

**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 43 - DISCLOSURE OF POSSIBLE LAY AND EXPERT WITNESSES

43.01. (04-26-00) Initial Joint Disclosure of All Witnesses

Each party shall, not later than the date for disclosure designated in the Case Schedule, serve on all parties and file with the court a written disclosure of all persons with relevant factual or expert knowledge whom the party reserves the option to call as witnesses at trial.

43.02. (04-26-00) Supplemental Joint Disclosure of All Witnesses

Each party shall, no later than the date for disclosure designated in the Case Schedule, serve on all parties and file with the court a written disclosure of all persons whose factual or expert knowledge did not appear relevant until the witnesses were initially disclosed, whom the party reserves the option to call as witnesses at trial.

43.03. Scope of Disclosure

Disclosure of witnesses under this rule shall include the following information:

- (a) All witnesses. Name, addresses, and business phone number (or home phone number, if no business number is available).
- (b) Lay witnesses. A brief description of witness' relevant knowledge.
- (c) Experts. A brief description of the expert's qualifications and summary of the expert's opinions and the basis or theory of that opinion.

43.04. Exclusion of Testimony

Any witnesses not disclosed in compliance with this rule may not be called to testify at trial, unless the Trial Judge orders otherwise for good cause and subject to such conditions as justice requires.

43.05. Cases Without a Case Schedule

In any case filed prior to August 1, 1991, which does not have a Case Schedule, parties shall disclose their witnesses as defined in this rule on dates as specified by the Trial Judge. In the event the Trial Judge does not specify a date, the parties shall jointly disclose all their witnesses on or before a final pre-trial, or 14 days before trial, whichever is later.