

## ***ROCKY RIVER MUNICIPAL COURT TRUSTEESHIP RULES***

---

1. Applicant **MUST** have a pending Garnishment proceeding and have received the 15-day NOTICE. A copy of the NOTICE is required at the time of Trusteeship filing.
2. Applicant must reside within the jurisdiction of the Rocky River Municipal Court which includes Bay Village, Fairview Park, North Olmsted, Rocky River and Westlake.
3. Applicant must be employed, but not self-employed.
4. A \$30 fee for each creditor listed is required to be paid upon the filing of the Trusteeship.  
(Example: 3 creditors = \$90 would be due at time of filing).
5. Applicant must submit a complete list of creditors giving names, addresses and amounts due. Accounts in the hands of collection agencies or attorneys, secured or unsecured, are to be so designated. Debts to the Federal Government (income tax) cannot be listed.
6. Obligations incurred after an Application for Trusteeship is filed **MAY** be added to a Trusteeship Account. Debtor *“may apply to the court, with notice to the other party, to list the omitted creditor in the trusteeship. Any person who becomes a creditor after the appointment of a trustee may be listed in the trusteeship, and that creditor shall share in any distribution made by the trustee after the next ensuing distribution.”*  
**(§2329.70 Application for appointment of trustee)**
7. When the list of creditors includes obligations in the names of the applicant and spouse, the Trusteeship will be in the two names and both individuals will sign the Application form.
8. Payments from all wages the debtor receives are to be made in the Clerk’s Office. They are payable within three (3) days from receipt of a paycheck. The initial payment is due the first day after the Application is filed.
9. Payments are 25% of the applicant’s disposable income. “Disposable income” is gross pay, less Social Security, Federal Income Tax, State Income Tax, and City Income Tax.
10. Payments are to be in cash, money order, or certified check, and made out to the Rocky River Municipal Court. Payments sent by mail are to be accompanied by the paycheck stub and a stamped, self-addressed return envelope. Personal checks are **NOT** accepted.
11. Payments are deposited in an account for the debtor and distributions to the creditors are made every three (3) months. Court fees are 2% of the deposit.
12. When payments are not made within the time allotted, the debtor will be dismissed without notice and creditors will be so advised.
13. When a current trusteeship is dismissed for failure to pay or failure to comply with trusteeship rules, a debtor may not apply again for a period of six (6) months and the second application will be subject to the judge’s ruling. Following two (2) dismissals, applications will not be accepted for a one-year period.
14. It is a debtor’s obligation to keep the court informed of any change in address or employment. In the absence of a paycheck due to illness, lay-off, strike, or vacation, the court should be notified.
15. Reasons for dismissal, without advance notice, are as follows:
  - a. Failure to pay within three (3) days following receipt of a pay check
  - b. Failure to pay the amount due on all income.
  - c. Giving false information.
  - d. Change of residence outside the jurisdiction of this court.
16. Participation in trusteeship will protect only your wages from attachment. Civil action may be taken against other property you own.