

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

RULE 21 – MOTIONS

21.01 Briefs, Time and Hearings

All civil or criminal motions shall be accompanied by a brief stating the grounds and citing the authorities relied upon. Unless a different period is set by order in a specific case, responses to a civil or criminal case motion, and any reply memoranda, shall be filed within the time periods set forth in Civ. R. 6(C). 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.

21.02 Temporary Restraining Order, Preliminary Injunction and Appointment of Receivers

Motions for temporary restraining orders, preliminary injunctions, appointment of receivers, or similar urgent equitable relief shall be heard and submitted at a time fixed by the trial judge. Notice of the time and place of the hearing shall be served upon the adverse party or their counsel. No matter shall be heard *ex parte* unless, from affidavits filed with the motion, the trial judge determines that extraordinary undue hardship or prejudice would result to the moving party by any delay in proceeding or as a result of attempting to give notice. Even when an order is issued *ex parte* as provided herein, a hearing on the continuance of the order shall be scheduled and held as promptly as practicable after notice, upon specific request of any party. 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.

21.04 Interrogatories, Requests for Production or Inspection and Requests for Admissions

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. If relief is sought under Civ. R. 26(C) or Civ. R. 37

concerning any interrogatories, requests for production or inspection, or requests for admissions, copies of the portions of the documents which are in dispute shall be filed with the Court contemporaneously with any such discovery motion.

Amendment Dates: 8-20-19(emergency adoption, final approval 1-21-20)