

As Passed by the Senate

134th General Assembly

Regular Session

2021-2022

Am. Sub. H. B. No. 286

Representative Seitz

Cosponsors: Representatives Abrams, Bird, Click, Cross, Fowler Arthur, Grendell, Gross, Jordan, McClain, Riedel, Schmidt, Stoltzfus, Swearingen, Hillyer, Cutrona, Kick, Carruthers, Holmes, Johnson, Jones, Merrin, Stevens, Stewart, Wiggam, Young, T.

Senators Manning, Gavarone, Blessing, Cirino, Dolan, Hottinger, Johnson, Lang, McColley, Peterson, Thomas

A BILL

To amend sections 107.43, 109.02, 119.12, 124.34, 1
956.11, 956.15, 1901.02, 1901.021, 1901.041, 2
2301.03, 2743.03, 3794.09, 3901.321, 3913.13, 3
3913.23, 5101.35, and 5164.38 and to enact 4
sections 101.55, 107.13, 303.65, 519.26, and 5
713.16 of the Revised Code to generally change 6
the venue in which appeal from an agency order 7
is proper to the local court of common pleas, to 8
provide that a civil action to challenge a state 9
administrative order issued in a state of 10
emergency be brought in the Court of Claims, to 11
revise the law governing claim preclusion in 12
zoning appeals, to revise the law governing the 13
referral of cases to the Hamilton County Drug 14
Court, to transfer Perry Township in Wood County 15
from the territorial jurisdiction of the Tiffin- 16
Fostoria Municipal Court to the territorial 17
jurisdiction of the Bowling Green Municipal 18
Court, to allow the General Assembly to 19

intervene in certain actions, and to allow the 20
General Assembly and the Governor to retain 21
special counsel. 22

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

Section 1. That sections 107.43, 109.02, 119.12, 124.34, 23
956.11, 956.15, 1901.02, 1901.021, 1901.041, 2301.03, 2743.03, 24
3794.09, 3901.321, 3913.13, 3913.23, 5101.35, and 5164.38 be 25
amended and sections 101.55, 107.13, 303.65, 519.26, and 713.16 26
of the Revised Code be enacted to read as follows: 27

Sec. 101.55. (A) In any action or proceeding in state or 28
federal court that involves a challenge to the validity, 29
applicability, or constitutionality of the constitution or laws 30
of this state, the house of representatives, the senate, and the 31
general assembly may intervene in the action or proceeding at 32
any time as a matter of right. The speaker of the house of 33
representatives has sole authority to act on behalf of the house 34
of representatives under this division, the president of the 35
senate has sole authority to act on behalf of the senate under 36
this division, and the speaker of the house of representatives 37
and the president of the senate, acting jointly, have sole 38
authority to act on behalf of the general assembly under this 39
division. Intervention under this division is perfected upon the 40
filing of a notice of intervention of right as a necessary party 41
with the court in which the matter is pending, regardless of the 42
stage of the proceeding. 43

(B) (1) The speaker of the house of representatives, acting 44
on behalf of the house of representatives, may retain legal 45

counsel other than from the attorney general to represent the 46
house in any matter, action, or proceeding described in division 47
(A) of this section or in any other matter, action, or 48
proceeding in which the interests of the house of 49
representatives may be affected, as determined solely by the 50
speaker. The speaker shall approve all terms of representation 51
and authorize payment for all financial costs incurred under 52
this section. 53

(2) The president of the senate, acting on behalf of the 54
senate, may retain legal counsel other than from the attorney 55
general to represent the senate in any matter, action, or 56
proceeding described in division (A) of this section or in any 57
other matter, action, or proceeding in which the interests of 58
the senate may be affected, as determined solely by the 59
president. The president shall approve all terms of 60
representation and authorize payment for all financial costs 61
incurred under this section. 62

(3) The speaker of the house of representatives and the 63
president of the senate, acting jointly on behalf of the general 64
assembly, may retain legal counsel other than from the attorney 65
general to represent the general assembly in any matter, action, 66
or proceeding described in division (A) of this section or in 67
any other matter, action, or proceeding in which the interests 68
of the general assembly may be affected, as jointly determined 69
solely by the speaker and the president. The speaker and the 70
president shall jointly approve all terms of representation and 71
authorize payment for all financial costs incurred under this 72
section. 73

