

IN THE COURT OF COMMON PLEAS
PROBATE DIVISION
GEAUGA COUNTY, OHIO

FILED
IN COMMON PLEAS COURT

2014 OCT 16 PM 12:34

IN RE:)
) CASE NO. 13092
)
GEAUGA COUNTY PARK DISTRICT)
) JUDGE TIMOTHY J. GRENDELL
) ADMINISTRATIVE ORDER
) 2014-22

PROBATE-JUVENILE
DIVISION
GEAUGA COUNTY, OHIO

The Court has issued a Judgment Entry directing certain payments from the Court's discretionary funds pursuant to R.C. 2303.201 (E)(1).

Under Ohio law, these court ordered payments are not subject to review and approval by the County Commissioners. See R.C. 2303.201(E)(1); See also OAG Opinion 2009-001.

Under Ohio law, the County Auditor must process, without delay, these court ordered payments, which are to be made from the Court's discretionary funds, not county general tax revenue dollars.

The Court has been informed that the County Auditor has forwarded these Court ordered payments to the County Commissioners for review and approval. Such action by the County Auditor is contrary to Ohio law and a violation of this Court's statutory authority and separate judicial powers under the Ohio Constitution.

Therefore, the County Auditor is ordered and directed to retrieve the payment Judgment Entries for Probate Court Case No. 13092 from the County Commissioner's Office and process the payments ordered therein immediately.

If this action is not taken by 3:00 p.m. on Friday, October 17, 2014, the Court will conduct a Show Cause Hearing at 4:00 p.m. on October 17, 2014 to address the County Auditor's noncompliance and interference with the orders of this Court and violation of Ohio law. A Show Cause notice will be issued to the County Auditor for said purpose.

A failure to comply with the orders of this Court will result in sanctions as provided by law.

IT IS SO ORDERED.


TIMOTHY J. GRENDELL, Judge

cc Frank Gliha, County Auditor
James Flaiz, Prosecutor

CERTIFIED
COPY
OCT 16 2014

Geauga County
Probate Juvenile Court

BEING TO WIT THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE IN THIS OFFICE, EXCEPT FOR THE REDACTION OF SOCIAL SECURITY NUMBERS, IF ANY, ENTERED 10/16/14 WITNESS MY HAND AND SEAL OF SAID COURT THIS 16th DAY OF October, 2014
Timothy J. Grendell
JUDGE & EX-OFFICIO CLERK
BY K. Murray DEPUTY CLERK.

