

As Recommended to the Senate Judiciary--Civil Justice Committee

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Representative Brown

Cosponsors: Representatives Szollosi, Williams, B., Letson, Harwood, Stewart, Chandler, Gardner, Boyd, Garrison, Otterman, Luckie, Stebelton, Harris, Newcomb, Williams, S., Phillips, Foley, Slesnick, Fende, Pillich, Book, Mecklenborg, Skindell, Yates, Amstutz, Bacon, Belcher, Blair, Bolon, Boose, Bubb, Carney, Celeste, Coley, Combs, Daniels, DeBose, DeGeeter, Derickson, Dodd, Domenick, Driehaus, Dyer, Evans, Garland, Gerberry, Goyal, Grossman, Hackett, Hagan, Heard, Hottinger, Jones, Koziura, Lehner, Lundy, Mallory, Mandel, McClain, Murray, Oelslager, Okey, Patten, Pryor, Ruhl, Sayre, Sears, Snitchler, Ujvagi, Weddington, Winburn, Yuko, Zehringer

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A B I L L

To amend sections 109.36, 109.57, 1901.26, 1901.261, 1
1907.24, 2101.16, 2101.162, 2101.17, 2111.51, 2
2113.031, 2151.23, 2151.358, 2151.541, 2152.02, 3
2301.03, 2303.20, 2303.201, 2329.07, 2743.191, 4
2903.214, 2913.04, 2919.25, 2919.27, 3109.06, 5
3113.31, and 3113.33 and to enact sections 2151.34 6
and 2303.202 of the Revised Code to allow a 7
juvenile court to issue a protection order against 8
a child who is alleged to have committed certain 9
offenses or domestic violence against the person 10
to be protected, to include foster parents under 11
the scope of the domestic violence laws, to 12
prohibit the unauthorized use of the Ohio Law 13
Enforcement Gateway, to include courts of appeals 14
within the definition of "state" for the purposes 15

of representation by the attorney general in a 16
civil action brought against a judge that was 17
elected or appointed to a court of appeals or a 18
person employed by a court of appeals, to give the 19
judges of the Butler County Court of Common Pleas 20
concurrent jurisdiction with judges of the 21
Juvenile Division of the Butler County Court of 22
Common Pleas with respect to certain custody and 23
support cases, to provide for the establishment by 24
court rule of certain fees to be charged by the 25
municipal court, court of common pleas, and 26
probate court, to provide that the judgments 27
against courts and clerks of courts do not become 28
dormant, to increase the additional filing fees in 29
municipal and county courts and courts of common 30
pleas, and to restrict the use of any portion of 31
those fees received by the Ohio Legal Assistance 32
Foundation or any recipient of financial 33
assistance from the Foundation. 34

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 109.36, 109.57, 1901.26, 1901.261, 35
1907.24, 2101.16, 2101.162, 2101.17, 2111.51, 2113.031, 2151.23, 36
2151.358, 2151.541, 2152.02, 2301.03, 2303.20, 2303.201, 2329.07, 37
2743.191, 2903.214, 2913.04, 2919.25, 2919.27, 3109.06, 3113.31, 38
and 3113.33 be amended and sections 2151.34 and 2303.202 of the 39
Revised Code be enacted to read as follows: 40

Sec. 109.36. As used in this section and sections 109.361 to 41
109.366 of the Revised Code: 42

(A)(1) "Officer or employee" means any of the following: 43

(a) A person who, at the time a cause of action against the person arises, is serving in an elected or appointed office or position with the state or is employed by the state.

(b) A person that, at the time a cause of action against the person, partnership, or corporation arises, is rendering medical, nursing, dental, podiatric, optometric, physical therapeutic, psychiatric, or psychological services pursuant to a personal services contract or purchased service contract with a department, agency, or institution of the state.

(c) A person that, at the time a cause of action against the person, partnership, or corporation arises, is rendering peer review, utilization review, or drug utilization review services in relation to medical, nursing, dental, podiatric, optometric, physical therapeutic, psychiatric, or psychological services pursuant to a personal services contract or purchased service contract with a department, agency, or institution of the state.

(d) A person who, at the time a cause of action against the person arises, is rendering medical services to patients in a state institution operated by the department of mental health, is a member of the institution's staff, and is performing the services pursuant to an agreement between the state institution and a board of alcohol, drug addiction, and mental health services described in section 340.021 of the Revised Code.

(2) "Officer or employee" does not include any person elected, appointed, or employed by any political subdivision of the state.

(B) "State" means the state of Ohio, including but not limited to, the general assembly, the supreme court, courts of appeals, the offices of all elected state officers, and all departments, boards, offices, commissions, agencies, institutions, and other instrumentalities of the state of Ohio. "State" does not

include political subdivisions. 75

(C) "Political subdivisions" of the state means municipal 76
corporations, townships, counties, school districts, and all other 77
bodies corporate and politic responsible for governmental 78
activities only in geographical areas smaller than that of the 79
state. 80

(D) "Employer" means the general assembly, the supreme court, 81
courts of appeals, any office of an elected state officer, or any 82
department, board, office, commission, agency, institution, or 83
other instrumentality of the state of Ohio that employs or 84
contracts with an officer or employee or to which an officer or 85
employee is elected or appointed. 86

Sec. 109.57. (A)(1) The superintendent of the bureau of 87
criminal identification and investigation shall procure from 88
wherever procurable and file for record photographs, pictures, 89
descriptions, fingerprints, measurements, and other information 90
that may be pertinent of all persons who have been convicted of 91
committing within this state a felony, any crime constituting a 92
misdemeanor on the first offense and a felony on subsequent 93
offenses, or any misdemeanor described in division (A)(1)(a), 94
(A)(8)(a), or (A)(10)(a) of section 109.572 of the Revised Code, 95
of all children under eighteen years of age who have been 96
adjudicated delinquent children for committing within this state 97
an act that would be a felony or an offense of violence if 98
committed by an adult or who have been convicted of or pleaded 99
guilty to committing within this state a felony or an offense of 100
violence, and of all well-known and habitual criminals. The person 101
in charge of any county, multicounty, municipal, municipal-county, 102
or multicounty-municipal jail or workhouse, community-based 103
correctional facility, halfway house, alternative residential 104
facility, or state correctional institution and the person in 105

charge of any state institution having custody of a person 106
suspected of having committed a felony, any crime constituting a 107
misdemeanor on the first offense and a felony on subsequent 108
offenses, or any misdemeanor described in division (A)(1)(a), 109
(A)(8)(a), or (A)(10)(a) of section 109.572 of the Revised Code or 110
having custody of a child under eighteen years of age with respect 111
to whom there is probable cause to believe that the child may have 112
committed an act that would be a felony or an offense of violence 113
if committed by an adult shall furnish such material to the 114
superintendent of the bureau. Fingerprints, photographs, or other 115
descriptive information of a child who is under eighteen years of 116
age, has not been arrested or otherwise taken into custody for 117
committing an act that would be a felony or an offense of violence 118
who is not in any other category of child specified in this 119
division, if committed by an adult, has not been adjudicated a 120
delinquent child for committing an act that would be a felony or 121
an offense of violence if committed by an adult, has not been 122
convicted of or pleaded guilty to committing a felony or an 123
offense of violence, and is not a child with respect to whom there 124
is probable cause to believe that the child may have committed an 125
act that would be a felony or an offense of violence if committed 126
by an adult shall not be procured by the superintendent or 127
furnished by any person in charge of any county, multicounty, 128
municipal, municipal-county, or multicounty-municipal jail or 129
workhouse, community-based correctional facility, halfway house, 130
alternative residential facility, or state correctional 131
institution, except as authorized in section 2151.313 of the 132
Revised Code. 133

(2) Every clerk of a court of record in this state, other 134
than the supreme court or a court of appeals, shall send to the 135
superintendent of the bureau a weekly report containing a summary 136
of each case involving a felony, involving any crime constituting 137
a misdemeanor on the first offense and a felony on subsequent 138

offenses, involving a misdemeanor described in division (A)(1)(a), 139
(A)(8)(a), or (A)(10)(a) of section 109.572 of the Revised Code, 140
or involving an adjudication in a case in which a child under 141
eighteen years of age was alleged to be a delinquent child for 142
committing an act that would be a felony or an offense of violence 143
if committed by an adult. The clerk of the court of common pleas 144
shall include in the report and summary the clerk sends under this 145
division all information described in divisions (A)(2)(a) to (f) 146
of this section regarding a case before the court of appeals that 147
is served by that clerk. The summary shall be written on the 148
standard forms furnished by the superintendent pursuant to 149
division (B) of this section and shall include the following 150
information: 151

(a) The incident tracking number contained on the standard 152
forms furnished by the superintendent pursuant to division (B) of 153
this section; 154

(b) The style and number of the case; 155

(c) The date of arrest, offense, summons, or arraignment; 156

(d) The date that the person was convicted of or pleaded 157
guilty to the offense, adjudicated a delinquent child for 158
committing the act that would be a felony or an offense of 159
violence if committed by an adult, found not guilty of the 160
offense, or found not to be a delinquent child for committing an 161
act that would be a felony or an offense of violence if committed 162
by an adult, the date of an entry dismissing the charge, an entry 163
declaring a mistrial of the offense in which the person is 164
discharged, an entry finding that the person or child is not 165
competent to stand trial, or an entry of a nolle prosequi, or the 166
date of any other determination that constitutes final resolution 167
of the case; 168

(e) A statement of the original charge with the section of 169

the Revised Code that was alleged to be violated; 170

(f) If the person or child was convicted, pleaded guilty, or 171
was adjudicated a delinquent child, the sentence or terms of 172
probation imposed or any other disposition of the offender or the 173
delinquent child. 174

If the offense involved the disarming of a law enforcement 175
officer or an attempt to disarm a law enforcement officer, the 176
clerk shall clearly state that fact in the summary, and the 177
superintendent shall ensure that a clear statement of that fact is 178
placed in the bureau's records. 179

(3) The superintendent shall cooperate with and assist 180
sheriffs, chiefs of police, and other law enforcement officers in 181
the establishment of a complete system of criminal identification 182
and in obtaining fingerprints and other means of identification of 183
all persons arrested on a charge of a felony, any crime 184
constituting a misdemeanor on the first offense and a felony on 185
subsequent offenses, or a misdemeanor described in division 186
(A)(1)(a), (A)(8)(a), or (A)(10)(a) of section 109.572 of the 187
Revised Code and of all children under eighteen years of age 188
arrested or otherwise taken into custody for committing an act 189
that would be a felony or an offense of violence if committed by 190
an adult. The superintendent also shall file for record the 191
fingerprint impressions of all persons confined in a county, 192
multicounty, municipal, municipal-county, or multicounty-municipal 193
jail or workhouse, community-based correctional facility, halfway 194
house, alternative residential facility, or state correctional 195
institution for the violation of state laws and of all children 196
under eighteen years of age who are confined in a county, 197
multicounty, municipal, municipal-county, or multicounty-municipal 198
jail or workhouse, community-based correctional facility, halfway 199
house, alternative residential facility, or state correctional 200
institution or in any facility for delinquent children for 201

committing an act that would be a felony or an offense of violence 202
if committed by an adult, and any other information that the 203
superintendent may receive from law enforcement officials of the 204
state and its political subdivisions. 205

(4) The superintendent shall carry out Chapter 2950. of the 206
Revised Code with respect to the registration of persons who are 207
convicted of or plead guilty to a sexually oriented offense or a 208
child-victim oriented offense and with respect to all other duties 209
imposed on the bureau under that chapter. 210

(5) The bureau shall perform centralized recordkeeping 211
functions for criminal history records and services in this state 212
for purposes of the national crime prevention and privacy compact 213
set forth in section 109.571 of the Revised Code and is the 214
criminal history record repository as defined in that section for 215
purposes of that compact. The superintendent or the 216
superintendent's designee is the compact officer for purposes of 217
that compact and shall carry out the responsibilities of the 218
compact officer specified in that compact. 219

(B) The superintendent shall prepare and furnish to every 220
county, multicounty, municipal, municipal-county, or 221
multicounty-municipal jail or workhouse, community-based 222
correctional facility, halfway house, alternative residential 223
facility, or state correctional institution and to every clerk of 224
a court in this state specified in division (A)(2) of this section 225
standard forms for reporting the information required under 226
division (A) of this section. The standard forms that the 227
superintendent prepares pursuant to this division may be in a 228
tangible format, in an electronic format, or in both tangible 229
formats and electronic formats. 230

(C)(1) The superintendent may operate a center for 231
electronic, automated, or other data processing for the storage 232
and retrieval of information, data, and statistics pertaining to 233

criminals and to children under eighteen years of age who are 234
adjudicated delinquent children for committing an act that would 235
be a felony or an offense of violence if committed by an adult, 236
criminal activity, crime prevention, law enforcement, and criminal 237
justice, and may establish and operate a statewide communications 238
network to be known as the Ohio law enforcement gateway to gather 239
and disseminate information, data, and statistics for the use of 240
law enforcement agencies and for other uses specified in this 241
division. The superintendent may gather, store, retrieve, and 242
disseminate information, data, and statistics that pertain to 243
children who are under eighteen years of age and that are gathered 244
pursuant to sections 109.57 to 109.61 of the Revised Code together 245
with information, data, and statistics that pertain to adults and 246
that are gathered pursuant to those sections. 247

(2) The superintendent or the superintendent's designee shall 248
gather information of the nature described in division (C)(1) of 249
this section that pertains to the offense and delinquency history 250
of a person who has been convicted of, pleaded guilty to, or been 251
adjudicated a delinquent child for committing a sexually oriented 252
offense or a child-victim oriented offense for inclusion in the 253
state registry of sex offenders and child-victim offenders 254
maintained pursuant to division (A)(1) of section 2950.13 of the 255
Revised Code and in the internet database operated pursuant to 256
division (A)(13) of that section and for possible inclusion in the 257
internet database operated pursuant to division (A)(11) of that 258
section. 259

(3) In addition to any other authorized use of information, 260
data, and statistics of the nature described in division (C)(1) of 261
this section, the superintendent or the superintendent's designee 262
may provide and exchange the information, data, and statistics 263
pursuant to the national crime prevention and privacy compact as 264
described in division (A)(5) of this section. 265

(4) The attorney general may adopt rules under Chapter 119. of the Revised Code establishing guidelines for the operation of and participation in the Ohio law enforcement gateway. The rules may include criteria for granting and restricting access to information gathered and disseminated through the Ohio law enforcement gateway. The attorney general may appoint a steering committee to advise the attorney general in the operation of the Ohio law enforcement gateway that is comprised of persons who are representatives of the criminal justice agencies in this state that use the Ohio law enforcement gateway and is chaired by the superintendent or the superintendent's designee.

(D)(1) The ~~information~~ following are not public records under section 149.43 of the Revised Code:

(a) Information and materials furnished to the superintendent pursuant to division (A) of this section ~~and information;~~

(b) Information, data, and statistics gathered or disseminated through the Ohio law enforcement gateway pursuant to division (C)(1) of this section;

(c) Information and materials furnished to any board or person under division (F) or (G) of this section ~~are not public records under section 149.43 of the Revised Code.~~

(2) The superintendent or the superintendent's designee shall gather and retain information so furnished under division (A) of this section that pertains to the offense and delinquency history of a person who has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing a sexually oriented offense or a child-victim oriented offense for the purposes described in division (C)(2) of this section.

(E) The attorney general shall adopt rules, in accordance with Chapter 119. of the Revised Code, setting forth the procedure by which a person may receive or release information gathered by

the superintendent pursuant to division (A) of this section. A 297
reasonable fee may be charged for this service. If a temporary 298
employment service submits a request for a determination of 299
whether a person the service plans to refer to an employment 300
position has been convicted of or pleaded guilty to an offense 301
listed in division (A)(1), (3), (4), (5), or (6) of section 302
109.572 of the Revised Code, the request shall be treated as a 303
single request and only one fee shall be charged. 304

(F)(1) As used in division (F)(2) of this section, "head 305
start agency" means an entity in this state that has been approved 306
to be an agency for purposes of subchapter II of the "Community 307
Economic Development Act," 95 Stat. 489 (1981), 42 U.S.C.A. 9831, 308
as amended. 309

(2)(a) In addition to or in conjunction with any request that 310
is required to be made under section 109.572, 2151.86, 3301.32, 311
3301.541, 3319.39, 3319.391, 3327.10, 3701.881, 5104.012, 312
5104.013, 5123.081, 5126.28, 5126.281, or 5153.111 of the Revised 313
Code or that is made under section 3314.41, 3319.392, or 3326.25 314
of the Revised Code, the board of education of any school 315
district; the director of developmental disabilities; any county 316
board of developmental disabilities; any entity under contract 317
with a county board of developmental disabilities; the chief 318
administrator of any chartered nonpublic school; the chief 319
administrator of any home health agency; the chief administrator 320
of or person operating any child day-care center, type A family 321
day-care home, or type B family day-care home licensed or 322
certified under Chapter 5104. of the Revised Code; the 323
administrator of any type C family day-care home certified 324
pursuant to Section 1 of Sub. H.B. 62 of the 121st general 325
assembly or Section 5 of Am. Sub. S.B. 160 of the 121st general 326
assembly; the chief administrator of any head start agency; the 327
executive director of a public children services agency; a private 328

company described in section 3314.41, 3319.392, or 3326.25 of the Revised Code; or an employer described in division (J)(2) of section 3327.10 of the Revised Code may request that the superintendent of the bureau investigate and determine, with respect to any individual who has applied for employment in any position after October 2, 1989, or any individual wishing to apply for employment with a board of education may request, with regard to the individual, whether the bureau has any information gathered under division (A) of this section that pertains to that individual. On receipt of the request, the superintendent shall determine whether that information exists and, upon request of the person, board, or entity requesting information, also shall request from the federal bureau of investigation any criminal records it has pertaining to that individual. The superintendent or the superintendent's designee also may request criminal history records from other states or the federal government pursuant to the national crime prevention and privacy compact set forth in section 109.571 of the Revised Code. Within thirty days of the date that the superintendent receives a request, the superintendent shall send to the board, entity, or person a report of any information that the superintendent determines exists, including information contained in records that have been sealed under section 2953.32 of the Revised Code, and, within thirty days of its receipt, shall send the board, entity, or person a report of any information received from the federal bureau of investigation, other than information the dissemination of which is prohibited by federal law.

(b) When a board of education is required to receive information under this section as a prerequisite to employment of an individual pursuant to section 3319.39 of the Revised Code, it may accept a certified copy of records that were issued by the bureau of criminal identification and investigation and that are presented by an individual applying for employment with the

district in lieu of requesting that information itself. In such a 362
case, the board shall accept the certified copy issued by the 363
bureau in order to make a photocopy of it for that individual's 364
employment application documents and shall return the certified 365
copy to the individual. In a case of that nature, a district only 366
shall accept a certified copy of records of that nature within one 367
year after the date of their issuance by the bureau. 368

(c) Notwithstanding division (F)(2)(a) of this section, in 369
the case of a request under section 3319.39, 3319.391, or 3327.10 370
of the Revised Code only for criminal records maintained by the 371
federal bureau of investigation, the superintendent shall not 372
determine whether any information gathered under division (A) of 373
this section exists on the person for whom the request is made. 374

(3) The state board of education may request, with respect to 375
any individual who has applied for employment after October 2, 376
1989, in any position with the state board or the department of 377
education, any information that a school district board of 378
education is authorized to request under division (F)(2) of this 379
section, and the superintendent of the bureau shall proceed as if 380
the request has been received from a school district board of 381
education under division (F)(2) of this section. 382

(4) When the superintendent of the bureau receives a request 383
for information under section 3319.291 of the Revised Code, the 384
superintendent shall proceed as if the request has been received 385
from a school district board of education and shall comply with 386
divisions (F)(2)(a) and (c) of this section. 387

(5) When a recipient of a classroom reading improvement grant 388
paid under section 3301.86 of the Revised Code requests, with 389
respect to any individual who applies to participate in providing 390
any program or service funded in whole or in part by the grant, 391
the information that a school district board of education is 392
authorized to request under division (F)(2)(a) of this section, 393

the superintendent of the bureau shall proceed as if the request 394
has been received from a school district board of education under 395
division (F)(2)(a) of this section. 396

(G) In addition to or in conjunction with any request that is 397
required to be made under section 3701.881, 3712.09, 3721.121, or 398
3722.151 of the Revised Code with respect to an individual who has 399
applied for employment in a position that involves providing 400
direct care to an older adult, the chief administrator of a home 401
health agency, hospice care program, home licensed under Chapter 402
3721. of the Revised Code, adult day-care program operated 403
pursuant to rules adopted under section 3721.04 of the Revised 404
Code, or adult care facility may request that the superintendent 405
of the bureau investigate and determine, with respect to any 406
individual who has applied after January 27, 1997, for employment 407
in a position that does not involve providing direct care to an 408
older adult, whether the bureau has any information gathered under 409
division (A) of this section that pertains to that individual. 410

In addition to or in conjunction with any request that is 411
required to be made under section 173.27 of the Revised Code with 412
respect to an individual who has applied for employment in a 413
position that involves providing ombudsperson services to 414
residents of long-term care facilities or recipients of 415
community-based long-term care services, the state long-term care 416
ombudsperson, ombudsperson's designee, or director of health may 417
request that the superintendent investigate and determine, with 418
respect to any individual who has applied for employment in a 419
position that does not involve providing such ombudsperson 420
services, whether the bureau has any information gathered under 421
division (A) of this section that pertains to that applicant. 422

In addition to or in conjunction with any request that is 423
required to be made under section 173.394 of the Revised Code with 424
respect to an individual who has applied for employment in a 425

position that involves providing direct care to an individual, the 426
chief administrator of a community-based long-term care agency may 427
request that the superintendent investigate and determine, with 428
respect to any individual who has applied for employment in a 429
position that does not involve providing direct care, whether the 430
bureau has any information gathered under division (A) of this 431
section that pertains to that applicant. 432

On receipt of a request under this division, the 433
superintendent shall determine whether that information exists 434
and, on request of the individual requesting information, shall 435
also request from the federal bureau of investigation any criminal 436
records it has pertaining to the applicant. The superintendent or 437
the superintendent's designee also may request criminal history 438
records from other states or the federal government pursuant to 439
the national crime prevention and privacy compact set forth in 440
section 109.571 of the Revised Code. Within thirty days of the 441
date a request is received, the superintendent shall send to the 442
requester a report of any information determined to exist, 443
including information contained in records that have been sealed 444
under section 2953.32 of the Revised Code, and, within thirty days 445
of its receipt, shall send the requester a report of any 446
information received from the federal bureau of investigation, 447
other than information the dissemination of which is prohibited by 448
federal law. 449

(H) Information obtained by a government entity or person 450
under this section is confidential and shall not be released or 451
disseminated. 452

(I) The superintendent may charge a reasonable fee for 453
providing information or criminal records under division (F)(2) or 454
(G) of this section. 455

(J) As used in this section, "sexually oriented offense" and 456
"child-victim oriented offense" have the same meanings as in 457

section 2950.01 of the Revised Code. 458

Sec. 1901.26. (A) Subject to division (E) of this section, 459
costs in a municipal court shall be fixed and taxed as follows: 460

(1)(a) The municipal court shall require an advance deposit 461
for the filing of any new civil action or proceeding when required 462
by division (C) of this section, and in all other cases, by rule, 463
shall establish a schedule of fees and costs to be taxed in any 464
civil or criminal action or proceeding. 465

(b)(i) The legislative authority of a municipal corporation 466
may by ordinance establish a schedule of fees to be taxed as costs 467
in any civil, criminal, or traffic action or proceeding in a 468
municipal court for the performance by officers or other employees 469
of the municipal corporation's police department or marshal's 470
office of any of the services specified in sections 311.17 and 471
509.15 of the Revised Code. No fee in the schedule shall be higher 472
than the fee specified in section 311.17 of the Revised Code for 473
the performance of the same service by the sheriff. If a fee 474
established in the schedule conflicts with a fee for the same 475
service established in another section of the Revised Code or a 476
rule of court, the fee established in the other section of the 477
Revised Code or the rule of court shall apply. 478

(ii) When an officer or employee of a municipal police 479
department or marshal's office performs in a civil, criminal, or 480
traffic action or proceeding in a municipal court a service 481
specified in section 311.17 or 509.15 of the Revised Code for 482
which a taxable fee has been established under this or any other 483
section of the Revised Code, the applicable legal fees and any 484
other extraordinary expenses, including overtime, provided for the 485
service shall be taxed as costs in the case. The clerk of the 486
court shall pay those legal fees and other expenses, when 487
collected, into the general fund of the municipal corporation that 488

employs the officer or employee. 489

(iii) If a bailiff of a municipal court performs in a civil, 490
criminal, or traffic action or proceeding in that court a service 491
specified in section 311.17 or 509.15 of the Revised Code for 492
which a taxable fee has been established under this section or any 493
other section of the Revised Code, the fee for the service is the 494
same and is taxable to the same extent as if the service had been 495
performed by an officer or employee of the police department or 496
marshal's office of the municipal corporation in which the court 497
is located. The clerk of that court shall pay the fee, when 498
collected, into the general fund of the entity or entities that 499
fund the bailiff's salary, in the same prorated amount as the 500
salary is funded. 501

(iv) Division (A)(1)(b) of this section does not authorize or 502
require any officer or employee of a police department or 503
marshal's office of a municipal corporation or any bailiff of a 504
municipal court to perform any service not otherwise authorized by 505
law. 506

(2) The municipal court, by rule, may require an advance 507
deposit for the filing of any civil action or proceeding and 508
publication fees as provided in section 2701.09 of the Revised 509
Code. The court may waive the requirement for advance deposit upon 510
affidavit or other evidence that a party is unable to make the 511
required deposit. 512

(3) When a jury trial is demanded in any civil action or 513
proceeding, the party making the demand may be required to make an 514
advance deposit as fixed by rule of court, unless, upon affidavit 515
or other evidence, the court concludes that the party is unable to 516
make the required deposit. If a jury is called, the fees of a jury 517
shall be taxed as costs. 518

(4) In any civil or criminal action or proceeding, each 519

witness shall receive twelve dollars for each full day's 520
attendance and six dollars for each half day's attendance. Each 521
witness in a municipal court that is not a county-operated 522
municipal court also shall receive fifty and one-half cents for 523
each mile necessarily traveled to and from the witness's place of 524
residence to the action or proceeding. 525

(5) A reasonable charge for driving, towing, carting, 526
storing, keeping, and preserving motor vehicles and other personal 527
property recovered or seized in any proceeding may be taxed as 528
part of the costs in a trial of the cause, in an amount that shall 529
be fixed by rule of court. 530

(6) Chattel property seized under any writ or process issued 531
by the court shall be preserved pending final disposition for the 532
benefit of all persons interested and may be placed in storage 533
when necessary or proper for that preservation. The custodian of 534
any chattel property so stored shall not be required to part with 535
the possession of the property until a reasonable charge, to be 536
fixed by the court, is paid. 537

(7) The municipal court, as it determines, may refund all 538
deposits and advance payments of fees and costs, including those 539
for jurors and summoning jurors, when they have been paid by the 540
losing party. 541

(8) Charges for the publication of legal notices required by 542
statute or order of court may be taxed as part of the costs, as 543
provided by section 7.13 of the Revised Code. 544

(B)(1) The municipal court may determine that, for the 545
efficient operation of the court, additional funds are necessary 546
to acquire and pay for special projects of the court including, 547
but not limited to, the acquisition of additional facilities or 548
the rehabilitation of existing facilities, the acquisition of 549
equipment, the hiring and training of staff, community service 550

programs, mediation or dispute resolution services, the employment 551
of magistrates, the training and education of judges, acting 552
judges, and magistrates, and other related services. Upon that 553
determination, the court by rule may charge a fee, in addition to 554
all other court costs, on the filing of each criminal cause, civil 555
action or proceeding, or judgment by confession. 556

If the municipal court offers a special program or service in 557
cases of a specific type, the municipal court by rule may assess 558
an additional charge in a case of that type, over and above court 559
costs, to cover the special program or service. The municipal 560
court shall adjust the special assessment periodically, but not 561
retroactively, so that the amount assessed in those cases does not 562
exceed the actual cost of providing the service or program. 563

All moneys collected under division (B) of this section shall 564
be paid to the county treasurer if the court is a county-operated 565
municipal court or to the city treasurer if the court is not a 566
county-operated municipal court for deposit into either a general 567
special projects fund or a fund established for a specific special 568
project. Moneys from a fund of that nature shall be disbursed upon 569
an order of the court in an amount no greater than the actual cost 570
to the court of a project. If a specific fund is terminated 571
because of the discontinuance of a program or service established 572
under division (B) of this section, the municipal court may order 573
that moneys remaining in the fund be transferred to an account 574
established under this division for a similar purpose. 575

(2) As used in division (B) of this section: 576

(a) "Criminal cause" means a charge alleging the violation of 577
a statute or ordinance, or subsection of a statute or ordinance, 578
that requires a separate finding of fact or a separate plea before 579
disposition and of which the defendant may be found guilty, 580
whether filed as part of a multiple charge on a single summons, 581
citation, or complaint or as a separate charge on a single 582

summons, citation, or complaint. "Criminal cause" does not include 583
separate violations of the same statute or ordinance, or 584
subsection of the same statute or ordinance, unless each charge is 585
filed on a separate summons, citation, or complaint. 586

(b) "Civil action or proceeding" means any civil litigation 587
that must be determined by judgment entry. 588

(C) The municipal court shall collect in all its divisions 589
except the small claims division the sum of ~~twenty-six~~ thirty-one 590
dollars as additional filing fees in each new civil action or 591
proceeding for the charitable public purpose of providing 592
financial assistance to legal aid societies that operate within 593
the state and to support the office of the state public defender. 594
The municipal court shall collect in its small claims division the 595
sum of eleven dollars as additional filing fees in each new civil 596
action or proceeding for the charitable public purpose of 597
providing financial assistance to legal aid societies that operate 598
within the state and to support the office of the state public 599
defender. This division does not apply to any execution on a 600
judgment, proceeding in aid of execution, or other post-judgment 601
proceeding arising out of a civil action. The filing fees required 602
to be collected under this division shall be in addition to any 603
other court costs imposed in the action or proceeding and shall be 604
collected at the time of the filing of the action or proceeding. 605
The court shall not waive the payment of the additional filing 606
fees in a new civil action or proceeding unless the court waives 607
the advanced payment of all filing fees in the action or 608
proceeding. All such moneys collected during a month except for an 609
amount equal to up to one per cent of those moneys retained to 610
cover administrative costs shall be transmitted on or before the 611
twentieth day of the following month by the clerk of the court to 612
the treasurer of state in a manner prescribed by the treasurer of 613
state or by the Ohio legal assistance foundation. The treasurer of 614

state shall deposit ~~four~~ three per cent of the funds collected 615
under this division to the credit of the civil case filing fee 616
fund established under section 120.07 of the Revised Code and 617
~~ninety-six~~ ninety-seven per cent of the funds collected under this 618
division to the credit of the legal aid fund established under 619
section 120.52 of the Revised Code. 620

The Ohio legal assistance foundation or any recipient of 621
financial assistance from the foundation that receives, or 622
benefits from, any portion of the additional filing fees that are 623
collected and transmitted under this division shall not bring or 624
maintain any action for damages against the state or its political 625
subdivisions, except if the sole amount sought is restitutionary 626
damages or damages measured by economic loss to one or more 627
plaintiffs. 628

The court may retain up to one per cent of the moneys it 629
collects under this division to cover administrative costs, 630
including the hiring of any additional personnel necessary to 631
implement this division. If the court fails to transmit to the 632
treasurer of state the moneys the court collects under this 633
division in a manner prescribed by the treasurer of state or by 634
the Ohio legal assistance foundation, the court shall forfeit the 635
moneys the court retains under this division to cover 636
administrative costs, including the hiring of any additional 637
personnel necessary to implement this division, and shall transmit 638
to the treasurer of state all moneys collected under this 639
division, including the forfeited amount retained for 640
administrative costs, for deposit in the legal aid fund. 641

(D) In the Cleveland municipal court, reasonable charges for 642
investigating titles of real estate to be sold or disposed of 643
under any writ or process of the court may be taxed as part of the 644
costs. 645

(E) Under the circumstances described in sections 2969.21 to 646

2969.27 of the Revised Code, the clerk of the municipal court 647
shall charge the fees and perform the other duties specified in 648
those sections. 649

(F) As used in this section: 650

(1) "Full day's attendance" means a day on which a witness is 651
required or requested to be present at an action or proceeding 652
before and after twelve noon, regardless of whether the witness 653
actually testifies. 654

(2) "Half day's attendance" means a day on which a witness is 655
required or requested to be present at an action or proceeding 656
either before or after twelve noon, but not both, regardless of 657
whether the witness actually testifies. 658

Sec. 1901.261. (A)(1) A municipal court may determine that 659
for the efficient operation of the court additional funds are 660
required to computerize the court, to make available computerized 661
legal research services, or to do both. Upon making a 662
determination that additional funds are required for either or 663
both of those purposes, the court shall ~~include in its schedule of~~ 664
~~fees and costs under section 1901.26 of the Revised Code~~ establish 665
by rule and charge one additional fee not to exceed ~~three~~ six 666
dollars on the filing of each cause of action or appeal equivalent 667
to one described in division (A), (Q), or (U) of section 2303.20 668
of the Revised Code and shall direct the clerk of the court to 669
charge the fee. Not less than thirty days before adopting a rule 670
under this division, the clerk of the court shall publish a notice 671
in a newspaper of general circulation in the county in which the 672
municipal court is located setting forth the proposed rule. 673

(2) All fees collected under this section shall be paid to 674
the county treasurer if the court is a county-operated municipal 675
court or to the city treasurer if the court is not a 676
county-operated municipal court. The treasurer shall place the 677

funds from the fees in a separate fund to be disbursed upon an 678
order of the court in an amount not greater than the actual cost 679
to the court of computerizing the court, procuring and maintaining 680
computerized legal research services, or both. 681

(3) If the court determines that the funds in the fund 682
described in division (A)(2) of this section are more than 683
sufficient to satisfy the purpose for which the additional fee 684
described in division (A)(1) of this section was imposed, the 685
court may declare a surplus in the fund and expend those surplus 686
funds for other appropriate technological expenses of the court. 687

