



The Honorable Maryellen O'Shaughnessy
Franklin County Clerk of Courts

Instructions for Filing Out of State Subpoena R.C. 2319.09

Required Documents and information when mailing for out of state attorneys or prose individuals:

1. Franklin County Clerk of Court Subpoena form.
 - a. It is suggested that the petitioner use the subpoena(s) supplied by the Clerk's office in order that the petitioner is in compliance with Ohio Civil Rule 45.
 - b. Include an original and 3 copies plus any additional copies to be served.
2. Copy of subpoena issued from out of state court. Include copies to be served.
3. If the subpoenas are to be served by a process server:
 - a. Motion for the appointment of a process server.
4. Filing fee in the amount of \$45.00 (Check or Money Order made payable to the "Franklin County Clerk of Courts" for filing costs).
 - a. If the Franklin County Sheriff is to serve the subpoena, **add an additional \$10.00 per subpoena to the filing fee payable to the "Franklin County Clerk of Courts"**). Make certain the address used to serve the deponent is within Franklin County, Ohio; the sheriff cannot serve persons outside this jurisdiction.
5. Upon filing, the clerk's office will assign a miscellaneous case number and process the subpoena(s) for service
 - a. Sheriff service will be directed to the Franklin County Sheriff's Office. Please direct any questions regarding completion of service to the Franklin County Sheriff at **(614) 525-3343**
 - b. If a process server is to serve the subpoena(s), the process server must report to the Clerk of Courts to pick up the subpoena(s)
 - c. If attorney service, once subpoena is filed, a copy will be mailed back to attorney's office or if electronically filed, subpoena copy can be printed for service from the e-filing system.
 - d. If you wish to have a copy mailed back, please include a self-addressed stamped envelope.

E-filing instructions to e-file the required documents for prose individuals and attorneys registered in Ohio:

1. If filer does not yet have an e-filing account, to create, and request an account visit <https://efiling.franklincountyohio.gov/>
2. Logon to e-filing account and e-file all required documents listed above
 - a. Click on **New Case**
 - b. Click on the correct court – "GENERAL DIVISION, COURT OF COMMON PLEAS"
 - c. From the Court page, click: **Civil Division**
 - d. From the Case Category page, choose the **Miscellaneous** case type
 - e. From the Case Type page, choose the **Miscellaneous** case description
 - f. Click on **Add My Parties**
 - i. Add your plaintiff case information; the plaintiff is the one that the attorney is representing. All of the required fields have asterisks by them.

- ii. Add your Party Information, then hit the **Next** button
- g. Click on the **Add Other Parties** button
 - i. Select the BUSINESS party type option and type “PETITION ISSUANCE OUT OF STATE SUBPOENA” all in the *Last Name*
 - ii. Type the word “UNKNOWN” in the *Address Line 1* and *City* fields
 - iii. Type the numbers “99999” in the *Zip/Post Code* field
 - iv. All of the required fields have asterisks by them, then hit the **Next** button
- h. After entering the Case Participants, click on **Next**;
- i. From the **Add a Document page**, first select the *Service* from the Document Category dropdown.
- j. From the Document Type dropdown, select *SUBPOENA ISSUED* with the desired type of service.
- k. In the Document Location field, browse for your PDF subpoena(s) supplied by the Clerk's website and click then on **Add**
 - i. Example: SUBPOENA ISSUED – SHERIFF
 - ii. Example: SUBPOENA ISSUED – ATTORNEY
 - iii. Example: SUBPOENA ISSUED – PROCESS SERVER
- l. After clicking Add, fill out the section marked for *Subpoena Filings*
 - i. Select *yes* or *no* for Records Only section
- m. Check mark the plaintiff name as the participant that this filing is on behalf of, then click **Next**
- n. If filing *copy of subpoena issued from out of state court* as a separate document, from the **Add a Document page**, choose the *Exhibits* from the Document Type dropdown. Browse for your PDF document and then click on **Add**
- o. If the subpoenas are to be served by a process server please provide a copy of the standing order as Exhibits in Document Type dropdown, or if none, provide the following:
 - i. From the Document Type dropdown, select MOTION: SPECIAL PROCESS SERVER and click then on **Add**
 - 1. After clicking Add, check mark for Plaintiff in both sections, then click **Next**
 - ii. From the Document Category dropdown, select PROPOSED ORDERS, then from Document Type dropdown, select PROPOSED APPOINTMENT OF SPECIAL PROCESS SERVER (order to be approved and signed by a judge of this court).
- p. Click on the **Next** button when ready to file the submission
- q. The filing fee of \$45.00 will be paid electronically by credit card once the documents are submitted for filing.
 - i. Subpoena have an additional filing fee of \$10 per Sheriff service

Note: Please review Loc. R. 91 pertaining to admission of out-of-state attorneys to practice before this court.

This court cannot order a witness to attend a deposition outside this court’s jurisdiction.

Please contact the Clerk of Courts with all other inquiries at:

Franklin County Clerk of Courts, General Division
 345 South High Street, Fl. 1
 Columbus, OH 43215
 (614) 525-3621