Filing a Motion Pro Se

Pro Se (for one's self)
It is always best to hire a licensed attorney to file a motion on your behalf to ensure that it is done properly. Any motion not properly filed with the court will be denied without refund for any filing fees. However, individuals are permitted to file Pro Se. A person filing pro se or appearing pro se is doing so without the assistance of a licensed attorney.

EMPLOYEES OF THE COURT AND PROBATION ARE NOT LICENSED ATTORNEYS, THEREFORE CANNOT ASSIST IN THE FILING OF MOTIONS.

Ohio rules of Criminal Procedure

RULE 47. Motions

An application to the court for an order shall be by motion. A motion, other than one made during trial or hearing, shall be in writing unless the court permits it to be made orally. It shall state with particularity the grounds upon which it is made and shall set forth the relief or order sought. It shall be supported by a memorandum containing citations of authority, and may also be supported by an affidavit.
To expedite its business, the court may make provision by rule or order for the submission and determination of motions without oral hearing upon brief written statements of reasons in support and opposition.
[Effective: July 1, 1973.]

RULE 49. Service and Filing of Papers

(A) **Service: when required**. Written notices, requests for discovery, designation of record on appeal, written motions other than those heard ex parte and similar papers, shall be served upon each of the parties.
(B) **Service: how made**. Whenever under these rules or by court order service is required or permitted to be made upon a party represented by an attorney, the service shall be made upon the attorney unless service upon the party himself is ordered by the court. Service upon the attorney or upon the party shall be made in the manner provided in Civil Rule 5 (B).
(C) **Filing**. All papers required to be served upon a party shall be filed simultaneously with or immediately after service. Papers filed with the court shall not be considered until proof of service is endorsed thereon or separately filed. The proof of service shall state the dated and the manner of service and shall be signed and filed in the manner provided in Civil Rule 5 (D).
[Effective: July 1, 1973]

MOTIONS

A motion is a document filed with a court for a case that is currently pending or a case that has been disposed of already. A motion can be filed in a civil case or a criminal case in the state of Ohio. A motion is made for the purpose of requesting that the Judge make a ruling on something or order that something be done in favor of the person making the motion.

BASIC INSTRUCTIONS

1. Refer to a copy of a document that was previously filed with the court for the caption of the case and the case number. Copy this information onto your motion. If you do not have any previously filed paperwork, call the court and obtain the caption and cause number.
2. State what you are requesting from the Judge in the body of your motion. Begin your motion with a statement, such as "Comes now the defendant and files his motion to reduce bail and in support thereof states the following." List the reasons you feel support your request.
3. Include a certificate of service that you have sent a copy to the opposing party or to the prosecuting attorney in a criminal case. Sign the motion.
4. Make copies of the motion and order. Send one to the opposing party or the prosecuting attorney. File the motion and order with the court.
5. Pay any fees imposed to the Clerk of Court at the time of filing and wait to hear a response.

IN THE VAN WERT MUNICIPAL COURT
VAN WERT, OHIO

_____
Plaintiff(s)

Vs. Case No. _____

_____
Defendant(s)

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____
Signature

_____
Printed Name

_____
Street Address

_____
City State Zip Code

(____)_____
Phone Number

CERTIFICATE OF SERVICE

I certify that a copy of this document was mailed to:

(Name of Opposing Party or Opposing Party's Attorney)_____
By regular U.S. Mail to (Street Address)_____
(City, State, Zip Code)_____ on (Date)_____.

_____ _____
Print Name Signature