

LOCAL RULE 24

PARTITION

24.1 The attorney(s) for plaintiff(s) in an action in this Court for the partition of real estate pursuant to Sections 5307.01 to 5307.25, inclusive, of the Ohio Revised Code who have rendered complete services in connection with such partition litigation shall be allowed and receive in full compensation for all ordinary services a fee (as “counsel fee”) in accordance with Section 5307.25 of the Ohio revised Code, predicated either upon the value of the property based on the true value indicated by the Auditor’s last tax appraisal as shown by his duplicates, if partitioned, or upon the proceeds of sale (by either Sheriff’s Sale or by lection) if sold:

On the first \$5,000.00	6%
On the next \$10,000.00	4%
All over \$15,000.00	3%
Minimum	\$250.00

24.2 In the event of an allowance for actual and necessary expenses, additional compensation, or compensation for extraordinary services is sought by such attorney(s) in such a partition action, the request for an allowance therefor must be made in person to the Judge to whom the case is assigned before allowance, and shall be fixed by such Judge in such amount as is just and reasonable for actual and necessary expenses, and for extraordinary services.

24.3 If an action for partition is terminated other than upon the merits, the Court may allow and may apportion among the parties a counsel fee for the attorney for the plaintiff, to be taxed as costs in the action. Such fee shall be for the reasonable value of such attorney’s services, commensurate with the time and labor required to be expended, the novelty and difficulty of the questions involved, and the skill requisite to perform the service properly through the date of such termination.

24.4 Elections in partition cases shall be filed with the clerk within seven (7) days of the date of the return of the Sheriff and the report of the Commissioners. No election filed after such date shall be considered and the Court will not act on any election prior to the expiration of such seven (7) day period unless the consent of all parties to the action is obtained.