

## **Rule 15**

### **CASE ASSIGNMENT, CONSOLIDATION, AND TRANSFER**

(A) In all cases, the court services department will assign a case to a specific judge using a random selection method conforming with Rule 36.011(B)(1) of the Rules of Superintendence for the Courts of Ohio, or as otherwise provided in (C) below, except all housing cases, both civil and criminal, will be assigned to the housing judge.

(B) In civil cases, assignment will be made only after an answer is filed or when a motion, other than one for default judgment, is filed.

(C) In criminal and traffic cases, when a plea of not guilty is entered, the court services department will randomly assign the case to a specific judge except:

(1) If the defendant is on probation supervision, the new case shall be assigned to the "Link Judge." A Link Judge is established by an open probation file. On July 14, 2008, all probation files for each defendant will be consolidated to the judge who most recently placed the defendant on probation. On and after July 15, 2008, the Link Judge will not change until all probation supervision matters for a defendant are terminated.

(2) If the defendant is not on probation supervision and any other assigned case is pending involving the same defendant, the court services department shall assign the new case to the judge with the oldest pending case as determined by the file stamp date.

(3) If a dismissed case is refiled, the case shall be reassigned to the judge originally assigned to hear it unless that judge is otherwise precluded from hearing the case. If the case was a companion case, a joined case, or a consolidated case, it will be assigned to the judge who was handling the dismissed case.

(4) If a defendant has multiple charges with different case numbers, the cases will be assigned to a single judge.

(5) These cases will be set for pretrial or trial as provided for under Local Rules 19, 23, and 26.

(D) The assigned judge is responsible for all further matters in connection with the case, with the exception of motions to seal. If a defendant files a motion to seal involving more than one case, the motions to seal will be consolidated and handled by the Judge with the newest case as determined by the file stamp date on the cases that are the subject of the motion.

(E) In criminal cases when more than one defendant is charged with a crime in which each is alleged to have acted in concert with another, a separate judge assignment will be made for each defendant unless the administrative judge approves, in writing, a written motion by the prosecutor or defense attorney to join the cases.

(F) In the interest of judicial economy and justice, such as in cross-filings, the court may designate each case as companion cases. If a case is identified as companion cases, the administrative judge may approve the companion cases to be assigned to the judge handling the case with the lowest case number.

(G) Any written motion for consolidation or transfer must include the reason for the request. Consolidations and transfers not approved in writing by the administrative judge are invalid and officially remain on the docket of the assigned judge. If a motion for consolidation or transfer is denied by the administrative judge, the cases shall remain officially assigned to the judge or judges to whom they were originally assigned.

(H) Regarding consolidation, the Clerk's Office shall journalize a filed motion on the captioned case and any consolidated cases. Motions journalized on consolidated cases may be considered for informational purposes.

(I) Except for those cases assigned to the housing judge, in the unexpected absence of an assigned judge, the administrative judge may place that judge's case for trial or hearing on the docket of a different judge. The case is not transferred but remains assigned to the original judge who continues to be responsible for all further matters pertaining to the case.

(J) Should a judge deem it necessary to disqualify himself or herself from hearing an individually assigned case, said judge shall cause a journal entry to be made setting forth the disqualification and the reasons therefore. The case shall thereafter be referred to the administrative judge who shall, by judgment entry, authorize the court services department to place the case back into the random assignment system for a new judge assignment.