



The Honorable Maryellen O'Shaughnessy
Franklin County Clerk of Courts

Dear Editorial Board:

Thank you to the Columbus Dispatch for the series of articles on issues surrounding foreclosed homes. We appreciate you bringing to light these serious problems.

I must however, correct the statements regarding my Office of Clerk, mentioned in the companion piece, "Do you have foreclosure money coming to you?"

My Office is, indeed, in strict compliance with Ohio law, which states that the Court must determine which individuals receive what amount of money, and then orders us to disburse the money to debtors. Only the Court can determine who is owed the money, and the amount. Under another Ohio law, the Clerk and her deputies are prohibited from the unauthorized practice of law. To make such a determination without an order from the Court would be the unauthorized practice of law, and a violation.

We have been meeting with Court Administration since November 2018 to work out a process which we hope will prompt people owed money to take action with the Court. We would issue a notice to the debtor's last known address alerting them that excess funds from the sale of foreclosed property is being held by the Clerk, and how they should work with the Court to get an order to release the funds to them. This is what Hamilton and some other counties do. They do not issue funds without a Court order.

If people want to know if they are owed money from a foreclosed property in Franklin County, the list of debtors in foreclosed cases is and has always been updated and available online on my website. clerk.franklincountyohio.gov.

Thank you for allowing me to correct the record.

Maryellen O'Shaughnessy
Clerk, Franklin County Common Pleas Court
10th District Court of Appeals