

**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 71 (10-18-02) - Criminal Arraignments and Assignments

71.01 Arraignments. Arraignments shall be held three times each week, at 1:30 p.m., on Monday, Wednesday, and Friday, in a courtroom designated by the Administrative Judge. If a holiday falls on Monday, arraignments will be on Tuesday. If a holiday falls on either Friday or Wednesday, arraignments will be on Thursday. The Duty Judge shall preside or, upon his or her direction, a magistrate shall preside. In accordance with Crim. R. 19, the Magistrate may arraign defendants, set bail, appoint counsel, and consider all matters otherwise coming before the Arraignment Court.

71.02 (6-29-01) Extra-jurisdictional Arraignments. When a defendant is being held in Franklin County pursuant to a warrant issued by another jurisdiction, the duty judge or a magistrate shall set bail thereon. If no bond is requested by the issuing jurisdiction, the extra-jurisdictional defendant may be release on a recognizance bond unless the following information has been made available to the duty judge or magistrate from the jurisdiction issuing the warrant.

- (1) The name of the defendant;
- (2) The jurisdiction issuing the warrant; and
- (3) The charge or purpose for which the warrant has been issued.

71.03 (10-18-02) Responsibility of Prosecutor. If the information referred to in 71.02 has not been made available by the jurisdiction issuing the warrant, it shall be the responsibility of the prosecutor to contact the issuing jurisdiction, prior to arraignment of the extra-jurisdictional defendant, to secure that information. A reasonable continuance may be granted to the prosecutor for such purpose.

71.04 (10-18-02) Criminal Assignments. The Assignment Commissioner shall schedule all criminal cases not more than 120 days after the date of arraignment. If a case is dismissed pursuant to Loc. R. 73.01 and subsequently re-indicted, the re-indicted case shall contain the following designation on the indictment: "This is a re-indicted case." The trial judge to whom the case was previously assigned shall be reassigned to the re-indicted case. Failure to comply with this rule may subject the attorney or party to sanctions under Loc. R. 39.05©.