(B)(1) A municipal court may determine that, for the 688
efficient operation of the court, additional funds are required to 689
make technological advances and to computerize the office of the 690
clerk of the court and, upon that determination, may ~~include in~~ 691
~~its schedule of fees and costs under section 1901.26 of the~~ 692
Revised Code establish by rule and charge an additional fee not to 693
exceed ~~ten~~ twenty dollars on the filing of each cause of action or 694
appeal, on the filing, docketing, and endorsing of each 695
certificate of judgment, or on the docketing and indexing of each 696
aid in execution or petition to vacate, revive, or modify a 697
judgment that is equivalent to one described in division (A), (P), 698
(Q), (T), or (U) of section 2303.20 of the Revised Code. Not less 699
than thirty days before adopting a rule under this division, the 700
clerk of the court shall publish a notice in a newspaper of 701
general circulation in the county in which the municipal court is 702
located setting forth the proposed rule. Subject to division 703
(B)(2) of this section, all moneys collected under division (B)(1) 704
of this section shall be paid to the county treasurer if the court 705
is a county-operated municipal court or to the city treasurer if 706
the court is not a county-operated municipal court. The treasurer 707
shall place the funds from the fees in a separate fund to be 708
disbursed, upon an order of the municipal court and subject to an 709

appropriation by the board of county commissioners if the court is 710
a county-operated municipal court or by the legislative authority 711
of the municipal corporation if the court is not a county-operated 712
municipal court, in an amount no greater than the actual cost to 713
the court of procuring and maintaining computer systems for the 714
office of the clerk of the municipal court. 715

(2) If a municipal court makes the determination described in 716
division (B)(1) of this section, the board of county commissioners 717
of the county if the court is a county-operated municipal court or 718
the legislative authority of the municipal corporation if the 719
court is not a county-operated municipal court, may issue one or 720
more general obligation bonds for the purpose of procuring and 721
maintaining the computer systems for the office of the clerk of 722
the municipal court. In addition to the purposes stated in 723
division (B)(1) of this section for which the moneys collected 724
under that division may be expended, the moneys additionally may 725
be expended to pay debt charges and financing costs related to any 726
general obligation bonds issued pursuant to division (B)(2) of 727
this section as they become due. General obligation bonds issued 728
pursuant to division (B)(2) of this section are Chapter 133. 729
securities. 730

Sec. 1907.24. (A) Subject to division (C) of this section, a 731
county court shall fix and tax fees and costs as follows: 732

(1) The county court shall require an advance deposit for the 733
filing of any new civil action or proceeding when required by 734
division (C) of this section and, in all other cases, shall 735
establish a schedule of fees and costs to be taxed in any civil or 736
criminal action or proceeding. 737

(2) The county court by rule may require an advance deposit 738
for the filing of a civil action or proceeding and publication 739
fees as provided in section 2701.09 of the Revised Code. The court 740

may waive an advance deposit requirement upon the presentation of 741
an affidavit or other evidence that establishes that a party is 742
unable to make the requisite deposit. 743

(3) When a party demands a jury trial in a civil action or 744
proceeding, the county court may require the party to make an 745
advance deposit as fixed by rule of court, unless the court 746
concludes, on the basis of an affidavit or other evidence 747
presented by the party, that the party is unable to make the 748
requisite deposit. If a jury is called, the county court shall tax 749
the fees of a jury as costs. 750

(4) In a civil or criminal action or proceeding, the county 751
court shall fix the fees of witnesses in accordance with sections 752
2335.06 and 2335.08 of the Revised Code. 753

(5) A county court may tax as part of the costs in a trial of 754
the cause, in an amount fixed by rule of court, a reasonable 755
charge for driving, towing, carting, storing, keeping, and 756
preserving motor vehicles and other personal property recovered or 757
seized in a proceeding. 758

(6) The court shall preserve chattel property seized under a 759
writ or process issued by the court pending final disposition for 760
the benefit of all interested persons. The court may place the 761
chattel property in storage when necessary or proper for its 762
preservation. The custodian of chattel property so stored shall 763
not be required to part with the possession of the property until 764
a reasonable charge, to be fixed by the court, is paid. 765

(7) The county court, as it determines, may refund all 766
deposits and advance payments of fees and costs, including those 767
for jurors and summoning jurors, when they have been paid by the 768
losing party. 769

(8) The court may tax as part of costs charges for the 770
publication of legal notices required by statute or order of 771

court, as provided by section 7.13 of the Revised Code. 772

(B)(1) The county court may determine that, for the efficient 773
operation of the court, additional funds are necessary to acquire 774
and pay for special projects of the court including, but not 775
limited to, the acquisition of additional facilities or the 776
rehabilitation of existing facilities, the acquisition of 777
equipment, the hiring and training of staff, community service 778
programs, mediation or dispute resolution services, the employment 779
of magistrates, the training and education of judges, acting 780
judges, and magistrates, and other related services. Upon that 781
determination, the court by rule may charge a fee, in addition to 782
all other court costs, on the filing of each criminal cause, civil 783
action or proceeding, or judgment by confession. 784

If the county court offers a special program or service in 785
cases of a specific type, the county court by rule may assess an 786
additional charge in a case of that type, over and above court 787
costs, to cover the special program or service. The county court 788
shall adjust the special assessment periodically, but not 789
retroactively, so that the amount assessed in those cases does not 790
exceed the actual cost of providing the service or program. 791

All moneys collected under division (B) of this section shall 792
be paid to the county treasurer for deposit into either a general 793
special projects fund or a fund established for a specific special 794
project. Moneys from a fund of that nature shall be disbursed upon 795
an order of the court in an amount no greater than the actual cost 796
to the court of a project. If a specific fund is terminated 797
because of the discontinuance of a program or service established 798
under division (B) of this section, the county court may order 799
that moneys remaining in the fund be transferred to an account 800
established under this division for a similar purpose. 801

(2) As used in division (B) of this section: 802

(a) "Criminal cause" means a charge alleging the violation of a statute or ordinance, or subsection of a statute or ordinance, that requires a separate finding of fact or a separate plea before disposition and of which the defendant may be found guilty, whether filed as part of a multiple charge on a single summons, citation, or complaint or as a separate charge on a single summons, citation, or complaint. "Criminal cause" does not include separate violations of the same statute or ordinance, or subsection of the same statute or ordinance, unless each charge is filed on a separate summons, citation, or complaint.

(b) "Civil action or proceeding" means any civil litigation that must be determined by judgment entry.

(c) Subject to division (E) of this section, the county court shall collect in all its divisions except the small claims division the sum of ~~twenty-six~~ thirty-one dollars as additional filing fees in each new civil action or proceeding for the charitable public purpose of providing financial assistance to legal aid societies that operate within the state and to support the office of the state public defender. Subject to division (E) of this section, the county court shall collect in its small claims division the sum of eleven dollars as additional filing fees in each new civil action or proceeding for the charitable public purpose of providing financial assistance to legal aid societies that operate within the state and to support the office of the state public defender. This division does not apply to any execution on a judgment, proceeding in aid of execution, or other post-judgment proceeding arising out of a civil action. The filing fees required to be collected under this division shall be in addition to any other court costs imposed in the action or proceeding and shall be collected at the time of the filing of the action or proceeding. The court shall not waive the payment of the additional filing fees in a new civil action or proceeding unless

the court waives the advanced payment of all filing fees in the 835
action or proceeding. All such moneys collected during a month 836
except for an amount equal to up to one per cent of those moneys 837
retained to cover administrative costs shall be transmitted on or 838
before the twentieth day of the following month by the clerk of 839
the court to the treasurer of state in a manner prescribed by the 840
treasurer of state or by the Ohio legal assistance foundation. The 841
treasurer of state shall deposit ~~four~~ three per cent of the funds 842
collected under this division to the credit of the civil case 843
filing fee fund established under section 120.07 of the Revised 844
Code and ~~ninety-six~~ ninety-seven per cent of the funds collected 845
under this division to the credit of the legal aid fund 846
established under section 120.52 of the Revised Code. 847

The Ohio legal assistance foundation or any recipient of 848
financial assistance from the foundation that receives, or 849
benefits from, any portion of the additional filing fees that are 850
collected and transmitted under this division shall not bring or 851
maintain any action for damages against the state or its political 852
subdivisions, except if the sole amount sought is restitutionary 853
damages or damages measured by economic loss to one or more 854
plaintiffs. 855

The court may retain up to one per cent of the moneys it 856
collects under this division to cover administrative costs, 857
including the hiring of any additional personnel necessary to 858
implement this division. If the court fails to transmit to the 859
treasurer of state the moneys the court collects under this 860
division in a manner prescribed by the treasurer of state or by 861
the Ohio legal assistance foundation, the court shall forfeit the 862
moneys the court retains under this division to cover 863
administrative costs, including the hiring of any additional 864
personnel necessary to implement this division, and shall transmit 865
to the treasurer of state all moneys collected under this 866

division, including the forfeited amount retained for 867
administrative costs, for deposit in the legal aid fund. 868

(D) The county court shall establish by rule a schedule of 869
fees for miscellaneous services performed by the county court or 870
any of its judges in accordance with law. If judges of the court 871
of common pleas perform similar services, the fees prescribed in 872
the schedule shall not exceed the fees for those services 873
prescribed by the court of common pleas. 874

(E) Under the circumstances described in sections 2969.21 to 875
2969.27 of the Revised Code, the clerk of the county court shall 876
charge the fees and perform the other duties specified in those 877
sections. 878

Sec. 2101.16. (A) Except as provided in section 2101.164 of 879
the Revised Code, the probate court shall establish by rule, 880
charge, and collect, if possible, fees enumerated for services 881
rendered in proceedings referred to in this division shall be 882
charged and collected, if possible, by the probate judge, and the 883
fees shall be in full for all services rendered in the respective 884
proceedings. The fee established for services rendered in any 885
proceeding referred to in division (A)(2), (29), (33), (44), or 886
(57) of this section shall not be less than the amount of that fee 887
that must be deposited into a specific fund under division (C) or 888
(G) of this section. The probate judge may by rule modify any fee 889
previously established under this division. Not less than thirty 890
days before adopting a rule under this division, the probate judge 891
shall publish a notice in a newspaper of general circulation in 892
the county in which the probate court is located setting forth the 893
proposed rule. The probate judge shall establish fees for services 894
rendered in the following proceedings, not to exceed the specified 895
amounts: 896

(1) Account, in addition to advertising charges 897

| | | |
|--|---------------------|-----|
| ..... | \$ 12.00 | 898 |
| | <u>20.00</u> | |
| Waivers and proof of notice of hearing on account, per page, minimum one dollar | | 899 |
| ..... | \$ 1.00 | 900 |
| | <u>2.00</u> | |
| (2) Account of distribution, in addition to advertising charges | | 901 |
| ..... | \$ 7.00 | 902 |
| (3) Adoption of child, petition for | | 903 |
| ..... | \$ 50.00 | 904 |
| | <u>60.00</u> | |
| (4) (3) Alter or cancel contract for sale or purchase of real estate, petition to | | 905 |
| ..... | \$ 20.00 | 906 |
| | <u>35.00</u> | |
| (5) Application and (4) <u>Entry or</u> order not otherwise provided for in this section or by rule adopted pursuant to division (E) of this section | | 907 |
| ..... | \$ 5.00 | 908 |
| | <u>10.00</u> | |
| (6) (5) Appropriation suit, per day, hearing in | | 909 |
| ..... | \$ 20.00 | 910 |
| | <u>35.00</u> | |
| (7) (6) Birth, application for registration of | | 911 |
| ..... | \$ 7.00 | 912 |
| | <u>15.00</u> | |
| (8) (7) Birth record, application to correct | | 913 |
| | \$ 5.00 | 914 |
| | <u>10.00</u> | |
| (9) (8) Bond, application for new or additional | | 915 |
| | \$ 5.00 | 916 |
| | <u>10.00</u> | |

| | | |
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| (10) <u>(9)</u> Bond, application for release of surety or reduction of | | 917 |
| | \$ 5.00 | 918 |
| | <u>10.00</u> | |
| (11) <u>(10)</u> Bond, receipt for securities deposited in lieu of | | 919 |
| ..... | \$ 5.00 | 920 |
| | <u>10.00</u> | |
| (12) <u>(11)</u> Certified copy of journal entry, record, or proceeding, per page, minimum fee one dollar | | 921 |
| ..... | \$ 1.00 | 922 |
| | <u>2.00</u> | |
| (13) <u>(12)</u> Citation and issuing citation, application for | | 923 |
| ..... | \$ 5.00 | 924 |
| | <u>10.00</u> | |
| (14) <u>(13)</u> Change of name, petition for | | 925 |
| ..... | \$ 20.00 | 926 |
| | <u>35.00</u> | |
| (15) <u>(14)</u> Claim, application of administrator or executor for allowance of administrator's or executor's own | | 927 |
| ..... | \$ 10.00 | 928 |
| | <u>20.00</u> | |
| (16) <u>(15)</u> Claim, application to compromise or settle | | 929 |
| ..... | \$ 10.00 | 930 |
| | <u>20.00</u> | |
| (17) <u>(16)</u> Claim, authority to present | | 931 |
| ..... | \$ 10.00 | 932 |
| | <u>20.00</u> | |
| (18) <u>(17)</u> Commissioner, appointment of | | 933 |
| ..... | \$ 5.00 | 934 |
| | <u>10.00</u> | |
| (19) <u>(18)</u> Compensation for extraordinary services and attorney's fees for fiduciary, application for | | 935 |
| ..... | \$ 5.00 | 936 |

| | | |
|---|---------------------|-----|
| | <u>10.00</u> | |
| (20) <u>(19)</u> Competency, application to procure adjudication of | | 937 |
| ..... | \$ 20.00 | 938 |
| | <u>35.00</u> | |
| (21) <u>(20)</u> Complete contract, application to | | 939 |
| ..... | \$ 10.00 | 940 |
| | <u>20.00</u> | |
| (22) <u>(21)</u> Concealment of assets, citation for | | 941 |
| ..... | \$ 10.00 | 942 |
| | <u>20.00</u> | |
| (23) <u>(22)</u> Construction of will, petition for | | 943 |
| ..... | \$ 20.00 | 944 |
| | <u>35.00</u> | |
| (24) <u>(23)</u> Continue decedent's business, application to | | 945 |
| ..... | \$ 10.00 | 946 |
| | <u>20.00</u> | |
| Monthly reports of operation | | 947 |
| ..... | \$ 5.00 | 948 |
| | <u>10.00</u> | |
| (25) <u>(24)</u> Declaratory judgment, petition for | | 949 |
| ..... | \$ 20.00 | 950 |
| | <u>35.00</u> | |
| (26) <u>(25)</u> Deposit of will | | 951 |
| ..... | \$ 5.00 | 952 |
| | <u>10.00</u> | |
| (27) <u>(26)</u> Designation of heir | | 953 |
| ..... | \$ 20.00 | 954 |
| | <u>35.00</u> | |
| (28) <u>(27)</u> Distribution in kind, application, assent, and order for | | 955 |
| | \$ 5.00 | 956 |
| | <u>10.00</u> | |
| (29) <u>(28)</u> Distribution under section 2109.36 of the Revised | | 957 |

| | | |
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| Code, application for an order of | | |
| | \$ 7.00 | 958 |
| | <u>15.00</u> | |
| (30) (29) Docketing and indexing proceedings, including the | | 959 |
| filing and noting of all necessary documents, maximum | | |
| fee, fifteen dollars | | |
| ..... | \$ 15.00 | 960 |
| | <u>30.00</u> | |
| (31) (30) Exceptions to any proceeding named in this section, | | 961 |
| contest of appointment or | | |
| ..... | \$ 10.00 | 962 |
| | <u>20.00</u> | |
| (32) (31) Election of surviving partner to purchase assets of | | 963 |
| partnership, proceedings relating to | | |
| ..... | \$ 10.00 | 964 |
| | <u>20.00</u> | |
| (33) (32) Election of surviving spouse under will | | 965 |
| ..... | \$ 5.00 | 966 |
| | <u>10.00</u> | |
| (34) (33) Fiduciary, including an assignee or trustee of an | | 967 |
| insolvent debtor or any guardian or conservator | | |
| accountable to the probate court, appointment of | | |
| ..... | \$ 35.00 | 968 |
| | <u>55.00</u> | |
| (35) (34) Foreign will, application to record | | 969 |
| ..... | \$ 10.00 | 970 |
| | <u>20.00</u> | |
| Record of foreign will, additional, per page | | 971 |
| ..... | \$ 1.00 | 972 |
| | <u>2.00</u> | |
| (36) (35) Forms, <u>per case, when supplied made available</u> by the | | 973 |
| probate court, not to exceed | | |
| ..... | \$ 10.00 | 974 |

| | | |
|--|---------------------|-----|
| | <u>20.00</u> | |
| (37) <u>(36)</u> Heirship, petition to determine | | 975 |
| ..... | \$ 20.00 | 976 |
| | <u>35.00</u> | |
| (38) <u>(37)</u> Injunction proceedings | | 977 |
| ..... | \$ 20.00 | 978 |
| | <u>35.00</u> | |
| (39) <u>(38)</u> Improve real estate, petition to | | 979 |
| ..... | \$ 20.00 | 980 |
| | <u>35.00</u> | |
| (40) <u>(39)</u> Inventory with appraisement | | 981 |
| ..... | \$ 10.00 | 982 |
| | <u>20.00</u> | |
| (41) Inventory without appraisement | | 983 |
| ..... | \$ 7.00 | 984 |
| (42) <u>(40)</u> Investment or expenditure of funds, application <u>and</u> <u>entry</u> for | | 985 |
| ..... | \$ 10.00 | 986 |
| | <u>20.00</u> | |
| (43) <u>(41)</u> Invest in real estate, application to | | 987 |
| ..... | \$ 10.00 | 988 |
| | <u>20.00</u> | |
| (44) <u>(42)</u> Lease for oil, gas, coal, or other mineral, petition to | | 989 |
| ..... | \$ 20.00 | 990 |
| | <u>35.00</u> | |
| (45) <u>(43)</u> Lease or lease and improve real estate, petition to | | 991 |
| ..... | \$ 20.00 | 992 |
| | <u>35.00</u> | |
| (46) <u>(44)</u> Marriage license | | 993 |
| ..... | \$ 10.00 | 994 |
| | <u>20.00</u> | |
| Certified abstract of each marriage | | 995 |

| | | |
|---|---------------------|------|
| ..... | \$ 2.00 | 996 |
| | <u>5.00</u> | |
| (47) <u>(45)</u> Minor or mentally ill person, etc., disposal of estate under ten thousand dollars of | | 997 |
| ..... | \$ 10.00 | 998 |
| | <u>20.00</u> | |
| (48) <u>(46)</u> Mortgage or mortgage and repair or improve real estate, petition to | | 999 |
| ..... | \$ 20.00 | 1000 |
| | <u>35.00</u> | |
| (49) <u>(47)</u> Newly discovered assets, report of | | 1001 |
| ..... | \$ 7.00 | 1002 |
| | <u>20.00</u> | |
| (50) <u>(48)</u> Nonresident executor or administrator to bar creditors' claims, proceedings by | | 1003 |
| ..... | \$ 20.00 | 1004 |
| | <u>35.00</u> | |
| (51) <u>(49)</u> Power of attorney or revocation of power, bonding company | | 1005 |
| ..... | \$ 10.00 | 1006 |
| | <u>50.00</u> | |
| (52) <u>(50)</u> Presumption of death, petition to establish | | 1007 |
| ..... | \$ 20.00 | 1008 |
| | <u>35.00</u> | |
| (53) <u>(51)</u> Probating will | | 1009 |
| ..... | \$ 15.00 | 1010 |
| | <u>25.00</u> | |
| Proof of notice to beneficiaries | | 1011 |
| ..... | \$ 5.00 | 1012 |
| (54) <u>(52)</u> Purchase personal property, application of surviving spouse to | | 1013 |
| ..... | \$ 10.00 | 1014 |
| | <u>20.00</u> | |

| | | |
|--|---------------------|------|
| (55) (53) Purchase real estate at appraised value, petition of surviving spouse to | | 1015 |
| ..... | \$ 20.00 | 1016 |
| | <u>35.00</u> | |
| (56) (54) Receipts in addition to advertising charges, application and order to record | | 1017 |
| ..... | \$ 5.00 | 1018 |
| | <u>10.00</u> | |
| Record of those receipts, additional, per page | | 1019 |
| ..... | \$ 1.00 | 1020 |
| | <u>2.00</u> | |
| (57) (55) Record in excess of fifteen hundred words <u>five pages</u> in any proceeding in the probate court, per page | | 1021 |
| ..... | \$ 1.00 | 1022 |
| | <u>2.00</u> | |
| (58) (56) Release of estate by mortgagee or other lienholder | | 1023 |
| ..... | \$ 5.00 | 1024 |
| | <u>10.00</u> | |
| (59) (57) Relieving an estate from administration under section 2113.03 of the Revised Code or granting an order for a summary release from administration under section 2113.031 of the Revised Code | | 1025 |
| ..... | \$ 60.00 | 1026 |
| (60) (58) Removal of fiduciary, application for | | 1027 |
| ..... | \$ 10.00 | 1028 |
| | <u>20.00</u> | |
| (61) (59) Requalification of executor or administrator | | 1029 |
| ..... | \$ 10.00 | 1030 |
| | <u>20.00</u> | |
| (62) (60) Resignation of fiduciary | | 1031 |
| ..... | \$ 5.00 | 1032 |
| | <u>10.00</u> | |
| (63) (61) Sale bill, public sale of personal property | | 1033 |

| | | |
|--|---------------------|------|
| ..... | \$ 10.00 | 1034 |
| | <u>20.00</u> | |
| (64) <u>(62)</u> Sale of personal property and report, application for | | 1035 |
| ..... | \$ 10.00 | 1036 |
| | <u>20.00</u> | |
| (65) <u>(63)</u> Sale of real estate, petition for | | 1037 |
| ..... | \$ 25.00 | 1038 |
| | <u>50.00</u> | |
| (66) <u>(64)</u> Terminate guardianship, petition <u>application and entry</u> to | | 1039 |
| ..... | \$ 10.00 | 1040 |
| | <u>20.00</u> | |
| (67) <u>(65)</u> Transfer of real estate, application, entry, and certificate for | | 1041 |
| ..... | \$ 7.00 | 1042 |
| | <u>15.00</u> | |
| (68) <u>(66)</u> Unclaimed money, application to invest | | 1043 |
| ..... | \$ 7.00 | 1044 |
| | <u>12.00</u> | |
| (69) <u>(67)</u> Vacate approval of account or order of distribution, motion to | | 1045 |
| ..... | \$ 10.00 | 1046 |
| | <u>20.00</u> | |
| (70) <u>(68)</u> Writ of execution | | 1047 |
| ..... | \$ 5.00 | 1048 |
| | <u>10.00</u> | |
| (71) <u>(69)</u> Writ of possession | | 1049 |
| ..... | \$ 5.00 | 1050 |
| | <u>20.00</u> | |
| (72) <u>(70)</u> Wrongful death, application and settlement of claim for | | 1051 |
| ..... | \$ 20.00 | 1052 |
| | <u>35.00</u> | |

| | |
|---|--|
| (73) <u>(71)</u> Year's allowance, petition to review | 1053 |
| \$ 7.00 | 1054 |
| | <u>15.00</u> |
| (74) <u>(72)</u> Guardian's report, filing and review of | 1055 |
| \$ 5.00 | 1056 |
| | <u>10.00</u> |
| (B)(1) In relation to an application for the appointment of a guardian or the review of a report of a guardian under section 2111.49 of the Revised Code, the probate court, pursuant to court order or in accordance with a court rule, may direct that the applicant or the estate pay any or all of the expenses of an investigation conducted pursuant to section 2111.041 or division (A)(2) of section 2111.49 of the Revised Code. If the investigation is conducted by a public employee or investigator who is paid by the county, the fees for the investigation shall be paid into the county treasury. If the court finds that an alleged incompetent or a ward is indigent, the court may waive the costs, fees, and expenses of an investigation. | 1057 1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 |
| (2) In relation to the appointment or functioning of a guardian for a minor or the guardianship of a minor, the probate court may direct that the applicant or the estate pay any or all of the expenses of an investigation conducted pursuant to section 2111.042 of the Revised Code. If the investigation is conducted by a public employee or investigator who is paid by the county, the fees for the investigation shall be paid into the county treasury. If the court finds that the guardian or applicant is indigent, the court may waive the costs, fees, and expenses of an investigation. | 1069 1070 1071 1072 1073 1074 1075 1076 1077 |
| (C) Thirty <u>Fifteen</u> dollars of the thirty-five dollar fee collected pursuant to division (A) (34) <u>(29)</u> of this section, <u>fifty dollars of the fee collected pursuant to division (A)(33) of this section, ten dollars of the fee collected pursuant to division (A)(44) of this section,</u> and twenty <u>thirty</u> dollars of the | 1078 1079 1080 1081 1082 |

~~sixty-dollar~~ fee collected pursuant to division (A)~~(59)~~(57) of 1083
this section shall be deposited by the county treasurer in the 1084
indigent guardianship fund created pursuant to section 2111.51 of 1085
the Revised Code. 1086

(D) The fees of witnesses, jurors, sheriffs, coroners, and 1087
constables for services rendered in the probate court or by order 1088
of the probate judge shall be the same as provided for like 1089
services in the court of common pleas. 1090

(E) The probate court, by rule, may require an advance 1091
deposit for costs, not to exceed ~~one~~ two hundred ~~twenty-five~~ fifty 1092
dollars plus the cost of publication, at the time application is 1093
made for an appointment as executor or administrator or at the 1094
time a will is presented for probate. 1095

(F) The probate court, by rule, shall establish a reasonable 1096
fee, not to exceed fifty dollars, for the filing of a petition for 1097
the release of information regarding an adopted person's name by 1098
birth and the identity of the adopted person's biological parents 1099
and biological siblings pursuant to section 3107.41 of the Revised 1100
Code, all proceedings relative to the petition, the entry of an 1101
order relative to the petition, and all services required to be 1102
performed in connection with the petition. The probate court may 1103
use a reasonable portion of a fee charged under authority of this 1104
division to reimburse any agency, as defined in section 3107.39 of 1105
the Revised Code, for any services it renders in performing a task 1106
described in section 3107.41 of the Revised Code relative to or in 1107
connection with the petition for which the fee was charged. 1108

(G)(1) Thirty dollars of the ~~fifty-dollar~~ fee collected 1109
pursuant to division (A)~~(3)~~(2) of this section shall be deposited 1110
into the "putative father registry fund," which is hereby created 1111
in the state treasury. The department of job and family services 1112
shall use the money in the fund to fund the department's costs of 1113
performing its duties related to the putative father registry 1114

established under section 3107.062 of the Revised Code. 1115

(2) If the department determines that money in the putative 1116
father registry fund is more than is needed for its duties related 1117
to the putative father registry, the department may use the 1118
surplus moneys in the fund as permitted in division (C) of section 1119
2151.3529, division (B) of section 2151.3530, or section 5103.155 1120
of the Revised Code. 1121

Sec. 2101.162. (A)(1) The probate judge may determine that, 1122
for the efficient operation of the probate court, additional funds 1123
are required to computerize the court, make available computerized 1124
legal research services, or to do both. Upon making a 1125
determination that additional funds are required for either or 1126
both of those purposes, the probate judge shall establish by rule 1127
and charge a fee not to exceed ~~three~~ five dollars or authorize and 1128
direct a deputy clerk of ~~his~~ the probate court to charge a fee not 1129
to exceed ~~three~~ five dollars, in addition to the fees specified in 1130
divisions (A)(1), ~~(3), (4), (6), (14) to (17), (20) to (25), (27),~~ 1131
~~(30) to (32), (34), (35), (37) to (48), (50) to (55), (59) to~~ 1132
~~(61), (63) to (66), (69), and (72)~~ (2), (3), (5), (13) to (16), 1133
(19) to (24), (26), (29) to (31), (33), (34), (36) to (46), (48) 1134
to (53), (57) to (59), (61) to (64), (67), and (70) of section 1135
2101.16 of the Revised Code, the fee adopted pursuant to division 1136
(F) of that section, and the fee charged in connection with the 1137
docketing and indexing of an appeal. Not less than thirty days 1138
before adopting a rule under this division, the probate judge 1139
shall publish a notice in a newspaper of general circulation in 1140
the county in which the probate court is located setting forth the 1141
proposed rule. 1142

(2) All moneys collected under division (A)(1) of this 1143
section shall be paid to the county treasurer. The treasurer shall 1144
place the moneys from the fees in a separate fund to be disbursed, 1145

upon an order of the probate judge, in an amount no greater than 1146
the actual cost to the court of procuring and maintaining 1147
computerization of the court, computerized legal research 1148
services, or both. 1149

(3) If the court determines that the funds in the fund 1150
described in division (A)(2) of this section are more than 1151
sufficient to satisfy the purpose for which the additional fee 1152
described in division (A)(1) of this section was imposed, the 1153
court may declare a surplus in the fund and expend those surplus 1154
funds for other appropriate technological expenses of the court. 1155

(B)(1) The probate judge may determine that, for the 1156
efficient operation of ~~his~~ the probate court, additional funds are 1157
required to computerize the office of the clerk of the court and, 1158
upon that determination, may establish by rule and charge a fee, 1159
not to exceed ~~ten~~ fifteen dollars, or authorize and direct a 1160
deputy clerk of the probate court to charge a fee, not to exceed 1161
~~ten~~ fifteen dollars, in addition to the fees specified in 1162
divisions (A)(1), ~~(3), (4), (6), (14) to (17), (20) to (25), (27),~~ 1163
~~(30) to (32), (34), (35), (37) to (48), (50) to (55), (59) to~~ 1164
~~(61), (63) to (66), (69), and (72)~~ (2), (3), (5), (13) to (16), 1165
(19) to (24), (26), (29) to (31), (33), (34), (36) to (46), (48) 1166
to (53), (57) to (59), (61) to (64), (67), and (70) of section 1167
2101.16 of the Revised Code, the fee adopted pursuant to division 1168
(F) of that section, and the fee charged in connection with the 1169
docketing and indexing of an appeal. Not less than thirty days 1170
before adopting a rule under this division, the probate judge 1171
shall publish a notice in a newspaper of general circulation in 1172
the county in which the probate court is located setting forth the 1173
proposed rule. Subject to division (B)(2) of this section, all 1174
moneys collected under this division shall be paid to the county 1175
treasurer to be disbursed, upon an order of the probate judge and 1176
subject to appropriation by the board of county commissioners, in 1177

an amount no greater than the actual cost to the probate court of 1178
procuring and maintaining computer systems for the office of the 1179
clerk of the court. 1180

(2) If the probate judge makes the determination described in 1181
division (B)(1) of this section, the board of county commissioners 1182
may issue one or more general obligation bonds for the purpose of 1183
procuring and maintaining the computer systems for the office of 1184
the clerk of the probate court. In addition to the purposes stated 1185
in division (B)(1) of this section for which the moneys collected 1186
under that division may be expended, the moneys additionally may 1187
be expended to pay debt charges on and financing costs related to 1188
any general obligation bonds issued pursuant to this division as 1189
they become due. General obligation bonds issued pursuant to this 1190
division are Chapter 133. securities. 1191

Sec. 2101.17. The fees enumerated in this section shall be 1192
paid to the probate court from the county treasury upon the 1193
warrant of the county auditor which shall issue upon the 1194
certificate of the probate judge and shall be in full for all 1195
services rendered in the respective proceedings as follows: 1196

(A) For each hearing to determine if a person is 1197
a mentally ill individual subject to
hospitalization when the person is committed
to a state hospital or to relatives

..... \$ ~~12.00~~ 1198
40.00;

(B) When the person is discharged 1199
..... ~~7.00~~ 1200

25.00;

(C) For order of return of a mentally ill person 1201
to a state hospital or removal therefrom

..... ~~2.00~~ 1202

| | | |
|--|------------------|--|
| | <u>10.00;</u> | |
| (D) For proceedings for committing a person to an institution for the mentally retarded | | 1203 |
| | 10.00 | 1204 |
| | <u>35.00;</u> | |
| (E) For habeas corpus proceedings when a person is confined under color of proceedings in a criminal case and is discharged | | 1205 |
| | 10.00 | 1206 |
| | <u>35.00;</u> | |
| (F) When acting as a juvenile judge, for each case filed against a delinquency delinquent , dependent, unruly, or neglected child, or a juvenile traffic offender | | 1207 |
| | 5.00 | 1208 |
| | <u>20.00;</u> | |
| (G) For proceedings to take a child from parents or other persons having control thereof | | 1209 |
| | 5.00 | 1210 |
| | <u>20.00.</u> | |
| Sec. 2111.51. Each county shall establish in the county treasury an indigent guardianship fund. All revenue that the general assembly appropriates to the indigent guardianship fund for a county, thirty fifteen <u>fifty</u> dollars of the thirty five dollar fee collected pursuant to division (A) (34) <u>(29)</u> of section 2101.16 of the Revised Code, <u>fifty dollars of the fee collected pursuant to division (A)(33) of that section, ten dollars of the fee collected pursuant to division (A)(44) of that section,</u> and twenty thirty dollars of the sixty dollar fee collected pursuant to division (A) (59) <u>(57)</u> of that section shall be deposited into the fund that is established in that county. Expenditures from the fund shall be made only upon order of the probate judge and only for | | 1211 1212 1213 1214 1215 1216 1217 1218 1219 1220 1221 1222 |

payment of any cost, fee, charge, or expense associated with the 1223
establishment, opening, maintenance, or termination of a 1224
guardianship for an indigent ward. 1225

If a probate court determines that there are reasonably 1226
sufficient funds in the indigent guardianship fund of the county 1227
in which the court is located to meet the needs of indigent 1228
guardianships in that county, the court, by order, may declare a 1229
surplus in the indigent guardianship fund and expend the surplus 1230
funds for other guardianship expenses or for other court purposes. 1231

Sec. 2113.031. (A) As used in this section: 1232

(1) "Financial institution" has the same meaning as in 1233
section 5725.01 of the Revised Code. "Financial institution" also 1234
includes a credit union and a fiduciary that is not a trust 1235
company but that does trust business. 1236

(2) "Funeral and burial expenses" means whichever of the 1237
following applies: 1238

(a) The funeral and burial expenses of the decedent that are 1239
included in the bill of a funeral director; 1240

(b) The funeral expenses of the decedent that are not 1241
included in the bill of a funeral director and that have been 1242
approved by the probate court; 1243

(c) The funeral and burial expenses of the decedent that are 1244
described in divisions (A)(2)(a) and (b) of this section. 1245

(3) "Surviving spouse" means either of the following: 1246

(a) The surviving spouse of a decedent who died leaving the 1247
surviving spouse and no minor children; 1248

(b) The surviving spouse of a decedent who died leaving the 1249
surviving spouse and minor children, all of whom are children of 1250
the decedent and the surviving spouse. 1251

(B)(1) If the value of the assets of the decedent's estate 1252
does not exceed the lesser of five thousand dollars or the amount 1253
of the decedent's funeral and burial expenses, any person who is 1254
not a surviving spouse and who has paid or is obligated in writing 1255
to pay the decedent's funeral and burial expenses, including a 1256
person described in section 2108.89 of the Revised Code, may apply 1257
to the probate court for an order granting a summary release from 1258
administration in accordance with this section. 1259

(2) If either of the following applies, the decedent's 1260
surviving spouse may apply to the probate court for an order 1261
granting a summary release from administration in accordance with 1262
this section: 1263

(a) The decedent's funeral and burial expenses have been 1264
prepaid, and the value of the assets of the decedent's estate does 1265
not exceed the total of the following items: 1266

