

Rule 1. Individual Assignment

1.01 Rule 1.01 Assignment of Cases.

(1) Civil cases shall be assigned to a judge upon the filing of an answer or motion other than (A) a motion for default judgment; (B) a motion and entry ordering transfer of a case from the small claims division to the general division of the court and (C) a motion or matter identified by the administrative judge as being properly handled through the duty room session. However, the duty judge has the discretion to refer any motion or matter for assignment by lot. If the duty judge issues an interlocutory order in a civil case, and the case is to be assigned pursuant to this rule, the case shall be assigned to the judge who issued the interlocutory order. Notwithstanding any other part of this rule, an objection to the decision of a magistrate in a forcible entry and detainer case shall be assigned to the duty judge, immediately upon the filing of such objection, and shall be heard within eight (8) days of the date of filing. (2) Misdemeanor criminal cases shall be assigned to a judge when a plea of "not guilty" or "not guilty by reason of insanity" is entered. (3) When felony and misdemeanor cases are filed simultaneously against the same defendant, the misdemeanor cases shall be assigned with the felony cases pursuant to Rule 4.06. (4) A criminal case shall terminate for the purposes of M.C. Sup. R. 13(D) upon the issuance of an order of arrest for failure of the defendant to appear for trial. The case may be reinstated upon the order of the judge who issued the arrest order. (5) If the case discussed in part (4) is not reinstated within 30 days, upon arrest or surrender of the defendant, the defendant shall enter a plea to the charge, and assignment shall be made to the original judge in the event the plea is "not guilty".

1.02 Particular sessions. The following particular sessions are established: referral session, traffic arraignment session, criminal arraignment session, duty session, preliminary hearing session. The court shall, so long as a case remains within its particular session, continue that case without regard to the identity of the judge assigned to that particular session. The judge assigned to a particular session shall decide all questions regarding transfer to general session, however in no event shall a case assigned to an arraignment session be continued for more than a total of four weeks prior to a plea being entered. This limitation on the period of a continuance shall not apply to continuances granted by magistrates in traffic cases.

1.03 Assignment to session. The administrative judge shall make session assignments, both particular and general, quarterly upon the recommendation of the assignment commissioner. Assignment to any session, except general session and traffic arraignment session, shall be had for no longer than one week. This rule may be suspended by the administrative judge for good cause in an emergency.

Local Court Rule 1.01 is amended effective April 13, 2005 pursuant to Court Order No. 05-2005.
Local Court Rule 1.01 is amended effective May 2, 2003 pursuant to Court Order No. 05-03

- 1.04 Assignment of cases for general sessions. All cases individually assigned to be heard in general sessions and awaiting trial or pretrial, shall be assigned for hearing by the assignment clerk responsible for that judge's docket. All assignments shall be made three weeks prior to the date of trial or hearing.

Any cases specially designated by the assigned judge for hearing or trial, and all cases continued from the original date will be set by the assigned judge for a date and time certain as required by M.C. Sup. R. 16(A)(2), and processed by the judge's bailiff through the assignment clerk at least four weeks in advance of the date given. Cases assigned on an emergency basis will be reported on form 1.03 immediately by the bailiff and conflicts arising out of such assignments shall be referred back to the judge ordering such assignment.

Subject to Section 2945.71, Revised Code, priority of normal assignment shall be as follows:

- Jury trials (when jurors are in session)
- Criminal record trials
- Traffic record trials
- Pretrials - criminal, traffic and civil(jury cases)
- Civil record trials
- Motions (with request for oral hearing)

Sentencings, presentence investigation reports of the probation department and alcohol safety program reports will be requested on form 1.04. Forms will be completed by the respective department. Request will be made for a date and time for hearing from the judge's bailiff. Copies will be completed and distributed as follows: original to the assignment clerk, copy to the department requesting the order and copy retained by the bailiff.

Notices of all dates and times assigned for scheduled hearings will be mailed to trial counsel. The city of Columbus prosecutor's office and the office of the clerk of courts will receive copies of the "daily assignment sheet". Additions and deletions of trial dates on the day of trial or hearing must be processed through the "daily disposition sheet".

No trial assignment will be made less than three days from date of hearing.

- 1.05 Assignment of cases to newly elected or appointed Judges. The assignment commissioner shall immediately upon the succession of a sitting judge by a newly elected or appointed judge transfer all pending cases to that judge's docket.