

Rule 8 Assignment of cases

- 8.01 Single Assignment to Judges. Upon receipt of the file in any case described in Rule 1.01 (D), the assignment commissioner shall assign the case to a judge by lot unless the defendant meets the criteria set forth below.
- (A) If the defendant meets any of the criteria below, the case shall be assigned in the following priority:
1. If the defendant has a pending case before an assigned judge, the new case shall be assigned to the judge to whom the pending case with the oldest case number has been assigned. Pending case means:
    - a. Defendant has an active case with a judge.
    - b. Defendant is order-in on an assigned case.
  2. If the defendant is on community control, the new case shall be assigned to the judge who most recently placed the defendant on community control. Community control means:
    - a. Defendant is on active probation.
    - b. Defendant is order-in for revocation hearing.
    - c. Defendant is currently under sentence suspended Provided No Convictions
- (B) If the defendant meets any of the criteria below, the case shall be assigned as follows:
1. Any application for the sealing or expungement of records, including felony cases, shall be assigned to the judge who disposed of the case.
  2. If the defendant has two or more cases assigned to different judges, all applications for the sealing or expungement of records in those cases shall be assigned to the Administrative Judge for disposition.
  3. If a defendant has two or more cases assigned to different judges, and the defendant has filed an application to expunge records pursuant to R.C. 2953.38 (Expungement for Human Trafficking), all cases that are the subject of the application shall be referred to the CATCH Court judge for disposition.
- 8.011 Administrative Judge Relief From Case or Trial Duties. Pursuant to Sup.R. 4.03, the Assignment Commissioner shall reduce the number of cases individually assigned to the Administrative Judge under Loc.R. 1.01 by up to 25% percent. The percentage of the reduction shall be determined by the sitting Administrative Judge, in his or her sole discretion.
- 8.02 Jury Use and Management Plan. The court adopts the Jury Use and Management Plan as approved at the judges meeting on June 15, 1994, to be administered by the Jury Commissioner, subject to the supervision and direction of the Administrative Judge. A

copy of the plan shall be available for public inspection in the office of the Jury Commissioner.

8.03 Conflicts in case schedules. Upon receipt of form 1.03, the assignment commissioner shall review the form for conflicts of assignment. If conflicts are discovered, the assignment commissioner shall notify the judge of the conflict, and the judge shall adjust the case schedule accordingly.

8.04 Specialized Dockets.

(A) The Specialized Dockets are the dockets certified by the Ohio Supreme Court under Sup.R. 36.20 through 36.26 and will be conducted consistent with the Specialized Docket Standards provided by the Supreme Court in Appendix I of the Rules of Superintendence.

(B) Unassigned Case(s).

Upon execution of a Request for Admission to one of the specialized docket Programs by a judge in arraignment court (4C or 4D), or the duty judge in their absence, the case shall be referred to the judge presiding over the specialized docket Program, and the case shall be assigned to that Judge. If the defendant is not accepted into the specialized docket Program, the case(s) shall be assigned pursuant to Loc.R. 8.01.

(C) Assigned Case(s).

Upon the execution of a Request for Admission to one of the specialized dockets Programs by the assigned judge and the Administrative Judge, pursuant to Sup.R. 4(B)(1), the assignment commissioner shall transfer the case from the assigned judge to the specialized docket judge. In the absence of the assigned judge, the administrative judge may authorize the transfer and sign the Request for Admission pursuant to Loc.R. 2.02.

If the defendant is accepted into a Program, the case(s) shall be permanently assigned to the judge who has been elected to oversee the LINC, Recovery Court, MAVS, H.A.R.T., or CATCH Docket. If the defendant is not accepted into a Program, the case shall be transferred back to the judge to whom the case was originally assigned.

(D) Acceptance into a Specialized Docket.

Acceptance into the LINC Program shall be determined by the guidelines and procedures set forth in Administrative Order No. 02-2004 to govern the operation of said Program.

Acceptance into the Recovery Court shall be determined by the guidelines and procedures set forth in Administrative Order No. 02-2009 to govern the operation of said Program.

Acceptance into the CATCH Program shall be determined by the guidelines and procedures set forth in Administrative Order No. 03-2009 to govern the operation of said Program.

Acceptance into the MAVS Program shall be determined by the guidelines and procedures set forth in Administrative Order No. 06-2013 to govern the operation of said Program.

Acceptance into the H.A.R.T. Program shall be determined by the guidelines and procedures set forth in Administrative Order No. 09-2013 to govern the operation of said Program.

(E) Election of Judge.

The judge assigned to preside over a Specialized Docket Program shall be elected each year at the meeting during which the administrative judge is elected. A judge assigned to preside over a Specialized Docket Program shall serve for a term of two years. If the judge elected to preside over a Program is unable or unwilling to serve, a new judge shall be elected at the next judges meeting.