

**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.

CRIMINAL RULES OF PRACTICE AND PROCEDURE

RULE 61 - GENERAL APPLICATION

61.01 These rules supplement existing Rules of Court and are an adjunct to the Rules of Criminal Procedure. In any case where the Criminal Rules of Procedure or local rules do not resolve the issue before the Court, the Rules of Civil Procedure are to be consulted.

61.02 Speedy Trial. Upon the determination that a case must proceed to trial without delay due to compliance with speedy trial statutes and rules, the assigned Trial Judge, if not already in trial, shall preside. In the Trial Judge's absence, the Duty Judge shall preside. If the Duty Judge is engaged in trial or otherwise unavailable, the Administrative Judge will assign an available judge from the Court at large to preside. Nothing in this rule shall preclude a judge from picking up a case for trial from any other judge.

61.03 Withdrawal of Counsel. A withdrawal of representation by counsel after a case is set for trial is to be discouraged. In order to withdraw as counsel for record, counsel must present a motion setting forth the reasons for requesting withdrawal. The motion and entry shall be presented to the Trial Judge. The request must be made no later than 15 days before trial. In the event of withdrawal in a case involving an indigent defendant, withdrawing counsel must call to the Trial Judge's attention the need for immediate appointment of substituted counsel.