

IN THE COURT OF COMMON PLEAS, ASHLAND COUNTY, OHIO  
JUVENILE AND PROBATE DIVISIONS

IN THE MATTER OF:

**ADMINISTRATIVE ORDER WITH REGARD TO:**

**Journalized Apr 4, 2024**

**THE FILING OF DOCUMENTS BY ELECTRONIC  
MEANS PURSUANT TO JUVENILE RULE 8; CIVIL  
RULE 5(E); CIVIL RULE 73(J); and CRIMINAL  
RULE 12(B)**

**AND**

**“ELECTRONIC SIGNATURE” OF PLEADINGS**

**JUDGMENT ENTRY**

This Administrative Order sets forth this Court's policy regarding the filing of documents by electronic means and what constitutes an “electronic signature” on pleadings.

WHEREAS, the Ashland County Court of Common Pleas, Juvenile and Probate Divisions, does not presently have E-filing;

WHEREAS, the Ohio Supreme Court has established standards for the authentication of electronic signatures; and

WHEREAS, the Court has a limited means of assessing the authenticity of electronic signatures,

It is ORDERED as follows:

1. **Electronic Filing of Pleadings:** The electronic filing of pleadings in the Ashland County Juvenile and Probate Court shall be permitted by sending the document to the Court by fax at 419-281-5699 between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, except for legal holidays or days the Court is not open for business. The date and time imprinted on the document by the Court’s fax machine shall control when the document was received by the Court. If the Court receives a document in an untimely fashion, the Court will notify the sender **by fax** that the document has been rejected and that it will not be retained by the Court or be filed with the Court.
  - A. **Cover Sheet Required:** The faxed document shall be accompanied by a fax cover sheet form which is attached hereto. The cover sheet may be completed and executed by a person other than counsel for the party, or the party if unrepresented.

- B. **Fax Considered Original Document:** The faxed document received by the Court, with the exception of any document which is required by law to be filed in the original (ie. A Last Will and Testament), shall be accepted by the Court and considered as the effective original document, provided it bears the signature of counsel or the *pro se* party filing the document and an executed certificate of service on the opposing party or parties.
- C. **Transmission of Original Document:** The filing party SHALL NOT transmit the original of any document faxed to the Court for filing. The filing party shall, however, maintain the original of the document in his or her records and shall make the original available for inspection at any time upon request of the Court or an opposing party. That original shall be retained until the case is closed and all opportunities for post-judgment appeal are exhausted.
- D. **Responsibility for Errors:** It is the sole responsibility of the filing party to make sure that the entire document was received by the Court. The Court will not review every document and check for missing pages.
- E. **Filing Fee Deposits:** Any person filing a document electronically which requires the payment of a filing fee deposit shall comply with the provisions below. The Court will not accept any documents which do not comply. Documents which do not comply will be rejected by the Court and will be shredded and not considered for any purpose.
1. The filing fee deposit shall be paid by the filing person by credit card, over the phone (419-282-4205), by 4:00 p.m. of the day the document is faxed to the Court; or
  2. The faxed document shall include a financial disclosure statement and a motion on the Court's form requesting modification or waiver of the required filing fee. That form is available on the Court's website.
- F. **Time of Filing:** All documents faxed to the Court for filing under this Order and accepted by the Court shall be date-stamped with the date that: (1) the Court receives the faxed document, if a filing fee is not required; or (2) the date the filing fee is paid, if a filing fee is required. Documents shall not be faxed to the Court during days or times the Court is not open for business. Any document faxed to the Court during days or times the Court is not open for business shall not be filed with the Court.
- G. **Copies of Documents Filed by Electronic Filing by Facsimile:** Since no original document is being provided to the Court, if copies of the document are required for any purpose, the Court shall make those copies and shall charge \$.10 per page for court costs for all copies made, including date-stamped copies provided to the person filing the document by fax. Any person who desires to receive a date-

stamped copy of the electronically filed pleadings shall: (1) provide a self-addressed stamped envelope to the Court for return or (2) physically pick up the copy at the Courthouse. The Court will not provide copies via fax or email.

