

## Rule 1. Individual Assignment

### 1.01 Assignment of Cases

(A) Except as noted below, civil cases shall be randomly assigned by lot to a judge upon the filing of an answer or motion.

(B) When any of the following are filed in a civil case, the case shall remain on the docket of the administrative judge and be decided in the duty room session:

- (1) a motion for default judgment;
- (2) an objection to the decision of a magistrate in a forcible entry and detainer case, which 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; or
- (3) any other motion or matter identified by the administrative judge as being properly handled through the duty room session.

(C) The duty judge has discretion to refer any motion or matter for random 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.

(D) Misdemeanor criminal cases shall be assigned to a judge when a plea of “not guilty” or “not guilty by reason of insanity” is entered.

(E) If a criminal defendant fails to appear for trial, the case shall be terminated for purposes of Sup.R. 36 when the judge authorizes an arrest warrant to be issued. Unless the judge who authorized the defendant’s arrest orders the case to be reactivated within 30 days, the case shall be reactivated upon the defendant’s arrest or surrender. If the defendant pleads “not guilty” at the criminal arraignment session, the case shall be assigned to the original judge.

(F) When a petition or motion for the release of seized property is filed pursuant to R.C. 2981.03 and the case is transferred for assignment under Loc.R. 9.12, the case shall be randomly assigned by lot. The cause shall be heard within 15 days of the date of filing, unless good cause to extend the time is shown.

### 1.02 Particular Sessions.

(A) Establishment of Particular Sessions. The following particular sessions are established: referral session, traffic arraignment session, criminal arraignment session, duty session, preliminary hearing session, low-level felony initial appearance session, and specialized docket session.

(B) Low-Level Felony Initial Appearance Session. Cases to be considered in this particular session shall include any low-level felony in which the Franklin County Prosecutor’s

Office has offered to amend the charge to a first-degree misdemeanor in exchange for the defendant's guilty plea and either application to an appropriate specialized docket or participation in an educational and behavior modification class as part of sentencing

(C) Continuance in Particular 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.

(A) Yearly Assignment. The administrative judge shall make session assignments, both particular and general, on a yearly basis, upon the recommendation of the assignment commissioner. Assignment to any session, except general session, low-level felony initial appearance 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.

(B) Assignment to Low-Level Felony Initial Appearance Session. Each year, the administrative judge shall assign the judge elected to preside over both the Alcohol and Drug Addiction Program and the Alcohol and Drug Addiction Program - Opiate Extension Program to the low-level felony initial appearance session.

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 coordinator responsible for that judge's docket

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)

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.