(i) The allowance for support that is made under division (A) 1267
of section 2106.13 of the Revised Code to the surviving spouse 1268
and, if applicable, to the decedent's minor children and that is 1269
distributable in accordance with division (B)(1) or (2) of that 1270
section; 1271

(ii) An amount, not exceeding five thousand dollars, for the 1272
decedent's funeral and burial expenses referred to in division 1273
(A)(2)(c) of this section. 1274

(b) The decedent's funeral and burial expenses have not been 1275
prepaid, the decedent's surviving spouse has paid or is obligated 1276
in writing to pay the decedent's funeral and burial expenses, and 1277
the value of the assets of the decedent's estate does not exceed 1278
the total of the items referred to in divisions (B)(2)(a)(i) and 1279
(ii) of this section. 1280

(C) A probate court shall order a summary release from 1281
administration in connection with a decedent's estate only if the 1282

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| court finds that all of the following are satisfied: | 1283 |
| (1) A person described in division (B)(1) of this section is | 1284 |
| the applicant for a summary release from administration, and the | 1285 |
| value of the assets of the decedent's estate does not exceed the | 1286 |
| lesser of five thousand dollars or the amount of the decedent's | 1287 |
| funeral and burial expenses, or the applicant for a summary | 1288 |
| release from administration is the decedent's surviving spouse, | 1289 |
| and the circumstances described in division (B)(2)(a) or (b) of | 1290 |
| this section apply. | 1291 |
| (2) The application for a summary release from administration | 1292 |
| does all of the following: | 1293 |
| (a) Describes all assets of the decedent's estate that are | 1294 |
| known to the applicant; | 1295 |
| (b) Is in the form that the supreme court prescribes pursuant | 1296 |
| to its powers of superintendence under Section 5 of Article IV, | 1297 |
| Ohio Constitution, and is consistent with the requirements of this | 1298 |
| division; | 1299 |
| (c) Has been signed and acknowledged by the applicant in the | 1300 |
| presence of a notary public or a deputy clerk of the probate | 1301 |
| court; | 1302 |
| (d) Sets forth the following information if the decedent's | 1303 |
| estate includes a described type of asset: | 1304 |
| (i) If the decedent's estate includes a motor vehicle, the | 1305 |
| motor vehicle's year, make, model, body type, manufacturer's | 1306 |
| vehicle identification number, certificate of title number, and | 1307 |
| date of death value; | 1308 |
| (ii) If the decedent's estate includes an account maintained | 1309 |
| by a financial institution, that institution's name and the | 1310 |
| account's complete identifying number and date of death balance; | 1311 |
| (iii) If the decedent's estate includes one or more shares of | 1312 |

stock or bonds, the total number of the shares and bonds and their 1313
total date of death value and, for each share or bond, its serial 1314
number, the name of its issuer, its date of death value, and, if 1315
any, the name and address of its transfer agent. 1316

(3) The application for a summary release from administration 1317
is accompanied by all of the following that apply: 1318

(a) A receipt, contract, written declaration as defined in 1319
section 2108.70 of the Revised Code, or other document that 1320
confirms the applicant's payment or obligation to pay the 1321
decedent's funeral and burial expenses or, if applicable in the 1322
case of the decedent's surviving spouse, the prepayment of the 1323
decedent's funeral and burial expenses; 1324

(b) An application for a certificate of transfer as described 1325
in section 2113.61 of the Revised Code, if an interest in real 1326
property is included in the assets of the decedent's estate; 1327

(c) The fee required by division (A)~~(59)~~(57) of section 1328
2101.16 of the Revised Code. 1329

(4) At the time of its determination on the application, 1330
there are no pending proceedings for the administration of the 1331
decedent's estate and no pending proceedings for relief of the 1332
decedent's estate from administration under section 2113.03 of the 1333
Revised Code. 1334

(5) At the time of its determination on the application, 1335
there are no known assets of the decedent's estate other than the 1336
assets described in the application. 1337

(D) If the probate court determines that the requirements of 1338
division (C) of this section are satisfied, the probate court 1339
shall issue an order that grants a summary release from 1340
administration in connection with the decedent's estate. The order 1341
has, and shall specify that it has, all of the following effects: 1342

| | |
|--|--|
| (1) It relieves the decedent's estate from administration. | 1343 |
| (2) It directs the delivery to the applicant of the decedent's personal property together with the title to that property. | 1344 1345 1346 |
| (3) It directs the transfer to the applicant of the title to any interests in real property included in the decedent's estate. | 1347 1348 |
| (4) It eliminates the need for a financial institution, corporation, or other entity or person referred to in any provision of divisions (A) to (F) of section 5731.39 of the Revised Code to obtain, as otherwise would be required by any of those divisions, the written consent of the tax commissioner prior to the delivery, transfer, or payment to the applicant of an asset of the decedent's estate. | 1349 1350 1351 1352 1353 1354 1355 |
| (E) A certified copy of an order that grants a summary release from administration together with a certified copy of the application for that order constitutes sufficient authority for a financial institution, corporation, or other entity or person referred to in divisions (A) to (F) of section 5731.39 of the Revised Code or for a clerk of a court of common pleas to transfer title to an asset of the decedent's estate to the applicant for the summary release from administration. | 1356 1357 1358 1359 1360 1361 1362 1363 |
| (F) This section does not affect the ability of qualified persons to file an application to relieve an estate from administration under section 2113.03 of the Revised Code or to file an application for the grant of letters testamentary or letters of administration in connection with the decedent's estate. | 1364 1365 1366 1367 1368 1369 |
| Sec. 2151.23. (A) The juvenile court has exclusive original jurisdiction under the Revised Code as follows: | 1370 1371 |
| (1) Concerning any child who on or about the date specified | 1372 |

in the complaint, indictment, or information is alleged to have 1373
violated section 2151.87 of the Revised Code or an order issued 1374
under that section or to be a juvenile traffic offender or a 1375
delinquent, unruly, abused, neglected, or dependent child and, 1376
based on and in relation to the allegation pertaining to the 1377
child, concerning the parent, guardian, or other person having 1378
care of a child who is alleged to be an unruly or delinquent child 1379
for being an habitual or chronic truant; 1380

(2) Subject to divisions (G), (K), and (V) of section 2301.03 1381
of the Revised Code, to determine the custody of any child not a 1382
ward of another court of this state; 1383

(3) To hear and determine any application for a writ of 1384
habeas corpus involving the custody of a child; 1385

(4) To exercise the powers and jurisdiction given the probate 1386
division of the court of common pleas in Chapter 5122. of the 1387
Revised Code, if the court has probable cause to believe that a 1388
child otherwise within the jurisdiction of the court is a mentally 1389
ill person subject to hospitalization by court order, as defined 1390
in section 5122.01 of the Revised Code; 1391

(5) To hear and determine all criminal cases charging adults 1392
with the violation of any section of this chapter; 1393

(6) To hear and determine all criminal cases in which an 1394
adult is charged with a violation of division (C) of section 1395
2919.21, division (B)(1) of section 2919.22, section 2919.222, 1396
division (B) of section 2919.23, or section 2919.24 of the Revised 1397
Code, provided the charge is not included in an indictment that 1398
also charges the alleged adult offender with the commission of a 1399
felony arising out of the same actions that are the basis of the 1400
alleged violation of division (C) of section 2919.21, division 1401
(B)(1) of section 2919.22, section 2919.222, division (B) of 1402
section 2919.23, or section 2919.24 of the Revised Code; 1403

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| (7) Under the interstate compact on juveniles in section 2151.56 of the Revised Code; | 1404 1405 |
| (8) Concerning any child who is to be taken into custody pursuant to section 2151.31 of the Revised Code, upon being notified of the intent to take the child into custody and the reasons for taking the child into custody; | 1406 1407 1408 1409 |
| (9) To hear and determine requests for the extension of temporary custody agreements, and requests for court approval of permanent custody agreements, that are filed pursuant to section 5103.15 of the Revised Code; | 1410 1411 1412 1413 |
| (10) To hear and determine applications for consent to marry pursuant to section 3101.04 of the Revised Code; | 1414 1415 |
| (11) Subject to divisions (G), <u>(K)</u> , and (V) of section 2301.03 of the Revised Code, to hear and determine a request for an order for the support of any child if the request is not ancillary to an action for divorce, dissolution of marriage, annulment, or legal separation, a criminal or civil action involving an allegation of domestic violence, or an action for support brought under Chapter 3115. of the Revised Code; | 1416 1417 1418 1419 1420 1421 1422 |
| (12) Concerning an action commenced under section 121.38 of the Revised Code; | 1423 1424 |
| (13) To hear and determine violations of section 3321.38 of the Revised Code; | 1425 1426 |
| (14) To exercise jurisdiction and authority over the parent, guardian, or other person having care of a child alleged to be a delinquent child, unruly child, or juvenile traffic offender, based on and in relation to the allegation pertaining to the child; | 1427 1428 1429 1430 1431 |
| (15) To conduct the hearings, and to make the determinations, adjudications, and orders authorized or required under sections | 1432 1433 |

2152.82 to 2152.86 and Chapter 2950. of the Revised Code regarding 1434
a child who has been adjudicated a delinquent child and to refer 1435
the duties conferred upon the juvenile court judge under sections 1436
2152.82 to 2152.86 and Chapter 2950. of the Revised Code to 1437
magistrates appointed by the juvenile court judge in accordance 1438
with Juvenile Rule 40; 1439

(16) To hear and determine a petition for a protection order 1440
against a child under section 2151.34 or 3113.31 of the Revised 1441
Code and to enforce a protection order issued or a consent 1442
agreement approved under either section against a child until a 1443
date certain but not later than the date the child attains 1444
nineteen years of age. 1445

(B) Except as provided in divisions (G) and (I) of section 1446
2301.03 of the Revised Code, the juvenile court has original 1447
jurisdiction under the Revised Code: 1448

(1) To hear and determine all cases of misdemeanors charging 1449
adults with any act or omission with respect to any child, which 1450
act or omission is a violation of any state law or any municipal 1451
ordinance; 1452

(2) To determine the paternity of any child alleged to have 1453
been born out of wedlock pursuant to sections 3111.01 to 3111.18 1454
of the Revised Code; 1455

(3) Under the uniform interstate family support act in 1456
Chapter 3115. of the Revised Code; 1457

(4) To hear and determine an application for an order for the 1458
support of any child, if the child is not a ward of another court 1459
of this state; 1460

(5) To hear and determine an action commenced under section 1461
3111.28 of the Revised Code; 1462

(6) To hear and determine a motion filed under section 1463

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| 3119.961 of the Revised Code; | 1464 |
| (7) To receive filings under section 3109.74 of the Revised Code, and to hear and determine actions arising under sections 3109.51 to 3109.80 of the Revised Code. | 1465 1466 1467 |
| (8) To enforce an order for the return of a child made under the Hague Convention on the Civil Aspects of International Child Abduction pursuant to section 3127.32 of the Revised Code; | 1468 1469 1470 |
| (9) To grant any relief normally available under the laws of this state to enforce a child custody determination made by a court of another state and registered in accordance with section 3127.35 of the Revised Code. | 1471 1472 1473 1474 |
| (C) The juvenile court, except as to juvenile courts that are a separate division of the court of common pleas or a separate and independent juvenile court, has jurisdiction to hear, determine, and make a record of any action for divorce or legal separation that involves the custody or care of children and that is filed in the court of common pleas and certified by the court of common pleas with all the papers filed in the action to the juvenile court for trial, provided that no certification of that nature shall be made to any juvenile court unless the consent of the juvenile judge first is obtained. After a certification of that nature is made and consent is obtained, the juvenile court shall proceed as if the action originally had been begun in that court, except as to awards for spousal support or support due and unpaid at the time of certification, over which the juvenile court has no jurisdiction. | 1475 1476 1477 1478 1479 1480 1481 1482 1483 1484 1485 1486 1487 1488 1489 |
| (D) The juvenile court, except as provided in divisions (G) and (I) of section 2301.03 of the Revised Code, has jurisdiction to hear and determine all matters as to custody and support of children duly certified by the court of common pleas to the juvenile court after a divorce decree has been granted, including | 1490 1491 1492 1493 1494 |

jurisdiction to modify the judgment and decree of the court of 1495
common pleas as the same relate to the custody and support of 1496
children. 1497

(E) The juvenile court, except as provided in divisions (G) 1498
and (I) of section 2301.03 of the Revised Code, has jurisdiction 1499
to hear and determine the case of any child certified to the court 1500
by any court of competent jurisdiction if the child comes within 1501
the jurisdiction of the juvenile court as defined by this section. 1502

(F)(1) The juvenile court shall exercise its jurisdiction in 1503
child custody matters in accordance with sections 3109.04 and 1504
3127.01 to 3127.53 of the Revised Code and, as applicable, 1505
sections 5103.20 to 5103.22 or 5103.23 to 5103.237 of the Revised 1506
Code. 1507

(2) The juvenile court shall exercise its jurisdiction in 1508
child support matters in accordance with section 3109.05 of the 1509
Revised Code. 1510

(G) Any juvenile court that makes or modifies an order for 1511
child support shall comply with Chapters 3119., 3121., 3123., and 1512
3125. of the Revised Code. If any person required to pay child 1513
support under an order made by a juvenile court on or after April 1514
15, 1985, or modified on or after December 1, 1986, is found in 1515
contempt of court for failure to make support payments under the 1516
order, the court that makes the finding, in addition to any other 1517
penalty or remedy imposed, shall assess all court costs arising 1518
out of the contempt proceeding against the person and require the 1519
person to pay any reasonable attorney's fees of any adverse party, 1520
as determined by the court, that arose in relation to the act of 1521
contempt. 1522

(H) If a child who is charged with an act that would be an 1523
offense if committed by an adult was fourteen years of age or 1524
older and under eighteen years of age at the time of the alleged 1525

act and if the case is transferred for criminal prosecution 1526
pursuant to section 2152.12 of the Revised Code, the juvenile 1527
court does not have jurisdiction to hear or determine the case 1528
subsequent to the transfer. The court to which the case is 1529
transferred for criminal prosecution pursuant to that section has 1530
jurisdiction subsequent to the transfer to hear and determine the 1531
case in the same manner as if the case originally had been 1532
commenced in that court, including, but not limited to, 1533
jurisdiction to accept a plea of guilty or another plea authorized 1534
by Criminal Rule 11 or another section of the Revised Code and 1535
jurisdiction to accept a verdict and to enter a judgment of 1536
conviction pursuant to the Rules of Criminal Procedure against the 1537
child for the commission of the offense that was the basis of the 1538
transfer of the case for criminal prosecution, whether the 1539
conviction is for the same degree or a lesser degree of the 1540
offense charged, for the commission of a lesser-included offense, 1541
or for the commission of another offense that is different from 1542
the offense charged. 1543

(I) If a person under eighteen years of age allegedly commits 1544
an act that would be a felony if committed by an adult and if the 1545
person is not taken into custody or apprehended for that act until 1546
after the person attains twenty-one years of age, the juvenile 1547
court does not have jurisdiction to hear or determine any portion 1548
of the case charging the person with committing that act. In those 1549
circumstances, divisions (A) and (B) of section 2152.12 of the 1550
Revised Code do not apply regarding the act, and the case charging 1551
the person with committing the act shall be a criminal prosecution 1552
commenced and heard in the appropriate court having jurisdiction 1553
of the offense as if the person had been eighteen years of age or 1554
older when the person committed the act. All proceedings 1555
pertaining to the act shall be within the jurisdiction of the 1556
court having jurisdiction of the offense, and that court has all 1557
the authority and duties in the case that it has in other criminal 1558

cases in that court. 1559

(J) In exercising its exclusive original jurisdiction under 1560
division (A)(16) of this section with respect to any proceedings 1561
brought under section 2151.34 or 3113.31 of the Revised Code in 1562
which the respondent is a child, the juvenile court retains all 1563
dispositionary powers consistent with existing rules of juvenile 1564
procedure and may also exercise its discretion to adjudicate 1565
proceedings as provided in sections 2151.34 and 3113.31 of the 1566
Revised Code, including the issuance of protection orders or the 1567
approval of consent agreements under those sections. 1568

Sec. 2151.34. (A) As used in this section: 1569

(1) "Court" means the juvenile division of the court of 1570
common pleas of the county in which the person to be protected by 1571
the protection order resides. 1572

(2) "Victim advocate" means a person who provides support and 1573
assistance for a person who files a petition under this section. 1574

(3) "Family or household member" has the same meaning as in 1575
section 3113.31 of the Revised Code. 1576

(4) "Protection order issued by a court of another state" has 1577
the same meaning as in section 2919.27 of the Revised Code. 1578

(5) "Petitioner" means a person who files a petition under 1579
this section and includes a person on whose behalf a petition 1580
under this section is filed. 1581

(6) "Respondent" means a person who is under eighteen years 1582
of age and against whom a petition is filed under this section. 1583

(7) "Sexually oriented offense" has the same meaning as in 1584
section 2950.01 of the Revised Code. 1585

(8) "Electronic monitoring" has the same meaning as in 1586
section 2929.01 of the Revised Code. 1587

(B) The court has jurisdiction over all proceedings under 1588
this section. 1589

(C)(1) Any of the following persons may seek relief under 1590
this section by filing a petition with the court: 1591

(a) Any person on behalf of that person; 1592

(b) Any parent or adult family or household member on behalf 1593
of any other family or household member; 1594

(c) Any person who is determined by the court in its 1595
discretion as an appropriate person to seek relief under this 1596
section on behalf of any child. 1597

(2) The petition shall contain or state all of the following: 1598

(a) An allegation that the respondent engaged in a violation 1599
of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, 1600
or 2911.211 of the Revised Code, committed a sexually oriented 1601
offense, or engaged in a violation of any municipal ordinance that 1602
is substantially equivalent to any of those offenses against the 1603
person to be protected by the protection order, including a 1604
description of the nature and extent of the violation; 1605

(b) If the petitioner seeks relief in the form of electronic 1606
monitoring of the respondent, an allegation that at any time 1607
preceding the filing of the petition the respondent engaged in 1608
conduct that would cause a reasonable person to believe that the 1609
health, welfare, or safety of the person to be protected was at 1610
risk, a description of the nature and extent of that conduct, and 1611
an allegation that the respondent presents a continuing danger to 1612
the person to be protected; 1613

(c) A request for relief under this section. 1614

(3) The court in its discretion may determine whether or not 1615
to give notice that a petition has been filed under division 1616
(C)(1) of this section on behalf of a child to any of the 1617

following: 1618

(a) A parent of the child if the petition was filed by any person other than a parent of the child; 1619
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(b) Any person who is determined by the court to be an appropriate person to receive notice of the filing of the petition. 1621
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(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing as soon as possible after the petition is filed, but not later than the next day after the court is in session after the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, that the court finds necessary for the safety and protection of the person to be protected by the order. Immediate and present danger to the person to be protected by the protection order constitutes good cause for purposes of this section. Immediate and present danger includes, but is not limited to, situations in which the respondent has threatened the person to be protected by the protection order with bodily harm or in which the respondent previously has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing a violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 2903.22, or 2911.211 of the Revised Code, a sexually oriented offense, or a violation of any municipal ordinance that is substantially equivalent to any of those offenses against the person to be protected by the protection order. 1624
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(2)(a) If the court, after an ex parte hearing, issues a protection order described in division (E) of this section, the court shall schedule a full hearing for a date that is within ten court days after the ex parte hearing. The court shall give the respondent notice of, and an opportunity to be heard at, the full 1645
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hearing. The court also shall give notice of the full hearing to 1650
the parent, guardian, or legal custodian of the respondent. The 1651
court shall hold the full hearing on the date scheduled under this 1652
division unless the court grants a continuance of the hearing in 1653
accordance with this division. Under any of the following 1654
circumstances or for any of the following reasons, the court may 1655
grant a continuance of the full hearing to a reasonable time 1656
determined by the court: 1657

(i) Prior to the date scheduled for the full hearing under 1658
this division, the respondent has not been served with the 1659
petition filed pursuant to this section and notice of the full 1660
hearing. 1661

(ii) The parties consent to the continuance. 1662

(iii) The continuance is needed to allow a party to obtain 1663
counsel. 1664

(iv) The continuance is needed for other good cause. 1665

(b) An ex parte order issued under this section does not 1666
expire because of a failure to serve notice of the full hearing 1667
upon the respondent before the date set for the full hearing under 1668
division (D)(2)(a) of this section or because the court grants a 1669
continuance under that division. 1670

(3) If a person who files a petition pursuant to this section 1671
does not request an ex parte order, or if a person requests an ex 1672
parte order but the court does not issue an ex parte order after 1673
an ex parte hearing, the court shall proceed as in a normal civil 1674
action and grant a full hearing on the matter. 1675

(E)(1)(a) After an ex parte or full hearing, the court may 1676
issue any protection order, with or without bond, that contains 1677
terms designed to ensure the safety and protection of the person 1678
to be protected by the protection order. 1679

(b) After a full hearing, if the court considering a petition that includes an allegation of the type described in division (C)(2)(b) of this section or the court, upon its own motion, finds upon clear and convincing evidence that the petitioner reasonably believed that the respondent's conduct at any time preceding the filing of the petition endangered the health, welfare, or safety of the person to be protected and that the respondent presents a continuing danger to the person to be protected and if division (N) of this section does not prohibit the issuance of an order that the respondent be electronically monitored, the court may order that the respondent be electronically monitored for a period of time and under the terms and conditions that the court determines are appropriate. Electronic monitoring shall be in addition to any other relief granted to the petitioner. 1680
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(2)(a) Any protection order issued pursuant to this section shall be valid until a date certain but not later than the date the respondent attains nineteen years of age. 1694
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(b) Any protection order issued pursuant to this section may be renewed in the same manner as the original order was issued. 1697
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(3) A court may not issue a protection order that requires a petitioner to do or to refrain from doing an act that the court may require a respondent to do or to refrain from doing under division (E)(1) of this section unless all of the following apply: 1699
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(a) The respondent files a separate petition for a protection order in accordance with this section. 1703
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(b) The petitioner is served with notice of the respondent's petition at least forty-eight hours before the court holds a hearing with respect to the respondent's petition, or the petitioner waives the right to receive this notice. 1705
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(c) If the petitioner has requested an ex parte order pursuant to division (D) of this section, the court does not delay 1709
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any hearing required by that division beyond the time specified in 1711
that division in order to consolidate the hearing with a hearing 1712
on the petition filed by the respondent. 1713

(d) After a full hearing at which the respondent presents 1714
evidence in support of the request for a protection order and the 1715
petitioner is afforded an opportunity to defend against that 1716
evidence, the court determines that the petitioner has committed a 1717
violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 1718
2903.22, or 2911.211 of the Revised Code, a sexually oriented 1719
offense, or a violation of any municipal ordinance that is 1720
substantially equivalent to any of those offenses against the 1721
person to be protected by the protection order issued pursuant to 1722
division (E)(3) of this section, or has violated a protection 1723
order issued pursuant to this section or section 2903.213 of the 1724
Revised Code relative to the person to be protected by the 1725
protection order issued pursuant to division (E)(3) of this 1726
section. 1727

(4) No protection order issued pursuant to this section shall 1728
in any manner affect title to any real property. 1729

(5)(a) A protection order issued under this section shall 1730
clearly state that the person to be protected by the order cannot 1731
wave or nullify by invitation or consent any requirement in the 1732
order. 1733

(b) Division (E)(5)(a) of this section does not limit any 1734
discretion of a court to determine that a respondent alleged to 1735
have violated section 2919.27 of the Revised Code, violated a 1736
municipal ordinance substantially equivalent to that section, or 1737
committed contempt of court, which allegation is based on an 1738
alleged violation of a protection order issued under this section, 1739
did not commit the violation or was not in contempt of court. 1740

(6) Any protection order issued pursuant to this section 1741

shall include a provision that the court will automatically seal 1742
all of the records of the proceeding in which the order is issued 1743
on the date the respondent attains the age of nineteen years 1744
unless the petitioner provides the court with evidence that the 1745
respondent has not complied with all of the terms of the 1746
protection order. The protection order shall specify the date when 1747
the respondent attains the age of nineteen years. 1748

(F)(1) The court shall cause the delivery of a copy of any 1749
protection order that is issued under this section to the 1750
petitioner, to the respondent, and to all law enforcement agencies 1751
that have jurisdiction to enforce the order. The court shall 1752
direct that a copy of the order be delivered to the respondent and 1753
the parent, guardian, or legal custodian of the respondent on the 1754
same day that the order is entered. 1755

(2) Upon the issuance of a protection order under this 1756
section, the court shall provide the parties to the order with the 1757
following notice orally or by form: 1758

"NOTICE 1759

As a result of this order, it may be unlawful for you to 1760
possess or purchase a firearm, including a rifle, pistol, or 1761
revolver, or ammunition pursuant to federal law under 18 U.S.C. 1762
922(q)(8). If you have any questions whether this law makes it 1763
illegal for you to possess or purchase a firearm or ammunition, 1764
you should consult an attorney." 1765

(3) All law enforcement agencies shall establish and maintain 1766
an index for the protection orders delivered to the agencies 1767
pursuant to division (F)(1) of this section. With respect to each 1768
order delivered, each agency shall note on the index the date and 1769
time that it received the order. 1770

(4) Regardless of whether the petitioner has registered the 1771
protection order in the county in which the officer's agency has 1772

jurisdiction pursuant to division (M) of this section, any officer 1773
of a law enforcement agency shall enforce a protection order 1774
issued pursuant to this section by any court in this state in 1775
accordance with the provisions of the order, including removing 1776
the respondent from the premises, if appropriate. 1777

(G) Any proceeding under this section shall be conducted in 1778
accordance with the Rules of Civil Procedure, except that a 1779
protection order may be obtained under this section with or 1780
without bond. An order issued under this section, other than an ex 1781
parte order, that grants a protection order, or that refuses to 1782
grant a protection order, is a final, appealable order. The 1783
remedies and procedures provided in this section are in addition 1784
to, and not in lieu of, any other available civil or criminal 1785
remedies or any other available remedies under Chapter 2151. or 1786
2152. of the Revised Code. 1787

(H) The filing of proceedings under this section does not 1788
excuse a person from filing any report or giving any notice 1789
required by section 2151.421 of the Revised Code or by any other 1790
law. 1791

(I) Any law enforcement agency that investigates an alleged 1792
violation of section 2903.11, 2903.12, 2903.13, 2903.21, 2903.211, 1793
2903.22, or 2911.211 of the Revised Code, an alleged commission of 1794
a sexually oriented offense, or an alleged violation of a 1795
municipal ordinance that is substantially equivalent to any of 1796
those offenses shall provide information to the victim and the 1797
family or household members of the victim regarding the relief 1798
available under this section. 1799

(J) Notwithstanding any provision of law to the contrary and 1800
regardless of whether a protection order is issued or a consent 1801
agreement is approved by a court of another county or by a court 1802
of another state, no court or unit of state or local government 1803
shall charge any fee, cost, deposit, or money in connection with 1804

the filing of a petition pursuant to this section, in connection 1805
with the filing, issuance, registration, or service of a 1806
protection order or consent agreement, or for obtaining a 1807
certified copy of a protection order or consent agreement. 1808

(K)(1) A person who violates a protection order issued under 1809
this section is subject to the following sanctions: 1810

(a) A delinquent child proceeding or a criminal prosecution 1811
for a violation of section 2919.27 of the Revised Code, if the 1812
violation of the protection order constitutes a violation of that 1813
section; 1814

(b) Punishment for contempt of court. 1815

(2) The punishment of a person for contempt of court for 1816
violation of a protection order issued under this section does not 1817
bar criminal prosecution of the person or a delinquent child 1818
proceeding concerning the person for a violation of section 1819
2919.27 of the Revised Code. However, a person punished for 1820
contempt of court is entitled to credit for the punishment imposed 1821
upon conviction of or adjudication as a delinquent child for a 1822
violation of that section, and a person convicted of or 1823
adjudicated a delinquent child for a violation of that section 1824
shall not subsequently be punished for contempt of court arising 1825
out of the same activity. 1826

(L) In all stages of a proceeding under this section, a 1827
petitioner may be accompanied by a victim advocate. 1828

(M)(1) A petitioner who obtains a protection order under this 1829
section may provide notice of the issuance or approval of the 1830
order to the judicial and law enforcement officials in any county 1831
other than the county in which the order is issued by registering 1832
that order in the other county pursuant to division (M)(2) of this 1833
section and filing a copy of the registered order with a law 1834
enforcement agency in the other county in accordance with that 1835

division. A person who obtains a protection order issued by a 1836
court of another state may provide notice of the issuance of the 1837
order to the judicial and law enforcement officials in any county 1838
of this state by registering the order in that county pursuant to 1839
section 2919.272 of the Revised Code and filing a copy of the 1840
registered order with a law enforcement agency in that county. 1841

(2) A petitioner may register a protection order issued 1842
pursuant to this section in a county other than the county in 1843
which the court that issued the order is located in the following 1844
manner: 1845

(a) The petitioner shall obtain a certified copy of the order 1846
from the clerk of the court that issued the order and present that 1847
certified copy to the clerk of the court of common pleas or the 1848
clerk of a municipal court or county court in the county in which 1849
the order is to be registered. 1850

(b) Upon accepting the certified copy of the order for 1851
registration, the clerk of the court of common pleas, municipal 1852
court, or county court shall place an endorsement of registration 1853
on the order and give the petitioner a copy of the order that 1854
bears that proof of registration. 1855

(3) The clerk of each court of common pleas, municipal court, 1856
or county court shall maintain a registry of certified copies of 1857
protection orders that have been issued by courts in other 1858
counties pursuant to this section and that have been registered 1859
with the clerk. 1860

(N) If the court orders electronic monitoring of the 1861
respondent under this section, the court shall direct the 1862
sheriff's office or any other appropriate law enforcement agency 1863
to install the electronic monitoring device and to monitor the 1864
respondent. Unless the court determines that the respondent is 1865
indigent, the court shall order the respondent to pay the cost of 1866

the installation and monitoring of the electronic monitoring device. If the court determines that the respondent is indigent and subject to the maximum amount allowable to be paid in any year from the fund and the rules promulgated by the attorney general under section 2903.214 of the Revised Code, the cost of the installation and monitoring of the electronic monitoring device may be paid out of funds from the reparations fund created pursuant to section 2743.191 of the Revised Code. The total amount paid from the reparations fund created pursuant to section 2743.191 of the Revised Code for electronic monitoring under this section and sections 2903.214 and 2919.27 of the Revised Code shall not exceed three hundred thousand dollars per year. When the total amount paid from the reparations fund in any year for electronic monitoring under those sections equals or exceeds three hundred thousand dollars, the court shall not order pursuant to this section that an indigent respondent be electronically monitored.

(O) The court, in its discretion, may determine if the respondent is entitled to court-appointed counsel in a proceeding under this section.

Sec. 2151.358. (A) The juvenile court shall expunge all records sealed under section 2151.356 of the Revised Code five years after the court issues a sealing order or upon the twenty-third birthday of the person who is the subject of the sealing order, whichever date is earlier.

