

Hamilton County Juvenile Court, Ohio
www.juvenile-court.org

Instructions for
Objections to Magistrate's Decision or Motion to Set Aside Magistrate's Order
Motion for Reconsideration of Magistrate's Decision/Order

Motion for Reconsideration of Magistrate's Decision/Order

The information below does not apply to this Motion. This motion does not require an appearance nor Request for Service. You will be notified by the Magistrates office within 3 weeks of your filing.

Instructions for Filing

If you think that the magistrate has not determined the factual issues or applied the law correctly, you may file **Objections to the Magistrate's Decision** or **A Motion to Set Aside the Magistrate's Order**. Your request must be in writing, and typed or neatly handwritten. You must include the date of the order or decision and the specific reasons for your motion or objection. If you are unsure whether the magistrate's action was an **order** or a **decision**, review the Magistrate's written report of the hearing. The top of the page should indicate 'Order' or 'Decision.' A Motion to Set Aside must be filed no later than 10 days after the Magistrate's Order is filed. Objections to a Magistrate's Decision must be filed within 14 days of the filing of the Magistrate's Decision or within 10 days of the filing of another party's objections. You must serve the Motion or Objection on all parties.

Scheduling the Hearing and Serving the Parties

The Clerk's Office will provide you with the date and time and the judge's name for the initial hearing on your Motion or Objection. You must serve, by regular mail, your Motion or Objection on all other parties or the opposing side. To obtain service, you must submit a **Written Request for Service** form to the Clerk's Office

Written Transcripts: Estimates and Costs

In most cases, the judge will need a written transcript of the hearing(s) to review the magistrate's action. You are responsible for the costs of transcripts. Fees to prepare a transcript are charged by the page. A general estimate for a half-hour hearing is approximately **\$100-\$150**. The Court Reporter will give you an estimate cost for your case and identify the hearing date(s) to be transcribed.

The Court Reporter may require you to submit a written order. The Court Reporter will not begin transcription until payment arrangements are made and you submit a written order if required. Payments are made directly to the Court Reporter not the Clerks Office. If you fail to submit your order to the Court Reporter in a timely manner, your objection or motion may be denied.

To contact the Court Reporter and/or order a transcript:

If your case has been scheduled before Judge Bloom, call 513-946-9213

If your case has been scheduled before Judge DeGraffenreid, call 513-946-9204

Instructions for Written Request for Service

Step 1 - Case Number _____ place in upper righthand corner

Step 2 - For Paternity or Support Cases

Place in upper left-hand corner list PLAINTIFF – vs – DEFENDANT

Example: Jane Doe John Doe

-vs- -vs-

John Doe Jane Doe

For Custody, Visitation, or Delinquency Cases

Place Child(ren) names in upper left-hand corner

Step 3 - Type of Case - Paternity, Support, Custody, Shared Parenting Visitation, Delinquency.

Step 4 - Type of Form (please select one below for each address listed)

(summons- a party in the case) parties are usually mother, father, and (if any) legal or physical custodian

(Notice- attorneys or parties-parties are usually any social service worker)

(Subpoena- nonparties as witnesses at TRIAL ONLY)

Step 5 - Type of Service – Certified Mail

If not claimed or refused by the person, the court will send out regular mail service to the party

Step 6 - Name and Address and Zip Code

Neatly list the complete information for each party to be notified (include inmate # if incarcerated)

(DO NOT INCLUDE YOURSELF IF DONE IN PERSON, UPON YOUR FILING YOU WILL BE SERVED YOUR NOTICE PERSONALLY)

Step 7 - Requested by PRINT NEATLY your complete name, address, zip code, telephone number, and Email Address

Deputy Clerks are available to assist with filing questions and accept your filing however they are not attorneys and cannot provide answers to legal questions or act as your legal representative. If any questions, you may speak to a Deputy Clerk at the Issue Desk or call 513-946-9431.

HAMILTON COUNTY JUVENILE COURT, OHIO

Support/Paternity list **Plaintiff v Defendant**
Custody/Visitation/Delinquency list **Child(ren)**

CASE NUMBER _____

MOTION TO SET ASIDE MAGISTRATE'S ORDER

Now comes _____, who hereby moves the Court to set aside the
(Name)
Magistrate's Order entered on _____ . My motion is based on the following:
(Date of Entry)

Signature _____

Print Name _____

Address _____

City _____ ST _____ Zip _____

Phone (_____) _____

Email _____

CERTIFICATE OF SERVICE

I _____, certify that I served a copy of the foregoing on _____
by _____ at _____

Signature / Date

HAMILTON COUNTY JUVENILE COURT, OHIO

- WRITTEN REQUEST FOR SERVICE(Civil)
PRAECIPE (Delinquent/Criminal)

Support/Paternity list Plaintiff v Defendant
Custody/Visitation/Delinquent list child(ren)

CASE NUMBER

Case Type: Civil Charges: Delinquent/Criminal Delinquent/Criminal

A hearing is scheduled on the 20, at : AM / PM.

Judge / Magistrate: Case Manager:

Type of Form: (Summons) (Subpoena) or (Notice) (List one selection for each address listed below.)

Type of Mail Service: (Regular) (Certified) (Personal) (Residential) or (Publication) (List one selection for each address listed below.) Usual

- 1. Form Service Name Address Zip
2. Form Service Name Address Zip
3. Form Service Name Address Zip
4. Form Service Name Address Zip
5. Form Service Name Address Zip

If I have requested certified mail service, and the service is returned by the U.S. Post Office as Refused or Unclaimed, I request ordinary mail service in accordance with Civ.R. 4.6(C), (D), and (E).

Requested by: Phone: ()

Address: City State Zip

E-mail: