

FILED

2020 MAR 26 PM 3:08

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

BUTLER COUNTY  
PROBATE COURT  
JUDGE RANDY T. ROGERS

IN RE: \* CASE NO. PI86-02-2980

BUTLER COUNTY PROBATE \*  
COURT LOCAL RULES \* AMENDED  
\* ENTRY AMENDING  
\* B. C. L. R. 75.1 (D)

\* \* \* \* \*

Pursuant to Sup. R. 5 (A) (2), the Court finds that the following amendment to Butler County Local Rule 75.1 should be adopted without prior notice and opportunity for comment, and therefore,

**IT IS HEREBY ORDERED** that division (D) of Butler County Probate Court Local Rule 75.1 [B.C.L.R. 75.1 (D)] is amended and restated in its entirety as follows:

(1) In conformity with Civil Rule 5(E), and beginning March 24, 2020, applications, pleadings, and other papers may be filed with the Clerk of the Probate Court by electronic means to the Court's ProbFilings facsimile number, **(513) 887-3625**, or the Court's ProbFilings email address, [ProbFilings@butlercountyohio.org](mailto:ProbFilings@butlercountyohio.org), subject to the following provisions:

(a) A document filed by electronic means shall be accepted as the original, consistent with Civil Rule 5(E), if the person sending the document by electronic means files with the Clerk of the Butler County Probate Court the original document, with a copy of the cover sheet that accompanied the document when filed by electronic means, together with any fees and costs, by the close of business on the fourteenth (14<sup>th</sup>) day after the date of filing by electronic means. Failure to so file the original and pay the fees and costs may result in such document being stricken without motion; the document shall thereupon be deemed not filed. The Court may exercise its discretion, and waive this requirement of subsequently filing the original document, on a case by case basis, or a transmission by transmission basis.

(b) The person filing the document by electronic means to the Court's ProbFilings facsimile number, **(513) 887-3625**, shall provide therewith identification information on a cover page, including the caption of the document. The cover page shall indicate the number of pages included in the transmission, including the cover page.

- (1) the name of the Butler County Probate Court;
- (2) the caption of the case;
- (3) the case number (if assigned);
- (4) the name, address, telephone number, fax number, e-mail address and, Supreme Court registration number of the attorney submitting the fax filing;
- (5) a description of the document being filed;
- (6) the date of transmission;
- (7) the transmitting fax number.

(c) The person filing the document by electronic means to the Court's ProbFilings email address, [ProbFilings@butlercountyohio.org](mailto:ProbFilings@butlercountyohio.org) shall provide therewith identification information on a cover page, including the caption of the document ( all attachments to the email should be in PDF form). The cover page shall indicate the number of pages included in the transmission, including the cover page.

- (1) the name of the Butler County Probate Court;
- (2) the caption of the case;
- (3) the case number (if assigned);
- (4) the name, address, telephone number, fax number, e-mail address and, Supreme Court registration number of the attorney submitting the filing;
- (5) a description of the document being filed;
- (6) the date of transmission;
- (7) the transmitting email address.

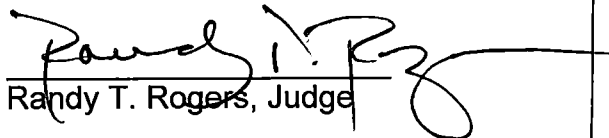
(d) Subject to paragraph (a) above, all documents filed by facsimile shall be considered filed when the date and time have been stamped thereon by the Clerk of the Butler County Probate Court. For the purpose of this section, the date and time stamp produced by the Clerk's facsimile machine or the date and time the email is received shall constitute the date and time stamp of the Clerk of the Butler County Probate Court. All risks of transmission shall be borne by the sender. The Clerk of the Butler County Probate Court assumes no new responsibilities or liabilities by virtue of this local rule.

(e) Fees for this service are as follows: \$2.00 per transmission, plus \$0.25 per page for the first ten (10) pages; all additional pages will cost \$0.50 per page. **Each transmission shall be limited to one (1) case.** The Court may exercise its discretion, and waive the fees for this service, on a case by case basis, or a transmission by transmission basis.

(f) In accordance with the general orders set forth in the Court's Temporary Order In Response To the COVID-19 (Coronavirus) Public Health Crisis, filed March 13, 2020, the fees ordinarily charged pursuant to division (1)(e) above shall be waived during the Emergency declared by the Governor's Executive Order 2020.01(D) issued on March 9, 2020, beginning March 24, 2020 until the Emergency ends or July 30, 2020, whichever occurs earlier.

**IT IS FURTHER ORDERED** that comments concerning this amendment to Butler County Local Rule 75.1 (D) will be received by the Court for a period of sixty (60) days following the date of the Entry and that following that period the Court will review any comments and may revisit the amendment of this local rule.

March 26, 2020

  
Randy T. Rogers, Judge