(B) Notwithstanding division (A) of this section, upon application by the person who has had a record sealed under section 2151.356 of the Revised Code, the juvenile court may expunge a record sealed under section 2151.356 of the Revised Code. In making the determination whether to expunge records, all of the following apply:

(1) The court may require a person filing an application for expungement to submit any relevant documentation to support the application. 1898
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(2) The court may cause an investigation to be made to determine if the person who is the subject of the proceedings has been rehabilitated to a satisfactory degree. 1901
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(3) The court shall promptly notify the prosecuting attorney of any proceedings to expunge records. 1904
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(4)(a) The prosecuting attorney may file a response with the court within thirty days of receiving notice of the expungement proceedings. 1906
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(b) If the prosecuting attorney does not file a response with the court or if the prosecuting attorney files a response but indicates that the prosecuting attorney does not object to the expungement of the records, the court may order the records of the person that are under consideration to be expunged without conducting a hearing on the application. If the court decides in its discretion to conduct a hearing on the application, the court shall conduct the hearing within thirty days after making that decision and shall give notice, by regular mail, of the date, time, and location of the hearing to the prosecuting attorney and to the person who is the subject of the records under consideration. 1909
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(c) If the prosecuting attorney files a response with the court that indicates that the prosecuting attorney objects to the expungement of the records, the court shall conduct a hearing on the application within thirty days after the court receives the response. The court shall give notice, by regular mail, of the date, time, and location of the hearing to the prosecuting attorney and to the person who is the subject of the records under consideration. 1921
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(5) After conducting a hearing in accordance with division 1929
(B)(4) of this section or after due consideration when a hearing 1930
is not conducted, the court may order the records of the person 1931
that are the subject of the application to be expunged if it finds 1932
that the person has been rehabilitated to a satisfactory degree. 1933
In determining whether the person has been rehabilitated to a 1934
satisfactory degree, the court may consider all of the following: 1935

(a) The age of the person; 1936

(b) The nature of the case; 1937

(c) The cessation or continuation of delinquent, unruly, or 1938
criminal behavior; 1939

(d) The education and employment history of the person; 1940

(e) Any other circumstances that may relate to the 1941
rehabilitation of the person who is the subject of the records 1942
under consideration. 1943

(C) If the juvenile court is notified by any party in a civil 1944
action that a civil action has been filed based on a case the 1945
records for which are the subject of a sealing order, the juvenile 1946
court shall not expunge a record sealed under section 2151.356 of 1947
the Revised Code until the civil action has been resolved and is 1948
not subject to further appellate review, at which time the records 1949
shall be expunged pursuant to division (A) of this section. 1950

(D)(1) A juvenile court that issues a protection order or 1951
approves a consent agreement under section 2151.34 or 3113.31 of 1952
the Revised Code shall automatically seal all of the records of 1953
the proceeding in which the order was issued or agreement approved 1954
on the date the person against whom the protection order was 1955
issued or the consent agreement approved attains the age of 1956
nineteen years if the court determines that the person has 1957
complied with all of the terms of the protection order or consent 1958
agreement. 1959

(2) In a proceeding under section 2151.34 of the Revised Code, if the juvenile court does not issue any protection order under division (E) of that section, the court shall automatically seal all of the records in that proceeding. In a proceeding under section 3113.31 of the Revised Code, if the juvenile court does not issue any protection order or approve any consent agreement under division (E) of that section, the court shall automatically seal all of the records in that proceeding. 1960
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(3)(a) If a juvenile court that issues a protection order or approves a consent agreement under section 2151.34 or 3113.31 of the Revised Code determines that the person against whom the protection order was issued or the consent agreement approved has not complied with all of the terms of the protection order or consent agreement, the court shall consider sealing all of the records of the proceeding in which the order was issued or agreement approved upon the court's own motion or upon the application of a person. The court may make the motion or the person who is the subject of the records under consideration may apply for an order sealing the records of the proceeding at any time after two years after the expiration of the protection order or consent agreement. 1968
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(b) In making a determination whether to seal records pursuant to division (D)(3) of this section, all of the following apply: 1981
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(i) The court may require a person filing an application under division (D)(3) of this section to submit any relevant documentation to support the application. 1984
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(ii) The court shall promptly notify the victim or the victim's attorney of any proceedings to seal records initiated pursuant to division (D)(3) of this section. 1987
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(iii) The victim or the victim's attorney may file a response 1990

with the court within thirty days of receiving notice of the 1991
sealing proceedings. 1992

If the victim or the victim's attorney does not file a 1993
response with the court or if the victim or the victim's attorney 1994
files a response but indicates that the victim or the victim's 1995
attorney does not object to the sealing of the records, the court 1996
may order the records of the person that are under consideration 1997
to be sealed without conducting a hearing on the motion or 1998
application. If the court decides in its discretion to conduct a 1999
hearing on the motion or application, the court shall conduct the 2000
hearing within thirty days after making that decision and shall 2001
give notice, by regular mail, of the date, time, and location of 2002
the hearing to the victim or the victim's attorney and to the 2003
person who is the subject of the records under consideration. 2004

If the victim or the victim's attorney files a response with 2005
the court that indicates that the victim or the victim's attorney 2006
objects to the sealing of the records, the court shall conduct a 2007
hearing on the motion or application within thirty days after the 2008
court receives the response. The court shall give notice, by 2009
regular mail, of the date, time, and location of the hearing to 2010
the victim or the victim's attorney and to the person who is the 2011
subject of the records under consideration. 2012

(iv) After conducting a hearing in accordance with division 2013
(D)(3)(b)(iii) of this section or after due consideration when a 2014
hearing is not conducted, the court may order the records of the 2015
person that are the subject of the motion or application to be 2016
sealed. 2017

(4) Inspection of the records sealed pursuant to division 2018
(D)(1), (2), or (3) of this section may be made only by the 2019
following persons or for the following purposes: 2020

(a) By a law enforcement officer or prosecutor, or the 2021

assistants of either, to determine whether the nature and 2022
character of the offense with which a person is to be charged 2023
would be affected by virtue of the person's previously having been 2024
convicted of a crime; 2025

(b) By the parole or probation officer of the person who is 2026
the subject of the records, for the exclusive use of the officer 2027
in supervising the person while on parole or under a community 2028
control sanction or a post-release control sanction, and in making 2029
inquiries and written reports as requested by the court or adult 2030
parole authority; 2031

(c) Upon application by the person who is the subject of the 2032
records, by the persons named in the application; 2033

(d) By a law enforcement officer who was involved in the 2034
case, for use in the officer's defense of a civil action arising 2035
out of the officer's involvement in that case; 2036

(e) By a prosecuting attorney or the prosecuting attorney's 2037
assistants, to determine a defendant's eligibility to enter a 2038
pre-trial diversion program established pursuant to section 2039
2935.36 of the Revised Code; 2040

(f) By any law enforcement agency or any authorized employee 2041
of a law enforcement agency or by the department of rehabilitation 2042
and correction as part of a background investigation of a person 2043
who applies for employment with the agency as a law enforcement 2044
officer or with the department as a corrections officer; 2045

(g) By any law enforcement agency or any authorized employee 2046
of a law enforcement agency, for the purposes set forth in, and in 2047
the manner provided in, section 2953.321 of the Revised Code; 2048

(h) By the bureau of criminal identification and 2049
investigation or any authorized employee of the bureau for the 2050
purpose of providing information to a board or person pursuant to 2051
division (F) or (G) of section 109.57 of the Revised Code; 2052

(i) By the bureau of criminal identification and investigation or any authorized employee of the bureau for the purpose of performing a criminal history records check on a person to whom a certificate as prescribed in section 109.77 of the Revised Code is to be awarded; 2053
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(j) By the bureau of criminal identification and investigation or any authorized employee of the bureau for the purpose of conducting a criminal records check of an individual pursuant to division (B) of section 109.572 of the Revised Code that was requested pursuant to any of the sections identified in division (B)(1) of that section; 2058
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(k) By the bureau of criminal identification and investigation, an authorized employee of the bureau, a sheriff, or an authorized employee of a sheriff in connection with a criminal records check described in section 311.41 of the Revised Code; 2064
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(l) By the attorney general or an authorized employee of the attorney general or a court for purposes of determining a person's classification pursuant to Chapter 2950. of the Revised Code. 2068
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When the nature and character of the offense with which a person is to be charged would be affected by the information, it may be used for the purpose of charging the person with an offense. 2071
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(E) After the records have been expunged under this section, 2075
the person who is the subject of the expunged records properly 2076
may, and the court shall, reply that no record exists with respect 2077
to the person upon any inquiry in the matter. 2078

Sec. 2151.541. (A)(1) The juvenile judge may determine that, 2079
for the efficient operation of the juvenile court, additional 2080
funds are required to computerize the court, to make available 2081
computerized legal research services, or both. Upon making a 2082

determination that additional funds are required for either or 2083
both of those purposes, the judge shall do one of the following: 2084

(a) If ~~he~~ the judge is clerk of the court, establish by rule 2085
and charge one additional fee not to exceed ~~three~~ six dollars on 2086
the filing of each cause of action or appeal under division (A), 2087
(Q), or (U) of section 2303.20 of the Revised Code; 2088

(b) If the clerk of the court of common pleas serves as the 2089
clerk of the juvenile court pursuant to section 2151.12 of the 2090
Revised Code, establish by rule and authorize and direct the clerk 2091
to charge one additional fee not to exceed ~~three~~ six dollars on 2092
the filing of each cause of action or appeal under division (A), 2093
(Q), or (U) of section 2303.20 of the Revised Code. 2094

(2) All moneys collected under division (A)(1) of this 2095
section shall be paid to the county treasurer. The treasurer shall 2096
place the moneys from the fees in a separate fund to be disbursed, 2097
upon an order of the juvenile judge, in an amount no greater than 2098
the actual cost to the court of procuring and maintaining 2099
computerization of the court, computerized legal research 2100
services, or both. 2101

(3) If the court determines that the funds in the fund 2102
described in division (A)(2) of this section are more than 2103
sufficient to satisfy the purpose for which the additional fee 2104
described in division (A)(1) of this section was imposed, the 2105
court may declare a surplus in the fund and expend those surplus 2106
funds for other appropriate technological expenses of the court. 2107

(4) Not later than thirty days before adopting a rule under 2108
division (A)(1)(a) or (b) of this section, the judge or the clerk, 2109
whichever is applicable, shall publish a notice in a newspaper of 2110
general circulation in the county in which the juvenile court is 2111
located setting forth the proposed rule. 2112

(B)(1) If the juvenile judge is the clerk of the juvenile 2113

court, ~~he~~ the judge may determine that, for the efficient 2114
operation of ~~his~~ the juvenile court, additional funds are required 2115
to make technological advances and to computerize the clerk's 2116
office and, upon that determination, may establish by rule and 2117
charge an additional fee, not to exceed ~~ten~~ twenty dollars, on the 2118
filing of each cause of action or appeal, on the filing, 2119
docketing, and endorsing of each certificate of judgment, or on 2120
the docketing and indexing of each aid in execution or petition to 2121
vacate, revive, or modify a judgment under divisions (A), (P), 2122
(Q), (T), and (U) of section 2303.20 of the Revised Code. Not less 2123
than thirty days before adopting a rule under this division, the 2124
judge shall publish a notice in a newspaper of general circulation 2125
in the county in which the juvenile court is located setting forth 2126
the proposed rule. Subject to division (B)(2) of this section, all 2127
moneys collected under this division shall be paid to the county 2128
treasurer to be disbursed, upon an order of the juvenile judge and 2129
subject to appropriation by the board of county commissioners, in 2130
an amount no greater than the actual cost to the juvenile court of 2131
procuring and maintaining computer systems for the clerk's office. 2132

(2) If the juvenile judge makes the determination described 2133
in division (B)(1) of this section, the board of county 2134
commissioners may issue one or more general obligation bonds for 2135
the purpose of procuring and maintaining the computer systems for 2136
the office of the clerk of the juvenile court. In addition to the 2137
purposes stated in division (B)(1) of this section for which the 2138
moneys collected under that division may be expended, the moneys 2139
additionally may be expended to pay debt charges on and financing 2140
costs related to any general obligation bonds issued pursuant to 2141
this division as they become due. General obligation bonds issued 2142
pursuant to this division are Chapter 133. securities. 2143

Sec. 2152.02. As used in this chapter: 2144

(A) "Act charged" means the act that is identified in a 2145
complaint, indictment, or information alleging that a child is a 2146
delinquent child. 2147

(B) "Admitted to a department of youth services facility" 2148
includes admission to a facility operated, or contracted for, by 2149
the department and admission to a comparable facility outside this 2150
state by another state or the United States. 2151

(C)(1) "Child" means a person who is under eighteen years of 2152
age, except as otherwise provided in divisions (C)(2) to ~~(6)~~(7) of 2153
this section. 2154

(2) Subject to division (C)(3) of this section, any person 2155
who violates a federal or state law or a municipal ordinance prior 2156
to attaining eighteen years of age shall be deemed a "child" 2157
irrespective of that person's age at the time the complaint with 2158
respect to that violation is filed or the hearing on the complaint 2159
is held. 2160

(3) Any person who, while under eighteen years of age, 2161
commits an act that would be a felony if committed by an adult and 2162
who is not taken into custody or apprehended for that act until 2163
after the person attains twenty-one years of age is not a child in 2164
relation to that act. 2165

(4) Any person whose case is transferred for criminal 2166
prosecution pursuant to section 2152.12 of the Revised Code shall 2167
be deemed after the transfer not to be a child in the transferred 2168
case. 2169

(5) Any person whose case is transferred for criminal 2170
prosecution pursuant to section 2152.12 of the Revised Code and 2171
who subsequently is convicted of or pleads guilty to a felony in 2172
that case, and any person who is adjudicated a delinquent child 2173
for the commission of an act, who has a serious youthful offender 2174
dispositional sentence imposed for the act pursuant to section 2175

2152.13 of the Revised Code, and whose adult portion of the 2176
dispositional sentence is invoked pursuant to section 2152.14 of 2177
the Revised Code, shall be deemed after the transfer or invocation 2178
not to be a child in any case in which a complaint is filed 2179
against the person. 2180

(6) The juvenile court has jurisdiction over a person who is 2181
adjudicated a delinquent child or juvenile traffic offender prior 2182
to attaining eighteen years of age until the person attains 2183
twenty-one years of age, and, for purposes of that jurisdiction 2184
related to that adjudication, except as otherwise provided in this 2185
division, a person who is so adjudicated a delinquent child or 2186
juvenile traffic offender shall be deemed a "child" until the 2187
person attains twenty-one years of age. If a person is so 2188
adjudicated a delinquent child or juvenile traffic offender and 2189
the court makes a disposition of the person under this chapter, at 2190
any time after the person attains eighteen years of age, the 2191
places at which the person may be held under that disposition are 2192
not limited to places authorized under this chapter solely for 2193
confinement of children, and the person may be confined under that 2194
disposition, in accordance with division (F)(2) of section 2152.26 2195
of the Revised Code, in places other than those authorized under 2196
this chapter solely for confinement of children. 2197

(7) Any person who, while eighteen years of age, violates 2198
division (A)(1) or (2) of section 2919.27 of the Revised Code by 2199
violating a protection order issued or consent agreement approved 2200
under section 2151.34 or 3113.31 of the Revised Code shall be 2201
considered a child for the purposes of that violation of section 2202
2919.27 of the Revised Code. 2203

(D) "Chronic truant" means any child of compulsory school age 2204
who is absent without legitimate excuse for absence from the 2205
public school the child is supposed to attend for seven or more 2206
consecutive school days, ten or more school days in one school 2207

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| month, or fifteen or more school days in a school year. | 2208 |
| (E) "Community corrections facility," "public safety beds," | 2209 |
| "release authority," and "supervised release" have the same | 2210 |
| meanings as in section 5139.01 of the Revised Code. | 2211 |
| (F) "Delinquent child" includes any of the following: | 2212 |
| (1) Any child, except a juvenile traffic offender, who | 2213 |
| violates any law of this state or the United States, or any | 2214 |
| ordinance of a political subdivision of the state, that would be | 2215 |
| an offense if committed by an adult; | 2216 |
| (2) Any child who violates any lawful order of the court made | 2217 |
| under this chapter or under Chapter 2151. of the Revised Code | 2218 |
| other than an order issued under section 2151.87 of the Revised | 2219 |
| Code; | 2220 |
| (3) Any child who violates division (C) of section 2907.39, | 2221 |
| division (A) of section 2923.211, or division (C)(1) or (D) of | 2222 |
| section 2925.55 of the Revised Code; | 2223 |
| (4) Any child who is a habitual truant and who previously has | 2224 |
| been adjudicated an unruly child for being a habitual truant; | 2225 |
| (5) Any child who is a chronic truant. | 2226 |
| (G) "Discretionary serious youthful offender" means a person | 2227 |
| who is eligible for a discretionary SYO and who is not transferred | 2228 |
| to adult court under a mandatory or discretionary transfer. | 2229 |
| (H) "Discretionary SYO" means a case in which the juvenile | 2230 |
| court, in the juvenile court's discretion, may impose a serious | 2231 |
| youthful offender disposition under section 2152.13 of the Revised | 2232 |
| Code. | 2233 |
| (I) "Discretionary transfer" means that the juvenile court | 2234 |
| has discretion to transfer a case for criminal prosecution under | 2235 |
| division (B) of section 2152.12 of the Revised Code. | 2236 |
| (J) "Drug abuse offense," "felony drug abuse offense," and | 2237 |

"minor drug possession offense" have the same meanings as in 2238
section 2925.01 of the Revised Code. 2239

(K) "Electronic monitoring" and "electronic monitoring 2240
device" have the same meanings as in section 2929.01 of the 2241
Revised Code. 2242

(L) "Economic loss" means any economic detriment suffered by 2243
a victim of a delinquent act or juvenile traffic offense as a 2244
direct and proximate result of the delinquent act or juvenile 2245
traffic offense and includes any loss of income due to lost time 2246
at work because of any injury caused to the victim and any 2247
property loss, medical cost, or funeral expense incurred as a 2248
result of the delinquent act or juvenile traffic offense. 2249
"Economic loss" does not include non-economic loss or any punitive 2250
or exemplary damages. 2251

(M) "Firearm" has the same meaning as in section 2923.11 of 2252
the Revised Code. 2253

(N) "Juvenile traffic offender" means any child who violates 2254
any traffic law, traffic ordinance, or traffic regulation of this 2255
state, the United States, or any political subdivision of this 2256
state, other than a resolution, ordinance, or regulation of a 2257
political subdivision of this state the violation of which is 2258
required to be handled by a parking violations bureau or a joint 2259
parking violations bureau pursuant to Chapter 4521. of the Revised 2260
Code. 2261

(O) A "legitimate excuse for absence from the public school 2262
the child is supposed to attend" has the same meaning as in 2263
section 2151.011 of the Revised Code. 2264

(P) "Mandatory serious youthful offender" means a person who 2265
is eligible for a mandatory SYO and who is not transferred to 2266
adult court under a mandatory or discretionary transfer. 2267

(Q) "Mandatory SYO" means a case in which the juvenile court 2268

is required to impose a mandatory serious youthful offender disposition under section 2152.13 of the Revised Code. 2269
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(R) "Mandatory transfer" means that a case is required to be transferred for criminal prosecution under division (A) of section 2152.12 of the Revised Code. 2271
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(S) "Mental illness" has the same meaning as in section 5122.01 of the Revised Code. 2274
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(T) "Mentally retarded person" has the same meaning as in section 5123.01 of the Revised Code. 2276
2277

(U) "Monitored time" and "repeat violent offender" have the same meanings as in section 2929.01 of the Revised Code. 2278
2279

(V) "Of compulsory school age" has the same meaning as in section 3321.01 of the Revised Code. 2280
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(W) "Public record" has the same meaning as in section 149.43 of the Revised Code. 2282
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(X) "Serious youthful offender" means a person who is eligible for a mandatory SYO or discretionary SYO but who is not transferred to adult court under a mandatory or discretionary transfer. 2284
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(Y) "Sexually oriented offense," "juvenile offender registrant," "child-victim oriented offense," "tier I sex offender/child-victim offender," "tier II sex offender/child-victim offender," "tier III sex offender/child-victim offender," and "public registry-qualified juvenile offender registrant" have the same meanings as in section 2950.01 of the Revised Code. 2288
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(Z) "Traditional juvenile" means a case that is not transferred to adult court under a mandatory or discretionary transfer, that is eligible for a disposition under sections 2152.16, 2152.17, 2152.19, and 2152.20 of the Revised Code, and 2295
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that is not eligible for a disposition under section 2152.13 of 2299
the Revised Code. 2300

(AA) "Transfer" means the transfer for criminal prosecution 2301
of a case involving the alleged commission by a child of an act 2302
that would be an offense if committed by an adult from the 2303
juvenile court to the appropriate court that has jurisdiction of 2304
the offense. 2305

(BB) "Category one offense" means any of the following: 2306

(1) A violation of section 2903.01 or 2903.02 of the Revised 2307
Code; 2308

(2) A violation of section 2923.02 of the Revised Code 2309
involving an attempt to commit aggravated murder or murder. 2310

(CC) "Category two offense" means any of the following: 2311

(1) A violation of section 2903.03, 2905.01, 2907.02, 2312
2909.02, 2911.01, or 2911.11 of the Revised Code; 2313

(2) A violation of section 2903.04 of the Revised Code that 2314
is a felony of the first degree; 2315

(3) A violation of section 2907.12 of the Revised Code as it 2316
existed prior to September 3, 1996. 2317

(DD) "Non-economic loss" means nonpecuniary harm suffered by 2318
a victim of a delinquent act or juvenile traffic offense as a 2319
result of or related to the delinquent act or juvenile traffic 2320
offense, including, but not limited to, pain and suffering; loss 2321
of society, consortium, companionship, care, assistance, 2322
attention, protection, advice, guidance, counsel, instruction, 2323
training, or education; mental anguish; and any other intangible 2324
loss. 2325

Sec. 2301.03. (A) In Franklin county, the judges of the court 2326
of common pleas whose terms begin on January 1, 1953, January 2, 2327

1953, January 5, 1969, January 5, 1977, and January 2, 1997, and 2328
successors, shall have the same qualifications, exercise the same 2329
powers and jurisdiction, and receive the same compensation as 2330
other judges of the court of common pleas of Franklin county and 2331
shall be elected and designated as judges of the court of common 2332
pleas, division of domestic relations. They shall have all the 2333
powers relating to juvenile courts, and all cases under Chapters 2334
2151. and 2152. of the Revised Code, all parentage proceedings 2335
under Chapter 3111. of the Revised Code over which the juvenile 2336
court has jurisdiction, and all divorce, dissolution of marriage, 2337
legal separation, and annulment cases shall be assigned to them. 2338
In addition to the judge's regular duties, the judge who is senior 2339
in point of service shall serve on the children services board and 2340
the county advisory board and shall be the administrator of the 2341
domestic relations division and its subdivisions and departments. 2342

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(B) In Hamilton county:

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(1) The judge of the court of common pleas, whose term begins 2345
on January 1, 1957, and successors, and the judge of the court of 2346
common pleas, whose term begins on February 14, 1967, and 2347
successors, shall be the juvenile judges as provided in Chapters 2348
2151. and 2152. of the Revised Code, with the powers and 2349
jurisdiction conferred by those chapters. 2350

(2) The judges of the court of common pleas whose terms begin 2351
on January 5, 1957, January 16, 1981, and July 1, 1991, and 2352
successors, shall be elected and designated as judges of the court 2353
of common pleas, division of domestic relations, and shall have 2354
assigned to them all divorce, dissolution of marriage, legal 2355
separation, and annulment cases coming before the court. On or 2356
after the first day of July and before the first day of August of 2357
1991 and each year thereafter, a majority of the judges of the 2358
division of domestic relations shall elect one of the judges of 2359

the division as administrative judge of that division. If a 2360
majority of the judges of the division of domestic relations are 2361
unable for any reason to elect an administrative judge for the 2362
division before the first day of August, a majority of the judges 2363
of the Hamilton county court of common pleas, as soon as possible 2364
after that date, shall elect one of the judges of the division of 2365
domestic relations as administrative judge of that division. The 2366
term of the administrative judge shall begin on the earlier of the 2367
first day of August of the year in which the administrative judge 2368
is elected or the date on which the administrative judge is 2369
elected by a majority of the judges of the Hamilton county court 2370
of common pleas and shall terminate on the date on which the 2371
administrative judge's successor is elected in the following year. 2372

In addition to the judge's regular duties, the administrative 2373
judge of the division of domestic relations shall be the 2374
administrator of the domestic relations division and its 2375
subdivisions and departments and shall have charge of the 2376
employment, assignment, and supervision of the personnel of the 2377
division engaged in handling, servicing, or investigating divorce, 2378
dissolution of marriage, legal separation, and annulment cases, 2379
including any referees considered necessary by the judges in the 2380
discharge of their various duties. 2381

The administrative judge of the division of domestic 2382
relations also shall designate the title, compensation, expense 2383
allowances, hours, leaves of absence, and vacations of the 2384
personnel of the division, and shall fix the duties of its 2385
personnel. The duties of the personnel, in addition to those 2386
provided for in other sections of the Revised Code, shall include 2387
the handling, servicing, and investigation of divorce, dissolution 2388
of marriage, legal separation, and annulment cases and counseling 2389
and conciliation services that may be made available to persons 2390
requesting them, whether or not the persons are parties to an 2391

action pending in the division. 2392

The board of county commissioners shall appropriate the sum 2393
of money each year as will meet all the administrative expenses of 2394
the division of domestic relations, including reasonable expenses 2395
of the domestic relations judges and the division counselors and 2396
other employees designated to conduct the handling, servicing, and 2397
investigation of divorce, dissolution of marriage, legal 2398
separation, and annulment cases, conciliation and counseling, and 2399
all matters relating to those cases and counseling, and the 2400
expenses involved in the attendance of division personnel at 2401
domestic relations and welfare conferences designated by the 2402
division, and the further sum each year as will provide for the 2403
adequate operation of the division of domestic relations. 2404

The compensation and expenses of all employees and the salary 2405
and expenses of the judges shall be paid by the county treasurer 2406
from the money appropriated for the operation of the division, 2407
upon the warrant of the county auditor, certified to by the 2408
administrative judge of the division of domestic relations. 2409

The summonses, warrants, citations, subpoenas, and other 2410
writs of the division may issue to a bailiff, constable, or staff 2411
investigator of the division or to the sheriff of any county or 2412
any marshal, constable, or police officer, and the provisions of 2413
law relating to the subpoenaing of witnesses in other cases shall 2414
apply insofar as they are applicable. When a summons, warrant, 2415
citation, subpoena, or other writ is issued to an officer, other 2416
than a bailiff, constable, or staff investigator of the division, 2417
the expense of serving it shall be assessed as a part of the costs 2418
in the case involved. 2419

(3) The judge of the court of common pleas of Hamilton county 2420
whose term begins on January 3, 1997, and the successors to that 2421
judge shall each be elected and designated as the drug court judge 2422
of the court of common pleas of Hamilton county. The drug court 2423

judge may accept or reject any case referred to the drug court 2424
judge under division (B)(3) of this section. After the drug court 2425
judge accepts a referred case, the drug court judge has full 2426
authority over the case, including the authority to conduct 2427
arraignment, accept pleas, enter findings and dispositions, 2428
conduct trials, order treatment, and if treatment is not 2429
successfully completed pronounce and enter sentence. 2430

A judge of the general division of the court of common pleas 2431
of Hamilton county and a judge of the Hamilton county municipal 2432
court may refer to the drug court judge any case, and any 2433
companion cases, the judge determines meet the criteria described 2434
under divisions (B)(3)(a) and (b) of this section. If the drug 2435
court judge accepts referral of a referred case, the case, and any 2436
companion cases, shall be transferred to the drug court judge. A 2437
judge may refer a case meeting the criteria described in divisions 2438
(B)(3)(a) and (b) of this section that involves a violation of a 2439
condition of a community control sanction to the drug court judge, 2440
and, if the drug court judge accepts the referral, the referring 2441
judge and the drug court judge have concurrent jurisdiction over 2442
the case. 2443

A judge of the general division of the court of common pleas 2444
of Hamilton county and a judge of the Hamilton county municipal 2445
court may refer a case to the drug court judge under division 2446
(B)(3) of this section if the judge determines that both of the 2447
following apply: 2448

(a) One of the following applies: 2449

(i) The case involves a drug abuse offense, as defined in 2450
section 2925.01 of the Revised Code, that is a felony of the third 2451
or fourth degree if the offense is committed prior to July 1, 2452
1996, a felony of the third, fourth, or fifth degree if the 2453
offense is committed on or after July 1, 1996, or a misdemeanor. 2454

(ii) The case involves a theft offense, as defined in section 2455
2913.01 of the Revised Code, that is a felony of the third or 2456
fourth degree if the offense is committed prior to July 1, 1996, a 2457
felony of the third, fourth, or fifth degree if the offense is 2458
committed on or after July 1, 1996, or a misdemeanor, and the 2459
defendant is drug or alcohol dependent or in danger of becoming 2460
drug or alcohol dependent and would benefit from treatment. 2461

(b) All of the following apply: 2462

(i) The case involves an offense for which a community 2463
control sanction may be imposed or is a case in which a mandatory 2464
prison term or a mandatory jail term is not required to be 2465
imposed. 2466

(ii) The defendant has no history of violent behavior. 2467

(iii) The defendant has no history of mental illness. 2468

(iv) The defendant's current or past behavior, or both, is 2469
drug or alcohol driven. 2470

(v) The defendant demonstrates a sincere willingness to 2471
participate in a fifteen-month treatment process. 2472

(vi) The defendant has no acute health condition. 2473

(vii) If the defendant is incarcerated, the county prosecutor 2474
approves of the referral. 2475

(4) If the administrative judge of the court of common pleas 2476
of Hamilton county determines that the volume of cases pending 2477
before the drug court judge does not constitute a sufficient 2478
caseload for the drug court judge, the administrative judge, in 2479
accordance with the Rules of Superintendence for Courts of Common 2480
Pleas, shall assign individual cases to the drug court judge from 2481
the general docket of the court. If the assignments so occur, the 2482
administrative judge shall cease the assignments when the 2483
administrative judge determines that the volume of cases pending 2484

before the drug court judge constitutes a sufficient caseload for 2485
the drug court judge. 2486

(5) As used in division (B) of this section, "community 2487
control sanction," "mandatory prison term," and "mandatory jail 2488
term" have the same meanings as in section 2929.01 of the Revised 2489
Code. 2490

(C)(1) In Lorain county: 2491

(a) The judges of the court of common pleas whose terms begin 2492
on January 3, 1959, January 4, 1989, and January 2, 1999, and 2493
successors, and the judge of the court of common pleas whose term 2494
begins on February 9, 2009, shall have the same qualifications, 2495
exercise the same powers and jurisdiction, and receive the same 2496
compensation as the other judges of the court of common pleas of 2497
Lorain county and shall be elected and designated as the judges of 2498
the court of common pleas, division of domestic relations. The 2499
judges of the court of common pleas whose terms begin on January 2500
3, 1959, January 4, 1989, and January 2, 1999, and successors, 2501
shall have all of the powers relating to juvenile courts, and all 2502
cases under Chapters 2151. and 2152. of the Revised Code, all 2503
parentage proceedings over which the juvenile court has 2504
jurisdiction, and all divorce, dissolution of marriage, legal 2505
separation, and annulment cases shall be assigned to them, except 2506
cases that for some special reason are assigned to some other 2507
judge of the court of common pleas. From February 9, 2009, through 2508
September 28, 2009, the judge of the court of common pleas whose 2509
term begins on February 9, 2009, shall have all the powers 2510
relating to juvenile courts, and cases under Chapters 2151. and 2511
2152. of the Revised Code, parentage proceedings over which the 2512
juvenile court has jurisdiction, and divorce, dissolution of 2513
marriage, legal separation, and annulment cases shall be assigned 2514
to that judge, except cases that for some special reason are 2515
assigned to some other judge of the court of common pleas. 2516

(b) From January 1, 2006, through September 28, 2009, the judges of the court of common pleas, division of domestic relations, in addition to the powers and jurisdiction set forth in division (C)(1)(a) of this section, shall have jurisdiction over matters that are within the jurisdiction of the probate court under Chapter 2101. and other provisions of the Revised Code.

(c) The judge of the court of common pleas, division of domestic relations, whose term begins on February 9, 2009, is the successor to the probate judge who was elected in 2002 for a term that began on February 9, 2003. After September 28, 2009, the judge of the court of common pleas, division of domestic relations, whose term begins on February 9, 2009, shall be the probate judge.

(2)(a) From February 9, 2009, through September 28, 2009, with respect to Lorain county, all references in law to the probate court shall be construed as references to the court of common pleas, division of domestic relations, and all references to the probate judge shall be construed as references to the judges of the court of common pleas, division of domestic relations.

(b) From February 9, 2009, through September 28, 2009, with respect to Lorain county, all references in law to the clerk of the probate court shall be construed as references to the judge who is serving pursuant to Rule 4 of the Rules of Superintendence for the Courts of Ohio as the administrative judge of the court of common pleas, division of domestic relations.

(D) In Lucas county:

(1) The judges of the court of common pleas whose terms begin on January 1, 1955, and January 3, 1965, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of

the court of common pleas of Lucas county and shall be elected and 2548
designated as judges of the court of common pleas, division of 2549
domestic relations. All divorce, dissolution of marriage, legal 2550
separation, and annulment cases shall be assigned to them. 2551

The judge of the division of domestic relations, senior in 2552
point of service, shall be considered as the presiding judge of 2553
the court of common pleas, division of domestic relations, and 2554
shall be charged exclusively with the assignment and division of 2555
the work of the division and the employment and supervision of all 2556
other personnel of the domestic relations division. 2557

(2) The judges of the court of common pleas whose terms begin 2558
on January 5, 1977, and January 2, 1991, and successors shall have 2559
the same qualifications, exercise the same powers and 2560
jurisdiction, and receive the same compensation as other judges of 2561
the court of common pleas of Lucas county, shall be elected and 2562
designated as judges of the court of common pleas, juvenile 2563
division, and shall be the juvenile judges as provided in Chapters 2564
2151. and 2152. of the Revised Code with the powers and 2565
jurisdictions conferred by those chapters. In addition to the 2566
judge's regular duties, the judge of the court of common pleas, 2567
juvenile division, senior in point of service, shall be the 2568
administrator of the juvenile division and its subdivisions and 2569
departments and shall have charge of the employment, assignment, 2570
and supervision of the personnel of the division engaged in 2571
handling, servicing, or investigating juvenile cases, including 2572
any referees considered necessary by the judges of the division in 2573
the discharge of their various duties. 2574

The judge of the court of common pleas, juvenile division, 2575
senior in point of service, also shall designate the title, 2576
compensation, expense allowance, hours, leaves of absence, and 2577
vacation of the personnel of the division and shall fix the duties 2578
of the personnel of the division. The duties of the personnel, in 2579

addition to other statutory duties include the handling, 2580
servicing, and investigation of juvenile cases and counseling and 2581
conciliation services that may be made available to persons 2582
requesting them, whether or not the persons are parties to an 2583
action pending in the division. 2584

(3) If one of the judges of the court of common pleas, 2585
division of domestic relations, or one of the judges of the 2586
juvenile division is sick, absent, or unable to perform that 2587
judge's judicial duties or the volume of cases pending in that 2588
judge's division necessitates it, the duties shall be performed by 2589
the judges of the other of those divisions. 2590

(E) In Mahoning county: 2591

(1) The judge of the court of common pleas whose term began 2592
on January 1, 1955, and successors, shall have the same 2593
qualifications, exercise the same powers and jurisdiction, and 2594
receive the same compensation as other judges of the court of 2595
common pleas of Mahoning county, shall be elected and designated 2596
as judge of the court of common pleas, division of domestic 2597
relations, and shall be assigned all the divorce, dissolution of 2598
marriage, legal separation, and annulment cases coming before the 2599
court. In addition to the judge's regular duties, the judge of the 2600
court of common pleas, division of domestic relations, shall be 2601
the administrator of the domestic relations division and its 2602
subdivisions and departments and shall have charge of the 2603
employment, assignment, and supervision of the personnel of the 2604
division engaged in handling, servicing, or investigating divorce, 2605
dissolution of marriage, legal separation, and annulment cases, 2606
including any referees considered necessary in the discharge of 2607
the various duties of the judge's office. 2608

The judge also shall designate the title, compensation, 2609
expense allowances, hours, leaves of absence, and vacations of the 2610
personnel of the division and shall fix the duties of the 2611

personnel of the division. The duties of the personnel, in 2612
addition to other statutory duties, include the handling, 2613
servicing, and investigation of divorce, dissolution of marriage, 2614
legal separation, and annulment cases and counseling and 2615
conciliation services that may be made available to persons 2616
requesting them, whether or not the persons are parties to an 2617
action pending in the division. 2618

(2) The judge of the court of common pleas whose term began 2619
on January 2, 1969, and successors, shall have the same 2620
qualifications, exercise the same powers and jurisdiction, and 2621
receive the same compensation as other judges of the court of 2622
common pleas of Mahoning county, shall be elected and designated 2623
as judge of the court of common pleas, juvenile division, and 2624
shall be the juvenile judge as provided in Chapters 2151. and 2625
2152. of the Revised Code, with the powers and jurisdictions 2626
conferred by those chapters. In addition to the judge's regular 2627
duties, the judge of the court of common pleas, juvenile division, 2628
shall be the administrator of the juvenile division and its 2629
subdivisions and departments and shall have charge of the 2630
employment, assignment, and supervision of the personnel of the 2631
division engaged in handling, servicing, or investigating juvenile 2632
cases, including any referees considered necessary by the judge in 2633
the discharge of the judge's various duties. 2634

The judge also shall designate the title, compensation, 2635
expense allowances, hours, leaves of absence, and vacation of the 2636
personnel of the division and shall fix the duties of the 2637
personnel of the division. The duties of the personnel, in 2638
addition to other statutory duties, include the handling, 2639
servicing, and investigation of juvenile cases and counseling and 2640
conciliation services that may be made available to persons 2641
requesting them, whether or not the persons are parties to an 2642
action pending in the division. 2643

(3) If a judge of the court of common pleas, division of domestic relations or juvenile division, is sick, absent, or unable to perform that judge's judicial duties, or the volume of cases pending in that judge's division necessitates it, that judge's duties shall be performed by another judge of the court of common pleas.

(F) In Montgomery county:

(1) The judges of the court of common pleas whose terms begin on January 2, 1953, and January 4, 1977, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as other judges of the court of common pleas of Montgomery county and shall be elected and designated as judges of the court of common pleas, division of domestic relations. These judges shall have assigned to them all divorce, dissolution of marriage, legal separation, and annulment cases.

