

**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 21 - HEARINGS AND SUBMISSION OF MOTIONS

21.01 All motions shall be accompanied by a brief stating the grounds and citing the authorities relied upon. The opposing counsel or a party shall serve any answer brief on or before the 14th day after the date of service as set forth on the certificate of service attached to the served copy of the motion. The moving party shall serve any reply brief on or before the 7th day after the date of service as set forth on the certificate of service attached to the served copy of the answer brief. On the 28th day after the motion is filed, the motion shall be deemed submitted to the Trial Judge. Oral hearings on motions are not permitted except upon leave of the Trial Judge upon written request by a party. The time and length of any oral hearing shall be fixed by the Trial Judge. Except as otherwise provided, this Rule shall apply to all motions.

21.02 Motions for temporary restraining orders, preliminary injunctions, appointment of receivers, or similar urgent equitable relief shall be submitted to the Trial Judge at a time to be fixed by the Assignment Commissioner with the concurrence of Trial Judge. Notice of the time and place of the hearing shall be served upon the adverse party or his counsel. No matter shall be heard ex parte unless, from affidavits filed with the motion, the Trial Judge determines that extraordinary undue hardship would result to the moving party by any delay in proceeding. Even when the order is issued ex parte as provided herein, a hearing on the continuance of order shall be scheduled and held after notice as provided herein. Evidence upon any hearing shall be in the form of affidavits or depositions which must be filed in advance of the hearing, if possible. No oral testimony shall be permitted upon any motion unless the Trial Judge for good cause directs otherwise.

21.03 Interrogatories under Civ. R. 33, requests for production or inspection under Civ. R. 34, and requests for admissions under Civ. R. 36 shall be served upon other counsel or parties in accordance with those rules, but shall not be filed with the Court. The party responding shall file with the Court interrogatories and requests together with any responses and objections. If relief is sought under Civ. R. 26 (C) or Civ. R. 37 concerning any interrogatories, requests for production or inspection, and requests for admissions, copies of the portions of the documents which are in dispute shall be filed with the Court contemporaneously with any motion filed under Civ. R. 26 (C) or Civ. R. 37.