staff cannot give you legal advice. For example, court staff cannot provide you with legal research, tell you what documents or claims to file, what to say in court, or give an opinion on how the Judge is likely to rule on your case.

However, court staff can answer questions about the court, explain a term or process, and give you information from your case file. Court staff can usually tell you how to do things but not what you should do.

- **What do I do if I need a continuance?**

You should contact the Courtroom regarding their preferred procedure for continuances or read the pretrial rules outlined by each Judge. You can find each Judge's pretrial rules [here](#).

You can also file a written motion for a continuance with the Clerk of Courts located in Room 315 of the Hamilton County Courthouse.

- **How can I check to see if a motion has been granted in my case?**

To see case filings, you can go to the Hamilton County Clerk of Courts office in the Hamilton County Courthouse room 315.

You can also go to <https://www.courtclerk.org> and email the webmaster email. From there you will be able to request access to your case. You will only be given access to a case where you are listed as a party. You will get an email back with an access form and requesting a copy of your photo ID. Once given access, you should be able to view documents and the case schedule in your case. It is important to note that some documents may be redacted, if that is the case you can view documents in room 315.

- **Why is my case before the Magistrate?**

There are certain cases that are heard before and that can be referred to the Magistrate. The Magistrate has a General Order of Reference to hear foreclosure cases, administrative appeals, civil forfeiture cases, certificates of qualification of employment, and requests for car titles.

All defaults, replevin, executions and evictions, are referred to the Magistrate by [Local Rule 23](#). Dates and times for those hearings are set up through the Assignment Commissioner's ((513) 946-5930).

Magistrates preside over the judgment debtor exams and garnishment hearings pursuant to [Local Rule 19](#).

[Local Rule 37](#), authorizes the Magistrate to preside over all hearings required under R.C. § 2903.214, Civil Stalking Protection Orders.

A Magistrate may hear a civil jury trial with unanimous consent of the parties.

For more information and contact information for the Magistrates' staff, please click [here](#).

- **How do I obtain Court Records?**

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- **How do I contact the Mediation Department?**

You can contact Hamilton County's Mediation Department at 513-946-5470. For more information, you can visit their webpage [here](#).