(4) No person may retain legal counsel on behalf of the 74
house of representatives, the senate, or the general assembly, 75

or on behalf of any member of the general assembly in the 76
member's official capacity, except as authorized under this 77
section and section 109.02 of the Revised Code. 78

(C) Notwithstanding any contrary provision of law, nothing 79
in this section constitutes a waiver of the legislative immunity 80
or legislative privilege of the speaker, the president, or any 81
member, officer, or staff of either house of the general 82
assembly. 83

Sec. 107.13. The governor may retain legal counsel, other 84
than from the attorney general, in any matter, action, or 85
proceeding the governor deems to be necessary and proper to 86
protect the interests of the office of the governor. The 87
governor shall approve all terms of representation and authorize 88
payment for all financial costs incurred under this section. 89

Sec. 107.43. (A) As used in this section: 90

"Administrative department" means a department listed 91
under section 121.02 of the Revised Code. 92

"Administrative department head" means a department head 93
listed under section 121.03 of the Revised Code. 94

"Internal management rule" means any rule, regulation, or 95
standard governing the day-to-day staff procedures and staff 96
operations within an administrative department or state agency, 97
or within the office of an administrative department head or 98
statewide elected officer. 99

"Rule" means, unless the context dictates otherwise, any 100
rule, regulation, or standard adopted, promulgated, and enforced 101
by a statewide elected officer, administrative department, 102
administrative department head, or state agency under the 103
authority of the laws governing such officer, department, 104

department head, or state agency. "Rule" does not include an 105
internal management rule. 106

"State agency" means any organized body, office, agency, 107
commission, board, institution, or other entity established by 108
the laws of the state for the exercise of any function of state 109
government. "State agency" does not include a court. 110

"State of emergency" has the meaning defined in section 111
107.42 of the Revised Code. 112

"Statewide elected officer" means the governor, lieutenant 113
governor, secretary of state, auditor of state, attorney 114
general, and treasurer of state. 115

(B) Beginning the day the governor declares a state of 116
emergency, the governor and the department of health promptly 117
shall report to the president of the senate and the speaker of 118
the house of representatives every action the governor or 119
department takes in response to the state of emergency, 120
including actions by the department or director of health under 121
sections 3701.13 and 3701.14 of the Revised Code. 122

(C) (1) If the governor declares a state of emergency, the 123
general assembly may do any of the following by adopting a 124
concurrent resolution: 125

(a) Rescind, in whole or in part, any order or rule issued 126
or adopted by an administrative department, administrative 127
department head, state agency, or statewide elected officer in 128
response to a state of emergency, including an order to 129
authorize an agency to adopt, amend, or rescind rules under 130
division (G) of section 119.03 of the Revised Code. This 131
division does not apply to an order issued to declare a state of 132
emergency. 133

(b) Invalidate, in whole or in part, an emergency rule 134
adopted or amended by an agency in response to the state of 135
emergency and pursuant to an emergency order the governor issues 136
under division (G) (1) of section 119.03 of the Revised Code; 137

(c) Authorize a rule rescinded by an agency under division 138
(G) (1) of section 119.03 of the Revised Code in response to the 139
state of emergency to be readopted, in whole or in part; 140

(d) Invalidate, in whole or in part, an emergency rule 141
adopted by an agency in response to the state of emergency 142
pursuant to division (B) (2) of section 111.15 of the Revised 143
Code. 144

(2) If the general assembly rescinds an order or rule, or 145
a portion thereof, the administrative department, administrative 146
department head, state agency, or statewide elected officer 147
shall not reissue that order or rule, the rescinded portion, a 148
substantially similar order, rule, or portion, or any 149
restriction contained in the rescinded order or rule or 150
rescinded portion, for a period of sixty calendar days following 151
the adoption of the concurrent resolution by the general 152
assembly, except as provided in division (C) (3) of this section. 153

