

**CIVIL CASE MANAGEMENT PLAN
PREBLE COUNTY COMMON PLEAS COURT**

PURPOSE:

The purpose of this rule is to establish, pursuant to Rule 5 of the Rules of Superintendence for Courts of Common Pleas, a system for civil case management which will achieve the prompt and fair disposition of civil cases, provide the Court with an efficient means of controlling the flow of civil cases, and save time by providing members of the Bar with information and case management facilities.

SCHEDULING OF EVENTS:

A monthly review of the civil docket is made by the Assignment Commissioner to determine the following in each civil case:

Service Complete; Answers filed:

If service is complete on all defendants, answers and/or cross complaints or counterclaims have been filed, the case is set for a status conference. At said conference the matter is assigned a discovery cutoff date and a pre-trial date.

Pre-trial statements are ordered filed within one week prior to the pre-trial conference.

If the matter is unresolved at pre-trial, the case is assigned a confirmed trial date.

Service Complete; No Answers filed:

If all the defendants are served and the answer time has expired without an answer being filed, a notice is sent to Plaintiff's counsel ordering said counsel to bring the matter to completion or to explain to the Court in a written memorandum why this matter should pend.

In most cases default or summary judgment motions have been filed and the case is assigned as follows: default cases are scheduled for Monday mornings at 8:30 to allow Defendants to show cause why judgment should not be granted; summary judgment motions are set for decision on written memoranda.

Service not Complete:

If service is not complete on all defendants, the case is placed in a tickler to be checked each month. When service is complete procedures outlined above are implemented. If Plaintiff fails to obtain service within six months of the filing of the action, Plaintiff is given notice of dismissal by the Court. If Plaintiff has not established good cause, the case is dismissed at the expiration of the notice period for want of prosecution.

Administrative Appeal:

In an administrative appeal action, a briefing schedule is adopted at the status conference.

Case Reported Settled:

If a case is reported settled, counsel for the parties are instructed to present a termination entry for approval of the Court within 30 days. If the termination entry has not been filed within the 30 day period or within an extension of time granted by the Court, then a summons is sent to counsel to appear before the Court to show cause why counsel should not be held in contempt for failure to produce a termination entry.

Trial Dates:

Trial dates are established at the earliest possible date available to the Court and counsel at the established pre-trial conference.

Mediation:

If requested, the Court shall refer a pending case to an appropriate means of alternative dispute resolution