

CIVIL CASE PROCEDURES

Decorum: All persons entering the courtroom shall show respect for the Court. All cell phones, pagers and noisy electronic devices must be turned off in the courtroom or they will be confiscated by the Bailiff. Gum chewing, eating and drinking is not permitted in the Court. Children are permitted in the courtroom as long as they do not disrupt proceedings. Parents whose children disrupt proceedings should inform the Bailiff that they will wait in the hallway until their case is called. The Bailiff will then find them in the hallway when Judge Dorrian calls their case.

Continuances: A party requesting a continuance of a scheduled court appearance must seek the consent of the opposing party prior to approaching Judge Dorrian.

Pre-trials: Pre-trials will be held in person and on the record. Judge Dorrian will only make allowances for pre-trial to be conducted by telephone if both parties are represented by counsel, counsel is out of town, and both parties agree to the telephone pre-trial. The party requesting the telephone pre-trial must initiate the telephone call.

Mediation: Judge Dorrian encourages settlement of civil issues and invites parties to make use of the Court's Mediation program. If parties are interested in the Court's Mediation program they may contact Eileen Pruett at (614)645-8500. Upon the request of parties Judge Dorrian will also assist in facilitating settlement.

Discovery: Upon the request of the parties, Judge Dorrian may intervene in discovery disputes. However, it is expected that parties will conduct discovery in a timely, professional and cooperative manner. Attorneys shall file motions to compel and address disputed discovery issues prior to bench or jury trial.

Objections to Magistrate's Decisions: Parties who file Objections to a Magistrate's Decision must comply with Local Rule 7.03 and Ohio Rule of Civil Procedure 53(E)(3).

Motions and Briefs: Motions and briefs should be as succinct and detailed as possible. Remember that the Municipal Court Judges do not have law clerks assigned to them personally. Therefore, much legal research is performed by the Judges themselves. Consequently, accurate identification of issues and complete legal research in support of arguments made is carefully considered. Judge Dorrian requires accurate citations, including reference to the Court from which an opinion comes, i.e. does the case come from the 10th District Court of Appeals, the 2nd District Court of Appeals or another Court of Appeals? Does it come from the Franklin County Municipal Court, the Hamilton County Municipal Court or another Municipal or County Court. Furthermore, Judge Dorrian appreciates the parties providing copies of case law upon which they rely if the case law is not otherwise easily accessible to the Judge. The Court has access to Westlaw, but not to LEXIS, therefore if you reference LEXIS citations please provide as well the corresponding official court citations or Westlaw citations.

Pre-Trial Statements: (Required) Judge Dorrian requires parties to file, at least 7 days prior to bench or jury trial, a pre-trial statement containing all information required by Local Rule 6.01.

Trial - Scheduling: Bench and jury trials may continue for several days once commenced, as Judge Dorrian's docket permits and as jurors are available. Sometimes trials will continue early the following day after a recess. Other times they will continue in the afternoon the following day. Trials may also continue into the evening. Parties, attorneys and witnesses, are expected to be flexible and available as the trial continues. Attorneys should advise their clients and witnesses accordingly.

Trial-Preliminary Conference: A preliminary conference will be held in Court chambers the day of commencement of a trial. At that time, attorneys are expected to provide Judge Dorrian the following information (1) witness lists; (2) pending or anticipated evidentiary issues; (3) estimate of time to try the case; (4) proposed jury instructions; and (5) other information as directed by Judge Dorrian.

Trial-Exhibits: Original exhibits will be marked and maintained by the Court reporter. When possible, copies of exhibits should be provided to Judge Dorrian as well so she may follow along during trial.

Jury Trial - Voir Dire: Upon request, attorneys may view, but not copy, prospective juror cards immediately before commencement of a jury trial. Judge Dorrian will ask jurors preliminary questions, then the attorneys will conduct voir dire.

Jury Trial - Jury Instructions: Attorneys are required to present proposed jury instructions to Judge Dorrian the first day of trial in order to provide the Judge and Court personnel sufficient time to assemble a draft for attorneys to review prior to the charging conference. Attorneys are encouraged to submit electronic versions in addition to required hard copy versions of proposed jury instructions. Electronic versions may be sent to Judge Dorrian's secretary at nyec@fcmcclerk.com.

Jury Trial - Fee: Parties requesting jury trials must timely pay the fee required by Local Rule 6.05, or the right to a jury trial will be waived.

Local Rules/Ohio Rules of Civil Procedure and Evidence: The Local Court Rules including but not limited to Local Rule 6 addressing Civil Practice, the Ohio Rules of Civil Procedure and the Ohio Rules of Evidence, as well as other applicable rules, will be applied in civil cases as required. The Local Rules can be found at www.fcmcclerk.com/rules/rules.htm. The Ohio Rules can be found at www.sconet.state.oh.us/Rules/.