

Getting into Court and Using the Court System

SEOLS can help if you are denied legal rights which keep you from getting in to court or using the court system. Some of these rights are explained below. If you are denied these rights or any other rights that affect your ability to get in to court or to use the court system, you should contact SEOLS.



You have the right to an attorney in certain court cases if you have a low income.

If you are low-income, you have the right to a public defender or court-appointed lawyer in felony criminal cases, misdemeanor criminal cases if jail time is possible, contempt of court cases if jail time is possible, and many juvenile court cases involving Children's Services. You should make the request for the public defender or court-appointed lawyer with the clerk of courts as soon as possible. You will need to fill out and submit the Financial Disclosure/Affidavit of Indigency.

If you request a public defender or court-appointed lawyer, you may have to pay an up-front application fee of \$25 to the Clerk of Courts. The fee must be paid within seven days of submitting the Financial Disclosure/Affidavit of Indigency. If you do not pay the fee, the court will add the fee at sentencing or at the closing of the case. You will still owe the money until it is paid or waived. The \$25 fee can be reduced or waived if the court decides that you lack the financial resources to pay it or payment would result in an undue hardship.



You have the right to file most civil cases without a filing fee if you have a low income.

If you have a low income, you have the right to file most civil cases without a filing fee. You could still owe court costs at the end of the case if the judge orders it, but you should not be charged any fee to file the case. You must submit a poverty affidavit using the form required by the court, and the court may hold a hearing to make sure you qualify as low-income.



You have the right to file for a Civil Protection Order (CPO) without a filing fee.

Courts may not charge a filing fee for the filing or issuance of any CPO. A CPO is available to victims of domestic violence, stalking, and sexually-oriented offenses. You may also want to bring a witness who knows you and your reputation in the community.



You cannot be put in jail for failing to pay court costs.

Court costs can only be collected through the ways available for civil judgments (like garnishment of wages and attachment of property). You cannot go to jail for failing to pay court costs.



You can represent yourself in court in a civil case.

If you can get a lawyer, that is generally better for you and your case. However, if you cannot afford a lawyer and legal services cannot help you, you can represent yourself in your civil lawsuit. You will generally be held to the same standards as lawyers, so you need to prepare for court. SEOLS has several other brochures and packets to help people who represent themselves.



You have the right to a court interpreter if you need one.

If you do not speak English or if you have a hearing, speech, or other limitation that impairs your ability to understand or communicate, the court must appoint a qualified interpreter to assist you in court. The court must determine a reasonable fee for interpreter services but should not charge you for the interpreter. The court should not have your family member or friend interpret.



You have the right to copies of public records at actual costs.

Under Ohio law, public agencies must provide copies of public records at cost and within a reasonable time. This means the actual cost of copying. For example, a court or a police department cannot charge \$1 per page for copies. Actual cost should be around \$0.05 or \$0.10 per page.



You can move forward with a divorce case even if you do not know your spouse's address.

If you do not know your spouse's address and have diligently looked for it, you may ask for service by publication by posting in the courthouse and regular mail to the spouse's last known address.



Mediation may be available from your court.

Some courts have mediation programs to help parties in court try to work their cases out without a court hearing. Mediation is a voluntary process in which a third-party mediator tries to help the parties reach a settlement that is acceptable to both sides. You do not have to settle the case in mediation if you do not want to, and the mediator does not make a decision like the judge. If a settlement cannot be reached, the case proceeds to a hearing in court.

The information on this flyer is not legal advice.

If you are seeking representation or legal advice, please contact SEOLS.

An attorney-client relationship does not exist between you and SEOLS.

How to contact SEOLS:

Athens Office **740.594.3558**
800.686.3669
Serving Athens, Gallia, Meigs, Morgan, Noble,
Vinton, and Washington Counties

Chillicothe Office **740.773.0012**
800.686.3668
Serving Fairfield, Fayette, Hocking, Jackson,
Pickaway, Pike, and Ross Counties

Newark Office **740.345.0850**
888.831.9412
Serving Knox, Licking, Muskingum, and Perry
Counties

New Philadelphia Office **330.339.3998**
800.686.3670
Serving Coshocton, Guernsey, Holmes, and
Tuscarawas Counties

Portsmouth Office **740.354.7563**
800.837.2508
Serving Adams, Lawrence, and Scioto Counties

Steubenville Office **740.283.4781**
800.837.4781
Serving Belmont, Carroll, Harrison, Jefferson, and
Monroe Counties