

NOTICE OF COURT RULES

THE COURT PUBLISHES AND GIVES NOTICE OF THE FOLLOWING COURT RULES:

Rule 2.15.3 – Electronic Filing

COMMENTS ON THE COURT RULES MAY BE SENT IN WRITING TO:

DAYTON MUNICIPAL COURT
COURT ADMINISTRATOR ANN MARIE MURRAY
301 WEST THIRD STREET, ROOM 365
DAYTON, OHIO 45402

Effective July 21, 2025, R.C. 1901.313 provides that pleadings or documents may be filed with the clerk of the municipal court either in paper format or electronic format. Electronic format may be either electronic mail or an online e-filing platform.

Dayton Municipal Court Rule (DMCR) 2.15.3, Electronic Filing, is created to provide for the filing of pleadings and documents by electronic mail beginning July 21, 2025. Copies of the E-Filing Cover Page is attached as an Appendix to this Rule.

Rule 2.15.3 – Electronic Filing

Pursuant to R.C. 1901.313(A), Civil Rule 5(E), Criminal Rule 12(B), and Traffic Rule 20, the Clerk of Court is authorized to accept pleadings, motions, and other documents for filing by electronic means in all civil, criminal, and traffic cases beginning July 21, 2025. The E-Filing Cover Page is attached to this Rule. The system by which the Clerk facilitates filing, receipt, and retrieval of electronic documents is the agent of the Clerk. Subject to the following conditions, pleadings and other papers may be filed with the Clerk of Court by electronic transmission to:

EFileDMC@daytonohio.gov. The Subject Line, of all electronic transmissions, shall contain the Recipient Division for the attached filing (Civil, Criminal, or Traffic).

A. Applicability

1. Electronic filings shall only be filed with the Clerk through the EFileDMC@daytonohio.gov email address. Electronic filings shall not be sent directly to a Judge's or Magistrate's Office. All electronic filings shall not be considered filed unless they are received by the Clerk through the electronic filing email address of EFileDMC@daytonohio.gov. Further, this Rule applies to pleadings and papers filed in civil, criminal, traffic, and small claims proceedings in the Dayton Municipal Court regardless of a required filing fee.

2. **New Civil Suits**

New civil suits received via electronic filing will be assigned a case number upon receipt of the complaint. A summons will not be issued until the receipt of the filing fee.

3. **Written Not Guilty Pleas and Notice of Appearance**

- (a) **Criminal Domestic Violence Cases**

Written Not Guilty Pleas may be filed; however, a personal appearance by the defendant is always required at the arraignment. Failure to appear at arraignment may result in an arrest warrant being issued for the defendant, regardless of a written not guilty plea being filed.

- (b) **Criminal Cases with Temporary Protection Order Request**

Written Not Guilty Pleas may be filed, however, a personal appearance by the defendant is always required at the arraignment. Failure to appear at arraignment may result in an arrest warrant being issued for the defendant, regardless of a written not guilty plea being filed.

- (c) **Traffic and Criminal Cases with Warrants**

Written Not Guilty Pleas may be filed; however, the warrant will not be removed unless a Motion and Proposed Entry to Vacate Warrant is filed with the Not Guilty Plea.

(d) Felony Warrant Criminal Cases

A Notice of Appearance for a defendant may be filed; however, the defendant must appear and be taken into custody at the Montgomery County Jail for First Appearance the following business day.

4. Notice of Appeals

Notice of appeals received via electronic filing will be noted on the docket. The Notice of Appeal will be sent to the Second District Court of Appeals upon receipt of the filing fee.

B. Hours for Electronic Filings

The Clerk's Office is open Monday through Friday, except for the Court's listed holidays, from 8:00 am to 4:30 pm. If a filing is submitted outside of the Clerk's hours, then the Clerk's Office shall be considered filed on the next business day.

C. Fees and Costs

1. No additional fee shall be assessed for electronic filings.
2. Documents that require a filing fee will be accepted, time-stamped, and entered on the docket. However, the documents will not be processed until the filing fee is received by the Clerk's Office.
3. Payment of filings fees can be made by mail or in-person at the Clerk's Office.
4. Payment shall be made to the Clerk within two (2) business days of the submission of an electronic filing. If payment is not received within two (2) business days, then the Clerk will notify the filer through the email address that submitted the filing to the Clerk. If after one (1) additional business day the payment has still not been received, then one of the following will occur based on the type of filing:

New Suit – the case will be administratively dismissed by the Court;

Subsequent Filing – the filing will be stricken from the record by the Court.

Payment must include Case number (if filing is on an established case) or Case Caption if the filing is a new suit.

D. Incorporation of DMC Rule 2.15.1 Facsimile Filing

DMC Rule 2.15.1, Facsimile Filing, Paragraphs B-I, and K are incorporated by reference herein.

E. Appendix to DMCR 2.15.3

1. Electronic Filing Cover Page

Dayton Municipal Court
E-Filing Cover Page

Recipient Information: *Please circle one.*

Civil or Small Claims

Traffic Division

Criminal Division

Sending Party Information:

Name: _____

Supreme Ct. No.: _____

Office/Firm: _____

Address: _____

Telephone No.: _____

E-mail Address: _____

Case Information:

Case Caption: _____

Case Number: _____

Title of Document: _____

Judge*: _____

*(if a judge has not been assigned, please state that fact in the space provided.)

Filing Information:

Date of Transmission: _____

Number of pages — including Cover Page: _____