

## **RULE 15. Case management and pretrial conferences; procedure**

(A) In accordance with Civil Rule 16, within ninety (90) days after a cause is filed, one hundred twenty (120) days as to foreclosure cases, the judge to whom such cause is assigned shall conduct a case management conference. The Assignment Commissioner shall set the original date for the case management conference, the purpose of which is to resolve a particular issue, take appropriate action on service and leaves to plead, explore the possibilities of an early settlement, discuss the propriety of transfer of the cause to arbitration or mediation, and fix deadlines for the completion of discovery procedures. With the permission of the Court, attorneys may make themselves available for case management conferences by telephone conference call. (Amended May 1, 2002)

At the conclusion of the case management conference, a case management order shall be prepared and entered. The order shall include definite dates for the completion of all discovery, the completion of any alternative dispute resolution process ordered, the filing of motions for summary judgment and motions to dismiss, the identification of any expert witness and their opinions, and shall include a definite date for a pretrial conference as in Paragraph B hereof, or a trial setting conference, or trial.

Status conferences or settlement conferences may be scheduled at the discretion of the Court.

(B) In addition to the case management conference mentioned in Paragraph A hereof, there may be a pretrial conference before trial. The pretrial conference will be conducted by the judge to whom the cause is assigned. All matters set forth in subdivisions (1) to (10) of Civil Rule 16 will be discussed in depth at such pretrial conference.

(1) All trial attorneys appearing in the action are expected to be present at the pretrial conference, fully authorized to act and negotiate on behalf of the parties that they represent. Since the amicable disposition of the case by settlement will be seriously considered, the trial attorney should appear at the pretrial conference, having conducted settlement discussions, prepared to discuss the subject in depth. At the request of any trial attorney or upon its own motion, the court may order the parties or their respective sureties, indemnitor or insurers to be present at the pretrial conference. The pretrial conference will not be adjourned until a trial date is fixed by the Court and procedures for the trial itself discussed and resolved.

(2) All trial attorneys shall file with the judge to whom the cause is assigned and serve upon all other trial attorneys appearing in the action, not less than two days prior to date of the pretrial conference, a Pretrial Statement:

(a) Stating the nature of the addition and advising the Court in detail of the factual and legal issues which the case presents and any stipulation of fact;

(b) Listing all witnesses and a summary of their expected testimony;

(c) Setting forth the party's position on legal issues, including any significant evidentiary questions, with a citation of authorities in support thereof;

(d) As to a plaintiff or plaintiffs, attaching an itemized list of special damages and expenses, if applicable;

(e) Stating that the parties have exchanged, identified, marked and listed all exhibits to be used at trial. Exhibits not exchanged and marked may be excluded by the Court.

(f) Attaching copies of available opinions of all persons who may be called as expert witnesses, including physicians, which shall not constitute a waiver of privilege granted under Revised Code Section 2317.02, as set forth in Civil Rule 16;

(g) Advising the Court of the current status of settlement discussions;

(h) Advising the court of any pretrial motions, including motions in limine;

(i) Advising the court of any other items as specifically directed by the assigned judge.

(3) Upon the failure of any party to the action or that party's trial attorney either to serve and file with the judge the pretrial Statement required under subdivision (2) Paragraph B of this Rule or to attend the pretrial conference as required by subdivision (1) of Paragraph B of this Rule, after notice of such formal pretrial conference has been sent in accordance with Rule 10(C), the Court may impose sanctions as authorized by Civil Rule 37(B).

#### (C) WORKERS' COMPENSATION APPEALS (MANDATORY SETTLEMENT CONFERENCE)

Every Workers' Compensation Appeal filed pursuant to Ohio Revised Code Section 4123.519 shall be scheduled for a mandatory conference before the Court Referee, the purpose of which shall be to explore the possibility of early settlement, with a representative of the Industrial Commission present and authorized to recommend the approval of the same. Unless the parties agree to an earlier date, the Court Administrator shall designate the date, time and location of said Settlement Conference within the six month after filing. Upon the completion of each settlement docket the Referee shall report to the Assigned Judge on the status of those cases reviewed.

All attorneys appearing in the action are required to be present at the conference fully authorized to negotiate on behalf of the parties whom they represent and to either enter into a settlement agreement or decline settlement. A formal settlement statement in the form designated by the Court Administrator must be filed with the Court by the Claimant and served on all parties or their attorney of record at least fourteen (14) days before the settlement conference. Failure to attend or fully participate in said pretrial conference after proper notice may result in the imposition of sanctions by the Court.

If the matter is not resolved by settlement at the conference, the Court Referee shall remove the case from the settlement docket and return it to the Assigned Judge for trial setting in accordance with the Ohio Rules of Civil Procedure.

Every notice of appeal in the Hamilton County Court of Common Pleas shall set forth the claim number assigned by the Ohio Bureau of Workmen's Compensation in the following

manner:

IN THE COURT OF COMMON PLEAS

COUNTY OF HAMILTON

STATE OF OHIO

\_\_\_\_\_ : No. \_\_\_\_\_

Plaintiff

: NOTICE OF APPEAL

vs. WORKERS' COMPENSATION APPEAL

: B.W.C. CLAIM NO.

\_\_\_\_\_ :

Defendant

The above amendment to be applicable to workers' compensation appeals filed on or after July 1, 1991 and until further order of the Court.

(D) Criminal cases shall be assigned to a judge, pursuant to Local Rule 7, immediately upon indictment. The Assignment Commissioner shall schedule the case for a Disposition Scheduling Conference within fifteen (15) days after arraignment unless otherwise directed by the Assigned Judge. Notice of the Disposition Scheduling Conference shall be prepared by the Assignment Commissioner and distributed to the defendant or the defense attorney at arraignment. Counsel is encouraged to meet with the Prosecutor prior to the date of the Disposition Scheduling Conference to resolve and define discovery issues and to confer on plea or trial options. (Effective September 1, 1992.)