(3) (a) Within sixty calendar days of the general assembly 154
rescinding an order or rule under division (C) (1) of this 155
section, the governor, on behalf of an administrative 156
department, an administrative department head, or a state 157
agency, may submit a request to the general assembly to 158
authorize an administrative department, an administrative 159
department head, or a state agency to reissue a rescinded order 160
or rule, rescinded portion thereof, a substantially similar 161
order, rule, or portion, or any restriction contained in the 162
rescinded order or rule or rescinded portion issued or adopted 163

by an administrative department, administrative department head, 164
or state agency. Upon review, the general assembly may adopt a 165
concurrent resolution authorizing the request, in whole or in 166
part. 167

(b) Within sixty calendar days of the general assembly 168
rescinding an order or rule under division (C)(1) of this 169
section, a statewide elected officer may submit a request to the 170
general assembly to reissue a rescinded order or rule, rescinded 171
portion thereof, a substantially similar order, rule, or 172
portion, or any restriction contained in the rescinded order or 173
rule or rescinded portion issued or adopted by the statewide 174
elected officer. Upon review, the general assembly may adopt a 175
concurrent resolution authorizing the request, in whole or in 176
part. 177

(D)(1) Notwithstanding any other provision of the Revised 178
Code, a person who challenges an order or rule adopted by an 179
administrative department, administrative department head, state 180
agency, or statewide elected officer that is issued or adopted 181
in response to a state of emergency, in a civil action for 182
damages, declaratory judgment, injunctive relief, or other 183
appropriate relief may do so in an appropriate court located in 184
the county where the person's residence or business is located. 185

(2) If a person successfully challenges an order or rule 186
adopted by an administrative department, administrative 187
department head, state agency, or statewide elected officer that 188
is issued or adopted in response to a state of emergency, the 189
administrative department, administrative department head, state 190
agency, or statewide elected officer shall pay the person's 191
reasonable attorney's fees and court costs. 192

(E) An order or rule issued or adopted in violation of 193

this section is invalid and has no legal effect. 194

Sec. 109.02. The attorney general is the chief law officer 195
for the state and all its departments and shall be provided with 196
adequate office space in Columbus. Except as provided in 197
division (E) of section 120.06 and in sections 101.55, 107.13, 198
and 3517.152 to 3517.157 of the Revised Code, no state officer 199
or board, or head of a department or institution of the state 200
shall employ, or be represented by, other counsel or attorneys 201
at law. The attorney general shall appear for the state in the 202
trial and argument of all civil and criminal causes in the 203
supreme court in which the state is directly or indirectly 204
interested. When required by the governor or the general 205
assembly, the attorney general shall appear for the state in any 206
court or tribunal in a cause in which the state is a party, or 207
in which the state is directly interested. Upon the written 208
request of the governor, the attorney general shall prosecute 209
any person indicted for a crime. 210

Sec. 119.12. ~~(A) (1) Except as provided in division (A) (2)~~ 211
~~or (3) of this section, any (A) Any party~~ adversely affected by 212
any order of an agency issued pursuant to an adjudication 213
~~denying an applicant admission to an examination, or denying the~~ 214
~~issuance or renewal of a license or registration of a licensee,~~ 215
~~or revoking or suspending a license, or allowing the payment of~~ 216
~~a forfeiture under section 4301.252 of the Revised Code may~~ 217
appeal from the order of the agency to the court of common pleas 218
of the county in which the place of business of the licensee is 219
located or the county in which the licensee is a 220
resident designated in division (B) of this section. 221

~~(2) (B)~~ An appeal from an order described in division ~~(A)~~ 222
~~(1) (A)~~ of this section shall be filed in the county designated 223