The judge of the division of domestic relations, senior in point of service, shall be charged exclusively with the assignment and division of the work of the division and shall have charge of the employment and supervision of the personnel of the division engaged in handling, servicing, or investigating divorce, dissolution of marriage, legal separation, and annulment cases, including any necessary referees, except those employees who may be appointed by the judge, junior in point of service, under this section and sections 2301.12, 2301.18, and 2301.19 of the Revised Code. The judge of the division of domestic relations, senior in point of service, also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacation of the personnel of the division and shall fix their duties.

(2) The judges of the court of common pleas whose terms begin on January 1, 1953, and January 1, 1993, and successors, shall have the same qualifications, exercise the same powers and

jurisdiction, and receive the same compensation as other judges of 2676
the court of common pleas of Montgomery county, shall be elected 2677
and designated as judges of the court of common pleas, juvenile 2678
division, and shall be, and have the powers and jurisdiction of, 2679
the juvenile judge as provided in Chapters 2151. and 2152. of the 2680
Revised Code. 2681

In addition to the judge's regular duties, the judge of the 2682
court of common pleas, juvenile division, senior in point of 2683
service, shall be the administrator of the juvenile division and 2684
its subdivisions and departments and shall have charge of the 2685
employment, assignment, and supervision of the personnel of the 2686
juvenile division, including any necessary referees, who are 2687
engaged in handling, servicing, or investigating juvenile cases. 2688
The judge, senior in point of service, also shall designate the 2689
title, compensation, expense allowances, hours, leaves of absence, 2690
and vacation of the personnel of the division and shall fix their 2691
duties. The duties of the personnel, in addition to other 2692
statutory duties, shall include the handling, servicing, and 2693
investigation of juvenile cases and of any counseling and 2694
conciliation services that are available upon request to persons, 2695
whether or not they are parties to an action pending in the 2696
division. 2697

If one of the judges of the court of common pleas, division 2698
of domestic relations, or one of the judges of the court of common 2699
pleas, juvenile division, is sick, absent, or unable to perform 2700
that judge's duties or the volume of cases pending in that judge's 2701
division necessitates it, the duties of that judge may be 2702
performed by the judge or judges of the other of those divisions. 2703

(G) In Richland county: 2704

(1) The judge of the court of common pleas whose term begins 2705
on January 1, 1957, and successors, shall have the same 2706
qualifications, exercise the same powers and jurisdiction, and 2707

receive the same compensation as the other judges of the court of 2708
common pleas of Richland county and shall be elected and 2709
designated as judge of the court of common pleas, division of 2710
domestic relations. That judge shall be assigned and hear all 2711
divorce, dissolution of marriage, legal separation, and annulment 2712
cases, all domestic violence cases arising under section 3113.31 2713
of the Revised Code, and all post-decree proceedings arising from 2714
any case pertaining to any of those matters. The division of 2715
domestic relations has concurrent jurisdiction with the juvenile 2716
division of the court of common pleas of Richland county to 2717
determine the care, custody, or control of any child not a ward of 2718
another court of this state, and to hear and determine a request 2719
for an order for the support of any child if the request is not 2720
ancillary to an action for divorce, dissolution of marriage, 2721
annulment, or legal separation, a criminal or civil action 2722
involving an allegation of domestic violence, or an action for 2723
support brought under Chapter 3115. of the Revised Code. Except in 2724
cases that are subject to the exclusive original jurisdiction of 2725
the juvenile court, the judge of the division of domestic 2726
relations shall be assigned and hear all cases pertaining to 2727
paternity or parentage, the care, custody, or control of children, 2728
parenting time or visitation, child support, or the allocation of 2729
parental rights and responsibilities for the care of children, all 2730
proceedings arising under Chapter 3111. of the Revised Code, all 2731
proceedings arising under the uniform interstate family support 2732
act contained in Chapter 3115. of the Revised Code, and all 2733
post-decree proceedings arising from any case pertaining to any of 2734
those matters. 2735

In addition to the judge's regular duties, the judge of the 2736
court of common pleas, division of domestic relations, shall be 2737
the administrator of the domestic relations division and its 2738
subdivisions and departments. The judge shall have charge of the 2739
employment, assignment, and supervision of the personnel of the 2740

domestic relations division, including any magistrates the judge 2741
considers necessary for the discharge of the judge's duties. The 2742
judge shall also designate the title, compensation, expense 2743
allowances, hours, leaves of absence, vacation, and other 2744
employment-related matters of the personnel of the division and 2745
shall fix their duties. 2746

(2) The judge of the court of common pleas whose term begins 2747
on January 3, 2005, and successors, shall have the same 2748
qualifications, exercise the same powers and jurisdiction, and 2749
receive the same compensation as other judges of the court of 2750
common pleas of Richland county, shall be elected and designated 2751
as judge of the court of common pleas, juvenile division, and 2752
shall be, and have the powers and jurisdiction of, the juvenile 2753
judge as provided in Chapters 2151. and 2152. of the Revised Code. 2754
Except in cases that are subject to the exclusive original 2755
jurisdiction of the juvenile court, the judge of the juvenile 2756
division shall not have jurisdiction or the power to hear, and 2757
shall not be assigned, any case pertaining to paternity or 2758
parentage, the care, custody, or control of children, parenting 2759
time or visitation, child support, or the allocation of parental 2760
rights and responsibilities for the care of children or any 2761
post-decree proceeding arising from any case pertaining to any of 2762
those matters. The judge of the juvenile division shall not have 2763
jurisdiction or the power to hear, and shall not be assigned, any 2764
proceeding under the uniform interstate family support act 2765
contained in Chapter 3115. of the Revised Code. 2766

In addition to the judge's regular duties, the judge of the 2767
juvenile division shall be the administrator of the juvenile 2768
division and its subdivisions and departments. The judge shall 2769
have charge of the employment, assignment, and supervision of the 2770
personnel of the juvenile division who are engaged in handling, 2771
servicing, or investigating juvenile cases, including any 2772

magistrates whom the judge considers necessary for the discharge 2773
of the judge's various duties. 2774

The judge of the juvenile division also shall designate the 2775
title, compensation, expense allowances, hours, leaves of absence, 2776
and vacation of the personnel of the division and shall fix their 2777
duties. The duties of the personnel, in addition to other 2778
statutory duties, include the handling, servicing, and 2779
investigation of juvenile cases and providing any counseling, 2780
conciliation, and mediation services that the court makes 2781
available to persons, whether or not the persons are parties to an 2782
action pending in the court, who request the services. 2783

(H) In Stark county, the judges of the court of common pleas 2784
whose terms begin on January 1, 1953, January 2, 1959, and January 2785
1, 1993, and successors, shall have the same qualifications, 2786
exercise the same powers and jurisdiction, and receive the same 2787
compensation as other judges of the court of common pleas of Stark 2788
county and shall be elected and designated as judges of the court 2789
of common pleas, division of domestic relations. They shall have 2790
all the powers relating to juvenile courts, and all cases under 2791
Chapters 2151. and 2152. of the Revised Code, all parentage 2792
proceedings over which the juvenile court has jurisdiction, and 2793
all divorce, dissolution of marriage, legal separation, and 2794
annulment cases, except cases that are assigned to some other 2795
judge of the court of common pleas for some special reason, shall 2796
be assigned to the judges. 2797

The judge of the division of domestic relations, second most 2798
senior in point of service, shall have charge of the employment 2799
and supervision of the personnel of the division engaged in 2800
handling, servicing, or investigating divorce, dissolution of 2801
marriage, legal separation, and annulment cases, and necessary 2802
referees required for the judge's respective court. 2803

The judge of the division of domestic relations, senior in 2804

point of service, shall be charged exclusively with the 2805
administration of sections 2151.13, 2151.16, 2151.17, and 2152.71 2806
of the Revised Code and with the assignment and division of the 2807
work of the division and the employment and supervision of all 2808
other personnel of the division, including, but not limited to, 2809
that judge's necessary referees, but excepting those employees who 2810
may be appointed by the judge second most senior in point of 2811
service. The senior judge further shall serve in every other 2812
position in which the statutes permit or require a juvenile judge 2813
to serve. 2814

(I) In Summit county: 2815

(1) The judges of the court of common pleas whose terms begin 2816
on January 4, 1967, and January 6, 1993, and successors, shall 2817
have the same qualifications, exercise the same powers and 2818
jurisdiction, and receive the same compensation as other judges of 2819
the court of common pleas of Summit county and shall be elected 2820
and designated as judges of the court of common pleas, division of 2821
domestic relations. The judges of the division of domestic 2822
relations shall have assigned to them and hear all divorce, 2823
dissolution of marriage, legal separation, and annulment cases 2824
that come before the court. Except in cases that are subject to 2825
the exclusive original jurisdiction of the juvenile court, the 2826
judges of the division of domestic relations shall have assigned 2827
to them and hear all cases pertaining to paternity, custody, 2828
visitation, child support, or the allocation of parental rights 2829
and responsibilities for the care of children and all post-decree 2830
proceedings arising from any case pertaining to any of those 2831
matters. The judges of the division of domestic relations shall 2832
have assigned to them and hear all proceedings under the uniform 2833
interstate family support act contained in Chapter 3115. of the 2834
Revised Code. 2835

The judge of the division of domestic relations, senior in 2836

point of service, shall be the administrator of the domestic 2837
relations division and its subdivisions and departments and shall 2838
have charge of the employment, assignment, and supervision of the 2839
personnel of the division, including any necessary referees, who 2840
are engaged in handling, servicing, or investigating divorce, 2841
dissolution of marriage, legal separation, and annulment cases. 2842
That judge also shall designate the title, compensation, expense 2843
allowances, hours, leaves of absence, and vacations of the 2844
personnel of the division and shall fix their duties. The duties 2845
of the personnel, in addition to other statutory duties, shall 2846
include the handling, servicing, and investigation of divorce, 2847
dissolution of marriage, legal separation, and annulment cases and 2848
of any counseling and conciliation services that are available 2849
upon request to all persons, whether or not they are parties to an 2850
action pending in the division. 2851

(2) The judge of the court of common pleas whose term begins 2852
on January 1, 1955, and successors, shall have the same 2853
qualifications, exercise the same powers and jurisdiction, and 2854
receive the same compensation as other judges of the court of 2855
common pleas of Summit county, shall be elected and designated as 2856
judge of the court of common pleas, juvenile division, and shall 2857
be, and have the powers and jurisdiction of, the juvenile judge as 2858
provided in Chapters 2151. and 2152. of the Revised Code. Except 2859
in cases that are subject to the exclusive original jurisdiction 2860
of the juvenile court, the judge of the juvenile division shall 2861
not have jurisdiction or the power to hear, and shall not be 2862
assigned, any case pertaining to paternity, custody, visitation, 2863
child support, or the allocation of parental rights and 2864
responsibilities for the care of children or any post-decree 2865
proceeding arising from any case pertaining to any of those 2866
matters. The judge of the juvenile division shall not have 2867
jurisdiction or the power to hear, and shall not be assigned, any 2868
proceeding under the uniform interstate family support act 2869

contained in Chapter 3115. of the Revised Code. 2870

The juvenile judge shall be the administrator of the juvenile 2871
division and its subdivisions and departments and shall have 2872
charge of the employment, assignment, and supervision of the 2873
personnel of the juvenile division, including any necessary 2874
referees, who are engaged in handling, servicing, or investigating 2875
juvenile cases. The judge also shall designate the title, 2876
compensation, expense allowances, hours, leaves of absence, and 2877
vacation of the personnel of the division and shall fix their 2878
duties. The duties of the personnel, in addition to other 2879
statutory duties, shall include the handling, servicing, and 2880
investigation of juvenile cases and of any counseling and 2881
conciliation services that are available upon request to persons, 2882
whether or not they are parties to an action pending in the 2883
division. 2884

(J) In Trumbull county, the judges of the court of common 2885
pleas whose terms begin on January 1, 1953, and January 2, 1977, 2886
and successors, shall have the same qualifications, exercise the 2887
same powers and jurisdiction, and receive the same compensation as 2888
other judges of the court of common pleas of Trumbull county and 2889
shall be elected and designated as judges of the court of common 2890
pleas, division of domestic relations. They shall have all the 2891
powers relating to juvenile courts, and all cases under Chapters 2892
2151. and 2152. of the Revised Code, all parentage proceedings 2893
over which the juvenile court has jurisdiction, and all divorce, 2894
dissolution of marriage, legal separation, and annulment cases 2895
shall be assigned to them, except cases that for some special 2896
reason are assigned to some other judge of the court of common 2897
pleas. 2898

(K) In Butler county: 2899

(1) The judges of the court of common pleas whose terms begin 2900
on January 1, 1957, and January 4, 1993, and successors, shall 2901

have the same qualifications, exercise the same powers and 2902
jurisdiction, and receive the same compensation as other judges of 2903
the court of common pleas of Butler county and shall be elected 2904
and designated as judges of the court of common pleas, division of 2905
domestic relations. The judges of the division of domestic 2906
relations shall have assigned to them all divorce, dissolution of 2907
marriage, legal separation, and annulment cases coming before the 2908
court, except in cases that for some special reason are assigned 2909
to some other judge of the court of common pleas. The judges of 2910
the division of domestic relations also have concurrent 2911
jurisdiction with judges of the juvenile division of the court of 2912
common pleas of Butler county with respect to and may hear cases 2913
to determine the custody, support, or custody and support of a 2914
child who is born of issue of a marriage and who is not the ward 2915
of another court of this state, cases commenced by a party of the 2916
marriage to obtain an order requiring support of any child when 2917
the request for that order is not ancillary to an action for 2918
divorce, dissolution of marriage, annulment, or legal separation, 2919
a criminal or civil action involving an allegation of domestic 2920
violence, an action for support under Chapter 3115. of the Revised 2921
Code, or an action that is within the exclusive original 2922
jurisdiction of the juvenile division of the court of common pleas 2923
of Butler county and that involves an allegation that the child is 2924
an abused, neglected, or dependent child, and post-decree 2925
proceedings and matters arising from those types of cases. The 2926
judge senior in point of service shall be charged with the 2927
assignment and division of the work of the division and with the 2928
employment and supervision of all other personnel of the domestic 2929
relations division. 2930

The judge senior in point of service also shall designate the 2931
title, compensation, expense allowances, hours, leaves of absence, 2932
and vacations of the personnel of the division and shall fix their 2933
duties. The duties of the personnel, in addition to other 2934

statutory duties, shall include the handling, servicing, and 2935
investigation of divorce, dissolution of marriage, legal 2936
separation, and annulment cases and providing any counseling and 2937
conciliation services that the division makes available to 2938
persons, whether or not the persons are parties to an action 2939
pending in the division, who request the services. 2940

(2) The judges of the court of common pleas whose terms begin 2941
on January 3, 1987, and January 2, 2003, and successors, shall 2942
have the same qualifications, exercise the same powers and 2943
jurisdiction, and receive the same compensation as other judges of 2944
the court of common pleas of Butler county, shall be elected and 2945
designated as judges of the court of common pleas, juvenile 2946
division, and shall be the juvenile judges as provided in Chapters 2947
2151. and 2152. of the Revised Code, with the powers and 2948
jurisdictions conferred by those chapters. Except in cases that 2949
are subject to the exclusive original jurisdiction of the juvenile 2950
court, the judges of the juvenile division shall not have 2951
jurisdiction or the power to hear and shall not be assigned, but 2952
shall have the limited ability and authority to certify, any case 2953
commenced by a party of a marriage to determine the custody, 2954
support, or custody and support of a child who is born of issue of 2955
the marriage and who is not the ward of another court of this 2956
state when the request for the order in the case is not ancillary 2957
to an action for divorce, dissolution of marriage, annulment, or 2958
legal separation. The judge of the court of common pleas, juvenile 2959
division, who is senior in point of service, shall be the 2960
administrator of the juvenile division and its subdivisions and 2961
departments. The judge, senior in point of service, shall have 2962
charge of the employment, assignment, and supervision of the 2963
personnel of the juvenile division who are engaged in handling, 2964
servicing, or investigating juvenile cases, including any referees 2965
whom the judge considers necessary for the discharge of the 2966
judge's various duties. 2967

The judge, senior in point of service, also shall designate 2968
the title, compensation, expense allowances, hours, leaves of 2969
absence, and vacation of the personnel of the division and shall 2970
fix their duties. The duties of the personnel, in addition to 2971
other statutory duties, include the handling, servicing, and 2972
investigation of juvenile cases and providing any counseling and 2973
conciliation services that the division makes available to 2974
persons, whether or not the persons are parties to an action 2975
pending in the division, who request the services. 2976

(3) If a judge of the court of common pleas, division of 2977
domestic relations or juvenile division, is sick, absent, or 2978
unable to perform that judge's judicial duties or the volume of 2979
cases pending in the judge's division necessitates it, the duties 2980
of that judge shall be performed by the other judges of the 2981
domestic relations and juvenile divisions. 2982

(L)(1) In Cuyahoga county, the judges of the court of common 2983
pleas whose terms begin on January 8, 1961, January 9, 1961, 2984
January 18, 1975, January 19, 1975, and January 13, 1987, and 2985
successors, shall have the same qualifications, exercise the same 2986
powers and jurisdiction, and receive the same compensation as 2987
other judges of the court of common pleas of Cuyahoga county and 2988
shall be elected and designated as judges of the court of common 2989
pleas, division of domestic relations. They shall have all the 2990
powers relating to all divorce, dissolution of marriage, legal 2991
separation, and annulment cases, except in cases that are assigned 2992
to some other judge of the court of common pleas for some special 2993
reason. 2994

(2) The administrative judge is administrator of the domestic 2995
relations division and its subdivisions and departments and has 2996
the following powers concerning division personnel: 2997

(a) Full charge of the employment, assignment, and 2998
supervision; 2999

(b) Sole determination of compensation, duties, expenses, 3000
allowances, hours, leaves, and vacations. 3001

(3) "Division personnel" include persons employed or referees 3002
engaged in hearing, servicing, investigating, counseling, or 3003
conciliating divorce, dissolution of marriage, legal separation 3004
and annulment matters. 3005

(M) In Lake county: 3006

(1) The judge of the court of common pleas whose term begins 3007
on January 2, 1961, and successors, shall have the same 3008
qualifications, exercise the same powers and jurisdiction, and 3009
receive the same compensation as the other judges of the court of 3010
common pleas of Lake county and shall be elected and designated as 3011
judge of the court of common pleas, division of domestic 3012
relations. The judge shall be assigned all the divorce, 3013
dissolution of marriage, legal separation, and annulment cases 3014
coming before the court, except in cases that for some special 3015
reason are assigned to some other judge of the court of common 3016
pleas. The judge shall be charged with the assignment and division 3017
of the work of the division and with the employment and 3018
supervision of all other personnel of the domestic relations 3019
division. 3020

The judge also shall designate the title, compensation, 3021
expense allowances, hours, leaves of absence, and vacations of the 3022
personnel of the division and shall fix their duties. The duties 3023
of the personnel, in addition to other statutory duties, shall 3024
include the handling, servicing, and investigation of divorce, 3025
dissolution of marriage, legal separation, and annulment cases and 3026
providing any counseling and conciliation services that the 3027
division makes available to persons, whether or not the persons 3028
are parties to an action pending in the division, who request the 3029
services. 3030

(2) The judge of the court of common pleas whose term begins 3031
on January 4, 1979, and successors, shall have the same 3032
qualifications, exercise the same powers and jurisdiction, and 3033
receive the same compensation as other judges of the court of 3034
common pleas of Lake county, shall be elected and designated as 3035
judge of the court of common pleas, juvenile division, and shall 3036
be the juvenile judge as provided in Chapters 2151. and 2152. of 3037
the Revised Code, with the powers and jurisdictions conferred by 3038
those chapters. The judge of the court of common pleas, juvenile 3039
division, shall be the administrator of the juvenile division and 3040
its subdivisions and departments. The judge shall have charge of 3041
the employment, assignment, and supervision of the personnel of 3042
the juvenile division who are engaged in handling, servicing, or 3043
investigating juvenile cases, including any referees whom the 3044
judge considers necessary for the discharge of the judge's various 3045
duties. 3046

The judge also shall designate the title, compensation, 3047
expense allowances, hours, leaves of absence, and vacation of the 3048
personnel of the division and shall fix their duties. The duties 3049
of the personnel, in addition to other statutory duties, include 3050
the handling, servicing, and investigation of juvenile cases and 3051
providing any counseling and conciliation services that the 3052
division makes available to persons, whether or not the persons 3053
are parties to an action pending in the division, who request the 3054
services. 3055

(3) If a judge of the court of common pleas, division of 3056
domestic relations or juvenile division, is sick, absent, or 3057
unable to perform that judge's judicial duties or the volume of 3058
cases pending in the judge's division necessitates it, the duties 3059
of that judge shall be performed by the other judges of the 3060
domestic relations and juvenile divisions. 3061

(N) In Erie county: 3062

(1) The judge of the court of common pleas whose term begins 3063
on January 2, 1971, and the successors to that judge whose terms 3064
begin before January 2, 2007, shall have the same qualifications, 3065
exercise the same powers and jurisdiction, and receive the same 3066
compensation as the other judge of the court of common pleas of 3067
Erie county and shall be elected and designated as judge of the 3068
court of common pleas, division of domestic relations. The judge 3069
shall have all the powers relating to juvenile courts, and shall 3070
be assigned all cases under Chapters 2151. and 2152. of the 3071
Revised Code, parentage proceedings over which the juvenile court 3072
has jurisdiction, and divorce, dissolution of marriage, legal 3073
separation, and annulment cases, except cases that for some 3074
special reason are assigned to some other judge. 3075

On or after January 2, 2007, the judge of the court of common 3076
pleas who is elected in 2006 shall be the successor to the judge 3077
of the domestic relations division whose term expires on January 3078
1, 2007, shall be designated as judge of the court of common 3079
pleas, juvenile division, and shall be the juvenile judge as 3080
provided in Chapters 2151. and 2152. of the Revised Code with the 3081
powers and jurisdictions conferred by those chapters. 3082

(2) The judge of the court of common pleas, general division, 3083
whose term begins on January 1, 2005, and successors, the judge of 3084
the court of common pleas, general division whose term begins on 3085
January 2, 2005, and successors, and the judge of the court of 3086
common pleas, general division, whose term begins February 9, 3087
2009, and successors, shall have assigned to them, in addition to 3088
all matters that are within the jurisdiction of the general 3089
division of the court of common pleas, all divorce, dissolution of 3090
marriage, legal separation, and annulment cases coming before the 3091
court, and all matters that are within the jurisdiction of the 3092
probate court under Chapter 2101., and other provisions, of the 3093
Revised Code. 3094

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| (0) In Greene county: | 3095 |
| (1) The judge of the court of common pleas whose term begins on January 1, 1961, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judges of the court of common pleas of Greene county and shall be elected and designated as the judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, annulment, uniform reciprocal support enforcement, and domestic violence cases and all other cases related to domestic relations, except cases that for some special reason are assigned to some other judge of the court of common pleas. | 3096 3097 3098 3099 3100 3101 3102 3103 3104 3105 3106 3107 |
| The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of all other personnel of the division. The judge also shall designate the title, compensation, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel of the division, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and annulment cases and the provision of counseling and conciliation services that the division considers necessary and makes available to persons who request the services, whether or not the persons are parties in an action pending in the division. The compensation for the personnel shall be paid from the overall court budget and shall be included in the appropriations for the existing judges of the general division of the court of common pleas. | 3108 3109 3110 3111 3112 3113 3114 3115 3116 3117 3118 3119 3120 3121 3122 3123 |
| (2) The judge of the court of common pleas whose term begins on January 1, 1995, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and | 3124 3125 3126 |

receive the same compensation as the other judges of the court of 3127
common pleas of Greene county, shall be elected and designated as 3128
judge of the court of common pleas, juvenile division, and, on or 3129
after January 1, 1995, shall be the juvenile judge as provided in 3130
Chapters 2151. and 2152. of the Revised Code with the powers and 3131
jurisdiction conferred by those chapters. The judge of the court 3132
of common pleas, juvenile division, shall be the administrator of 3133
the juvenile division and its subdivisions and departments. The 3134
judge shall have charge of the employment, assignment, and 3135
supervision of the personnel of the juvenile division who are 3136
engaged in handling, servicing, or investigating juvenile cases, 3137
including any referees whom the judge considers necessary for the 3138
discharge of the judge's various duties. 3139

The judge also shall designate the title, compensation, 3140
expense allowances, hours, leaves of absence, and vacation of the 3141
personnel of the division and shall fix their duties. The duties 3142
of the personnel, in addition to other statutory duties, include 3143
the handling, servicing, and investigation of juvenile cases and 3144
providing any counseling and conciliation services that the court 3145
makes available to persons, whether or not the persons are parties 3146
to an action pending in the court, who request the services. 3147

(3) If one of the judges of the court of common pleas, 3148
general division, is sick, absent, or unable to perform that 3149
judge's judicial duties or the volume of cases pending in the 3150
general division necessitates it, the duties of that judge of the 3151
general division shall be performed by the judge of the division 3152
of domestic relations and the judge of the juvenile division. 3153

(P) In Portage county, the judge of the court of common 3154
pleas, whose term begins January 2, 1987, and successors, shall 3155
have the same qualifications, exercise the same powers and 3156
jurisdiction, and receive the same compensation as the other 3157
judges of the court of common pleas of Portage county and shall be 3158

elected and designated as judge of the court of common pleas, 3159
division of domestic relations. The judge shall be assigned all 3160
divorce, dissolution of marriage, legal separation, and annulment 3161
cases coming before the court, except in cases that for some 3162
special reason are assigned to some other judge of the court of 3163
common pleas. The judge shall be charged with the assignment and 3164
division of the work of the division and with the employment and 3165
supervision of all other personnel of the domestic relations 3166
division. 3167

The judge also shall designate the title, compensation, 3168
expense allowances, hours, leaves of absence, and vacations of the 3169
personnel of the division and shall fix their duties. The duties 3170
of the personnel, in addition to other statutory duties, shall 3171
include the handling, servicing, and investigation of divorce, 3172
dissolution of marriage, legal separation, and annulment cases and 3173
providing any counseling and conciliation services that the 3174
division makes available to persons, whether or not the persons 3175
are parties to an action pending in the division, who request the 3176
services. 3177

(Q) In Clermont county, the judge of the court of common 3178
pleas, whose term begins January 2, 1987, and successors, shall 3179
have the same qualifications, exercise the same powers and 3180
jurisdiction, and receive the same compensation as the other 3181
judges of the court of common pleas of Clermont county and shall 3182
be elected and designated as judge of the court of common pleas, 3183
division of domestic relations. The judge shall be assigned all 3184
divorce, dissolution of marriage, legal separation, and annulment 3185
cases coming before the court, except in cases that for some 3186
special reason are assigned to some other judge of the court of 3187
common pleas. The judge shall be charged with the assignment and 3188
division of the work of the division and with the employment and 3189
supervision of all other personnel of the domestic relations 3190

division. 3191

The judge also shall designate the title, compensation, 3192
expense allowances, hours, leaves of absence, and vacations of the 3193
personnel of the division and shall fix their duties. The duties 3194
of the personnel, in addition to other statutory duties, shall 3195
include the handling, servicing, and investigation of divorce, 3196
dissolution of marriage, legal separation, and annulment cases and 3197
providing any counseling and conciliation services that the 3198
division makes available to persons, whether or not the persons 3199
are parties to an action pending in the division, who request the 3200
services. 3201

(R) In Warren county, the judge of the court of common pleas, 3202
whose term begins January 1, 1987, and successors, shall have the 3203
same qualifications, exercise the same powers and jurisdiction, 3204
and receive the same compensation as the other judges of the court 3205
of common pleas of Warren county and shall be elected and 3206
designated as judge of the court of common pleas, division of 3207
domestic relations. The judge shall be assigned all divorce, 3208
dissolution of marriage, legal separation, and annulment cases 3209
coming before the court, except in cases that for some special 3210
reason are assigned to some other judge of the court of common 3211
pleas. The judge shall be charged with the assignment and division 3212
of the work of the division and with the employment and 3213
supervision of all other personnel of the domestic relations 3214
division. 3215

The judge also shall designate the title, compensation, 3216
expense allowances, hours, leaves of absence, and vacations of the 3217
personnel of the division and shall fix their duties. The duties 3218
of the personnel, in addition to other statutory duties, shall 3219
include the handling, servicing, and investigation of divorce, 3220
dissolution of marriage, legal separation, and annulment cases and 3221
providing any counseling and conciliation services that the 3222

division makes available to persons, whether or not the persons 3223
are parties to an action pending in the division, who request the 3224
services. 3225

(S) In Licking county, the judges of the court of common 3226
pleas, whose terms begin on January 1, 1991, and January 1, 2005, 3227
and successors, shall have the same qualifications, exercise the 3228
same powers and jurisdiction, and receive the same compensation as 3229
the other judges of the court of common pleas of Licking county 3230
and shall be elected and designated as judges of the court of 3231
common pleas, division of domestic relations. The judges shall be 3232
assigned all divorce, dissolution of marriage, legal separation, 3233
and annulment cases, all cases arising under Chapter 3111. of the 3234
Revised Code, all proceedings involving child support, the 3235
allocation of parental rights and responsibilities for the care of 3236
children and the designation for the children of a place of 3237
residence and legal custodian, parenting time, and visitation, and 3238
all post-decree proceedings and matters arising from those cases 3239
and proceedings, except in cases that for some special reason are 3240
assigned to another judge of the court of common pleas. The 3241
administrative judge of the division of domestic relations shall 3242
be charged with the assignment and division of the work of the 3243
division and with the employment and supervision of the personnel 3244
of the division. 3245

The administrative judge of the division of domestic 3246
relations shall designate the title, compensation, expense 3247
allowances, hours, leaves of absence, and vacations of the 3248
personnel of the division and shall fix the duties of the 3249
personnel of the division. The duties of the personnel of the 3250
division, in addition to other statutory duties, shall include the 3251
handling, servicing, and investigation of divorce, dissolution of 3252
marriage, legal separation, and annulment cases, cases arising 3253
under Chapter 3111. of the Revised Code, and proceedings involving 3254

child support, the allocation of parental rights and 3255
responsibilities for the care of children and the designation for 3256
the children of a place of residence and legal custodian, 3257
parenting time, and visitation and providing any counseling and 3258
conciliation services that the division makes available to 3259
persons, whether or not the persons are parties to an action 3260
pending in the division, who request the services. 3261

(T) In Allen county, the judge of the court of common pleas, 3262
whose term begins January 1, 1993, and successors, shall have the 3263
same qualifications, exercise the same powers and jurisdiction, 3264
and receive the same compensation as the other judges of the court 3265
of common pleas of Allen county and shall be elected and 3266
designated as judge of the court of common pleas, division of 3267
domestic relations. The judge shall be assigned all divorce, 3268
dissolution of marriage, legal separation, and annulment cases, 3269
all cases arising under Chapter 3111. of the Revised Code, all 3270
proceedings involving child support, the allocation of parental 3271
rights and responsibilities for the care of children and the 3272
designation for the children of a place of residence and legal 3273
custodian, parenting time, and visitation, and all post-decree 3274
proceedings and matters arising from those cases and proceedings, 3275
except in cases that for some special reason are assigned to 3276
another judge of the court of common pleas. The judge shall be 3277
charged with the assignment and division of the work of the 3278
division and with the employment and supervision of the personnel 3279
of the division. 3280

The judge shall designate the title, compensation, expense 3281
allowances, hours, leaves of absence, and vacations of the 3282
personnel of the division and shall fix the duties of the 3283
personnel of the division. The duties of the personnel of the 3284
division, in addition to other statutory duties, shall include the 3285
handling, servicing, and investigation of divorce, dissolution of 3286

marriage, legal separation, and annulment cases, cases arising 3287
under Chapter 3111. of the Revised Code, and proceedings involving 3288
child support, the allocation of parental rights and 3289
responsibilities for the care of children and the designation for 3290
the children of a place of residence and legal custodian, 3291
parenting time, and visitation, and providing any counseling and 3292
conciliation services that the division makes available to 3293
persons, whether or not the persons are parties to an action 3294
pending in the division, who request the services. 3295

(U) In Medina county, the judge of the court of common pleas 3296
whose term begins January 1, 1995, and successors, shall have the 3297
same qualifications, exercise the same powers and jurisdiction, 3298
and receive the same compensation as other judges of the court of 3299
common pleas of Medina county and shall be elected and designated 3300
as judge of the court of common pleas, division of domestic 3301
relations. The judge shall be assigned all divorce, dissolution of 3302
marriage, legal separation, and annulment cases, all cases arising 3303
under Chapter 3111. of the Revised Code, all proceedings involving 3304
child support, the allocation of parental rights and 3305
responsibilities for the care of children and the designation for 3306
the children of a place of residence and legal custodian, 3307
parenting time, and visitation, and all post-decree proceedings 3308
and matters arising from those cases and proceedings, except in 3309
cases that for some special reason are assigned to another judge 3310
of the court of common pleas. The judge shall be charged with the 3311
assignment and division of the work of the division and with the 3312
employment and supervision of the personnel of the division. 3313

The judge shall designate the title, compensation, expense 3314
allowances, hours, leaves of absence, and vacations of the 3315
personnel of the division and shall fix the duties of the 3316
personnel of the division. The duties of the personnel, in 3317
addition to other statutory duties, include the handling, 3318

servicing, and investigation of divorce, dissolution of marriage, 3319
legal separation, and annulment cases, cases arising under Chapter 3320
3111. of the Revised Code, and proceedings involving child 3321
support, the allocation of parental rights and responsibilities 3322
for the care of children and the designation for the children of a 3323
place of residence and legal custodian, parenting time, and 3324
visitation, and providing counseling and conciliation services 3325
that the division makes available to persons, whether or not the 3326
persons are parties to an action pending in the division, who 3327
request the services. 3328

(V) In Fairfield county, the judge of the court of common 3329
pleas whose term begins January 2, 1995, and successors, shall 3330
have the same qualifications, exercise the same powers and 3331
jurisdiction, and receive the same compensation as the other 3332
judges of the court of common pleas of Fairfield county and shall 3333
be elected and designated as judge of the court of common pleas, 3334
division of domestic relations. The judge shall be assigned all 3335
divorce, dissolution of marriage, legal separation, and annulment 3336
cases, all cases arising under Chapter 3111. of the Revised Code, 3337
all proceedings involving child support, the allocation of 3338
parental rights and responsibilities for the care of children and 3339
the designation for the children of a place of residence and legal 3340
custodian, parenting time, and visitation, and all post-decree 3341
proceedings and matters arising from those cases and proceedings, 3342
except in cases that for some special reason are assigned to 3343
another judge of the court of common pleas. The judge also has 3344
concurrent jurisdiction with the probate-juvenile division of the 3345
court of common pleas of Fairfield county with respect to and may 3346
hear cases to determine the custody of a child, as defined in 3347
section 2151.011 of the Revised Code, who is not the ward of 3348
another court of this state, cases that are commenced by a parent, 3349
guardian, or custodian of a child, as defined in section 2151.011 3350
of the Revised Code, to obtain an order requiring a parent of the 3351

child to pay child support for that child when the request for 3352
that order is not ancillary to an action for divorce, dissolution 3353
of marriage, annulment, or legal separation, a criminal or civil 3354
action involving an allegation of domestic violence, an action for 3355
support under Chapter 3115. of the Revised Code, or an action that 3356
is within the exclusive original jurisdiction of the 3357
probate-juvenile division of the court of common pleas of 3358
Fairfield county and that involves an allegation that the child is 3359
an abused, neglected, or dependent child, and post-decree 3360
proceedings and matters arising from those types of cases. 3361

