

**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.

LOCAL RULE 94 – COMMERCIAL DOCKET

Local Rule No. 94.01 / Establishment of a Commercial Docket

Effective January 5, 2009, the Franklin County Common Pleas Court – General Division establishes a pilot program in an effort to streamline certain civil cases by the creation of a Commercial (or Business) Docket, pursuant to Supreme Court Temporary Rules of Superintendence 1.01 through 1.11. The Chief Justice of the Supreme Court has the authority to designate Judges to hear cases assigned or transferred to this docket.

Local Rule No. 94.02 / Local Rules Apply unless otherwise ordered; re-filed cases

(A) Unless otherwise ordered in a specific case or modified herein, the general Local Rules of the Franklin County Court of Common Pleas apply in all commercial docket cases.

(B) No case re-filed under Local Rule 31.02(D) shall be transferred to the commercial docket unless it was previously on the commercial docket, or transfer is specifically approved by a commercial docket judge due to anticipated consolidation with a commercial docket case.

Local Rule No. 94.03 / Consolidation of Cases

Notwithstanding Local Rule 31.02(E), with the approval of the assigned judge and a commercial docket judge and/or the Administrative Judge, pursuant to Civ. R. 42 a commercial docket case and an ordinary civil case involving common questions of law or fact may be consolidated to the commercial docket. When that occurs, the consolidated cases shall be assigned to the trial judge having the lowest numbered commercial docket case, rather than to the judge whose case has the lowest case number.

Local Rule No. 94.04 / Temporary Restraining Orders or other urgent proceedings

(A) Notwithstanding Local Rule 31.02(C), if a party initiates a case and promptly seeks re-assignment to the commercial docket, a judge assigned to the commercial docket shall hear any request for a temporary restraining order, receivership, or other emergency relief if they are available following transfer.

(B) Notwithstanding Local Rule 5.06, if the assigned commercial docket judge is unavailable to hear requests for equitable relief or other urgent matters on a commercial docket case, any other commercial docket judge may hear the matter or may refer it to the Duty Judge.

(C) In urgent situations in which transfer of a case to the commercial docket is not feasible, or no commercial docket judge is available, a request for a restraining order, receivership, or other emergency relief shall be heard by the original, randomly assigned judge or by the Duty Judge.

(D) With the approval of the Administrative Judge, a commercial docket case may be re-assigned to another commercial docket judge if significant injunctive, receivership or other proceedings have been held before that commercial docket judge due to the unavailability of the originally assigned commercial docket judge. When that occurs, another commercial case shall be returned to the transferee judge to balance their dockets.