

**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 45 - CHANGE OF THE TRIAL ASSIGNMENT DATE

45.01. Modification

In any case, any party may file a "Motion to Modify the Trial Assignment Date" with the Clerk of Court and shall provide the Trial Judge with a copy. The motion shall be in writing, signed by both the attorney and the moving party, setting forth good cause for modifying the Trial Assignment Date. A modification may make the track shorter or longer based on the circumstances of a particular case. The motion will not be granted unless it is supported by a showing of good cause. If the motion is made after the Trial Confirmation Date, the motion will not be granted except under extraordinary circumstances where there is no alternative means of preventing a substantial injustice.

In all cases, a copy of the "Motion To Modify The Trial Assignment Date" shall be served upon all counsel and any party not represented by counsel. A certificate of service shall be filed with the motion. The Trial Judge, sua sponte, may change the Trial Assignment Date, on reasonable notice to all counsel and parties.

45.02. Notice of Change of Trial Assignment Date

In all cases, if the Trial Assignment Date is changed by the Trial Judge, the party requesting the change shall within five days file with the Clerk of Court an "Entry Modifying Trial Assignment Date" with copies served upon all counsel, any party not represented by counsel, and the Assignment Commissioner. If the modification of the Trial Assignment Date is initiated by the Trial Judge, the Court shall prepare and file the "Entry Modifying Trial Assignment Date" and mail it within five days to all parties.

45.03. Amended Case Schedule

When a party files an "Entry Modifying Trial Assignment Date", the moving party shall also prepare and file, if necessary, an "Amended Case Schedule", signed by the Trial Judge, with copies served on all counsel, parties not represented by counsel, and the Assignment Commissioner.

If the Trial Assignment Date is changed on the Trial Judge's own initiative, the Court shall prepare, file, and mail to all parties an "Amended Case Schedule".