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| <u>as follows:</u> | 224 |
| <u>(1) Except as otherwise provided in division (B)(2) of</u> | 225 |
| <u>this section, an appeal from an order of an agency issued</u> | 226 |
| <u>pursuant to an adjudication denying an applicant admission to an</u> | 227 |
| <u>examination, denying the issuance or renewal of a license or</u> | 228 |
| <u>registration of a licensee, revoking or suspending a license, or</u> | 229 |
| <u>allowing the payment of a forfeiture under section 4301.252 of</u> | 230 |
| <u>the Revised Code shall be filed in the county in which the place</u> | 231 |
| <u>of business of the licensee is located or the county in which</u> | 232 |
| <u>the licensee is a resident.</u> | 233 |
| <u>(2) An appeal from an order issued by any of the following</u> | 234 |
| <u>agencies shall be made to the court of common pleas of Franklin</u> | 235 |
| <u>county or the court of common pleas in the county in which the</u> | 236 |
| <u>place of business of the licensee is located or the county in</u> | 237 |
| <u>which the licensee is a resident:</u> | 238 |
| (a) The liquor control commission; | 239 |
| (b) The Ohio casino control commission | 240 |
| (c) <u>The state medical board;</u> | 241 |
| (e) The (d) <u>The state chiropractic board;</u> | 242 |
| (d) The (e) <u>The board of nursing;</u> | 243 |
| (e) The (f) <u>The bureau of workers' compensation regarding</u> | 244 |
| participation in the health partnership program created in | 245 |
| sections 4121.44 and 4121.441 of the Revised Code. | 246 |
| (3) If any party appealing from an order described in | 247 |
| division (A)(1) of this section is not a resident of and has no | 248 |
| place of business in this state, the party may appeal to the | 249 |
| court of common pleas of Franklin county. | 250 |

~~(B) Any party adversely affected by any order of an agency issued pursuant to any other adjudication may appeal to the court of common pleas of Franklin county, except that appeals~~ 251
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Appeals from orders of the fire marshal issued under Chapter 3737. of the Revised Code ~~may~~ shall be to the court of common pleas of the county in which the building of the aggrieved person is located ~~and except that appeals.~~ 254
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(4) Appeals under division (B) of section 124.34 of the Revised Code from a decision of the state personnel board of review or a municipal or civil service township civil service commission shall be taken to the court of common pleas of the county in which the appointing authority is located or, in the case of an appeal by the department of rehabilitation and correction, to the court of common pleas of Franklin county. 258
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(5) If any party appealing from an order described in division (B)(1), (2), or (6) of this section is not a resident of and has no place of business in this state, the party shall appeal to the court of common pleas of Franklin county. 265
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(6) Any party adversely affected by any order of an agency issued pursuant to any other adjudication may appeal to the court of common pleas of Franklin county or the court of common pleas of the county in which the business of the party is located or in which the party is a resident. 269
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(C) This section does not apply to appeals from the department of taxation. 274
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(D) Any party desiring to appeal shall file a notice of appeal with the agency setting forth the order appealed from and stating that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance 276
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with law. The notice of appeal may, but need not, set forth the specific grounds of the party's appeal beyond the statement that the agency's order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. The notice of appeal shall also be filed by the appellant with the court. In filing a notice of appeal with the agency or court, the notice that is filed may be either the original notice or a copy of the original notice. Unless otherwise provided by law relating to a particular agency, notices of appeal shall be filed within fifteen days after the mailing of the notice of the agency's order as provided in this section. For purposes of this paragraph, an order includes a determination appealed pursuant to division (C) of section 119.092 of the Revised Code. The amendments made to this paragraph by Sub. H.B. 215 of the 128th general assembly are procedural, and this paragraph as amended by those amendments shall be applied retrospectively to all appeals pursuant to this paragraph filed before September 13, 2010, but not earlier than May 7, 2009, which was the date the supreme court of Ohio released its opinion and judgment in *Medcorp, Inc. v. Ohio Dep't. of Job and Family Servs.* (2009), 121 Ohio St.3d 622.

