

**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 82 (8-24-99) THE RETENTION AND DISPOSAL OF COURT REPORTER NOTES, DEPOSITIONS, TRANSCRIPTS AND EXHIBITS IN CIVIL CASES

82.01 Retention of Court Reporter Notes

- (A) Upon the trial of a civil action or other oral proceedings in the Franklin County Court of Common Pleas, General Division, the trial judge shall request that a court reporter take
- (B) accurate notes of the testimony. These notes shall be filed in the office of the Official Court Reporter and shall be carefully preserved for a period of five (5) years.
- (C) Time for retention shall be calculated from the date of final judgement entry. In the event that an appeal transcript has been filed, the notes of such case may be disposed of one (1) year after the filing of such transcript.

82.02 Disposal of Exhibits and Depositions

At the conclusion of a civil trial or other proceeding, including times for direct appeal, the Court Reporter may destroy exhibits and depositions if all of the following are met:

- (A) The Court notifies the party, who tendered the exhibits or depositions, in writing that the party may retrieve the exhibits or depositions within sixty (60) days from the date of the written notification.
- (B) The written notification provided in paragraph II (A) of this rule informs the party, who tendered the exhibits or depositions, that these documents will be destroyed if not retrieved within sixty (60) days of the notification.
- (C) The written notification required in paragraph II (A) of this rule informs the party, who tendered the exhibits or depositions, of the location for retrieval of the exhibits or depositions.

82.03 Compliance with the County Records Commission

In accordance with ORC Section 149.38, this policy for the retention and disposal of court reporter notes, exhibits, depositions and transcripts, is subject to the approval of the Franklin County Records Commission. Additionally, these documents have been determined to be public records pursuant to ORC 149.43 and therefore, must have the approval of the County Records Commission, the Auditor of State and the Ohio Historical Society prior to their disposal.