

FRANKLIN COUNTY MUNICIPAL COURT
Columbus, Ohio

**INSTRUCTION SHEET FOR OBTAINING
WRITS OF RESTITUTION AND EVICTION (Set-Out)**

Effective January 7, 2002

1. Pursuant to Local Rule 9.06(4), no Writ of Restitution shall issue after thirty (30) days from the date of judgment.
2. Plaintiff may file a praecipe for a Writ of Restitution and pay a \$35.00 fee to the Municipal Court Clerk's Office, which will then transmit the Writ of Restitution to the Service Bailiff's Office.
3. The Service Bailiff will tag the property on the day he/she receives the Writ of Restitution.
4. Plaintiff or plaintiff's attorney may call the Service Bailiff's Office at 645-7780, Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. to find out when the property was tagged.
5. Beginning the day property is tagged, defendant (tenant) will have five (5) days, including weekends and holidays, in which to vacate.
6. A supervised set-out, if needed, must be performed after the above five-day (5) period has elapsed, and before the end of the tenth (10th) day after the date the door is tagged. R. C. 1923.14.
7. Plaintiff should promptly check the property after the five-day (5) period. If supervised set-out is necessary, plaintiff shall complete and file with the Clerk the "set-out form" (available in the Clerk's Office) and pay an additional \$45.00 fee. The Clerk's Office will immediately transmit the form the Service Bailiff's Office.
8. Thereafter, the plaintiff should timely contact the Service Bailiff's Office to schedule the date and time of the set-out. **The only office hours in which to schedule set-outs are from 8:00 a.m. to 10:00 a.m.** After delivering the set-out request form to the Bailiff's Office call the next business day to schedule the set-out. Set-outs will be performed on a "first scheduled-first served" basis.

If plaintiff fails to timely file the "set-out-form" and contact the Service Bailiff's Office, that office may be unable to perform the set-out within the statutory deadline.

The plaintiff should provide sufficient manpower to accomplish the set-out within one and one-half (1½) hours. Special provisions for protecting the defendant's property shall be made in cooperation with the Service Bailiff's Office, in the event of inclement weather or other circumstances.
9. Plaintiff has the option to file (in one step) a praecipe for a Writ of Restitution and "set-out form", with a \$80.00 fee, in order to accomplish a supervised set-out after five (5) days, plaintiff must timely contact the Service Bailiff's Office to schedule the time and date of the supervised set-out.