(E) The filing of a notice of appeal shall not automatically operate as a suspension of the order of an agency. If it appears to the court that an unusual hardship to the appellant will result from the execution of the agency's order pending determination of the appeal, the court may grant a suspension and fix its terms. If an appeal is taken from the judgment of the court and the court has previously granted a suspension of the agency's order as provided in this section, the suspension of the agency's order shall not be vacated and shall be given full force and effect until the matter is finally

adjudicated. No renewal of a license or permit shall be denied 311
by reason of the suspended order during the period of the appeal 312
from the decision of the court of common pleas. In the case of 313
an appeal from the Ohio casino control commission, the state 314
medical board, or the state chiropractic board, the court may 315
grant a suspension and fix its terms if it appears to the court 316
that an unusual hardship to the appellant will result from the 317
execution of the agency's order pending determination of the 318
appeal and the health, safety, and welfare of the public will 319
not be threatened by suspension of the order. This provision 320
shall not be construed to limit the factors the court may 321
consider in determining whether to suspend an order of any other 322
agency pending determination of an appeal. 323

(F) The final order of adjudication may apply to any 324
renewal of a license or permit which has been granted during the 325
period of the appeal. 326

(G) Notwithstanding any other provision of this section, 327
any order issued by a court of common pleas or a court of 328
appeals suspending the effect of an order of the liquor control 329
commission issued pursuant to Chapter 4301. or 4303. of the 330
Revised Code that suspends, revokes, or cancels a permit issued 331
under Chapter 4303. of the Revised Code or that allows the 332
payment of a forfeiture under section 4301.252 of the Revised 333
Code shall terminate not more than six months after the date of 334
the filing of the record of the liquor control commission with 335
the clerk of the court of common pleas and shall not be 336
extended. The court of common pleas, or the court of appeals on 337
appeal, shall render a judgment in that matter within six months 338
after the date of the filing of the record of the liquor control 339
commission with the clerk of the court of common pleas. A court 340
of appeals shall not issue an order suspending the effect of an 341

order of the liquor control commission that extends beyond six 342
months after the date on which the record of the liquor control 343
commission is filed with a court of common pleas. 344

(H) Notwithstanding any other provision of this section, 345
any order issued by a court of common pleas or a court of 346
appeals suspending the effect of an order of the Ohio casino 347
control commission issued under Chapter 3772. of the Revised 348
Code that limits, conditions, restricts, suspends, revokes, 349
denies, not renews, fines, or otherwise penalizes an applicant, 350
licensee, or person excluded or ejected from a casino facility 351
in accordance with section 3772.031 of the Revised Code shall 352
terminate not more than six months after the date of the filing 353
of the record of the Ohio casino control commission with the 354
clerk of the court of common pleas and shall not be extended. 355
The court of common pleas, or the court of appeals on appeal, 356
shall render a judgment in that matter within six months after 357
the date of the filing of the record of the Ohio casino control 358
commission with the clerk of the court of common pleas. A court 359
of appeals shall not issue an order suspending the effect of an 360
order of the Ohio casino control commission that extends beyond 361
six months after the date on which the record of the Ohio casino 362
control commission is filed with the clerk of a court of common 363
pleas. 364

(I) Notwithstanding any other provision of this section, 365
any order issued by a court of common pleas suspending the 366
effect of an order of the state medical board or state 367
chiropractic board that limits, revokes, suspends, places on 368
probation, or refuses to register or reinstate a certificate 369
issued by the board or reprimands the holder of the certificate 370
shall terminate not more than fifteen months after the date of 371
the filing of a notice of appeal in the court of common pleas, 372

or upon the rendering of a final decision or order in the appeal 373
by the court of common pleas, whichever occurs first. 374

~~(I)~~ (J) Within thirty days after receipt of a notice of 375
appeal from an order in any case in which a hearing is required 376
by sections 119.01 to 119.13 of the Revised Code, the agency 377
shall prepare and certify to the court a complete record of the 378
proceedings in the case. Failure of the agency to comply within 379
the time allowed, upon motion, shall cause the court to enter a 380
finding in favor of the party adversely affected. Additional 381
time, however, may be granted by the court, not to exceed thirty 382
days, when it is shown that the agency has made substantial 383
effort to comply. The record shall be prepared and transcribed, 384
and the expense of it shall be taxed as a part of the costs on 385
the appeal. The appellant shall provide security for costs 386
satisfactory to the court of common pleas. Upon demand by any 387
interested party, the agency shall furnish at the cost of the 388
party requesting it a copy of the stenographic report of 389
testimony offered and evidence submitted at any hearing and a 390
copy of the complete record. 391

