

General Information Regarding Trusteeships

1. Applicants must present proof of a civil judgment against them and a notice of Court action to collect a debt (i.e. garnishment or bank attachment) dated within the past 30 days.
2. Applicants must reside within the Berea Municipal Court jurisdiction which includes Berea, Brook Park, Middleburg Heights, Olmsted Falls, Olmsted Township and Strongsville. The only exception is if an applicant is not a resident of the State of Ohio. Then they must be employed within the boundaries of the Berea Court District.
3. Applicants must be employed or self-employed. Payroll stubs and a copy of the most recent federal income tax return must be presented at the time of application.
4. Applicants must understand that 20% of their disposable income must be paid to the Court within 3 days of the receipt of a paycheck. Disposable income is defined as: gross pay less Social Security, Federal Income Tax, State Income Tax, City Income Tax and Child Support Payments paid to Domestic Relations Court. Payments are to be in cash, money order, or certified check, and made payable to the Berea 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.
5. Court distributions to creditors will occur quarterly. The Court is only able to pay creditors if the applicant is making regular payments to the Court after each pay period.
6. A complete list of all creditors must be presented at the time of application. The list must include creditor's names and any associated collection agencies or attorneys, complete addresses, phone numbers and the total amount of the outstanding debt.
7. Applicants are not permitted to include debts to the Federal Government, State of Ohio or local governments.
8. Obligations incurred after an application for trusteeship is filed may not be added to the trusteeship account. The court cannot dismiss any attachment or garnishment that has been filed before the trusteeship was filed.
9. 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 will sign the application form. If the applicant has any co-signors on a loan, the creditor may garnish the wages of the co-signor.
10. Participation in a trusteeship does not prevent creditors from assessing additional interest or late fees.
11. Applicants must carefully review the rules of trusteeship at or before the time of application.
12. Trusteeships may take the court 30 to 60 days to establish. Letters will be sent to each creditor listed and in turn, each creditor must respond in writing with their agreement to participate in a trusteeship program.
13. There is a \$50.00 trusteeship filing fee due at the time of application and a 2% fee will be deducted from each payment made to the court.
14. When payments are not made within the time allotted, the debtor will be dismissed without notice and creditors will be so advised.

15. 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.
16. If 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.
17. 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.
18. Participation in trusteeship will protect only your wages from attachment. Civil action may be taken against other property you own.