

IN THE COURT OF COMMON PLEAS  
PROBATE DIVISION  
MAHONING COUNTY, OHIO

FILED  
MAH, CTY, PROBATE COURT  
JUL - 8 2020

Judge Robert N. Rusu, Jr.

IN THE MATTER OF: )  
CASE NO.: 2014 MC 0038  
)  
PROPOSED AMENDMENTS OF )  
JUDGE ROBERT N. RUSU, JR.  
LOCAL RULES OF COURT )  
)  
)  
JUDGMENT ENTRY  
)

The Court this day, *sua sponte*, considers the adoption of amendments to the Local Rules of Court pursuant to Rule 5 of the Rules of Superintendence for the Courts of Ohio.

The Court determines that there is a need to amend its **Local Rules**. Specifically, the Court finds a need to amend **Local Rule 57.1 Facsimile and Electronic Filings**. In addition, the Court determines that there is a need to create a new local form to facilitate the expeditious disposition of cases. (All set forth in attached Exhibits A and B.)

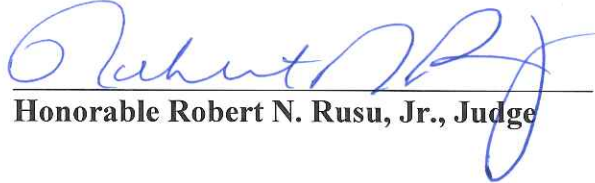
The Court further determines that appropriate notice and opportunity for comment regarding the proposed amendments to **Local Rule 57.1** as set forth in Exhibit "A", and create new local form M.C. Form 1.7(A) "*Litigation Status Report (Non-Asbestos)*" as set forth in Exhibit "B shall be afforded by the Court, as required by **Rule 5** of the *Rules of Superintendence for the Courts of Ohio*.

**WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED**, that the Court this day hereby proposes to amend **Local Rule 57.1** attached hereto as Exhibit "A" and made a part hereof and to implement new Local Form M.C. Form 1.7(A) "*Litigation Status Report (Non-Asbestos)*" as set forth in Exhibit "B" shall be afforded by the Court, as required by **Rule 5** of the *Rules of Superintendence for the Courts of Ohio*. The Court further orders that the Clerk of this Court promptly provide notice and opportunity for comment to the proposed amendments and

forms by posting the new rules, the proposed amended rule and new proposed forms on the Court website and making copies of the new rules, the proposed amended rule and new local forms available to the public. All comments shall be made in writing and directed to the Court or by email to [mcprobate@mahoningcountyoh.gov](mailto:mcprobate@mahoningcountyoh.gov) no later than **August 7, 2020**.

**IT IS SO ORDERED.**

Dated: July 8, 2020

  
\_\_\_\_\_  
**Honorable Robert N. Rusu, Jr., Judge**

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## Local Rule 57.1 Facsimile and Electronic Filings

Pursuant to Civil Rule 5, the Court, in its discretion, may allow facsimile filing during regular business hours of the Court as set forth in Local Rule 53. Any documents received after regular business hours shall be deemed filed the following business day. All pleadings filed electronically (i.e. fax or email) are subject to the following:

- (A) A document filed electronically shall be accepted as the effective original and shall be filed by the party or their attorney of record. All risks of transmission shall be borne by the sender.
- (B) All filings by facsimile shall be accomplished by a cover page that states all of the following information:
- a. The date of transmission;
  - b. The name telephone number, and facsimile number of the person transmitting the document;
  - c. The Case Number and caption of the case in which the document is to be filed;
  - d. The title of the document to be filed; and
  - e. The number of pages being transmitted.
- (C) Any signature on documents transmitted electronically shall be considered that of the attorney or party that it purports to be for all purposes. If it is established that the documents were transmitted without authority, the Court may order the filing stricken.
- (D) The filing date of any documents transmitted electronically during regular business hours shall be the time and date the document was received by the probate court's facsimile machine or court computer.
- (E) Any document filed electronically that requires a filing fee may be rejected.
- (F) The dedicated fax number for the Mahoning County Probate Court is (330) 740-2325 and the dedicated email address is [mcprobate@mahoningcountyoh.gov](mailto:mcprobate@mahoningcountyoh.gov). Filings faxed or emailed to any other number will not be accepted unless otherwise authorized by the Court.
- (G) Papers, pleadings and other documents that are incomplete may be refused for filing or if filed, may be stricken.
- (H) The following pleadings will not be accepted electronically by the Court:

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a. Initial Estate pleadings with a *Last Will and Testament*.

- (I) A *Judgment Entry* or decision issued by the Judge or Magistrate may be signed manually or with an electronic signature. Electronic transmission of a document with an electronic signature by the Judge or Magistrate sent in compliance with the procedures adopted by this Court shall be accepted as a filing of the document for all purposes of the *Ohio Rules of Civil Procedure*, the *Ohio Rules of Superintendence*, and the *Local Rules* of this Court.

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IN THE PROBATE COURT OF MAHONING COUNTY, OHIO  
JUDGE ROBERT N. RUSU, JR.

IN THE MATTER OF THE ESTATE

CASE NO.: \_\_\_\_\_

OF: \_\_\_\_\_, DECEASED

**LITIGATION STATUS REPORT (Non – Asbestos)**

The undersigned Fiduciary and Attorney of Record represent that this is the \_\_\_\_\_  
Litigation Status Report (last report was filed on \_\_\_\_\_) filed under the above case and  
state the following:

1. The Decedent's Estate is involved in the following type of litigation: \_\_\_\_\_  
\_\_\_\_\_ in the following Court: \_\_\_\_\_  
under Case Number: \_\_\_\_\_.
2. There have been \_\_\_\_\_ prior *Applications to Approve Settlement and Distribution of  
Wrongful Death and Survival Claims* filed with the Court with the last *Application* being  
approved on \_\_\_\_\_ and the *Report of Distribution* being filed with this Court on  
\_\_\_\_\_.
3. The Estate has been opened since \_\_\_\_\_ and the trial date for the litigation is  
scheduled for: \_\_\_\_\_.
4. An amended *Next of Kin* (SPF 1.0) reflecting new addresses or deaths of any next of kin  
since the inception of the Estate: (please check one)  
 is not required at this time;  
 is required and attached hereto;  
 is required and will be filed by \_\_\_\_\_.
5. The Estate needs to remain open to continue to pursue the litigation above.
6. That the expected date which the case will be resolved is: \_\_\_\_\_

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\_\_\_\_\_  
Counsel Signature

\_\_\_\_\_  
Fiduciary Signature

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Telephone Number

Registration Number: \_\_\_\_\_