

**RULES OF PRACTICE  
OF THE  
COURT OF COMMON PLEAS**

**STATEMENT OF PURPOSE**

Delay in criminal and civil cases in the Courts of Common Pleas throughout the state of Ohio is a serious problem in the administration of justice. Constitutional courts were created to serve the litigants and the interest of the public at large, not for the convenience or benefit of judges and lawyers. Unnecessary delay erodes the public's confidence in the judicial system.

It is the obligation of the judges of the Court of Common Pleas, Franklin County, Ohio, to operate the Court in a manner that is lawful, fair, just, and efficient for the benefit of the citizens of Franklin County and all other litigants that come before it. To that end, the following rules are designed (1) to expedite the disposition of both criminal and civil cases in this Court, while at the same time safeguarding the rights of litigants to the just processing of their cases; (2) to expedite and make consistent the disposition of cases in the general branch of the Court; and (3) to serve the public interest which mandates the prompt disposition of all cases before this Court.

**RULE 55 - DEFAULT JUDGMENTS**

**55.01.** When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by the Civil Rules, the party entitled to a judgment by default shall promptly apply in writing or orally to the Trial Judge within 30 days after the date upon which the defaulting party should have pled or otherwise defended. No judgment by default shall be entered against a minor or an incompetent person unless represented in the action by a guardian or other representative who has appeared. If the party against whom judgment by default is sought has appeared in the action, written notice of the hearing on the motion along with the date and time fixed by the Assignment Commissioner with the concurrence of the Trial Judge shall be served upon that party. In order for the Trial Judge to award damages and enter judgment, to establish the truth of any averment by evidence, or to make an investigation of any other matter, the Trial Judge may conduct hearings or order references as necessary and proper and shall, when applicable, accord a right of trial by jury to the parties.