The judge of the domestic relations division shall be charged 3362
with the assignment and division of the work of the division and 3363
with the employment and supervision of the personnel of the 3364
division. 3365

The judge shall designate the title, compensation, expense 3366
allowances, hours, leaves of absence, and vacations of the 3367
personnel of the division and shall fix the duties of the 3368
personnel of the division. The duties of the personnel of the 3369
division, in addition to other statutory duties, shall include the 3370
handling, servicing, and investigation of divorce, dissolution of 3371
marriage, legal separation, and annulment cases, cases arising 3372
under Chapter 3111. of the Revised Code, and proceedings involving 3373
child support, the allocation of parental rights and 3374
responsibilities for the care of children and the designation for 3375
the children of a place of residence and legal custodian, 3376
parenting time, and visitation, and providing any counseling and 3377
conciliation services that the division makes available to 3378
persons, regardless of whether the persons are parties to an 3379
action pending in the division, who request the services. When the 3380
judge hears a case to determine the custody of a child, as defined 3381
in section 2151.011 of the Revised Code, who is not the ward of 3382
another court of this state or a case that is commenced by a 3383

parent, guardian, or custodian of a child, as defined in section 3384
2151.011 of the Revised Code, to obtain an order requiring a 3385
parent of the child to pay child support for that child when the 3386
request for that order is not ancillary to an action for divorce, 3387
dissolution of marriage, annulment, or legal separation, a 3388
criminal or civil action involving an allegation of domestic 3389
violence, an action for support under Chapter 3115. of the Revised 3390
Code, or an action that is within the exclusive original 3391
jurisdiction of the probate-juvenile division of the court of 3392
common pleas of Fairfield county and that involves an allegation 3393
that the child is an abused, neglected, or dependent child, the 3394
duties of the personnel of the domestic relations division also 3395
include the handling, servicing, and investigation of those types 3396
of cases. 3397

(W)(1) In Clark county, the judge of the court of common 3398
pleas whose term begins on January 2, 1995, and successors, shall 3399
have the same qualifications, exercise the same powers and 3400
jurisdiction, and receive the same compensation as other judges of 3401
the court of common pleas of Clark county and shall be elected and 3402
designated as judge of the court of common pleas, domestic 3403
relations division. The judge shall have all the powers relating 3404
to juvenile courts, and all cases under Chapters 2151. and 2152. 3405
of the Revised Code and all parentage proceedings under Chapter 3406
3111. of the Revised Code over which the juvenile court has 3407
jurisdiction shall be assigned to the judge of the division of 3408
domestic relations. All divorce, dissolution of marriage, legal 3409
separation, annulment, uniform reciprocal support enforcement, and 3410
other cases related to domestic relations shall be assigned to the 3411
domestic relations division, and the presiding judge of the court 3412
of common pleas shall assign the cases to the judge of the 3413
domestic relations division and the judges of the general 3414
division. 3415

(2) In addition to the judge's regular duties, the judge of 3416
the division of domestic relations shall serve on the children 3417
services board and the county advisory board. 3418

(3) If the judge of the court of common pleas of Clark 3419
county, division of domestic relations, is sick, absent, or unable 3420
to perform that judge's judicial duties or if the presiding judge 3421
of the court of common pleas of Clark county determines that the 3422
volume of cases pending in the division of domestic relations 3423
necessitates it, the duties of the judge of the division of 3424
domestic relations shall be performed by the judges of the general 3425
division or probate division of the court of common pleas of Clark 3426
county, as assigned for that purpose by the presiding judge of 3427
that court, and the judges so assigned shall act in conjunction 3428
with the judge of the division of domestic relations of that 3429
court. 3430

(X) In Scioto county, the judge of the court of common pleas 3431
whose term begins January 2, 1995, and successors, shall have the 3432
same qualifications, exercise the same powers and jurisdiction, 3433
and receive the same compensation as other judges of the court of 3434
common pleas of Scioto county and shall be elected and designated 3435
as judge of the court of common pleas, division of domestic 3436
relations. The judge shall be assigned all divorce, dissolution of 3437
marriage, legal separation, and annulment cases, all cases arising 3438
under Chapter 3111. of the Revised Code, all proceedings involving 3439
child support, the allocation of parental rights and 3440
responsibilities for the care of children and the designation for 3441
the children of a place of residence and legal custodian, 3442
parenting time, visitation, and all post-decree proceedings and 3443
matters arising from those cases and proceedings, except in cases 3444
that for some special reason are assigned to another judge of the 3445
court of common pleas. The judge shall be charged with the 3446
assignment and division of the work of the division and with the 3447

employment and supervision of the personnel of the division. 3448

The judge shall designate the title, compensation, expense 3449
allowances, hours, leaves of absence, and vacations of the 3450
personnel of the division and shall fix the duties of the 3451
personnel of the division. The duties of the personnel, in 3452
addition to other statutory duties, include the handling, 3453
servicing, and investigation of divorce, dissolution of marriage, 3454
legal separation, and annulment cases, cases arising under Chapter 3455
3111. of the Revised Code, and proceedings involving child 3456
support, the allocation of parental rights and responsibilities 3457
for the care of children and the designation for the children of a 3458
place of residence and legal custodian, parenting time, and 3459
visitation, and providing counseling and conciliation services 3460
that the division makes available to persons, whether or not the 3461
persons are parties to an action pending in the division, who 3462
request the services. 3463

(Y) In Auglaize county, the judge of the probate and juvenile 3464
divisions of the Auglaize county court of common pleas also shall 3465
be the administrative judge of the domestic relations division of 3466
the court and shall be assigned all divorce, dissolution of 3467
marriage, legal separation, and annulment cases coming before the 3468
court. The judge shall have all powers as administrator of the 3469
domestic relations division and shall have charge of the personnel 3470
engaged in handling, servicing, or investigating divorce, 3471
dissolution of marriage, legal separation, and annulment cases, 3472
including any referees considered necessary for the discharge of 3473
the judge's various duties. 3474

(Z)(1) In Marion county, the judge of the court of common 3475
pleas whose term begins on February 9, 1999, and the successors to 3476
that judge, shall have the same qualifications, exercise the same 3477
powers and jurisdiction, and receive the same compensation as the 3478
other judges of the court of common pleas of Marion county and 3479

shall be elected and designated as judge of the court of common 3480
pleas, domestic relations-juvenile-probate division. Except as 3481
otherwise specified in this division, that judge, and the 3482
successors to that judge, shall have all the powers relating to 3483
juvenile courts, and all cases under Chapters 2151. and 2152. of 3484
the Revised Code, all cases arising under Chapter 3111. of the 3485
Revised Code, all divorce, dissolution of marriage, legal 3486
separation, and annulment cases, all proceedings involving child 3487
support, the allocation of parental rights and responsibilities 3488
for the care of children and the designation for the children of a 3489
place of residence and legal custodian, parenting time, and 3490
visitation, and all post-decree proceedings and matters arising 3491
from those cases and proceedings shall be assigned to that judge 3492
and the successors to that judge. Except as provided in division 3493
(Z)(2) of this section and notwithstanding any other provision of 3494
any section of the Revised Code, on and after February 9, 2003, 3495
the judge of the court of common pleas of Marion county whose term 3496
begins on February 9, 1999, and the successors to that judge, 3497
shall have all the powers relating to the probate division of the 3498
court of common pleas of Marion county in addition to the powers 3499
previously specified in this division, and shall exercise 3500
concurrent jurisdiction with the judge of the probate division of 3501
that court over all matters that are within the jurisdiction of 3502
the probate division of that court under Chapter 2101., and other 3503
provisions, of the Revised Code in addition to the jurisdiction of 3504
the domestic relations-juvenile-probate division of that court 3505
otherwise specified in division (Z)(1) of this section. 3506

(2) The judge of the domestic relations-juvenile-probate 3507
division of the court of common pleas of Marion county or the 3508
judge of the probate division of the court of common pleas of 3509
Marion county, whichever of those judges is senior in total length 3510
of service on the court of common pleas of Marion county, 3511
regardless of the division or divisions of service, shall serve as 3512

the clerk of the probate division of the court of common pleas of 3513
Marion county. 3514

(3) On and after February 9, 2003, all references in law to 3515
"the probate court," "the probate judge," "the juvenile court," or 3516
"the judge of the juvenile court" shall be construed, with respect 3517
to Marion county, as being references to both "the probate 3518
division" and "the domestic relations-juvenile-probate division" 3519
and as being references to both "the judge of the probate 3520
division" and "the judge of the domestic relations- 3521
juvenile-probate division." On and after February 9, 2003, all 3522
references in law to "the clerk of the probate court" shall be 3523
construed, with respect to Marion county, as being references to 3524
the judge who is serving pursuant to division (Z)(2) of this 3525
section as the clerk of the probate division of the court of 3526
common pleas of Marion county. 3527

(AA) In Muskingum county, the judge of the court of common 3528
pleas whose term begins on January 2, 2003, and successors, shall 3529
have the same qualifications, exercise the same powers and 3530
jurisdiction, and receive the same compensation as the other 3531
judges of the court of common pleas of Muskingum county and shall 3532
be elected and designated as the judge of the court of common 3533
pleas, division of domestic relations. The judge shall be assigned 3534
all divorce, dissolution of marriage, legal separation, and 3535
annulment cases, all cases arising under Chapter 3111. of the 3536
Revised Code, all proceedings involving child support, the 3537
allocation of parental rights and responsibilities for the care of 3538
children and the designation for the children of a place of 3539
residence and legal custodian, parenting time, and visitation, and 3540
all post-decree proceedings and matters arising from those cases 3541
and proceedings, except in cases that for some special reason are 3542
assigned to another judge of the court of common pleas. The judge 3543
shall be charged with the assignment and division of the work of 3544

the division and with the employment and supervision of the 3545
personnel of the division. 3546

The judge shall designate the title, compensation, expense 3547
allowances, hours, leaves of absence, and vacations of the 3548
personnel of the division and shall fix the duties of the 3549
personnel of the division. The duties of the personnel of the 3550
division, in addition to other statutory duties, shall include the 3551
handling, servicing, and investigation of divorce, dissolution of 3552
marriage, legal separation, and annulment cases, cases arising 3553
under Chapter 3111. of the Revised Code, and proceedings involving 3554
child support, the allocation of parental rights and 3555
responsibilities for the care of children and the designation for 3556
the children of a place of residence and legal custodian, 3557
parenting time, and visitation and providing any counseling and 3558
conciliation services that the division makes available to 3559
persons, whether or not the persons are parties to an action 3560
pending in the division, who request the services. 3561

(BB) In Henry county, the judge of the court of common pleas 3562
whose term begins on January 1, 2005, and successors, shall have 3563
the same qualifications, exercise the same powers and 3564
jurisdiction, and receive the same compensation as the other judge 3565
of the court of common pleas of Henry county and shall be elected 3566
and designated as the judge of the court of common pleas, division 3567
of domestic relations. The judge shall have all of the powers 3568
relating to juvenile courts, and all cases under Chapter 2151. or 3569
2152. of the Revised Code, all parentage proceedings arising under 3570
Chapter 3111. of the Revised Code over which the juvenile court 3571
has jurisdiction, all divorce, dissolution of marriage, legal 3572
separation, and annulment cases, all proceedings involving child 3573
support, the allocation of parental rights and responsibilities 3574
for the care of children and the designation for the children of a 3575
place of residence and legal custodian, parenting time, and 3576

visitation, and all post-decree proceedings and matters arising 3577
from those cases and proceedings shall be assigned to that judge, 3578
except in cases that for some special reason are assigned to the 3579
other judge of the court of common pleas. 3580

(CC)(1) In Logan county, the judge of the court of common 3581
pleas whose term begins January 2, 2005, and the successors to 3582
that judge, shall have the same qualifications, exercise the same 3583
powers and jurisdiction, and receive the same compensation as the 3584
other judges of the court of common pleas of Logan county and 3585
shall be elected and designated as judge of the court of common 3586
pleas, domestic relations-juvenile-probate division. Except as 3587
otherwise specified in this division, that judge, and the 3588
successors to that judge, shall have all the powers relating to 3589
juvenile courts, and all cases under Chapters 2151. and 2152. of 3590
the Revised Code, all cases arising under Chapter 3111. of the 3591
Revised Code, all divorce, dissolution of marriage, legal 3592
separation, and annulment cases, all proceedings involving child 3593
support, the allocation of parental rights and responsibilities 3594
for the care of children and designation for the children of a 3595
place of residence and legal custodian, parenting time, and 3596
visitation, and all post-decree proceedings and matters arising 3597
from those cases and proceedings shall be assigned to that judge 3598
and the successors to that judge. Notwithstanding any other 3599
provision of any section of the Revised Code, on and after January 3600
2, 2005, the judge of the court of common pleas of Logan county 3601
whose term begins on January 2, 2005, and the successors to that 3602
judge, shall have all the powers relating to the probate division 3603
of the court of common pleas of Logan county in addition to the 3604
powers previously specified in this division and shall exercise 3605
concurrent jurisdiction with the judge of the probate division of 3606
that court over all matters that are within the jurisdiction of 3607
the probate division of that court under Chapter 2101., and other 3608
provisions, of the Revised Code in addition to the jurisdiction of 3609

the domestic relations-juvenile-probate division of that court 3610
otherwise specified in division (CC)(1) of this section. 3611

(2) The judge of the domestic relations-juvenile-probate 3612
division of the court of common pleas of Logan county or the 3613
probate judge of the court of common pleas of Logan county who is 3614
elected as the administrative judge of the probate division of the 3615
court of common pleas of Logan county pursuant to Rule 4 of the 3616
Rules of Superintendence shall be the clerk of the probate 3617
division and juvenile division of the court of common pleas of 3618
Logan county. The clerk of the court of common pleas who is 3619
elected pursuant to section 2303.01 of the Revised Code shall keep 3620
all of the journals, records, books, papers, and files pertaining 3621
to the domestic relations cases. 3622

(3) On and after January 2, 2005, all references in law to 3623
"the probate court," "the probate judge," "the juvenile court," or 3624
"the judge of the juvenile court" shall be construed, with respect 3625
to Logan county, as being references to both "the probate 3626
division" and the "domestic relations-juvenile-probate division" 3627
and as being references to both "the judge of the probate 3628
division" and the "judge of the domestic 3629
relations-juvenile-probate division." On and after January 2, 3630
2005, all references in law to "the clerk of the probate court" 3631
shall be construed, with respect to Logan county, as being 3632
references to the judge who is serving pursuant to division 3633
(CC)(2) of this section as the clerk of the probate division of 3634
the court of common pleas of Logan county. 3635

(DD)(1) In Champaign county, the judge of the court of common 3636
pleas whose term begins February 9, 2003, and the judge of the 3637
court of common pleas whose term begins February 10, 2009, and the 3638
successors to those judges, shall have the same qualifications, 3639
exercise the same powers and jurisdiction, and receive the same 3640
compensation as the other judges of the court of common pleas of 3641

Champaign county and shall be elected and designated as judges of 3642
the court of common pleas, domestic relations-juvenile-probate 3643
division. Except as otherwise specified in this division, those 3644
judges, and the successors to those judges, shall have all the 3645
powers relating to juvenile courts, and all cases under Chapters 3646
2151. and 2152. of the Revised Code, all cases arising under 3647
Chapter 3111. of the Revised Code, all divorce, dissolution of 3648
marriage, legal separation, and annulment cases, all proceedings 3649
involving child support, the allocation of parental rights and 3650
responsibilities for the care of children and the designation for 3651
the children of a place of residence and legal custodian, 3652
parenting time, and visitation, and all post-decree proceedings 3653
and matters arising from those cases and proceedings shall be 3654
assigned to those judges and the successors to those judges. 3655
Notwithstanding any other provision of any section of the Revised 3656
Code, on and after February 9, 2009, the judges designated by this 3657
division as judges of the court of common pleas of Champaign 3658
county, domestic relations-juvenile-probate division, and the 3659
successors to those judges, shall have all the powers relating to 3660
probate courts in addition to the powers previously specified in 3661
this division and shall exercise jurisdiction over all matters 3662
that are within the jurisdiction of probate courts under Chapter 3663
2101., and other provisions, of the Revised Code in addition to 3664
the jurisdiction of the domestic relations-juvenile-probate 3665
division otherwise specified in division (DD)(1) of this section. 3666

(2) On and after February 9, 2009, all references in law to 3667
"the probate court," "the probate judge," "the juvenile court," or 3668
"the judge of the juvenile court" shall be construed with respect 3669
to Champaign county as being references to the "domestic 3670
relations-juvenile-probate division" and as being references to 3671
the "judge of the domestic relations-juvenile-probate division." 3672
On and after February 9, 2009, all references in law to "the clerk 3673
of the probate court" shall be construed with respect to Champaign 3674

county as being references to the judge who is serving pursuant to 3675
Rule 4 of the Rules of Superintendence for the Courts of Ohio as 3676
the administrative judge of the court of common pleas, domestic 3677
relations-juvenile-probate division. 3678

(EE) If a judge of the court of common pleas, division of 3679
domestic relations, or juvenile judge, of any of the counties 3680
mentioned in this section is sick, absent, or unable to perform 3681
that judge's judicial duties or the volume of cases pending in the 3682
judge's division necessitates it, the duties of that judge shall 3683
be performed by another judge of the court of common pleas of that 3684
county, assigned for that purpose by the presiding judge of the 3685
court of common pleas of that county to act in place of or in 3686
conjunction with that judge, as the case may require. 3687

Sec. 2303.20. Under the circumstances described in sections 3688
2969.21 to 2969.27 of the Revised Code, the clerk of the court of 3689
common pleas shall charge the fees and perform the other duties 3690
specified in those sections. In all other cases, the clerk ~~shall~~ 3691
may request the court to establish by rule and charge the 3692
following fees and no more for the services listed in divisions 3693
(A) through (Z) of this section. The fees cannot exceed the 3694
following amounts: 3695

(A) ~~Twenty-five~~ Fifty dollars for each cause of action which 3696
shall include the following: 3697

(1) Docketing in all dockets; 3698

(2) Filing necessary documents, noting the filing of the 3699
documents, except subpoena, on the dockets; 3700

(3) Issuing certificate of deposit in foreign writs; 3701

(4) Indexing pending suits and living judgments; 3702

(5) Noting on appearance docket all papers mailed; 3703

(6) Certificate for attorney's fee; 3704

| | |
|---|----------------------|
| (7) Certificate for stenographer's fee; | 3705 |
| (8) Preparing cost bill; | 3706 |
| (9) Entering on indictment any plea; | 3707 |
| (10) Entering costs on docket and cash book. | 3708 |
| (B) Two dollars for taking each undertaking, bond, or recognizance; | 3709 3710 |
| (C) Two dollars for issuing each writ, order, or notice, except subpoena; | 3711 3712 |
| (D) Two dollars for each name for issuing subpoena, swearing witness, entering attendance, and certifying fees; | 3713 3714 |
| (E) Twenty-five <u>Fifty</u> dollars for calling a jury in each cause; | 3715 3716 |
| (F) Two dollars for each page, for entering on journal, indexing, and posting on any docket; | 3717 3718 |
| (G) Three dollars for each execution or transcript of judgment, including indexing; | 3719 3720 |
| (H) One dollar for each page, for making complete record, including indexing; | 3721 3722 |
| (I) Five <u>Ten</u> dollars for certifying a plat recorded in the county recorder's office; | 3723 3724 |
| (J) Five <u>Ten</u> dollars for issuing certificate to receiver or order of reference with oath; | 3725 3726 |
| (K) Five <u>Ten</u> dollars for entering satisfaction or partial satisfaction of each lien on record in the county recorder's office, and the clerk of courts' office; | 3727 3728 3729 |
| (L) One-dollar <u>Two dollars</u> for each certificate of fact under seal of the court, to be paid by the party demanding it; | 3730 3731 |
| (M) One-dollar <u>Two dollars</u> for taking each affidavit, | 3732 |

| | |
|--|--|
| including certificate and seal; | 3733 |
| (N) Two dollars for acknowledging all instruments in writing; | 3734 |
| (O) Five <u>Ten</u> dollars for making certificate of judgment; | 3735 |
| (P) Ten <u>Twenty</u> dollars for filing, docketing, and endorsing a certificate of judgment, including the indexing and noting the return of the certificate; | 3736 3737 3738 |
| (Q) Twenty-five <u>Fifty</u> dollars for each cause of action for each judgment by confession, including all docketing, indexing, and entries on the journal; | 3739 3740 3741 |
| (R) Five <u>Ten</u> dollars for recording commission of mayor or notary public; | 3742 3743 |
| (S) One dollar for issuing any license except the licenses issued pursuant to sections 1533.101, 1533.11, 1533.13, and 1533.32 of the Revised Code; | 3744 3745 3746 |
| (T) Fifteen <u>Twenty-five</u> dollars for docketing and indexing each aid in execution or petition to vacate, revive, or modify judgment, including the filing and noting of all necessary documents; | 3747 3748 3749 3750 |
| (U) Twenty-five <u>Fifty</u> dollars for docketing and indexing each appeal, including the filing and noting of all necessary documents; | 3751 3752 3753 |
| (V) A commission of two per cent on the first ten thousand dollars and one per cent on all exceeding ten thousand dollars for receiving and disbursing money, other than costs and fees, paid to or deposited with the clerk of courts in pursuance of an order of court or on judgments, including moneys invested by order of the court and interest earned on them; | 3754 3755 3756 3757 3758 3759 |
| (W) Five <u>Ten</u> dollars for numbering, docketing, indexing, and filing each authenticated or certified copy of the record, or any portion of an authenticated or certified copy of the record, of an | 3760 3761 3762 |

extra county action or proceeding; 3763

(X) ~~Two~~ Five dollars for each certificate of divorce, 3764
annulment, or dissolution of marriage to the bureau of vital 3765
statistics; 3766

(Y) Two dollars for each electronic transmission of a 3767
document, plus one dollar for each page of that document. These 3768
fees are to be paid by the party requesting the electronic 3769
transmission. 3770

(Z) One dollar for each page, for copies of pleadings, 3771
process, record, or files, including certificate and seal. 3772

Sec. 2303.201. (A)(1) The court of common pleas of any county 3773
may determine that for the efficient operation of the court 3774
additional funds are required to computerize the court, to make 3775
available computerized legal research services, or to do both. 3776
Upon making a determination that additional funds are required for 3777
either or both of those purposes, the court shall establish by 3778
rule and authorize and direct the clerk of the court of common 3779
pleas to charge one additional fee, not to exceed ~~three~~ six 3780
dollars, on the filing of each cause of action or appeal under 3781
divisions (A), (Q), and (U) of section 2303.20 of the Revised 3782
Code. Not less than thirty days before adopting a rule under this 3783
division, the clerk shall publish a notice in a newspaper of 3784
general circulation in the county in which the court of common 3785
pleas is located setting forth the proposed rule. 3786

(2) All fees collected under division (A)(1) of this section 3787
shall be paid to the county treasurer. The treasurer shall place 3788
the funds from the fees in a separate fund to be disbursed, upon 3789
an order of the court, in an amount not greater than the actual 3790
cost to the court of procuring and maintaining computerization of 3791
the court, computerized legal research services, or both. 3792

(3) If the court determines that the funds in the fund 3793
described in division (A)(2) of this section are more than 3794
sufficient to satisfy the purpose for which the additional fee 3795
described in division (A)(1) of this section was imposed, the 3796
court may declare a surplus in the fund and expend those surplus 3797
funds for other appropriate technological expenses of the court. 3798

(B)(1) The court of common pleas of any county may determine 3799
that, for the efficient operation of the court, additional funds 3800
are required to make technological advances and to computerize the 3801
office of the clerk of the court of common pleas and, upon that 3802
determination, may establish by rule and authorize and direct the 3803
clerk of the court of common pleas to charge an additional fee, 3804
not to exceed ~~ten~~ twenty dollars, on the filing of each cause of 3805
action or appeal, on the filing, docketing, and endorsing of each 3806
certificate of judgment, or on the docketing and indexing of each 3807
aid in execution or petition to vacate, revive, or modify a 3808
judgment under divisions (A), (P), (Q), (T), and (U) of section 3809
2303.20 of the Revised Code; an additional fee not to exceed one 3810
dollar for each undertaking, bond, or recognizance; one dollar for 3811
issuing each writ, order, or notice, except subpoena; an 3812
additional fee not to exceed one dollar for each name for issuing 3813
subpoena, swearing witness, entering attendance, and certifying 3814
fees; an additional fee not to exceed one dollar for each page, 3815
for entering on journal, indexing, and posting on any docket; an 3816
additional fee not to exceed one dollar for each page for making 3817
complete record, including indexing; and an additional fee not to 3818
exceed one dollar for each certificate of fact under seal of the 3819
court, under divisions (B), (C), (D), (F), and (H) of section 3820
2303.20 of the Revised Code. Not less than thirty days before 3821
adopting a rule under this division, the clerk shall publish a 3822
notice in a newspaper of general circulation in the county in 3823
which the court of common pleas is located setting forth the 3824
proposed rule. Subject to division (B)(2) of this section, all 3825

moneys collected under division (B)(1) of this section shall be 3826
paid to the county treasurer to be disbursed, upon an order of the 3827
court of common pleas and subject to appropriation by the board of 3828
county commissioners, in an amount no greater than the actual cost 3829
to the court of procuring and maintaining technology and computer 3830
systems for the office of the clerk of the court of common pleas. 3831

(2) If the court of common pleas of a county makes the 3832
determination described in division (B)(1) of this section, the 3833
board of county commissioners of that county may issue one or more 3834
general obligation bonds for the purpose of procuring and 3835
maintaining the computer systems for the office of the clerk of 3836
the court of common pleas. In addition to the purposes stated in 3837
division (B)(1) of this section for which the moneys collected 3838
under that division may be expended, the moneys additionally may 3839
be expended to pay debt charges on and financing costs related to 3840
any general obligation bonds issued pursuant to division (B)(2) of 3841
this section as they become due. General obligation bonds issued 3842
pursuant to division (B)(2) of this section are Chapter 133. 3843
securities. 3844

(C) The court of common pleas shall collect the sum of 3845
~~twenty-six~~ thirty-one dollars as additional filing fees in each 3846
new civil action or proceeding for the charitable public purpose 3847
of providing financial assistance to legal aid societies that 3848
operate within the state and to support the office of the state 3849
public defender. This division does not apply to a domestic 3850
relations division of a court of common pleas, except that the 3851
additional filing fee shall apply to proceedings concerning 3852
annulments, dissolutions of marriage, divorces, and legal 3853
separation, ~~spousal support, marital property or separate property~~ 3854
~~distribution, support, or other domestic relations matters;~~ to a 3855
juvenile division of a court of common pleas; to a probate 3856
division of a court of common pleas, except that the additional 3857

filing fees shall apply to name change, guardianship, adoption, 3858
and full administration of decedents' estate proceedings; or to an 3859
execution on a judgment, proceeding in aid of execution, or other 3860
post-judgment proceeding arising out of a civil action. The filing 3861
fees required to be collected under this division shall be in 3862
addition to any other filing fees imposed in the action or 3863
proceeding and shall be collected at the time of the filing of the 3864
action or proceeding. The court shall not waive the payment of the 3865
additional filing fees in a new civil action or proceeding unless 3866
the court waives the advanced payment of all filing fees in the 3867
action or proceeding. All such moneys collected during a month 3868
except for an amount equal to up to one per cent of those moneys 3869
retained to cover administrative costs shall be transmitted on or 3870
before the twentieth day of the following month by the clerk of 3871
the court to the treasurer of state in a manner prescribed by the 3872
treasurer of state or by the Ohio legal assistance foundation. The 3873
treasurer of state shall deposit ~~four~~ three per cent of the funds 3874
collected under this division to the credit of the civil case 3875
filing fee fund established under section 120.07 of the Revised 3876
Code and ~~ninety-six~~ ninety-seven per cent of the funds collected 3877
under this division to the credit of the legal aid fund 3878
established under section 120.52 of the Revised Code. 3879

The Ohio legal assistance foundation or any recipient of 3880
financial assistance from the foundation that receives, or 3881
benefits from, any portion of the additional filing fees that are 3882
collected and transmitted under this division shall not bring or 3883
maintain any action for damages against the state or its political 3884
subdivisions, except if the sole amount sought is restitutionary 3885
damages or damages measured by economic loss to one or more 3886
plaintiffs. 3887

The court may retain up to one per cent of the moneys it 3888
collects under this division to cover administrative costs, 3889

including the hiring of any additional personnel necessary to 3890
implement this division. If the court fails to transmit to the 3891
treasurer of state the moneys the court collects under this 3892
division in a manner prescribed by the treasurer of state or by 3893
the Ohio legal assistance foundation, the court shall forfeit the 3894
moneys the court retains under this division to cover 3895
administrative costs, including the hiring of any additional 3896
personnel necessary to implement this division, and shall transmit 3897
to the treasurer of state all moneys collected under this 3898
division, including the forfeited amount retained for 3899
administrative costs, for deposit in the legal aid fund. 3900

(D) On and after the thirtieth day after December 9, 1994, 3901
the court of common pleas shall collect the sum of thirty-two 3902
dollars as additional filing fees in each new action or proceeding 3903
for annulment, divorce, or dissolution of marriage for the purpose 3904
of funding shelters for victims of domestic violence pursuant to 3905
sections 3113.35 to 3113.39 of the Revised Code. The filing fees 3906
required to be collected under this division shall be in addition 3907
to any other filing fees imposed in the action or proceeding and 3908
shall be collected at the time of the filing of the action or 3909
proceeding. The court shall not waive the payment of the 3910
additional filing fees in a new action or proceeding for 3911
annulment, divorce, or dissolution of marriage unless the court 3912
waives the advanced payment of all filing fees in the action or 3913
proceeding. On or before the twentieth day of each month, all 3914
moneys collected during the immediately preceding month pursuant 3915
to this division shall be deposited by the clerk of the court into 3916
the county treasury in the special fund used for deposit of 3917
additional marriage license fees as described in section 3113.34 3918
of the Revised Code. Upon their deposit into the fund, the moneys 3919
shall be retained in the fund and expended only as described in 3920
section 3113.34 of the Revised Code. 3921

(E)(1) The court of common pleas may determine that, for the efficient operation of the court, additional funds are necessary to acquire and pay for special projects of the court, including, but not limited to, the acquisition of additional facilities or the rehabilitation of existing facilities, the acquisition of equipment, the hiring and training of staff, community service programs, mediation or dispute resolution services, the employment of magistrates, the training and education of judges, acting judges, and magistrates, and other related services. Upon that determination, the court by rule may charge a fee, in addition to all other court costs, on the filing of each criminal cause, civil action or proceeding, or judgment by confession.

If the court of common pleas offers a special program or service in cases of a specific type, the court by rule may assess an additional charge in a case of that type, over and above court costs, to cover the special program or service. The court shall adjust the special assessment periodically, but not retroactively, so that the amount assessed in those cases does not exceed the actual cost of providing the service or program.

All moneys collected under division (E) of this section shall be paid to the county treasurer for deposit into either a general special projects fund or a fund established for a specific special project. Moneys from a fund of that nature shall be disbursed upon an order of the court in an amount no greater than the actual cost to the court of a project. If a specific fund is terminated because of the discontinuance of a program or service established under division (E) of this section, the court may order that moneys remaining in the fund be transferred to an account established under this division for a similar purpose.

