

## **Rule 18**

### **TRAFFIC COURT ARRAIGNMENT**

(A) At all traffic arraignments, defendants must be prepared to show proof of compliance with the Financial Responsibility Act, Ohio Revised Code Chapter 4509.

(B) Minor misdemeanor traffic matters set for arraignment at the 1:00 p.m. docket, Monday through Friday, shall be conducted by the magistrate. In all other traffic cases, except repeat DWI offenses, arraignment shall be held before the magistrate at 1:00 p.m. in courtroom #4, Monday through Friday. The magistrate may take pleas of guilty, no contest, or not guilty and, in minor misdemeanor cases, set fines as well as stays of execution. In other traffic cases, the magistrate may take pleas of guilty, no contest, and not guilty and recommend sentences as permitted in the order of reference. No defendant shall be required to have arraignment before a magistrate and may request the case reassigned to the duty judge for the same day.

(C) No magistrate shall make a finding of “not guilty” after a no contest plea is entered by the defendant or dismiss a case upon motion of the defendant without first allowing the prosecutor an opportunity to be heard. Pleas of not guilty shall be sent to the court services department for assignment to a trial judge.

(D) In traffic cases where not guilty pleas have been entered, the cases shall be assigned to a judge by lot and heard on the regular docket. Multiple charges against a defendant with different case numbers, as well as multiple charges against a defendant with the same case number, will be randomly assigned to a single judge. However, if any other case is pending trial involving the same defendant, the court services department may assign all cases to the judge with the lowest numbered pending case. It shall be the responsibility of the attorney of record or the defendant acting pro se to present eligible cases for assignment. All cases, previously assigned and unassigned, must be presented at the same time for assignment to the lowest case number. These cases will be set for pretrial or trial as provided for under Local Rules 19, 23 and 26.

(E) All decisions and recommended penalties shall be adopted and affirmed by the presiding judge where no objections are filed. Objections to the magistrate’s orders shall be filed, in writing, within seven days after issuance of the order. Objections shall be referred to the duty judge for review.