

Cleveland Metropolitan Bar Association – Board of Trustees
Resolution Regarding Cuyahoga County Commercial Docket

RESOLVED,

1. That the Cleveland Metropolitan Bar Association Board of Trustees, on behalf of its members including the Litigation Section, have found the Commercial Docket Pilot Project at the Cuyahoga County Court of Common Pleas to be an excellent addition to the civil practice of law in Cuyahoga County.

2. That, based on research conducted by the Litigation Section Commercial Docket Subcommittee, the judges and staff of the Common Pleas Commercial Docket have become taxed due to the popularity of the Commercial Docket, potentially threatening the benefits envisioned and initially implemented by Commercial Docket Judges.

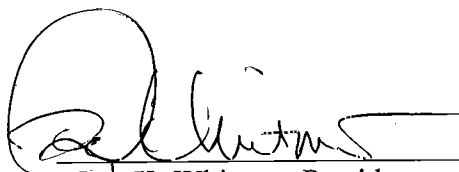
3. That, based on research conducted by the Litigation Section Commercial Docket Subcommittee, the Board of Trustees perceives at least two docket management issues exist which do not allow the Commercial Docket to fully achieve its purposes:

A. Complex, time consuming Commercial Docket cases are moved to the Commercial Docket, often in exchange for less time consuming non-Commercial Docket civil cases, creating an imbalance, overtaxing the judges and staff, leaving newer Commercial Docket cases to lesser treatment; and

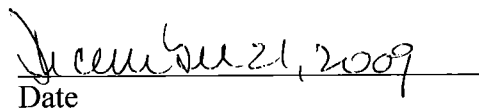
B. Assignment of criminal cases requires heavy doses of judicial time and attention, to the exclusion of the Commercial Docket and other matters, to the detriment of the Commercial Docket.

4. That the existence of the Commercial Docket has already become sufficiently noteworthy that businesses are using contractual choice of venue and law provisions to select the Cuyahoga County Commercial Docket as the dispute resolution mechanism of choice. This development could be further encouraged, to the benefit of the businesses in question, attorneys and legal services support providers throughout Ohio hired to work on new cases, the general commercial community in Northeast Ohio.

5. That the Cleveland Metropolitan Bar Association respectfully requests that the Ohio Supreme Court, its Task Force, and/or the Cuyahoga County Judiciary in its Local Rules making capacity, adjust the civil case exchange and criminal caseload borne by the Commercial Docket judges in Cuyahoga County, or consider other appropriate adjustments to court administrative procedures as may be necessary to alleviate the burden on Commercial Docket judges and staff and provide for the appropriate function of the Commercial Docket.



Mary K. Whitmer, President
Cleveland Metropolitan Bar Association



Date