




HAMILTON COUNTY INTERDEPARTMENTAL CORRESPONDENCE

Date: November 19, 2004

To: Municipal Court Judges
Municipal Court Magistrates

From: Andy Gillen 

Subject: New Recall Procedure

The new Capias Recall Procedure, in which assigned cases are reset directly back to the Assigned Judge's Docket for Pretrial when recalled, will begin November 22, 2004.

1. It is always within the discretion of the Judge to allow an attorney to withdraw from a case.
2. When recalling a capias, attorneys or defendants should be forwarded to the Clerk's Office if a recall fee is due or directly to the Assignment Commissioner's Office if the fee is waived.
3. The Assignment Commissioner will schedule the case in the individual Judge's Courtroom for Pretrial on a date which corresponds to the attorneys schedule no less than three days or more that thirty days from the date of the recall.
4. If Private Counsel is assigned to the case, they will be notified via phone by the Assignment Commissioner Staff.
5. If a Public Defender is assigned to the case they will be notified in three ways:
 - A) An automatic e-mail will be forwarded to four P.C.'s belonging to the Clerical staff in the Public Defender's Office.
 - B) A paper copy of all recalls will be picked up each day by Public Defender's Staff.
 - C) A program has been installed for the Public Defender's Staff to run each day.

All of these notifications contain:

- a) The Defendant's name
- b) Case Number
- c) Public Defender
- d) Time, Room Location, and Judge

***NOTE:** It is important to obtain designation on all cases at arraignment, this will aid in the success of the recall procedure.

cc: Lou Strigari, Esq., Jim Nicholas, Esq., Vince Wallace, Jerry Poland, Tom Sauer