

The Supreme Court of Ohio

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December 4, 2019

The Honorable Steve Hambley
Chair, House Civil Justice Committee
Ohio House of Representatives
77 S. High St., 11th Floor
Columbus, OH 43215

Dear Chairman Hambley:

Thank you, as well as Vice Chair Patton and Ranking Member Brown, for the opportunity to comment on House Bills 356 and 357. The Supreme Court of Ohio is committed to helping local courts administer justice in an effective and efficient manner. House Bills 356 and 357 help accomplish that goal.

By allowing the Cleveland Housing Court to hear various cases that are closely related to its existing jurisdiction, the citizens of Cleveland receive the benefit of a more streamlined, economical, and functional court system. This benefit is also shared with the local bar, Cuyahoga County, and the City of Cleveland.

The Court also appreciates the committee's consideration of an amendment to House Bill 356 that will assist our work in providing assigned judges to municipal and county courts across the state. Ohio law allows the Chief Justice to temporarily assign judges – both retired and active – to serve in municipal and county courts. These assigned judges are needed to handle cases when conflicts arise or when a judge may be unavailable. The amendment before you would not change how much those judges are paid or how much payment a local government is responsible for. The amendment only changes how the payment actually occurs.

In the most recent budget bill, these statutes were amended so that these assigned judges were paid by the Supreme Court, and the local municipalities later reimbursed the Court for their portion of the payment. Prior to the budget bill, this order was reversed:

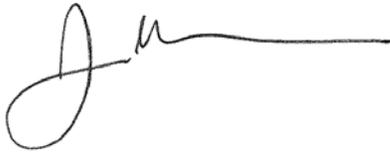
Assigned judges were paid by the municipality and the Supreme Court reimbursed them for the state's share.

This change created an unforeseen problem in regards to the active judges. The Supreme Court and the Department of Administrative Services did not have a proper infrastructure to make these additional payments to the active judges, as their regular salary is set by statute and altering their existing paycheck creates confusion and opportunity for error. A special infrastructure *does* exist for the retired assigned judges, however, and the budget bill actually simplified their payment.

To correct this problem, the amendment before you would make it so retired assigned judges receive their payment from the Supreme Court and active assigned judges receive their payment from the local municipality. Both the Supreme Court and the local municipalities would then reimburse one another as appropriate.

Thank you again for the opportunity to comment, and I hope this letter is of some assistance. If there is any other information I can provide, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jess Mosser', with a long horizontal flourish extending to the right.

Jess Mosser, Esq.
Interim Judicial and Legislative Affairs Counsel