~~(J)~~ (K) Notwithstanding any other provision of this 392
section, any party desiring to appeal an order or decision of 393
the state personnel board of review shall, at the time of filing 394
a notice of appeal with the board, provide a security deposit in 395
an amount and manner prescribed in rules that the board shall 396
adopt in accordance with this chapter. In addition, the board is 397
not required to prepare or transcribe the record of any of its 398
proceedings unless the appellant has provided the deposit 399
described above. The failure of the board to prepare or 400
transcribe a record for an appellant who has not provided a 401
security deposit shall not cause a court to enter a finding 402
adverse to the board. 403

~~(K)~~ (L) Unless otherwise provided by law, in the hearing 404
of the appeal, the court is confined to the record as certified 405
to it by the agency. Unless otherwise provided by law, the court 406
may grant a request for the admission of additional evidence 407
when satisfied that the additional evidence is newly discovered 408
and could not with reasonable diligence have been ascertained 409
prior to the hearing before the agency. 410

~~(L)~~ (M) The court shall conduct a hearing on the appeal 411
and shall give preference to all proceedings under sections 412
119.01 to 119.13 of the Revised Code, over all other civil 413
cases, irrespective of the position of the proceedings on the 414
calendar of the court. An appeal from an order of the state 415
medical board issued pursuant to division (G) of either section 416
4730.25 or 4731.22 of the Revised Code, the state chiropractic 417
board issued pursuant to section 4734.37 of the Revised Code, 418
the liquor control commission issued pursuant to Chapter 4301. 419
or 4303. of the Revised Code, or the Ohio casino control 420
commission issued pursuant to Chapter 3772. of the Revised Code 421
shall be set down for hearing at the earliest possible time and 422
takes precedence over all other actions. The hearing in the 423
court of common pleas shall proceed as in the trial of a civil 424
action, and the court shall determine the rights of the parties 425
in accordance with the laws applicable to a civil action. At the 426
hearing, counsel may be heard on oral argument, briefs may be 427
submitted, and evidence may be introduced if the court has 428
granted a request for the presentation of additional evidence. 429

~~(M)~~ (N) The court may affirm the order of the agency 430
complained of in the appeal if it finds, upon consideration of 431
the entire record and any additional evidence the court has 432
admitted, that the order is supported by reliable, probative, 433
and substantial evidence and is in accordance with law. In the 434

absence of this finding, it may reverse, vacate, or modify the 435
order or make such other ruling as is supported by reliable, 436
probative, and substantial evidence and is in accordance with 437
law. The court shall award compensation for fees in accordance 438
with section 2335.39 of the Revised Code to a prevailing party, 439
other than an agency, in an appeal filed pursuant to this 440
section. 441

~~(N)~~ (O) The judgment of the court shall be final and 442
conclusive unless reversed, vacated, or modified on appeal. 443
These appeals may be taken either by the party or the agency, 444
shall proceed as in the case of appeals in civil actions, and 445
shall be pursuant to the Rules of Appellate Procedure and, to 446
the extent not in conflict with those rules, Chapter 2505. of 447
the Revised Code. An appeal by the agency shall be taken on 448
questions of law relating to the constitutionality, 449
construction, or interpretation of statutes and rules of the 450
agency, and, in the appeal, the court may also review and 451
determine the correctness of the judgment of the court of common 452
pleas that the order of the agency is not supported by any 453
reliable, probative, and substantial evidence in the entire 454
record. 455

The court shall certify its judgment to the agency or take 456
any other action necessary to give its judgment effect. 457

Sec. 124.34. (A) The tenure of every officer or employee 458
in the classified service of the state and the counties, civil 459
service townships, cities, city health districts, general health 460
districts, and city school districts of the state, holding a 461
position under this chapter, shall be during good behavior and 462
efficient service. No officer or employee shall be reduced in 463
pay or position, fined, suspended, or removed, or have the 464

officer's or employee's longevity reduced or eliminated, except 465
as provided in section 124.32 of the Revised Code, and for 466
incompetency, inefficiency, unsatisfactory performance, 467
dishonesty, drunkenness, immoral conduct, insubordination, 468
discourteous treatment of the public, neglect of duty, violation 469
of any policy or work rule of the officer's or employee's 470
appointing authority, violation of this chapter or the rules of 471
the director of administrative services or the commission, any 472
other failure of good behavior, any other acts of misfeasance, 473
malfeasance, or nonfeasance in office, or conviction of a felony 474
while employed in the civil service. The denial of a one-time 475
pay supplement or a bonus to an officer or employee is not a 476
reduction in pay for purposes of this section. 477