(2) As used in division (E) of this section:

(a) "Criminal cause" means a charge alleging the violation of a statute or ordinance, or subsection of a statute or ordinance,

that requires a separate finding of fact or a separate plea before 3954
disposition and of which the defendant may be found guilty, 3955
whether filed as part of a multiple charge on a single summons, 3956
citation, or complaint or as a separate charge on a single 3957
summons, citation, or complaint. "Criminal cause" does not include 3958
separate violations of the same statute or ordinance, or 3959
subsection of the same statute or ordinance, unless each charge is 3960
filed on a separate summons, citation, or complaint. 3961

(b) "Civil action or proceeding" means any civil litigation 3962
that must be determined by judgment entry. 3963

Sec. 2303.202. Not less than thirty days before adopting a 3964
rule under section 2303.20 of the Revised Code, the clerk shall 3965
publish a notice in a newspaper of general circulation in the 3966
county in which the court of common pleas is located setting forth 3967
the proposed rule. 3968

Sec. 2329.07. (A)(1) If neither execution on a judgment 3969
rendered in a court of record or certified to the clerk of the 3970
court of common pleas in the county in which the judgment was 3971
rendered is issued, nor a certificate of judgment for obtaining a 3972
lien upon lands and tenements is issued and filed, as provided in 3973
sections 2329.02 and 2329.04 of the Revised Code, within five 3974
years from the date of the judgment or within five years from the 3975
date of the issuance of the last execution thereon or the issuance 3976
and filing of the last such certificate, whichever is later, then, 3977
unless the judgment is in favor of the state, the judgment shall 3978
be dormant and shall not operate as a lien upon the estate of the 3979
judgment debtor. 3980

(2) If the judgment is in favor of the state or, pursuant to 3981
section 2335.19 of the Revised Code, to any court or clerk of a 3982
court, the judgment shall not become dormant and shall not cease 3983

to operate as a lien against the estate of the judgment debtor 3984
provided that either execution on the judgment is issued or a 3985
certificate of judgment is issued and filed, as provided in 3986
sections 2329.02 and 2329.04 of the Revised Code, within ten years 3987
from the date of the judgment or within fifteen years from the 3988
date of the issuance of the last execution thereon or the issuance 3989
and filing of the last such certificate, whichever is later, 3990
except as otherwise provided in division (C) of this section. The 3991
fifteen-year limitation period applies to executions issued and 3992
certificates of judgments issued and filed before, on, or after 3993
the effective date of the amendment of this section by 3994
H.B. 699 of the 126th general assembly, March 29, 2007. 3995

(B) If, in any county other than that in which a judgment was 3996
rendered, the judgment has become a lien by reason of the filing, 3997
in the office of the clerk of the court of common pleas of that 3998
county, of a certificate of the judgment as provided in sections 3999
2329.02 and 2329.04 of the Revised Code, and if no execution is 4000
issued for the enforcement of the judgment within that county, or 4001
no further certificate of the judgment is filed in that county, 4002
within five years or, if the judgment is in favor of the state, 4003
within fifteen years from the date of issuance of the last 4004
execution for the enforcement of the judgment within that county 4005
or the date of filing of the last certificate in that county, 4006
whichever is the later, then the judgment shall cease to operate 4007
as a lien upon lands and tenements of the judgment debtor within 4008
that county, except as otherwise provided in division (C) of this 4009
section. The fifteen-year limitation period applies to executions 4010
issued and certificates of judgments issued and filed before, on, 4011
or after the effective date of the amendment of this section by 4012
H.B. 699 of the 126th general assembly, March 29, 2007. 4013

(C)(1) As used in division (C) of this section, "interim 4014
period" means the period beginning September 26, 2003, and ending 4015

September 27, 2006. 4016

(2) Division (C) of this section applies only to judgments in 4017
favor of the state that are subject to this section and to which 4018
both of the following apply: 4019

(a) The first issuance of execution on the judgment, or the 4020
first issuance and filing of the certificate of judgment, was 4021
issued or issued and filed within the ten-year period provided in 4022
this section before the beginning of the interim period; 4023

(b) Subsequent issuance of execution on the judgment or 4024
subsequent issuance and filing of the certificate of judgment 4025
would have been required during the interim period in order to 4026
keep the lien from becoming dormant under this section as this 4027
section existed on September 25, 2003, and as if this section as 4028
it existed on that date had been in effect during the interim 4029
period. 4030

(3) Such a judgment shall not become dormant and shall not 4031
cease to operate as a lien against the estate of the judgment 4032
debtor if either execution on the judgment is issued or a 4033
certificate of judgment is issued and filed, as provided in 4034
sections 2329.02 and 2329.04 of the Revised Code, within fifteen 4035
years after the expiration of the ten-year period following 4036
issuance of the last execution on the judgment or following the 4037
issuance and filing of the last such certificate, whichever is 4038
later. 4039

(4) The clerk of the court shall periodically review 4040
judgments to any court or clerk of a court pursuant to division 4041
(A)(2) of this section and pursuant to section 2335.19 of the 4042
Revised Code and may report to the issuing judge or successor that 4043
all or a portion of the judgment amount is uncollectable. Based on 4044
that report, the judge may waive all of the costs or any portion 4045
of the costs previously ordered and modify or terminate the 4046

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| <u>judgment.</u> | 4047 |
| Sec. 2743.191. (A)(1) There is hereby created in the state | 4048 |
| treasury the reparations fund, which shall be used only for the | 4049 |
| following purposes: | 4050 |
| (a) The payment of awards of reparations that are granted by | 4051 |
| the attorney general; | 4052 |
| (b) The compensation of any personnel needed by the attorney | 4053 |
| general to administer sections 2743.51 to 2743.72 of the Revised | 4054 |
| Code; | 4055 |
| (c) The compensation of witnesses as provided in division (J) | 4056 |
| of section 2743.65 of the Revised Code; | 4057 |
| (d) Other administrative costs of hearing and determining | 4058 |
| claims for an award of reparations by the attorney general; | 4059 |
| (e) The costs of administering sections 2907.28 and 2969.01 | 4060 |
| to 2969.06 of the Revised Code; | 4061 |
| (f) The costs of investigation and decision-making as | 4062 |
| certified by the attorney general; | 4063 |
| (g) The provision of state financial assistance to victim | 4064 |
| assistance programs in accordance with sections 109.91 and 109.92 | 4065 |
| of the Revised Code; | 4066 |
| (h) The costs of paying the expenses of sex offense-related | 4067 |
| examinations and antibiotics pursuant to section 2907.28 of the | 4068 |
| Revised Code; | 4069 |
| (i) The cost of printing and distributing the pamphlet | 4070 |
| prepared by the attorney general pursuant to section 109.42 of the | 4071 |
| Revised Code; | 4072 |
| (j) Subject to division (D) of section 2743.71 of the Revised | 4073 |
| Code, the costs associated with the printing and providing of | 4074 |
| information cards or other printed materials to law enforcement | 4075 |

agencies and prosecuting authorities and with publicizing the 4076
availability of awards of reparations pursuant to section 2743.71 4077
of the Revised Code; 4078

(k) The payment of costs of administering a DNA specimen 4079
collection procedure pursuant to sections 2152.74 and 2901.07 of 4080
the Revised Code, of performing DNA analysis of those DNA 4081
specimens, and of entering the resulting DNA records regarding 4082
those analyses into the DNA database pursuant to section 109.573 4083
of the Revised Code; 4084

(l) The payment of actual costs associated with initiatives 4085
by the attorney general for the apprehension, prosecution, and 4086
accountability of offenders, and the enhancing of services to 4087
crime victims. The amount of payments made pursuant to division 4088
(A)(1)(1) of this section during any given fiscal year shall not 4089
exceed five per cent of the balance of the reparations fund at the 4090
close of the immediately previous fiscal year; 4091

(m) The costs of administering the adult parole authority's 4092
supervision pursuant to division (E) of section 2971.05 of the 4093
Revised Code of sexually violent predators who are sentenced to a 4094
prison term pursuant to division (A)(3) of section 2971.03 of the 4095
Revised Code and of offenders who are sentenced to a prison term 4096
pursuant to division (B)(1)(a), (b), or (c), (B)(2)(a), (b), or 4097
(c), or (B)(3)(a), (b), (c), or (d) of that section; 4098

(n) The Subject to the limit set forth in those sections, the 4099
costs of the installation and monitoring of an electronic 4100
monitoring device used in the monitoring of a respondent pursuant 4101
to an electronic monitoring order issued by a court under division 4102
(E)(1)(b) of section 2151.34 or division (E)(1)(b) of section 4103
2903.214 of the Revised Code if the court determines that the 4104
respondent is indigent or used in the monitoring of an offender 4105
pursuant to an electronic monitoring order issued under division 4106
(B)(5) of section 2919.27 of the Revised Code if the court 4107

determines that the offender is indigent. 4108

(2) All costs paid pursuant to section 2743.70 of the Revised Code, the portions of license reinstatement fees mandated by division (F)(2)(b) of section 4511.191 of the Revised Code to be credited to the fund, the portions of the proceeds of the sale of a forfeited vehicle specified in division (C)(2) of section 4503.234 of the Revised Code, payments collected by the department of rehabilitation and correction from prisoners who voluntarily participate in an approved work and training program pursuant to division (C)(8)(b)(ii) of section 5145.16 of the Revised Code, and all moneys collected by the state pursuant to its right of subrogation provided in section 2743.72 of the Revised Code shall be deposited in the fund. 4109
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(B) In making an award of reparations, the attorney general shall render the award against the state. The award shall be accomplished only through the following procedure, and the following procedure may be enforced by writ of mandamus directed to the appropriate official: 4121
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(1) The attorney general shall provide for payment of the claimant or providers in the amount of the award only if the amount of the award is fifty dollars or more. 4126
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(2) The expense shall be charged against all available unencumbered moneys in the fund. 4129
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(3) If sufficient unencumbered moneys do not exist in the fund, the attorney general shall make application for payment of the award out of the emergency purposes account or any other appropriation for emergencies or contingencies, and payment out of this account or other appropriation shall be authorized if there are sufficient moneys greater than the sum total of then pending emergency purposes account requests or requests for releases from the other appropriations. 4131
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(4) If sufficient moneys do not exist in the account or any other appropriation for emergencies or contingencies to pay the award, the attorney general shall request the general assembly to make an appropriation sufficient to pay the award, and no payment shall be made until the appropriation has been made. The attorney general shall make this appropriation request during the current biennium and during each succeeding biennium until a sufficient appropriation is made. If, prior to the time that an appropriation is made by the general assembly pursuant to this division, the fund has sufficient unencumbered funds to pay the award or part of the award, the available funds shall be used to pay the award or part of the award, and the appropriation request shall be amended to request only sufficient funds to pay that part of the award that is unpaid.

(C) The attorney general shall not make payment on a decision or order granting an award until all appeals have been determined and all rights to appeal exhausted, except as otherwise provided in this section. If any party to a claim for an award of reparations appeals from only a portion of an award, and a remaining portion provides for the payment of money by the state, that part of the award calling for the payment of money by the state and not a subject of the appeal shall be processed for payment as described in this section.

(D) The attorney general shall prepare itemized bills for the costs of printing and distributing the pamphlet the attorney general prepares pursuant to section 109.42 of the Revised Code. The itemized bills shall set forth the name and address of the persons owed the amounts set forth in them.

(E) As used in this section, "DNA analysis" and "DNA specimen" have the same meanings as in section 109.573 of the Revised Code.

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| Sec. 2903.214. (A) As used in this section: | 4170 |
| (1) "Court" means the court of common pleas of the county in which the person to be protected by the protection order resides. | 4171 4172 |
| (2) "Victim advocate" means a person who provides support and assistance for a person who files a petition under this section. | 4173 4174 |
| (3) "Family or household member" has the same meaning as in section 3113.31 of the Revised Code. | 4175 4176 |
| (4) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code. | 4177 4178 |
| (5) "Sexually oriented offense" has the same meaning as in section 2950.01 of the Revised Code. | 4179 4180 |
| (6) "Electronic monitoring" has the same meaning as in section 2929.01 of the Revised Code. | 4181 4182 |
| (B) The court has jurisdiction over all proceedings under this section. | 4183 4184 |
| (C) A person may seek relief under this section for the person, or any parent or adult household member may seek relief under this section on behalf of any other family or household member, by filing a petition with the court. The petition shall contain or state all of the following: | 4185 4186 4187 4188 4189 |
| (1) An allegation that the respondent <u>is eighteen years of age or older and</u> engaged in a violation of section 2903.211 of the Revised Code against the person to be protected by the protection order or committed a sexually oriented offense against the person to be protected by the protection order, including a description of the nature and extent of the violation; | 4190 4191 4192 4193 4194 4195 |
| (2) If the petitioner seeks relief in the form of electronic monitoring of the respondent, an allegation that at any time preceding the filing of the petition the respondent engaged in | 4196 4197 4198 |

conduct that would cause a reasonable person to believe that the health, welfare, or safety of the person to be protected was at risk, a description of the nature and extent of that conduct, and an allegation that the respondent presents a continuing danger to the person to be protected;

(3) A request for relief under this section.

(D)(1) If a person who files a petition pursuant to this section requests an ex parte order, the court shall hold an ex parte hearing as soon as possible after the petition is filed, but not later than the next day that the court is in session after the petition is filed. The court, for good cause shown at the ex parte hearing, may enter any temporary orders, with or without bond, that the court finds necessary for the safety and protection of the person to be protected by the order. Immediate and present danger to the person to be protected by the protection order constitutes good cause for purposes of this section. Immediate and present danger includes, but is not limited to, situations in which the respondent has threatened the person to be protected by the protection order with bodily harm or in which the respondent previously has been convicted of or pleaded guilty to a violation of section 2903.211 of the Revised Code or a sexually oriented offense against the person to be protected by the protection order.

(2)(a) If the court, after an ex parte hearing, issues a protection order described in division (E) of this section, the court shall schedule a full hearing for a date that is within ten court days after the ex parte hearing. The court shall give the respondent notice of, and an opportunity to be heard at, the full hearing. The court shall hold the full hearing on the date scheduled under this division unless the court grants a continuance of the hearing in accordance with this division. Under any of the following circumstances or for any of the following

reasons, the court may grant a continuance of the full hearing to 4231
a reasonable time determined by the court: 4232

(i) Prior to the date scheduled for the full hearing under 4233
this division, the respondent has not been served with the 4234
petition filed pursuant to this section and notice of the full 4235
hearing. 4236

(ii) The parties consent to the continuance. 4237

(iii) The continuance is needed to allow a party to obtain 4238
counsel. 4239

(iv) The continuance is needed for other good cause. 4240

(b) An ex parte order issued under this section does not 4241
expire because of a failure to serve notice of the full hearing 4242
upon the respondent before the date set for the full hearing under 4243
division (D)(2)(a) of this section or because the court grants a 4244
continuance under that division. 4245

(3) If a person who files a petition pursuant to this section 4246
does not request an ex parte order, or if a person requests an ex 4247
parte order but the court does not issue an ex parte order after 4248
an ex parte hearing, the court shall proceed as in a normal civil 4249
action and grant a full hearing on the matter. 4250

(E)(1)(a) After an ex parte or full hearing, the court may 4251
issue any protection order, with or without bond, that contains 4252
terms designed to ensure the safety and protection of the person 4253
to be protected by the protection order, including, but not 4254
limited to, a requirement that the respondent refrain from 4255
entering the residence, school, business, or place of employment 4256
of the petitioner or family or household member. If the court 4257
includes a requirement that the respondent refrain from entering 4258
the residence, school, business, or place of employment of the 4259
petitioner or family or household member in the order, it also 4260
shall include in the order provisions of the type described in 4261

division (E)(5) of this section. 4262

(b) After a full hearing, if the court considering a petition 4263
that includes an allegation of the type described in division 4264
(C)(2) of this section, or the court upon its own motion, finds 4265
upon clear and convincing evidence that the petitioner reasonably 4266
believed that the respondent's conduct at any time preceding the 4267
filing of the petition endangered the health, welfare, or safety 4268
of the person to be protected and that the respondent presents a 4269
continuing danger to the person to be protected, the court may 4270
order that the respondent be electronically monitored for a period 4271
of time and under the terms and conditions that the court 4272
determines are appropriate. Electronic monitoring shall be in 4273
addition to any other relief granted to the petitioner. 4274

(2)(a) Any protection order issued pursuant to this section 4275
shall be valid until a date certain but not later than five years 4276
from the date of its issuance. 4277

(b) Any protection order issued pursuant to this section may 4278
be renewed in the same manner as the original order was issued. 4279

(3) A court may not issue a protection order that requires a 4280
petitioner to do or to refrain from doing an act that the court 4281
may require a respondent to do or to refrain from doing under 4282
division (E)(1) of this section unless all of the following apply: 4283

(a) The respondent files a separate petition for a protection 4284
order in accordance with this section. 4285

(b) The petitioner is served with notice of the respondent's 4286
petition at least forty-eight hours before the court holds a 4287
hearing with respect to the respondent's petition, or the 4288
petitioner waives the right to receive this notice. 4289

(c) If the petitioner has requested an ex parte order 4290
pursuant to division (D) of this section, the court does not delay 4291
any hearing required by that division beyond the time specified in 4292

that division in order to consolidate the hearing with a hearing 4293
on the petition filed by the respondent. 4294

(d) After a full hearing at which the respondent presents 4295
evidence in support of the request for a protection order and the 4296
petitioner is afforded an opportunity to defend against that 4297
evidence, the court determines that the petitioner has committed a 4298
violation of section 2903.211 of the Revised Code against the 4299
person to be protected by the protection order issued pursuant to 4300
division (E)(3) of this section, has committed a sexually oriented 4301
offense against the person to be protected by the protection order 4302
issued pursuant to division (E)(3) of this section, or has 4303
violated a protection order issued pursuant to section 2903.213 of 4304
the Revised Code relative to the person to be protected by the 4305
protection order issued pursuant to division (E)(3) of this 4306
section. 4307

(4) No protection order issued pursuant to this section shall 4308
in any manner affect title to any real property. 4309

(5)(a) If the court issues a protection order under this 4310
section that includes a requirement that the alleged offender 4311
refrain from entering the residence, school, business, or place of 4312
employment of the petitioner or a family or household member, the 4313
order shall clearly state that the order cannot be waived or 4314
nullified by an invitation to the alleged offender from the 4315
complainant to enter the residence, school, business, or place of 4316
employment or by the alleged offender's entry into one of those 4317
places otherwise upon the consent of the petitioner or family or 4318
household member. 4319

(b) Division (E)(5)(a) of this section does not limit any 4320
discretion of a court to determine that an alleged offender 4321
charged with a violation of section 2919.27 of the Revised Code, 4322
with a violation of a municipal ordinance substantially equivalent 4323
to that section, or with contempt of court, which charge is based 4324

on an alleged violation of a protection order issued under this 4325
section, did not commit the violation or was not in contempt of 4326
court. 4327

(F)(1) The court shall cause the delivery of a copy of any 4328
protection order that is issued under this section to the 4329
petitioner, to the respondent, and to all law enforcement agencies 4330
that have jurisdiction to enforce the order. The court shall 4331
direct that a copy of the order be delivered to the respondent on 4332
the same day that the order is entered. 4333

(2) Upon the issuance of a protection order under this 4334
section, the court shall provide the parties to the order with the 4335
following notice orally or by form: 4336

"NOTICE 4337

As a result of this order, it may be unlawful for you to 4338
possess or purchase a firearm, including a rifle, pistol, or 4339
revolver, or ammunition pursuant to federal law under 18 U.S.C. 4340
922(g)(8). If you have any questions whether this law makes it 4341
illegal for you to possess or purchase a firearm or ammunition, 4342
you should consult an attorney." 4343

(3) All law enforcement agencies shall establish and maintain 4344
an index for the protection orders delivered to the agencies 4345
pursuant to division (F)(1) of this section. With respect to each 4346
order delivered, each agency shall note on the index the date and 4347
time that it received the order. 4348

(4) Regardless of whether the petitioner has registered the 4349
protection order in the county in which the officer's agency has 4350
jurisdiction pursuant to division (M) of this section, any officer 4351
of a law enforcement agency shall enforce a protection order 4352
issued pursuant to this section by any court in this state in 4353
accordance with the provisions of the order, including removing 4354
the respondent from the premises, if appropriate. 4355

(G) Any proceeding under this section shall be conducted in accordance with the Rules of Civil Procedure, except that a protection order may be obtained under this section with or without bond. An order issued under this section, other than an ex parte order, that grants a protection order, or that refuses to grant a protection order, is a final, appealable order. The remedies and procedures provided in this section are in addition to, and not in lieu of, any other available civil or criminal remedies.

(H) The filing of proceedings under this section does not excuse a person from filing any report or giving any notice required by section 2151.421 of the Revised Code or by any other law.

(I) Any law enforcement agency that investigates an alleged violation of section 2903.211 of the Revised Code or an alleged commission of a sexually oriented offense shall provide information to the victim and the family or household members of the victim regarding the relief available under this section and section 2903.213 of the Revised Code.

(J) Notwithstanding any provision of law to the contrary and regardless of whether a protection order is issued or a consent agreement is approved by a court of another county or by a court of another state, no court or unit of state or local government shall charge any fee, cost, deposit, or money in connection with the filing of a petition pursuant to this section, in connection with the filing, issuance, registration, or service of a protection order or consent agreement, or for obtaining a certified copy of a protection order or consent agreement.

(K)(1) A person who violates a protection order issued under this section is subject to the following sanctions:

(a) Criminal prosecution for a violation of section 2919.27

of the Revised Code, if the violation of the protection order 4387
constitutes a violation of that section; 4388

(b) Punishment for contempt of court. 4389

(2) The punishment of a person for contempt of court for 4390
violation of a protection order issued under this section does not 4391
bar criminal prosecution of the person for a violation of section 4392
2919.27 of the Revised Code. However, a person punished for 4393
contempt of court is entitled to credit for the punishment imposed 4394
upon conviction of a violation of that section, and a person 4395
convicted of a violation of that section shall not subsequently be 4396
punished for contempt of court arising out of the same activity. 4397

(L) In all stages of a proceeding under this section, a 4398
petitioner may be accompanied by a victim advocate. 4399

(M)(1) A petitioner who obtains a protection order under this 4400
section or a protection order under section 2903.213 of the 4401
Revised Code may provide notice of the issuance or approval of the 4402
order to the judicial and law enforcement officials in any county 4403
other than the county in which the order is issued by registering 4404
that order in the other county pursuant to division (M)(2) of this 4405
section and filing a copy of the registered order with a law 4406
enforcement agency in the other county in accordance with that 4407
division. A person who obtains a protection order issued by a 4408
court of another state may provide notice of the issuance of the 4409
order to the judicial and law enforcement officials in any county 4410
of this state by registering the order in that county pursuant to 4411
section 2919.272 of the Revised Code and filing a copy of the 4412
registered order with a law enforcement agency in that county. 4413

(2) A petitioner may register a protection order issued 4414
pursuant to this section or section 2903.213 of the Revised Code 4415
in a county other than the county in which the court that issued 4416
the order is located in the following manner: 4417

(a) The petitioner shall obtain a certified copy of the order 4418
from the clerk of the court that issued the order and present that 4419
certified copy to the clerk of the court of common pleas or the 4420
clerk of a municipal court or county court in the county in which 4421
the order is to be registered. 4422

(b) Upon accepting the certified copy of the order for 4423
registration, the clerk of the court of common pleas, municipal 4424
court, or county court shall place an endorsement of registration 4425
on the order and give the petitioner a copy of the order that 4426
bears that proof of registration. 4427

(3) The clerk of each court of common pleas, municipal court, 4428
or county court shall maintain a registry of certified copies of 4429
protection orders that have been issued by courts in other 4430
counties pursuant to this section or section 2903.213 of the 4431
Revised Code and that have been registered with the clerk. 4432

(N)(1) If the court orders electronic monitoring of the 4433
respondent under this section, the court shall direct the 4434
sheriff's office or any other appropriate law enforcement agency 4435
to install the electronic monitoring device and to monitor the 4436
respondent. Unless the court determines that the respondent is 4437
indigent, the court shall order the respondent to pay the cost of 4438
the installation and monitoring of the electronic monitoring 4439
device. If the court determines that the respondent is indigent 4440
and subject to the maximum amount allowable to be paid in any year 4441
from the fund and the rules promulgated by the attorney general 4442
under division (N)(2) of this section, the cost of the 4443
installation and monitoring of the electronic monitoring device 4444
may be paid out of funds from the reparations fund created 4445
pursuant to section 2743.191 of the Revised Code. The total amount 4446
of costs for the installation and monitoring of electronic 4447
monitoring devices paid pursuant to this division and sections 4448
2151.34 and 2919.27 of the Revised Code from the reparations fund 4449

shall not exceed three hundred thousand dollars per year. ~~The~~ 4450

(2) The attorney general may promulgate rules pursuant to 4451
section 111.15 of the Revised Code to govern payments made from 4452
the reparations fund pursuant to this division and sections 4453
2151.34 and 2919.27 of the Revised Code. The rules may include 4454
reasonable limits on the total cost paid pursuant to this division 4455
and sections 2151.34 and 2919.27 of the Revised Code per 4456
respondent, the amount of the three hundred thousand dollars 4457
allocated to each county, and how invoices may be submitted by a 4458
county, court, or other entity. 4459

Sec. 2913.04. (A) No person shall knowingly use or operate 4460
the property of another without the consent of the owner or person 4461
authorized to give consent. 4462

(B) No person, in any manner and by any means, including, but 4463
not limited to, computer hacking, shall knowingly gain access to, 4464
attempt to gain access to, or cause access to be gained to any 4465
computer, computer system, computer network, cable service, cable 4466
system, telecommunications device, telecommunications service, or 4467
information service without the consent of, or beyond the scope of 4468
the express or implied consent of, the owner of the computer, 4469
computer system, computer network, cable service, cable system, 4470
telecommunications device, telecommunications service, or 4471
information service or other person authorized to give consent. 4472

(C) No person shall knowingly gain access to, attempt to gain 4473
access to, cause access to be granted to, or disseminate 4474
information gained from access to the law enforcement automated 4475
database system created pursuant to section 5503.10 of the Revised 4476
Code without the consent of, or beyond the scope of the express or 4477
implied consent of, the chair of the law enforcement automated 4478
data system steering committee. 4479

(D) No person shall knowingly gain access to, attempt to gain 4480

access to, cause access to be granted to, or disseminate 4481
information gained from access to the Ohio law enforcement gateway 4482
established and operated pursuant to division (C)(1) of section 4483
109.57 of the Revised Code without the consent of, or beyond the 4484
scope of the express or implied consent of, the superintendent of 4485
the bureau of criminal identification and investigation. 4486

(E) The affirmative defenses contained in division (C) of 4487
section 2913.03 of the Revised Code are affirmative defenses to a 4488
charge under this section. 4489

~~(E)~~(F)(1) Whoever violates division (A) of this section is 4490
guilty of unauthorized use of property. 4491

(2) Except as otherwise provided in division ~~(E)~~(F)(3) or (4) 4492
of this section, unauthorized use of property is a misdemeanor of 4493
the fourth degree. 4494

(3) Except as otherwise provided in division ~~(E)~~(F)(4) of 4495
this section, if unauthorized use of property is committed for the 4496
purpose of devising or executing a scheme to defraud or to obtain 4497
property or services, unauthorized use of property is whichever of 4498
the following is applicable: 4499

(a) Except as otherwise provided in division ~~(E)~~(F)(3)(b), 4500
(c), or (d) of this section, a misdemeanor of the first degree. 4501

(b) If the value of the property or services or the loss to 4502
the victim is five hundred dollars or more and is less than five 4503
thousand dollars, a felony of the fifth degree. 4504

(c) If the value of the property or services or the loss to 4505
the victim is five thousand dollars or more and is less than one 4506
hundred thousand dollars, a felony of the fourth degree. 4507

(d) If the value of the property or services or the loss to 4508
the victim is one hundred thousand dollars or more, a felony of 4509
the third degree. 4510

(4) If the victim of the offense is an elderly person or disabled adult, unauthorized use of property is whichever of the following is applicable:

(a) Except as otherwise provided in division ~~(E)~~(F)(4)(b), (c), or (d) of this section, a felony of the fifth degree;

(b) If the value of the property or services or loss to the victim is five hundred dollars or more and is less than thousand dollars, a felony of the fourth degree;

(c) If the value of the property or services or loss to the victim is five thousand dollars or more and is less than twenty-five thousand dollars, a felony of the third degree;

(d) If the value of the property or services or loss to the victim is twenty-five thousand dollars or more, a felony of the second degree.

~~(F)~~(G)(1) Whoever violates division (B) of this section is guilty of unauthorized use of computer, cable, or telecommunication property, and shall be punished as provided in division ~~(F)~~(G)(2), (3), or (4) of this section.

(2) Except as otherwise provided in division ~~(F)~~(G)(3) or (4) of this section, unauthorized use of computer, cable, or telecommunication property is a felony of the fifth degree.

(3) Except as otherwise provided in division ~~(F)~~(G)(4) of this section, if unauthorized use of computer, cable, or telecommunication property is committed for the purpose of devising or executing a scheme to defraud or to obtain property or services, for obtaining money, property, or services by false or fraudulent pretenses, or for committing any other criminal offense, unauthorized use of computer, cable, or telecommunication property is whichever of the following is applicable:

(a) Except as otherwise provided in division ~~(F)~~(G)(3)(b) of

this section, if the value of the property or services involved or 4541
the loss to the victim is five thousand dollars or more and less 4542
than one hundred thousand dollars, a felony of the fourth degree; 4543

(b) If the value of the property or services involved or the 4544
loss to the victim is one hundred thousand dollars or more, a 4545
felony of the third degree. 4546

(4) If the victim of the offense is an elderly person or 4547
disabled adult, unauthorized use of computer, cable, or 4548
telecommunication property is whichever of the following is 4549
applicable: 4550

(a) Except as otherwise provided in division ~~(F)~~(G)(4)(b), 4551
(c), or (d) of this section, a felony of the fifth degree; 4552

(b) If the value of the property or services or loss to the 4553
victim is five hundred dollars or more and is less than five 4554
thousand dollars, a felony of the fourth degree; 4555

(c) If the value of the property or services or loss to the 4556
victim is five thousand dollars or more and is less than 4557
twenty-five thousand dollars, a felony of the third degree; 4558

(d) If the value of the property or services or loss to the 4559
victim is twenty-five thousand dollars or more, a felony of the 4560
second degree. 4561

~~(G)~~(H) Whoever violates division (C) of this section is 4562
guilty of unauthorized use of the law enforcement automated 4563
database system, a felony of the fifth degree. 4564

~~(H)~~(I) Whoever violates division (D) of this section is 4565
guilty of unauthorized use of the Ohio law enforcement gateway, a 4566
felony of the fifth degree. 4567

(J) As used in this section: 4568

(1) "Cable operator" means any person or group of persons 4569
that does either of the following: 4570

- (a) Provides cable service over a cable system and directly 4571
or through one or more affiliates owns a significant interest in 4572
that cable system; 4573
- (b) Otherwise controls or is responsible for, through any 4574
arrangement, the management and operation of a cable system. 4575
- (2) "Cable service" means any of the following: 4576
- (a) The one-way transmission to subscribers of video 4577
programming or of information that a cable operator makes 4578
available to all subscribers generally; 4579
- (b) Subscriber interaction, if any, that is required for the 4580
selection or use of video programming or of information that a 4581
cable operator makes available to all subscribers generally, both 4582
as described in division ~~(H)~~(J)(2)(a) of this section; 4583
- (c) Any cable television service. 4584
- (3) "Cable system" means any facility, consisting of a set of 4585
closed transmission paths and associated signal generation, 4586
reception, and control equipment that is designed to provide cable 4587
service that includes video programming and that is provided to 4588
multiple subscribers within a community. "Cable system" does not 4589
include any of the following: 4590
- (a) Any facility that serves only to retransmit the 4591
television signals of one or more television broadcast stations; 4592
- (b) Any facility that serves subscribers without using any 4593
public right-of-way; 4594
- (c) Any facility of a common carrier that, under 47 U.S.C.A. 4595
522(7)(c), is excluded from the term "cable system" as defined in 4596
47 U.S.C.A. 522(7); 4597
- (d) Any open video system that complies with 47 U.S.C.A. 573; 4598
- (e) Any facility of any electric utility used solely for 4599
operating its electric utility system. 4600

Sec. 2919.25. (A) No person shall knowingly cause or attempt 4601
to cause physical harm to a family or household member. 4602

(B) No person shall recklessly cause serious physical harm to 4603
a family or household member. 4604

(C) No person, by threat of force, shall knowingly cause a 4605
family or household member to believe that the offender will cause 4606
imminent physical harm to the family or household member. 4607

(D)(1) Whoever violates this section is guilty of domestic 4608
violence, and the court shall sentence the offender as provided in 4609
divisions (D)(2) to (6) of this section. 4610

(2) Except as otherwise provided in division (D)(3) to (5) of 4611
this section, a violation of division (C) of this section is a 4612
misdemeanor of the fourth degree, and a violation of division (A) 4613
or (B) of this section is a misdemeanor of the first degree. 4614

(3) Except as otherwise provided in division (D)(4) of this 4615
section, if the offender previously has pleaded guilty to or been 4616
convicted of domestic violence, a violation of an existing or 4617
former municipal ordinance or law of this or any other state or 4618
the United States that is substantially similar to domestic 4619
violence, a violation of section 2903.14, 2909.06, 2909.07, 4620
2911.12, 2911.211, or 2919.22 of the Revised Code if the victim of 4621
the violation was a family or household member at the time of the 4622
violation, a violation of an existing or former municipal 4623
ordinance or law of this or any other state or the United States 4624
that is substantially similar to any of those sections if the 4625
victim of the violation was a family or household member at the 4626
time of the commission of the violation, or any offense of 4627
violence if the victim of the offense was a family or household 4628
member at the time of the commission of the offense, a violation 4629
of division (A) or (B) of this section is a felony of the fourth 4630
degree, and, if the offender knew that the victim of the violation 4631

was pregnant at the time of the violation, the court shall impose 4632
a mandatory prison term on the offender pursuant to division 4633
(A)(6) of this section, and a violation of division (C) of this 4634
section is a misdemeanor of the second degree. 4635

(4) If the offender previously has pleaded guilty to or been 4636
convicted of two or more offenses of domestic violence or two or 4637
more violations or offenses of the type described in division 4638
(D)(3) of this section involving a person who was a family or 4639
household member at the time of the violations or offenses, a 4640
violation of division (A) or (B) of this section is a felony of 4641
the third degree, and, if the offender knew that the victim of the 4642
violation was pregnant at the time of the violation, the court 4643
shall impose a mandatory prison term on the offender pursuant to 4644
division (A)(6) of this section, and a violation of division (C) 4645
of this section is a misdemeanor of the first degree. 4646

(5) Except as otherwise provided in division (D)(3) or (4) of 4647
this section, if the offender knew that the victim of the 4648
violation was pregnant at the time of the violation, a violation 4649
of division (A) or (B) of this section is a felony of the fifth 4650
degree, and the court shall impose a mandatory prison term on the 4651
offender pursuant to division (A)(6) of this section, and a 4652
violation of division (C) of this section is a misdemeanor of the 4653
third degree. 4654

(6) If division (A)(3), (4), or (5) of this section requires 4655
the court that sentences an offender for a violation of division 4656
(A) or (B) of this section to impose a mandatory prison term on 4657
the offender pursuant to this division, the court shall impose the 4658
mandatory prison term as follows: 4659

(a) If the violation of division (A) or (B) of this section 4660
is a felony of the fourth or fifth degree, except as otherwise 4661
provided in division (A)(6)(b) or (c) of this section, the court 4662
shall impose a mandatory prison term on the offender of at least 4663

six months. 4664

(b) If the violation of division (A) or (B) of this section 4665
is a felony of the fifth degree and the offender, in committing 4666
the violation, caused serious physical harm to the pregnant 4667
woman's unborn or caused the termination of the pregnant woman's 4668
pregnancy, the court shall impose a mandatory prison term on the 4669
offender of twelve months. 4670

(c) If the violation of division (A) or (B) of this section 4671
is a felony of the fourth degree and the offender, in committing 4672
the violation, caused serious physical harm to the pregnant 4673
woman's unborn or caused the termination of the pregnant woman's 4674
pregnancy, the court shall impose a mandatory prison term on the 4675
offender of at least twelve months. 4676

(d) If the violation of division (A) or (B) of this section 4677
is a felony of the third degree, except as otherwise provided in 4678
division (A)(6)(e) of this section and notwithstanding the range 4679
of prison terms prescribed in section 2929.14 of the Revised Code 4680
for a felony of the third degree, the court shall impose a 4681
mandatory prison term on the offender of either a definite term of 4682
six months or one of the prison terms prescribed in section 4683
2929.14 of the Revised Code for felonies of the third degree. 4684

(e) If the violation of division (A) or (B) of this section 4685
is a felony of the third degree and the offender, in committing 4686
the violation, caused serious physical harm to the pregnant 4687
woman's unborn or caused the termination of the pregnant woman's 4688
pregnancy, notwithstanding the range of prison terms prescribed in 4689
section 2929.14 of the Revised Code for a felony of the third 4690
degree, the court shall impose a mandatory prison term on the 4691
offender of either a definite term of one year or one of the 4692
prison terms prescribed in section 2929.14 of the Revised Code for 4693
felonies of the third degree. 4694

(E) Notwithstanding any provision of law to the contrary, no court or unit of state or local government shall charge any fee, cost, deposit, or money in connection with the filing of charges against a person alleging that the person violated this section or a municipal ordinance substantially similar to this section or in connection with the prosecution of any charges so filed.

(F) As used in this section and sections 2919.251 and 2919.26 of the Revised Code:

(1) "Family or household member" means any of the following:

(a) Any of the following who is residing or has resided with the offender:

(i) A spouse, a person living as a spouse, or a former spouse of the offender;

(ii) A parent, a foster parent, or a child of the offender, or another person related by consanguinity or affinity to the offender;

(iii) A parent or a child of a spouse, person living as a spouse, or former spouse of the offender, or another person related by consanguinity or affinity to a spouse, person living as a spouse, or former spouse of the offender.

(b) The natural parent of any child of whom the offender is the other natural parent or is the putative other natural parent.

