

**RULES OF PRACTICE
OF THE
FRANKLIN COUNTY
COURT OF COMMON PLEAS
GENERAL DIVISION**

RULE 39 CASE SCHEDULE

39.01 Original Case Schedule.

When a new case is opened, the Clerk of Court shall prepare and file an “Original Case Schedule.” The Clerk shall serve a copy of the Original Case Schedule on the defendant(s) along with copies of the pleading and summons. Counsel or parties using Waiver of Service procedure shall deliver a copy of the Original Case Schedule along with the other documents identified in Civ. R. 4.7(A)(3).

Unless subsequently amended by the assigned judicial officer for good cause, the Original Case Schedule controls all deadlines for the balance of the case. When an initial pleading is filed and a new case file is opened, the Clerk of Court shall prepare and file a paper entitled "Case Schedule" and shall provide one copy to the plaintiff or the plaintiff's agent. The Clerk shall serve a copy of the Case Schedule on the defendant(s) along with copies of the pleading and summons.

39.02 Additional Parties Following Joinder.

A party joining an additional party shall be responsible for also serving the new party with the current Case Schedule. If the deadline for Initial Disclosures in the Original Case Schedule has already passed, new parties shall make their Initial Disclosures within 30 days after being served pursuant to Civ. R. 26(B)(3)(d).

39.03 Time Limits and Format for Original Case Schedule.

Time Limits. All civil cases, except Professional Tort and Product Liability, shall be placed on the primary track of 12 months in the Original Case Schedule. All Professional Tort (A) and Product Liability (B) civil cases shall be placed on the 24-month track.

Format. The Original Case Schedule and Notice shall be issued in substantially the following form, with event and time intervals included (measured in weeks from the date of filing):

ORIGINAL CASE SCHEDULE

[12-Month Track]

	<u>Latest Date of Occurrence</u> <u>(in weeks)</u>
Case Filed	0
Initial Disclosures of the parties [Civ. R. 26(B)(3)]	8
Discovery Conference of counsel and unrepresented parties [Civ. R. 26(F)]	12
Joint Discovery Plan to be filed	14 days after parties' discovery conference
Case Management/Pretrial Conference with Court	Judicial Preference/ Set upon request to chambers
<u>Expert Witness</u> [Civ. R. 26(B)(7)]	
Disclose Identity - party with burden	21
Disclose Identity – party without burden	No later than 30 days after opposing disclosure
Expert Report & CV due – party with burden	25
Expert Report & CV due – party without burden	No later than 45 days after opposing reports.
Dispositive Motion Deadline	34
Discovery Cutoff date	38
Final Pretrial Conference	Judicial Preference/ Set upon request to chambers
Trial Assignment	52

ORIGINAL CASE SCHEDULE

[24-Month Track]

	<u>Latest Time of Occurrence</u> <u>(in weeks)</u>
Case Filed	0
Initial Disclosures of the parties [Civ. R. 26(B)(3)]	12
Discovery Conference of counsel and unrepresented parties [Civ. R. 26(F)]	17
Joint Discovery Plan to be filed	14 days after discovery conference
Case Management Conference with Court	Judicial Preference/ Set upon request to chambers
<u>Expert Witness</u> [Civ. R. 26(B)(7)]	
Disclose Identity - party with burden	30
Disclose Identity – party without burden	No later than 30 days after opposing disclosure
Expert Report & CV due – party with burden	42
Expert Report & CV due – party without burden	No later than 60 days after opposing reports.
Dispositive Motion Deadline	72
Discovery Cutoff date	81
Final Pretrial Conference	Judicial Preference/ Set upon request to chambers
Trial Assignment	104

NOTICE TO ALL PARTIES

Attorneys and unrepresented parties must become familiar with the 2020 amendments to the Ohio Rules of Civil Procedure and this court's Local Rules.

The Original Case Schedule is an important tool to assist the parties and the court in meeting case management guidelines in the Ohio Superintendence Rules, and otherwise achieving timely disposition of civil cases notwithstanding the priority given to criminal cases under Crim. R. 50.

Judicial Officers of this court may modify the Original Case Schedule following receipt of the parties' Joint Discovery Plan, or for good cause at any other point in the case. However, it is essential for attorneys and unrepresented parties to pursue their cases diligently from the outset. Deadlines set in the Rules and in this Original Case Schedule are normally binding, not merely aspirational.

39.04 Amended Case Schedule

When a case is stayed, the original case schedule shall be stayed. When the stay is lifted, trial counsel shall submit an amended case schedule extending the deadlines by the length of the stay, designating a trial date convenient to the trial judge.

Amendment Dates: 9-15-20 (emergency adoption, effective 11-15-20)