This section does not apply to any modifications or 478
reductions in pay or work week authorized by section 124.392, 479
124.393, or 124.394 of the Revised Code. 480

An appointing authority may require an employee who is 481
suspended to report to work to serve the suspension. An employee 482
serving a suspension in this manner shall continue to be 483
compensated at the employee's regular rate of pay for hours 484
worked. The disciplinary action shall be recorded in the 485
employee's personnel file in the same manner as other 486
disciplinary actions and has the same effect as a suspension 487
without pay for the purpose of recording disciplinary actions. 488

A finding by the appropriate ethics commission, based upon 489
a preponderance of the evidence, that the facts alleged in a 490
complaint under section 102.06 of the Revised Code constitute a 491
violation of Chapter 102., section 2921.42, or section 2921.43 492
of the Revised Code may constitute grounds for dismissal. 493
Failure to file a statement or falsely filing a statement 494

required by section 102.02 of the Revised Code may also 495
constitute grounds for dismissal. The tenure of an employee in 496
the career professional service of the department of 497
transportation is subject to section 5501.20 of the Revised 498
Code. 499

Conviction of a felony while employed in the civil service 500
is a separate basis for reducing in pay or position, suspending, 501
or removing an officer or employee, even if the officer or 502
employee has already been reduced in pay or position, suspended, 503
or removed for the same conduct that is the basis of the felony. 504
An officer or employee may not appeal to the state personnel 505
board of review or the commission any disciplinary action taken 506
by an appointing authority as a result of the officer's or 507
employee's conviction of a felony. If an officer or employee 508
removed under this section is reinstated as a result of an 509
appeal of the removal, any conviction of a felony that occurs 510
during the pendency of the appeal is a basis for further 511
disciplinary action under this section upon the officer's or 512
employee's reinstatement. 513

A person convicted of a felony while employed in the civil 514
service immediately forfeits the person's status as a classified 515
employee in any public employment on and after the date of the 516
conviction for the felony. If an officer or employee is removed 517
under this section as a result of being convicted of a felony or 518
is subsequently convicted of a felony that involves the same 519
conduct that was the basis for the removal, the officer or 520
employee is barred from receiving any compensation after the 521
removal notwithstanding any modification or disaffirmance of the 522
removal, unless the conviction for the felony is subsequently 523
reversed or annulled. 524

Any person removed for conviction of a felony is entitled 525
to a cash payment for any accrued but unused sick, personal, and 526
vacation leave as authorized by law. If subsequently reemployed 527
in the public sector, the person shall qualify for and accrue 528
these forms of leave in the manner specified by law for a newly 529
appointed employee and shall not be credited with prior public 530
service for the purpose of receiving these forms of leave. 531

As used in this division, "felony" means any of the 532
following: 533

(1) A felony that is an offense of violence as defined in 534
section 2901.01 of the Revised Code; 535

(2) A felony that is a felony drug abuse offense as 536
defined in section 2925.01 of the Revised Code; 537

(3) A felony under the laws of this or any other state or 538
the United States that is a crime of moral turpitude; 539

(4) A felony involving dishonesty, fraud, or theft; 540

(5) A felony that is a violation of section 2921.05, 541
2921.32, or 2921.42 of the Revised Code. 542

(B) In case of a reduction, a suspension of more than 543
forty work hours in the case of an employee exempt from the 544
payment of overtime compensation, a suspension of more than 545
twenty-four work hours in the case of an employee required to be 546
paid overtime compensation, a fine of more than forty hours' pay 547
in the case of an employee exempt from the payment of overtime 548
compensation, a fine of more than twenty-four hours' pay in the 549
case of an employee required to be paid overtime compensation, 550
or removal, except for the reduction or removal of a 551
probationary employee, the appointing authority shall serve the 552
employee with a copy of the order of reduction, fine, 553

suspension, or removal, which order shall state the reasons for 554
the action. 555

