



OHIO LEGISLATIVE SERVICE COMMISSION

Robert Meeker

Fiscal Note & Local Impact Statement

Bill: H.B. 409 of the 132nd G.A.

Status: As Introduced

Sponsor: Reps. Butler and Perales

Local Impact Statement Procedure Required: No

Subject: Permits creation of veterans treatment courts

State & Local Fiscal Highlights

- The bill's provision allowing for the sealing of a veteran offender's record under certain circumstances may increase the workload for common pleas, municipal, and county courts that establish a veterans treatment court. The courts are expected to perform that additional work utilizing existing resources; additional funding should not be necessary.
- The bill's provision to allow a court without a veteran's treatment program to transfer a defendant to a court that does operate a treatment program may increase the workload of the latter, but expenses related to the transfer and treatment are to be paid by the transferring court, offsetting the increase in expenses for the treatment court.

Detailed Fiscal Analysis

The bill: (1) permits courts of common pleas, county courts, and municipal courts to establish a veterans treatment court (through the Ohio Supreme Court's specialty docket certification program), (2) permits a court without a veterans treatment program to transfer defendants for participation through a contract with one or more courts that operate a treatment program and to pay the costs associated with the transfer, and (3) permits the court to seal records for defendants that have been diagnosed with Post-Traumatic Stress Disorder or another mental illness and who complete the requirements of the treatment program.

The bill largely codifies current practice related to the establishment of specialty docket courts with veterans treatment programs. As of November 30, 2017, there were 21 veterans treatment courts in 15 counties (see table below). Of those, 20 are fully certified and one is in progress with an initial certification.

The provisions permitting defendants to transfer into a treatment court and to seal certain records have the potential to increase the workload of veterans treatment courts. Transfer expenses will be offset by the transferring court which is responsible under the bill to pay costs associated with the transfer and treatment. The frequency

and cost of such transfers and treatment is uncertain. The courts are expected to perform any additional record-sealing work utilizing existing resources; additional funding should not be necessary.

Veterans Treatment Courts by County (As of November 30, 2017)	
County	Courts with Certified Veterans Treatment Dockets
Athens	Athens County Court of Common Pleas
Butler	Butler County Court of Common Pleas Middletown Municipal Court
Cuyahoga	Cuyahoga County Court of Common Pleas Cleveland Municipal Court
Franklin	Franklin County Municipal Court
Greene	Greene County Court of Common Pleas*
Hamilton	Hamilton County Court of Common Pleas Hamilton County Municipal Court
Lorain	Lorain County Court of Common Pleas
Lucas	Toledo Municipal Court
Mahoning	Mahoning County Court of Common Pleas Youngstown Municipal Court
Mansfield	Mansfield Municipal Court (2)
Marion	Marion Municipal Court
Montgomery	Montgomery County Court of Common Pleas
Stark	Stark County Court of Common Pleas
Summit	Akron Municipal Court Summit County Court of Common Pleas
Warren	Warren County County Court

*The Greene County Court of Common Pleas has received initial certification from the Ohio Supreme Court.