- H. **Cost of Electronic Filing:** There shall be no cost for electronically filing pleadings which do not exceed ten (10) pages. There shall be a court cost of \$.10 per page for each page in excess of ten (10) pages for pleadings filed on the same day by the same party.

2. **Signature on Pleadings filed with the Court:**

- A. Except as set forth below, all pleadings filed in the Ashland County Juvenile and Probate Court, whether physically or electronically, shall bear the actual signature of counsel of record or the party, preferably in blue ink. The Court will not accept documents signed by persons on behalf of counsel of record, typed names on the signature line of a pleading, or signature stamps.
- B. The Court will accept pleadings for physical filing which bear a digital version of the actual signature of counsel of record or the party. It is the responsibility of the signer to secure access to application of his or her digital actual signature.
- C. The Court will also accept pleadings for physical filing which have been executed using DocuSign.
- D. The signature, whether physical, digital or electronic, of an attorney or pro se party constitutes a certificate by the attorney or party that the attorney or party has read the document; that to the best of the attorney's or party's knowledge, information, and belief there is good ground to support it; and that it is not interposed for delay. If a document is not signed or is signed with intent to defeat the purpose of this rule, it may be stricken as sham and false and the action may proceed as though the document had not been served. For a willful violation of this rule, an attorney or pro se party, upon motion of a party or upon the court's own motion, may be subjected to appropriate action, including an award to the opposing party of expenses and reasonable attorney fees incurred in bringing any motion under this rule. Similar action may be taken if scandalous or indecent matter is inserted.
- E. Any electronic signature shall be considered to be that of the attorney or *pro se* party for all purposes, including but not limited to perjury or contempt of Court.
3. This Order is effective April 15, 2024 and shall continue in effect until the Court has established e-filing through its case management system.

It is SO ORDERED.

S/Karen DeSanto Kellogg  
JUDGE KAREN DESANTO KELLOGG

**FAX COVER SHEET FOR ELECTRONICALLY FILED PLEADINGS IN THE  
ASHLAND COUNTY COURT OF COMMON PLEAS,  
JUVENILE AND PROBATE DIVISIONS**

\*\*Only to be transmitted during regular business hours of the Court which are  
Monday through Friday from 8:00 a.m. to 4:00 p.m., except for legal holidays\*\*

TO: ASHLAND COUNTY COURT OF COMMON PLEAS  
JUVENILE AND PROBATE DIVISIONS  
FAX NUMBER: 419-281-5699

FROM: NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
TELEPHONE NUMBER: \_\_\_\_\_  
FAX NUMBER: \_\_\_\_\_  
EMAIL: \_\_\_\_\_

DATE AND TIME OF FAX TRANSMISSION: \_\_\_\_\_

I hereby tender the pleadings listed below for filing by electronic means with the Court. I understand that if a filing fee deposit is required by the Court, that I must pay that filing fee deposit on or before 4:00 p.m. of the day the documents are faxed to the Court. I understand that if the filing fee deposit is not made, and no request for waiver of the filing fee deposit by completing the Court's forms has been made, that the pleadings will not be accepted by the Court and will be shredded. I also understand that if I tender the pleadings during hours the Court is not open for business, the pleadings will not be accepted for filing.

**List of Pleadings Tendered for Electronic Filing:**

**FAX COVER SHEET FOR REJECTION OF ELECTRONICALLY FILED  
PLEADINGS IN THE  
ASHLAND COUNTY COURT OF COMMON PLEAS,  
JUVENILE AND PROBATE DIVISIONS**

TO:           NAME: \_\_\_\_\_  
               ADDRESS: \_\_\_\_\_  
               TELEPHONE NUMBER: \_\_\_\_\_  
               FAX NUMBER: \_\_\_\_\_

FROM:       ASHLAND COUNTY COURT OF COMMON PLEAS  
               JUVENILE AND PROBATE DIVISIONS  
               FAX NUMBER: 419-281-5699

Please be advised that you transmitted pleadings to the Court during hours that the Court was not open for business and therefore your pleadings HAVE NOT been electronically filed with the Court. The Court will not retain a copy of your pleadings and they have not been filed with the Court. It is your responsibility to re-transmit the documents to the Court for filing with the Court.

**List of Pleadings Rejected for Electronic Filing:**