

Rule 26

TRIAL ASSIGNMENTS

(A) The assignment commissioner shall schedule criminal cases within the time limits of Ohio Revised Code Section 2645.71. Any request by a defense attorney or the prosecutor to set a criminal trial date beyond legal time limits must be in writing and must state the reason for the request. A written waiver of time, once made, constitutes a waiver of time for the duration of the whole case, not just until the next available trial. The only valid procedure for withdrawing the written waiver or for objecting to any further continuance is for the defendant to file with the trial court a formal written notice of withdrawal of the waiver or a written objection to further continuances coupled with a trial demand. Such motion shall be ruled upon by the assigned judge. Pending the ruling, the assignment commissioner shall set a trial date within legal time limits.

(B) Except in eviction matters, where upon oral motion, a continuance of up to eight days may be granted under Ohio Revised Code Section 1923.08, no party shall be granted a continuance of a trial or hearing date without a written motion from the party or counsel stating the reason for continuance and noting the approval or objection of opposing counsel. Except for emergencies, no continuance will be granted within five days of the trial date. Upon vacation of a trial date, the assignment commissioner shall be notified.

(C) Each day, lists of cases scheduled to be tried in a judge's trial or felony session shall be posted conspicuously on each of the four floors in the municipal court building and shall be provided to each judge.

(D) Toledo Legal News will publish daily the civil trial and pretrial assignments for the following week.

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