



**CLARK COUNTY MUNICIPAL COURT**  
**BAILIFF'S OFFICE**  
50 E. COLUMBIA STREET, SPRINGFIELD, OHIO 45502  
937-328-3759



**Restitution of Premises Procedure**

**Please contact an attorney for legal advice. The following is for informational purposes only and should not be interpreted as legal advice or instruction.**

After obtaining a judgment at the final eviction court hearing, the Plaintiff may file for a **Writ of Restitution** with the Clark County Municipal Court Clerk's Office. This process is outlined in the Ohio Revised Code, and there is an additional fee for this filing. The Writ of Restitution permits the Bailiff's Office to return the premises back to the Plaintiff, should the Defendant not vacate after the date allowed by the Magistrate or Judge.

Once the Writ is filed in the Clerk's Office, the Bailiff's Office typically receives it within 2 to 3 days. Upon receipt of the Writ of Restitution, one of the Bailiffs will call the Plaintiff to discuss the occupancy status of the residence/building, and schedule a **Padlocking**, which is the date and time for the Bailiffs to come out to the premises for removal of the occupants. When you file for the Writ, please make sure your **correct phone number** is on the paperwork. If an attorney is filing the paperwork on your behalf, please encourage him/her to include your phone number as the contact person for scheduling. The Padlocking date will TYPICALLY be within 2 to 3 days after the phone conversation, but could be up to 10 days after, depending on the number of other Padlockings already on the schedule. *Please notify the Bailiff of any **known or possible drug activity, dangerous weapons, or combative persons** that might be occupying the premises during this phone conversation!*

The Bailiff's Office no longer puts an actual padlock on the door of the residence or building, so on the date of the Padlocking, the **Plaintiff should be prepared to change the locks** or otherwise secure the premises if he/she chooses. Due to liability reasons, the Bailiffs are unable to assist the Plaintiff in changing the locks; if the Plaintiff is unable to perform the lock change him/herself, then he/she should contact a locksmith to arrive at the scheduled Padlocking time.

The Plaintiff, or his/her Property Manager or other qualified adult, **MUST be present at the Padlocking** for the Bailiff's Office to effect the Writ of Restitution.

If the Plaintiff discovers that the Defendant has vacated at any point prior to the scheduled Padlocking date and time, the Plaintiff must call the Bailiff's Office to cancel the Padlocking.

When the Bailiffs arrive at the Padlocking, they will check inside the premises for occupants. If any are found, it is up to the discretion of the Bailiffs if the occupants will be given any additional time (approximately 15 minutes) to remove personal items from the residence prior to being ordered to vacate. Once the residence or building has been checked by the Bailiffs, the Plaintiff or locksmith will be given permission to change the locks. The Plaintiff shall contact an attorney regarding any remaining personal items left behind by the Defendant.

At the completion of the Padlocking, the Bailiffs will post a Do Not Trespass sign in a conspicuous place on the front of the residence. They will also give the Plaintiff a document stating the Eviction is final and the Defendant is not permitted back on the property without the Plaintiff's permission. From this point forward, any unauthorized presence of the Defendant should be addressed by calling the law enforcement agency within the property's jurisdiction (i.e. Clark County Sheriff's Office, Springfield Police Division, etc.).

**Note: Please be patient with the Padlocking schedule during the holidays, as the Municipal Court only has two Bailiffs that regularly conduct eviction removals for the entire county. Keep in mind that the schedule does get busier during holidays, due to staffing issues and an increase in evictions filed during these times. Padlockings are not conducted during the week of Christmas.**