

CASE MANAGEMENT IN CRIMINAL CASES

(A) The purpose of this rule is to establish, pursuant to M. C. Sup. R 18, a system for criminal case management that will provide the fair and impartial administration of criminal cases. These rules shall be construed and applied to eliminate unnecessary delay and expense for all parties involved in the court justice system.

(B) Scheduling of Events: The scheduling begins after arraignment. All cases shall be managed in four (4) judicial steps.

(1) Pretrials: After arraignment, all first degree and second degree misdemeanors shall be set for pretrial by the assignment commissioner within thirty days. All other misdemeanors shall be set for trial unless the judge orders a pretrial in said case by request in writing of one of the parties.

The pretrial shall be conducted in accordance with Criminal Rule 17.1 and a written memorandum of all matters shall be filed in said case and shall be signed by counsel. A request for pretrial shall toll the periods set forth in O.R.C. 2945.71

All discovery shall be completed at pretrial unless specific authority is granted to continue discovery for good cause shown. No second pretrial shall be granted without a specific request approved by the counsel for the state and defense.

The case shall be set for trial to the court unless a jury is demanded in writing. Trials shall be set to a jury for all OMVI third offenses within five (5) years without demand.

(2) Motions: All motions shall be made in writing accompanied by a written memorandum containing the factual and legal arguments of counsel with specific citations to precedent supporting all arguments. Motions must be filed within the time limits established by the Ohio Rules of Criminal Procedure. All motions shall be set for oral hearing.

(3) Trials: Each case not resolved at pretrial shall be set for trial to the court. If a jury demand is timely filed, then the case will be moved to the jury schedule. The defendant must consent in writing to all jury demands. Each attorney to an action shall notify the court not later than 3:00 p.m. ten (10) days preceding their scheduled trial of any change in plea or jury costs may be attached to their case. This requirement is to permit substitution of cases upon a change of plea.

(4) Sentencing: Sentencing hearings shall be held the day of the finding or within seven (7) days from trial if no pre-sentence report is requested. After the court receives a request for pre-sentence report, the court will set the hearing for sentencing within seven (7) days of its' filing.

JOHN R. ADKINS, JUDGE