

Cuyahoga County Court of Common Pleas Asbestos/Silica Special Instructions

Filing New Cases

- In Cuyahoga Asbestos and Silica Cases, Plaintiff firms file “Multi-Party Complaints” that have up to 50 plaintiffs listed. After electronically filing this Complaint with the Court, Charles Johansson at the Court gives an individual case number to each Plaintiff named in the Multi-Party Complaint. It is important to note that only the first Case Docket is the Multi-Party Complaint filed. This means in the other 49 Dockets, the Complaint will not appear.
- Once the new Complaint has been filed through File & ServeXpress, the Court accomplishes the Service of Process on the new Complaint. Therefore, there is no need for the filing Plaintiff to accomplish Service of Process on the Defendants themselves.
- The scheduling of trials for cases is set by the Court creating “Trial Groups.” Trial Groups are a group of cases that have the same trial schedule. Plaintiff firms are required to create “Case Groups” of the cases assigned to a Trial Group so that all participants can easily file multi-case filings as many documents are relevant to multiple cases.

Service of Subsequent Documents

- If the document being upload is to be filed with the Court (i.e. Briefs, Motions, and Proposed Orders) these documents do not need to be served on opposing parties. Cuyahoga Asbestos cases use a “Deemed Served” model of service. This means if the document is filed with the Court, the Document is “presumed served” on the opposing parties.
- Therefore, participants in these cases must use the Daily Docket, Alerts, or Case Tracks to monitor the case docket on a daily basis as many of these documents will not be automatically “Served” to their File & ServeXpress Inbox.

Creating Your Documents

- Be sure to include the appropriate Electronic Signature in your pleadings.
- Signature Requirements for Cuyahoga County are: “/s/Adam Attorney”.
- Each document should also include the typed name, address, and telephone

number of the attorney or unrepresented party filing such document. Attorneys should include their bar number

- The title of each document must include the following: 1) Party filing the document, 2) full descriptive title of the document, 3) nature of Relief sought, and 4) Party or Parties against whom Relief is sought.
- All Proposed Orders should be created using an editable word processing format so that the Court can utilize the Proposed Order in creating any applicable Order.

Uploading Your Documents

- Upload pleadings in an editable, word processing format (i.e. .rtf, .doc or .wpd). Do not upload pleadings in PDF format. The File & ServeXpress system automatically converts them to .PDF for you.
- If you are concerned about metadata, save the document as a .rtf instead of a .doc or .wpd.
- Upload the main document first, then upload any supporting documents.
- Electronically 'staple' supporting documents to the main document by using the Main/Supporting column in the Attached Documents list.
- Use the Linking feature in the Attached Documents list when submitting responses to previously filed documents. (If the previously filed document is unavailable to 'link to', reference the previous documents transaction id in the "Document Title.").

Other

- Multi-Case Filing is permitted in this Jurisdiction.
- Your File & ServeXpress receipt is your proof of service. Please print this document for your records.