(2) "Person living as a spouse" means a person who is living or has lived with the offender in a common law marital relationship, who otherwise is cohabiting with the offender, or who otherwise has cohabited with the offender within five years prior to the date of the alleged commission of the act in question.

(3) "Pregnant woman's unborn" has the same meaning as "such other person's unborn," as set forth in section 2903.09 of the

Revised Code, as it relates to the pregnant woman. Division (C) of 4725
that section applies regarding the use of the term in this 4726
section, except that the second and third sentences of division 4727
(C)(1) of that section shall be construed for purposes of this 4728
section as if they included a reference to this section in the 4729
listing of Revised Code sections they contain. 4730

(4) "Termination of the pregnant woman's pregnancy" has the 4731
same meaning as "unlawful termination of another's pregnancy," as 4732
set forth in section 2903.09 of the Revised Code, as it relates to 4733
the pregnant woman. Division (C) of that section applies regarding 4734
the use of the term in this section, except that the second and 4735
third sentences of division (C)(1) of that section shall be 4736
construed for purposes of this section as if they included a 4737
reference to this section in the listing of Revised Code sections 4738
they contain. 4739

Sec. 2919.27. (A) No person shall recklessly violate the 4740
terms of any of the following: 4741

(1) A protection order issued or consent agreement approved 4742
pursuant to section 2919.26 or 3113.31 of the Revised Code; 4743

(2) A protection order issued pursuant to section 2151.34, 4744
2903.213, or 2903.214 of the Revised Code; 4745

(3) A protection order issued by a court of another state. 4746

(B)(1) Whoever violates this section is guilty of violating a 4747
protection order. 4748

(2) Except as otherwise provided in division (B)(3) or (4) of 4749
this section, violating a protection order is a misdemeanor of the 4750
first degree. 4751

(3) If the offender previously has been convicted of ~~or,~~ 4752
pleaded guilty to, or been adjudicated a delinquent child for a 4753
violation of a protection order issued pursuant to section 4754

2151.34, 2903.213, or 2903.214 of the Revised Code, two or more 4755
violations of section 2903.21, 2903.211, 2903.22, or 2911.211 of 4756
the Revised Code that involved the same person who is the subject 4757
of the protection order or consent agreement, or one or more 4758
violations of this section, violating a protection order is a 4759
felony of the fifth degree. 4760

(4) If the offender violates a protection order or consent 4761
agreement while committing a felony offense, violating a 4762
protection order is a felony of the third degree. 4763

(5) If the protection order violated by the offender was an 4764
order issued pursuant to section 2151.34 or 2903.214 of the 4765
Revised Code that required electronic monitoring of the offender 4766
pursuant to that section, the court may require in addition to any 4767
other sentence imposed upon the offender that the offender be 4768
electronically monitored for a period not exceeding five years by 4769
a law enforcement agency designated by the court. If the court 4770
requires under this division that the offender be electronically 4771
monitored, unless the court determines that the offender is 4772
indigent, the court shall order that the offender pay the costs of 4773
the installation of the electronic monitoring device and the cost 4774
of monitoring the electronic monitoring device. If the court 4775
determines that the offender is indigent and subject to the 4776
maximum amount allowable and the rules promulgated by the attorney 4777
general under section 2903.214 of the Revised Code, the costs of 4778
the installation of the electronic monitoring device and the cost 4779
of monitoring the electronic monitoring device ~~shall~~ may be paid 4780
out of funds from the reparations fund created pursuant to section 4781
2743.191 of the Revised Code. The total amount paid from the 4782
reparations fund created pursuant to section 2743.191 of the 4783
Revised Code for electronic monitoring under this section and 4784
sections 2151.34 and 2903.214 of the Revised Code shall not exceed 4785
three hundred thousand dollars per year. 4786

(C) It is an affirmative defense to a charge under division 4787
(A)(3) of this section that the protection order issued by a court 4788
of another state does not comply with the requirements specified 4789
in 18 U.S.C. 2265(b) for a protection order that must be accorded 4790
full faith and credit by a court of this state or that it is not 4791
entitled to full faith and credit under 18 U.S.C. 2265(c). 4792

(D) As used in this section, "protection order issued by a 4793
court of another state" means an injunction or another order 4794
issued by a criminal court of another state for the purpose of 4795
preventing violent or threatening acts or harassment against, 4796
contact or communication with, or physical proximity to another 4797
person, including a temporary order, and means an injunction or 4798
order of that nature issued by a civil court of another state, 4799
including a temporary order and a final order issued in an 4800
independent action or as a pendente lite order in a proceeding for 4801
other relief, if the court issued it in response to a complaint, 4802
petition, or motion filed by or on behalf of a person seeking 4803
protection. "Protection order issued by a court of another state" 4804
does not include an order for support or for custody of a child 4805
issued pursuant to the divorce and child custody laws of another 4806
state, except to the extent that the order for support or for 4807
custody of a child is entitled to full faith and credit under the 4808
laws of the United States. 4809

Sec. 3109.06. Any Except as provided in division (K) of 4810
section 2301.03 of the Revised Code, any court, other than a 4811
juvenile court, that has jurisdiction in any case respecting the 4812
allocation of parental rights and responsibilities for the care of 4813
a child under eighteen years of age and the designation of the 4814
child's place of residence and legal custodian or in any case 4815
respecting the support of a child under eighteen years of age, 4816
may, on its own motion or on motion of any interested party, with 4817
the consent of the juvenile court, certify the record in the case 4818

or so much of the record and such further information, in 4819
narrative form or otherwise, as the court deems necessary or the 4820
juvenile court requests, to the juvenile court for further 4821
proceedings; upon the certification, the juvenile court shall have 4822
exclusive jurisdiction. 4823

In cases in which the court of common pleas finds the parents 4824
unsuitable to have the parental rights and responsibilities for 4825
the care of the child or children and unsuitable to provide the 4826
place of residence and to be the legal custodian of the child or 4827
children, consent of the juvenile court shall not be required to 4828
such certification. This section applies to actions pending on 4829
August 28, 1951. 4830

In any case in which a court of common pleas, or other court 4831
having jurisdiction, has issued an order that allocates parental 4832
rights and responsibilities for the care of minor children and 4833
designates their place of residence and legal custodian of minor 4834
children, has made an order for support of minor children, or has 4835
done both, the jurisdiction of the court shall not abate upon the 4836
death of the person awarded custody but shall continue for all 4837
purposes during the minority of the children. The court, upon its 4838
own motion or the motion of either parent or of any interested 4839
person acting on behalf of the children, may proceed to make 4840
further disposition of the case in the best interests of the 4841
children and subject to sections 3109.42 to 3109.48 of the Revised 4842
Code. If the children are under eighteen years of age, it may 4843
certify them, pursuant to this section, to the juvenile court of 4844
any county for further proceedings. After certification to a 4845
juvenile court, the jurisdiction of the court of common pleas, or 4846
other court, shall cease, except as to any payments of spousal 4847
support due for the spouse and support payments due and unpaid for 4848
the children at the time of the certification. 4849

Any disposition made pursuant to this section, whether by a 4850

juvenile court after a case is certified to it, or by any court 4851
upon the death of a person awarded custody of a child, shall be 4852
made in accordance with sections 3109.04 and 3109.42 to 3109.48 of 4853
the Revised Code. If an appeal is taken from a decision made 4854
pursuant to this section that allocates parental rights and 4855
responsibilities for the care of a minor child and designates the 4856
child's place of residence and legal custodian, the court of 4857
appeals shall give the case calendar priority and handle it 4858
expeditiously. 4859

Sec. 3113.31. (A) As used in this section: 4860

(1) "Domestic violence" means the occurrence of one or more 4861
of the following acts against a family or household member: 4862

(a) Attempting to cause or recklessly causing bodily injury; 4863

(b) Placing another person by the threat of force in fear of 4864
imminent serious physical harm or committing a violation of 4865
section 2903.211 or 2911.211 of the Revised Code; 4866

(c) Committing any act with respect to a child that would 4867
result in the child being an abused child, as defined in section 4868
2151.031 of the Revised Code; 4869

(d) Committing a sexually oriented offense. 4870

(2) "Court" means the domestic relations division of the 4871
court of common pleas in counties that have a domestic relations 4872
division, and the court of common pleas in counties that do not 4873
have a domestic relations division, or the juvenile division of 4874
the court of common pleas of the county in which the person to be 4875
protected by a protection order issued or a consent agreement 4876
approved under this section resides if the respondent is less than 4877
eighteen years of age. 4878

(3) "Family or household member" means any of the following: 4879

(a) Any of the following who is residing with or has resided 4880

with the respondent: 4881

(i) A spouse, a person living as a spouse, or a former spouse 4882
of the respondent; 4883

(ii) A parent, a foster parent, or a child of the respondent, 4884
or another person related by consanguinity or affinity to the 4885
respondent; 4886

(iii) A parent or a child of a spouse, person living as a 4887
spouse, or former spouse of the respondent, or another person 4888
related by consanguinity or affinity to a spouse, person living as 4889
a spouse, or former spouse of the respondent. 4890

(b) The natural parent of any child of whom the respondent is 4891
the other natural parent or is the putative other natural parent. 4892

(4) "Person living as a spouse" means a person who is living 4893
or has lived with the respondent in a common law marital 4894
relationship, who otherwise is cohabiting with the respondent, or 4895
who otherwise has cohabited with the respondent within five years 4896
prior to the date of the alleged occurrence of the act in 4897
question. 4898

(5) "Victim advocate" means a person who provides support and 4899
assistance for a person who files a petition under this section. 4900

(6) "Sexually oriented offense" has the same meaning as in 4901
section 2950.01 of the Revised Code. 4902

(B) The court has jurisdiction over all proceedings under 4903
this section. The petitioner's right to relief under this section 4904
is not affected by the petitioner's leaving the residence or 4905
household to avoid further domestic violence. 4906

(C) A person may seek relief under this section on the 4907
person's own behalf, or any parent or adult household member may 4908
seek relief under this section on behalf of any other family or 4909
household member, by filing a petition with the court. The 4910

petition shall contain or state: 4911

(1) An allegation that the respondent engaged in domestic 4912
violence against a family or household member of the respondent, 4913
including a description of the nature and extent of the domestic 4914
violence; 4915

(2) The relationship of the respondent to the petitioner, and 4916
to the victim if other than the petitioner; 4917

(3) A request for relief under this section. 4918

(D)(1) If a person who files a petition pursuant to this 4919
section requests an ex parte order, the court shall hold an ex 4920
parte hearing on the same day that the petition is filed. The 4921
court, for good cause shown at the ex parte hearing, may enter any 4922
temporary orders, with or without bond, including, but not limited 4923
to, an order described in division (E)(1)(a), (b), or (c) of this 4924
section, that the court finds necessary to protect the family or 4925
household member from domestic violence. Immediate and present 4926
danger of domestic violence to the family or household member 4927
constitutes good cause for purposes of this section. Immediate and 4928
present danger includes, but is not limited to, situations in 4929
which the respondent has threatened the family or household member 4930
with bodily harm, in which the respondent has threatened the 4931
family or household member with a sexually oriented offense, or in 4932
which the respondent previously has been convicted of ~~or~~ pleaded 4933
guilty to, or been adjudicated a delinquent child for an offense 4934
that constitutes domestic violence against the family or household 4935
member. 4936

(2)(a) If the court, after an ex parte hearing, issues an 4937
order described in division (E)(1)(b) or (c) of this section, the 4938
court shall schedule a full hearing for a date that is within 4939
seven court days after the ex parte hearing. If any other type of 4940
protection order that is authorized under division (E) of this 4941

section is issued by the court after an ex parte hearing, the 4942
court shall schedule a full hearing for a date that is within ten 4943
court days after the ex parte hearing. The court shall give the 4944
respondent notice of, and an opportunity to be heard at, the full 4945
hearing. The court shall hold the full hearing on the date 4946
scheduled under this division unless the court grants a 4947
continuance of the hearing in accordance with this division. Under 4948
any of the following circumstances or for any of the following 4949
reasons, the court may grant a continuance of the full hearing to 4950
a reasonable time determined by the court: 4951

(i) Prior to the date scheduled for the full hearing under 4952
this division, the respondent has not been served with the 4953
petition filed pursuant to this section and notice of the full 4954
hearing. 4955

(ii) The parties consent to the continuance. 4956

(iii) The continuance is needed to allow a party to obtain 4957
counsel. 4958

(iv) The continuance is needed for other good cause. 4959

(b) An ex parte order issued under this section does not 4960
expire because of a failure to serve notice of the full hearing 4961
upon the respondent before the date set for the full hearing under 4962
division (D)(2)(a) of this section or because the court grants a 4963
continuance under that division. 4964

(3) If a person who files a petition pursuant to this section 4965
does not request an ex parte order, or if a person requests an ex 4966
parte order but the court does not issue an ex parte order after 4967
an ex parte hearing, the court shall proceed as in a normal civil 4968
action and grant a full hearing on the matter. 4969

(E)(1) After an ex parte or full hearing, the court may grant 4970
any protection order, with or without bond, or approve any consent 4971
agreement to bring about a cessation of domestic violence against 4972

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| the family or household members. The order or agreement may: | 4973 |
| (a) Direct the respondent to refrain from abusing or from | 4974 |
| committing sexually oriented offenses against the family or | 4975 |
| household members; | 4976 |
| (b) Grant possession of the residence or household to the | 4977 |
| petitioner or other family or household member, to the exclusion | 4978 |
| of the respondent, by evicting the respondent, when the residence | 4979 |
| or household is owned or leased solely by the petitioner or other | 4980 |
| family or household member, or by ordering the respondent to | 4981 |
| vacate the premises, when the residence or household is jointly | 4982 |
| owned or leased by the respondent, and the petitioner or other | 4983 |
| family or household member; | 4984 |
| (c) When the respondent has a duty to support the petitioner | 4985 |
| or other family or household member living in the residence or | 4986 |
| household and the respondent is the sole owner or lessee of the | 4987 |
| residence or household, grant possession of the residence or | 4988 |
| household to the petitioner or other family or household member, | 4989 |
| to the exclusion of the respondent, by ordering the respondent to | 4990 |
| vacate the premises, or, in the case of a consent agreement, allow | 4991 |
| the respondent to provide suitable, alternative housing; | 4992 |
| (d) Temporarily allocate parental rights and responsibilities | 4993 |
| for the care of, or establish temporary parenting time rights with | 4994 |
| regard to, minor children, if no other court has determined, or is | 4995 |
| determining, the allocation of parental rights and | 4996 |
| responsibilities for the minor children or parenting time rights; | 4997 |
| (e) Require the respondent to maintain support, if the | 4998 |
| respondent customarily provides for or contributes to the support | 4999 |
| of the family or household member, or if the respondent has a duty | 5000 |
| to support the petitioner or family or household member; | 5001 |
| (f) Require the respondent, petitioner, victim of domestic | 5002 |
| violence, or any combination of those persons, to seek counseling; | 5003 |

(g) Require the respondent to refrain from entering the residence, school, business, or place of employment of the petitioner or family or household member;

(h) Grant other relief that the court considers equitable and fair, including, but not limited to, ordering the respondent to permit the use of a motor vehicle by the petitioner or other family or household member and the apportionment of household and family personal property.

(2) If a protection order has been issued pursuant to this section in a prior action involving the respondent and the petitioner or one or more of the family or household members or victims, the court may include in a protection order that it issues a prohibition against the respondent returning to the residence or household. If it includes a prohibition against the respondent returning to the residence or household in the order, it also shall include in the order provisions of the type described in division (E)(7) of this section. This division does not preclude the court from including in a protection order or consent agreement, in circumstances other than those described in this division, a requirement that the respondent be evicted from or vacate the residence or household or refrain from entering the residence, school, business, or place of employment of the petitioner or a family or household member, and, if the court includes any requirement of that type in an order or agreement, the court also shall include in the order provisions of the type described in division (E)(7) of this section.

(3)(a) Any protection order issued or consent agreement approved under this section shall be valid until a date certain, but not later than five years from the date of its issuance or approval, or not later than the date a respondent who is less than eighteen years of age attains nineteen years of age, unless modified or terminated as provided in division (E)(8) of this

section. 5036

(b) Subject to the limitation on the duration of an order or 5037
agreement set forth in division (E)(3)(a) of this section, any 5038
order under division (E)(1)(d) of this section shall terminate on 5039
the date that a court in an action for divorce, dissolution of 5040
marriage, or legal separation brought by the petitioner or 5041
respondent issues an order allocating parental rights and 5042
responsibilities for the care of children or on the date that a 5043
juvenile court in an action brought by the petitioner or 5044
respondent issues an order awarding legal custody of minor 5045
children. Subject to the limitation on the duration of an order or 5046
agreement set forth in division (E)(3)(a) of this section, any 5047
order under division (E)(1)(e) of this section shall terminate on 5048
the date that a court in an action for divorce, dissolution of 5049
marriage, or legal separation brought by the petitioner or 5050
respondent issues a support order or on the date that a juvenile 5051
court in an action brought by the petitioner or respondent issues 5052
a support order. 5053

(c) Any protection order issued or consent agreement approved 5054
pursuant to this section may be renewed in the same manner as the 5055
original order or agreement was issued or approved. 5056

(4) A court may not issue a protection order that requires a 5057
petitioner to do or to refrain from doing an act that the court 5058
may require a respondent to do or to refrain from doing under 5059
division (E)(1)(a), (b), (c), (d), (e), (g), or (h) of this 5060
section unless all of the following apply: 5061

(a) The respondent files a separate petition for a protection 5062
order in accordance with this section. 5063

(b) The petitioner is served notice of the respondent's 5064
petition at least forty-eight hours before the court holds a 5065
hearing with respect to the respondent's petition, or the 5066

petitioner waives the right to receive this notice. 5067

(c) If the petitioner has requested an ex parte order 5068
pursuant to division (D) of this section, the court does not delay 5069
any hearing required by that division beyond the time specified in 5070
that division in order to consolidate the hearing with a hearing 5071
on the petition filed by the respondent. 5072

(d) After a full hearing at which the respondent presents 5073
evidence in support of the request for a protection order and the 5074
petitioner is afforded an opportunity to defend against that 5075
evidence, the court determines that the petitioner has committed 5076
an act of domestic violence or has violated a temporary protection 5077
order issued pursuant to section 2919.26 of the Revised Code, that 5078
both the petitioner and the respondent acted primarily as 5079
aggressors, and that neither the petitioner nor the respondent 5080
acted primarily in self-defense. 5081

(5) No protection order issued or consent agreement approved 5082
under this section shall in any manner affect title to any real 5083
property. 5084

(6)(a) If a petitioner, or the child of a petitioner, who 5085
obtains a protection order or consent agreement pursuant to 5086
division (E)(1) of this section or a temporary protection order 5087
pursuant to section 2919.26 of the Revised Code and is the subject 5088
of a parenting time order issued pursuant to section 3109.051 or 5089
3109.12 of the Revised Code or a visitation or companionship order 5090
issued pursuant to section 3109.051, 3109.11, or 3109.12 of the 5091
Revised Code or division (E)(1)(d) of this section granting 5092
parenting time rights to the respondent, the court may require the 5093
public children services agency of the county in which the court 5094
is located to provide supervision of the respondent's exercise of 5095
parenting time or visitation or companionship rights with respect 5096
to the child for a period not to exceed nine months, if the court 5097
makes the following findings of fact: 5098

(i) The child is in danger from the respondent; 5099

(ii) No other person or agency is available to provide the 5100
supervision. 5101

(b) A court that requires an agency to provide supervision 5102
pursuant to division (E)(6)(a) of this section shall order the 5103
respondent to reimburse the agency for the cost of providing the 5104
supervision, if it determines that the respondent has sufficient 5105
income or resources to pay that cost. 5106

(7)(a) If a protection order issued or consent agreement 5107
approved under this section includes a requirement that the 5108
respondent be evicted from or vacate the residence or household or 5109
refrain from entering the residence, school, business, or place of 5110
employment of the petitioner or a family or household member, the 5111
order or agreement shall state clearly that the order or agreement 5112
cannot be waived or nullified by an invitation to the respondent 5113
from the petitioner or other family or household member to enter 5114
the residence, school, business, or place of employment or by the 5115
respondent's entry into one of those places otherwise upon the 5116
consent of the petitioner or other family or household member. 5117

(b) Division (E)(7)(a) of this section does not limit any 5118
discretion of a court to determine that a respondent charged with 5119
a violation of section 2919.27 of the Revised Code, with a 5120
violation of a municipal ordinance substantially equivalent to 5121
that section, or with contempt of court, which charge is based on 5122
an alleged violation of a protection order issued or consent 5123
agreement approved under this section, did not commit the 5124
violation or was not in contempt of court. 5125

(8)(a) The court may modify or terminate as provided in 5126
division (E)(8) of this section a protection order or consent 5127
agreement that was issued after a full hearing under this section. 5128
The court that issued the protection order or approved the consent 5129

agreement shall hear a motion for modification or termination of 5130
the protection order or consent agreement pursuant to division 5131
(E)(8) of this section. 5132

(b) Either the petitioner or the respondent of the original 5133
protection order or consent agreement may bring a motion for 5134
modification or termination of a protection order or consent 5135
agreement that was issued or approved after a full hearing. The 5136
court shall require notice of the motion to be made as provided by 5137
the Rules of Civil Procedure. If the petitioner for the original 5138
protection order or consent agreement has requested that the 5139
petitioner's address be kept confidential, the court shall not 5140
disclose the address to the respondent of the original protection 5141
order or consent agreement or any other person, except as 5142
otherwise required by law. The moving party has the burden of 5143
proof to show, by a preponderance of the evidence, that 5144
modification or termination of the protection order or consent 5145
agreement is appropriate because either the protection order or 5146
consent agreement is no longer needed or because the terms of the 5147
original protection order or consent agreement are no longer 5148
appropriate. 5149

(c) In considering whether to modify or terminate a 5150
protection order or consent agreement issued or approved under 5151
this section, the court shall consider all relevant factors, 5152
including, but not limited to, the following: 5153

(i) Whether the petitioner consents to modification or 5154
termination of the protection order or consent agreement; 5155

(ii) Whether the petitioner fears the respondent; 5156

(iii) The current nature of the relationship between the 5157
petitioner and the respondent; 5158

(iv) The circumstances of the petitioner and respondent, 5159
including the relative proximity of the petitioner's and 5160

respondent's workplaces and residences and whether the petitioner 5161
and respondent have minor children together; 5162

(v) Whether the respondent has complied with the terms and 5163
conditions of the original protection order or consent agreement; 5164

(vi) Whether the respondent has a continuing involvement with 5165
illegal drugs or alcohol; 5166

(vii) Whether the respondent has been convicted of ~~ex,~~ 5167
pleaded guilty to, or been adjudicated a delinquent child for an 5168
offense of violence since the issuance of the protection order or 5169
approval of the consent agreement; 5170

(viii) Whether any other protection orders, consent 5171
agreements, restraining orders, or no contact orders have been 5172
issued against the respondent pursuant to this section, section 5173
2919.26 of the Revised Code, any other provision of state law, or 5174
the law of any other state; 5175

(ix) Whether the respondent has participated in any domestic 5176
violence treatment, intervention program, or other counseling 5177
addressing domestic violence and whether the respondent has 5178
completed the treatment, program, or counseling; 5179

(x) The time that has elapsed since the protection order was 5180
issued or since the consent agreement was approved; 5181

(xi) The age and health of the respondent; 5182

(xii) When the last incident of abuse, threat of harm, or 5183
commission of a sexually oriented offense occurred or other 5184
relevant information concerning the safety and protection of the 5185
petitioner or other protected parties. 5186

(d) If a protection order or consent agreement is modified or 5187
terminated as provided in division (E)(8) of this section, the 5188
court shall issue copies of the modified or terminated order or 5189
agreement as provided in division (F) of this section. A 5190

petitioner may also provide notice of the modification or 5191
termination to the judicial and law enforcement officials in any 5192
county other than the county in which the order or agreement is 5193
modified or terminated as provided in division (N) of this 5194
section. 5195

(e) If the respondent moves for modification or termination 5196
of a protection order or consent agreement pursuant to this 5197
section, the court may assess costs against the respondent for the 5198
filing of the motion. 5199

(9) Any protection order issued or any consent agreement 5200
approved pursuant to this section shall include a provision that 5201
the court will automatically seal all of the records of the 5202
proceeding in which the order is issued or agreement approved on 5203
the date the respondent attains the age of nineteen years unless 5204
the petitioner provides the court with evidence that the 5205
respondent has not complied with all of the terms of the 5206
protection order or consent agreement. The protection order or 5207
consent agreement shall specify the date when the respondent 5208
attains the age of nineteen years. 5209

(F)(1) A copy of any protection order, or consent agreement, 5210
that is issued, approved, modified, or terminated under this 5211
section shall be issued by the court to the petitioner, to the 5212
respondent, and to all law enforcement agencies that have 5213
jurisdiction to enforce the order or agreement. The court shall 5214
direct that a copy of an order be delivered to the respondent on 5215
the same day that the order is entered. 5216

(2) Upon the issuance of a protection order or the approval 5217
of a consent agreement under this section, the court shall provide 5218
the parties to the order or agreement with the following notice 5219
orally or by form: 5220

"NOTICE 5221

As a result of this order or consent agreement, it may be 5222
unlawful for you to possess or purchase a firearm, including a 5223
rifle, pistol, or revolver, or ammunition pursuant to federal law 5224
under 18 U.S.C. 922(g)(8). If you have any questions whether this 5225
law makes it illegal for you to possess or purchase a firearm or 5226
ammunition, you should consult an attorney." 5227

(3) All law enforcement agencies shall establish and maintain 5228
an index for the protection orders and the approved consent 5229
agreements delivered to the agencies pursuant to division (F)(1) 5230
of this section. With respect to each order and consent agreement 5231
delivered, each agency shall note on the index the date and time 5232
that it received the order or consent agreement. 5233

(4) Regardless of whether the petitioner has registered the 5234
order or agreement in the county in which the officer's agency has 5235
jurisdiction pursuant to division (N) of this section, any officer 5236
of a law enforcement agency shall enforce a protection order 5237
issued or consent agreement approved by any court in this state in 5238
accordance with the provisions of the order or agreement, 5239
including removing the respondent from the premises, if 5240
appropriate. 5241

(G) Any proceeding under this section shall be conducted in 5242
accordance with the Rules of Civil Procedure, except that an order 5243
under this section may be obtained with or without bond. An order 5244
issued under this section, other than an ex parte order, that 5245
grants a protection order or approves a consent agreement, that 5246
refuses to grant a protection order or approve a consent agreement 5247
that modifies or terminates a protection order or consent 5248
agreement, or that refuses to modify or terminate a protection 5249
order or consent agreement, is a final, appealable order. The 5250
remedies and procedures provided in this section are in addition 5251
to, and not in lieu of, any other available civil or criminal 5252
remedies. 5253

(H) The filing of proceedings under this section does not 5254
excuse a person from filing any report or giving any notice 5255
required by section 2151.421 of the Revised Code or by any other 5256
law. When a petition under this section alleges domestic violence 5257
against minor children, the court shall report the fact, or cause 5258
reports to be made, to a county, township, or municipal peace 5259
officer under section 2151.421 of the Revised Code. 5260

(I) Any law enforcement agency that investigates a domestic 5261
dispute shall provide information to the family or household 5262
members involved regarding the relief available under this section 5263
and section 2919.26 of the Revised Code. 5264

(J) Notwithstanding any provision of law to the contrary and 5265
regardless of whether a protection order is issued or a consent 5266
agreement is approved by a court of another county or a court of 5267
another state, no court or unit of state or local government shall 5268
charge any fee, cost, deposit, or money in connection with the 5269
filing of a petition pursuant to this section or in connection 5270
with the filing, issuance, registration, or service of a 5271
protection order or consent agreement, or for obtaining a 5272
certified copy of a protection order or consent agreement. 5273

(K)(1) The court shall comply with Chapters 3119., 3121., 5274
3123., and 3125. of the Revised Code when it makes or modifies an 5275
order for child support under this section. 5276

(2) If any person required to pay child support under an 5277
order made under this section on or after April 15, 1985, or 5278
modified under this section on or after December 31, 1986, is 5279
found in contempt of court for failure to make support payments 5280
under the order, the court that makes the finding, in addition to 5281
any other penalty or remedy imposed, shall assess all court costs 5282
arising out of the contempt proceeding against the person and 5283
require the person to pay any reasonable attorney's fees of any 5284
adverse party, as determined by the court, that arose in relation 5285

to the act of contempt. 5286

(L)(1) A person who violates a protection order issued or a 5287
consent agreement approved under this section is subject to the 5288
following sanctions: 5289

(a) Criminal prosecution or a delinquent child proceeding for 5290
a violation of section 2919.27 of the Revised Code, if the 5291
violation of the protection order or consent agreement constitutes 5292
a violation of that section; 5293

(b) Punishment for contempt of court. 5294

(2) The punishment of a person for contempt of court for 5295
violation of a protection order issued or a consent agreement 5296
approved under this section does not bar criminal prosecution of 5297
the person or a delinquent child proceeding concerning the person 5298
for a violation of section 2919.27 of the Revised Code. However, a 5299
person punished for contempt of court is entitled to credit for 5300
the punishment imposed upon conviction of or adjudication as a 5301
delinquent child for a violation of that section, and a person 5302
convicted of or adjudicated a delinquent child for a violation of 5303
that section shall not subsequently be punished for contempt of 5304
court arising out of the same activity. 5305

(M) In all stages of a proceeding under this section, a 5306
petitioner may be accompanied by a victim advocate. 5307

(N)(1) A petitioner who obtains a protection order or consent 5308
agreement under this section or a temporary protection order under 5309
section 2919.26 of the Revised Code may provide notice of the 5310
issuance or approval of the order or agreement to the judicial and 5311
law enforcement officials in any county other than the county in 5312
which the order is issued or the agreement is approved by 5313
registering that order or agreement in the other county pursuant 5314
to division (N)(2) of this section and filing a copy of the 5315
registered order or registered agreement with a law enforcement 5316

agency in the other county in accordance with that division. A 5317
person who obtains a protection order issued by a court of another 5318
state may provide notice of the issuance of the order to the 5319
judicial and law enforcement officials in any county of this state 5320
by registering the order in that county pursuant to section 5321
2919.272 of the Revised Code and filing a copy of the registered 5322
order with a law enforcement agency in that county. 5323

(2) A petitioner may register a temporary protection order, 5324
protection order, or consent agreement in a county other than the 5325
county in which the court that issued the order or approved the 5326
agreement is located in the following manner: 5327

(a) The petitioner shall obtain a certified copy of the order 5328
or agreement from the clerk of the court that issued the order or 5329
approved the agreement and present that certified copy to the 5330
clerk of the court of common pleas or the clerk of a municipal 5331
court or county court in the county in which the order or 5332
agreement is to be registered. 5333

(b) Upon accepting the certified copy of the order or 5334
agreement for registration, the clerk of the court of common 5335
pleas, municipal court, or county court shall place an endorsement 5336
of registration on the order or agreement and give the petitioner 5337
a copy of the order or agreement that bears that proof of 5338
registration. 5339

(3) The clerk of each court of common pleas, the clerk of 5340
each municipal court, and the clerk of each county court shall 5341
maintain a registry of certified copies of temporary protection 5342
orders, protection orders, or consent agreements that have been 5343
issued or approved by courts in other counties and that have been 5344
registered with the clerk. 5345

(0) Nothing in this section prohibits the domestic relations 5346
division of a court of common pleas in counties that have a 5347

domestic relations division or a court of common pleas in counties 5348
that do not have a domestic relations division from designating a 5349
minor child as a protected party on a protection order or consent 5350
agreement. 5351

Sec. 3113.33. As used in sections 3113.33 to 3113.40 of the 5352
Revised Code: 5353

(A) "Domestic violence" means attempting to cause or causing 5354
bodily injury to a family or household member, or placing a family 5355
or household member by threat of force in fear of imminent 5356
physical harm. 5357

(B) "Family or household member" means any of the following: 5358

(1) Any of the following who is residing or has resided with 5359
the person committing the domestic violence: 5360

(a) A spouse, a person living as a spouse, or a former spouse 5361
of the person committing the domestic violence; 5362

(b) A parent, foster parent, or child of the person 5363
committing the domestic violence, or another person related by 5364
consanguinity or affinity to the person committing the domestic 5365
violence; 5366

(c) A parent or a child of a spouse, person living as a 5367
spouse, or former spouse of the person committing the domestic 5368
violence, or another person related by consanguinity or affinity 5369
to a spouse, person living as a spouse, or former spouse of the 5370
person committing the domestic violence; 5371

(d) The dependents of any person listed in division 5372
(B)(1)(a), (b), or (c) of this section. 5373

(2) The natural parent of any child of whom the person 5374
committing the domestic violence is the other natural parent or is 5375
the putative other natural parent. 5376

(C) "Shelter for victims of domestic violence" or "shelter" 5377
means a facility that provides temporary residential service or 5378
facilities to family or household members who are victims of 5379
domestic violence. 5380

(D) "Person living as a spouse" means a person who is living 5381
or has lived with the person committing the domestic violence in a 5382
common law marital relationship, who otherwise is cohabiting with 5383
the person committing the domestic violence, or who otherwise has 5384
cohabited with the person committing the domestic violence within 5385
five years prior to the date of the alleged occurrence of the act 5386
in question. 5387

Section 2. That existing sections 109.36, 109.57, 1901.26, 5388
1901.261, 1907.24, 2101.16, 2101.162, 2101.17, 2111.51, 2113.031, 5389
2151.23, 2151.358, 2151.541, 2152.02, 2301.03, 2303.20, 2303.201, 5390
2329.07, 2743.191, 2903.214, 2913.04, 2919.25, 2919.27, 3109.06, 5391
3113.31, and 3113.33 of the Revised Code are hereby repealed. 5392

Section 3. That sections 1901.26, 1901.261, 1907.24, 2101.16, 5393
2101.162, 2151.541, 2303.20, and 2303.201, as amended by this act, 5394
shall take effect one month after the effective date of this act. 5395

Section 4. Section 109.57 of the Revised Code is presented in 5396
this act as a composite of the section as amended by both Am. Sub. 5397
H.B. 1 and Sub. S.B. 79 of the 128th General Assembly. Section 5398
2151.23 of the Revised Code is presented in this act as a 5399
composite of the section as amended by both Am. Sub. H.B. 214 and 5400
Am. Sub. S.B. 10 of the 127th General Assembly. Section 3113.33 of 5401
the Revised Code is presented in this act as a composite of the 5402
section as amended by both Am. Sub. H.B. 215 and Am. Sub. S.B. 1 5403
of the 122nd General Assembly. The General Assembly, applying the 5404
principle stated in division (B) of section 1.52 of the Revised 5405
Code that amendments are to be harmonized if reasonably capable of 5406

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| simultaneous operation, finds that the composites are the | 5407 |
| resulting versions of the sections in effect prior to the | 5408 |
| effective date of the sections as presented in this act. | 5409 |