

**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 83 - DISCLOSURE OF PRESENTENCE REPORTS (Amended 2/25/97)

83.01 At the time a Judge orders a presentence investigation, a date for sentencing shall be established and noted on the Criminal Case Processing Sheet. Defense counsel will personally convey a copy of the processing sheet and the defendant to the Adult Probation Department Intake Office on the date the investigation is ordered. If the defendant is held in jail, defense counsel will personally convey a copy of the processing sheet to the Adult Probation Department Intake Office on the date the investigation is ordered. The date of the sentencing shall not be less than six weeks nor more than eight weeks after the presentence investigation is ordered. The Probation Department shall have the report completed no later than ten days prior to sentencing. When the report is completed, it shall be sent to the assigned judge and made available, at the probation department, for review by the defendant's attorney (or by the defendant if he is not represented by an attorney) and the prosecutor. No report shall be taken from the probation department without the written approval of the judge assigned to the case.

83.02 If the report contains information that is not available for review pursuant to R.C. Section 2951.03(B), such information shall be sent to the undersigned judge along with the report. The report made available for review by the attorneys or the defendant shall reflect the fact that information, if any, has been deleted pursuant to R.C. Section 2951.03(B) and the general categories of the deleted information shall also be noted.

Any hearing and/or court findings necessitated as a result of the deleted information shall be held on the date of sentencing or at any other date designated by the assigned judge.

83.03 The probation officer assigned to the court or the case on the day of sentencing shall be responsible for obtaining all copies of the report immediately after the imposition of the sentence.