

FRANKLIN COUNTY MUNICIPAL COURT
SMALL CLAIMS DIVISION
HOW TO REVIVE A DORMANT JUDGMENT

What is a dormant judgment?

A judgment becomes dormant if no action is taken to enforce it for a period of five (5) years. When a judgment is dormant no interest accrues and no collections proceedings can go forward until the judgment is revived.

The Judgment Creditor (the person who has the judgment) may file a motion to revive the judgment any time within ten (10) years after the judgment becomes dormant. If the court grants the motion the judgment is revived and the Judgment Creditor can take steps to collect the judgment. The judgment will become dormant again in five years if no action is taken to collect.

How do I revive a dormant judgment?

To revive a dormant judgment the Judgment Creditor can take the following steps:

1. Complete a "Motion to Revive Dormant Judgment" form. You will need the date the judgment was filed and the date the judgment became dormant (five years after the last action to enforce the judgment was taken).
2. Complete the Instructions to the Clerk and Instructions for Service of Summons and select the type of service you are requesting.
3. File the motion with the court. The cost to file the motion is \$30.00 for up to three defendants.

The Clerk will prepare a summons and send a copy of the motion to the Judgment Debtor. The Revivor will not be approved until service is completed. The Judgment Debtor has 28 days from the date when the motion is served to respond. If the Judgment Debtor responds to the motion, the case will be referred to a judge for consideration.

What happens if the debtor does not respond to the motion?

If the Judgment Debtor does not respond by the 31st day after service, you may file the "Entry for Revivor of Judgment" with the Clerk of Court on the 3rd floor. To obtain a copy of the Judge's signed Entry, enclose a self-addressed stamped envelope with the Entry.

To determine the date the Judgment Debtor was served, you can view your case docket using your case number at: www.fcmcclerk.com.

What do I do if the court revives the judgment?

Once the judgment is revived you can start one of the collection proceedings available through the court.

**FRANKLIN COUNTY MUNICIPAL COURT
COLUMBUS, OHIO**

Plaintiff,	:	
	:	
v.	:	Case No. _____ CVI _____
	:	
Defendant.	:	

MOTION TO REVIVE DORMANT JUDGMENT

Now comes the Judgment Creditor (☐ plaintiff/ ☐ defendant) in this action,

_____, and respectfully moves the Court for an
order reviving the Judgment entered in favor of the Judgment Creditor and against the
Judgment Debtor, _____. The Judgment
became dormant on _____, _____.

☐ Judgment Creditor ☐ Attorney for the Judgment Creditor

Supreme Court Number _____

Street Address

City State ZIP Code

Telephone

FRANKLIN COUNTY MUNICIPAL COURT
COLUMBUS, OHIO

_____	:	
Plaintiff,	:	
	:	
v.	:	Case No. _____ CV _____
	:	
_____	:	
Defendant.	:	

ENTRY FOR REVIVOR OF JUDGMENT

This cause came to be heard on the motion for revivor of the Judgment herein, and the Court finds that the Judgment Debtor, _____, has been served with a copy of the Motion to Revive Dormant Judgment and has failed to file a response with the Court that explains why the Judgment should not be revived.

IT IS THEREFORE ORDERED that the Judgment entered on _____, _____ for the sum of _____, including costs and interest at the rate of _____% per annum.

Judge

APPROVED:

☐ Judgment Creditor ☐ Judgment Creditor's Attorney

FRANKLIN COUNTY MUNICIPAL COURT **CASE NO:** _____

INSTRUCTIONS FOR SERVICE OF SUMMONS

To: Clerk, Franklin County Municipal Court, please issue summons for:

Personal Service ☐ Residence Service ☐ Certified Mail ☐ Ordinary Mail ☐

Other: _____

On the defendant(s) as listed below, in the instructions to server.

DATE: _____ (Signed) _____
Signature of Requesting Party

To: _____ (Server)

You are instructed to make:

Personal Service ☐ Residence Service ☐ Certified Mail ☐ Ordinary Mail ☐

Upon the following defendant(s) and at the address(s) listed below:

Special instructions for server:

**INSTRUCTIONS TO THE CLERK
LORI M. TYACK, CLERK OF COURTS
FRANKLIN COUNTY MUNICIPAL COURT
COLUMBUS, OHIO**

Case No. _____ CV _____

Signature_____

Attorney Code_____

Attorney for _____

To the Clerk: Please issue

_____ DOCKET TRANSCRIPT - \$20.00

_____ **Out of County Sheriff - \$41.00**
County Name _____

 Post Judgment Motion - \$20.00

 Objection to Magistrates Report - \$20.00

_____ **Amended Complaint - \$20.00**
(plus service fees)

_____ **Third Party Complaint - \$20.00**
(plus service fees)

_____ **Counterclaim/Crossclaim - \$20.00**
(plus service fees)

Order to Show Cause - \$50.00

 Ordinary Mail Service - \$3.00

 Certified Mail Service - \$10.00

Bailiff Service - \$25.00

_____ **Personal/Residence Process Server \$25.00**
Residence Process Server \$25.00

FedEx - \$22.00

_____ **Jury Demand Fee - \$10.00**

_____ **Jury Demand Deposit - \$500.00**

New Address

Street

City	State	Zip code
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City	State	Zip code
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City	State	Zip code
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