Within ten days following the date on which the order is 556
served or, in the case of an employee in the career professional 557
service of the department of transportation, within ten days 558
following the filing of a removal order, the employee, except as 559
otherwise provided in this section, may file an appeal of the 560
order in writing with the state personnel board of review or the 561
commission. For purposes of this section, the date on which an 562
order is served is the date of hand delivery of the order or the 563
date of delivery of the order by certified United States mail, 564
whichever occurs first. If an appeal is filed, the board or 565
commission shall forthwith notify the appointing authority and 566
shall hear, or appoint a trial board to hear, the appeal within 567
thirty days from and after its filing with the board or 568
commission. The board, commission, or trial board may affirm, 569
disaffirm, or modify the judgment of the appointing authority. 570
However, in an appeal of a removal order based upon a violation 571
of a last chance agreement, the board, commission, or trial 572
board may only determine if the employee violated the agreement 573
and thus affirm or disaffirm the judgment of the appointing 574
authority. 575

In cases of removal or reduction in pay for disciplinary 576
reasons, either the appointing authority or the officer or 577
employee may appeal from the decision of the state personnel 578
board of review or the commission, and any such appeal shall be 579
to the court of common pleas ~~of the county in which the~~ 580
~~appointing authority is located, or to the court of common pleas~~ 581
~~of Franklin county, as provided by section 119.12 of the Revised~~ 582
~~Code~~ in accordance with section 119.12 of the Revised Code. 583

(C) In the case of the suspension for any period of time, 584
or a fine, demotion, or removal, of a chief of police, a chief 585
of a fire department, or any member of the police or fire 586
department of a city or civil service township, who is in the 587
classified civil service, the appointing authority shall furnish 588
the chief or member with a copy of the order of suspension, 589
fine, demotion, or removal, which order shall state the reasons 590
for the action. The order shall be filed with the municipal or 591
civil service township civil service commission. Within ten days 592
following the filing of the order, the chief or member may file 593
an appeal, in writing, with the commission. If an appeal is 594
filed, the commission shall forthwith notify the appointing 595
authority and shall hear, or appoint a trial board to hear, the 596
appeal within thirty days from and after its filing with the 597
commission, and it may affirm, disaffirm, or modify the judgment 598
of the appointing authority. An appeal on questions of law and 599
fact may be had from the decision of the commission to the court 600
of common pleas in the county in which the city or civil service 601
township is situated. The appeal shall be taken within thirty 602
days from the finding of the commission. 603

(D) A violation of division (A) (7) of section 2907.03 of 604
the Revised Code is grounds for termination of employment of a 605
nonteaching employee under this section. 606

(E) The director shall adopt a rule in accordance with 607
Chapter 119. of the Revised Code to define the term 608
"unsatisfactory performance" as it is used in this section with 609
regard to employees in the service of the state. 610

(F) As used in this section, "last chance agreement" means 611
an agreement signed by both an appointing authority and an 612
officer or employee of the appointing authority that describes 613

the type of behavior or circumstances that, if it occurs, will 614
automatically lead to removal of the officer or employee without 615
the right of appeal to the state personnel board of review or 616
the appropriate commission. 617

Sec. 303.65. A final judgment on the merits issued by a 618
court of competent jurisdiction pursuant to its power of review 619
under Chapter 2506. of the Revised Code, on claims brought under 620
this chapter, does not preclude later claims for damages, 621
including claims brought under 42 U.S.C. 1983, even if the 622
common law doctrine of res judicata would otherwise bar the 623
claim. 624

The general assembly intends that this section be 625
construed to override the federal sixth circuit court of 626
appeals's decision in the case *Lavon Moore v. Hiram Twp.*, 988 627
F.3d 353 (6th Cir. 2021). 628

Sec. 519.26. A final judgment on the merits issued by a 629
court of competent jurisdiction pursuant to its power of review 630
under Chapter 2506. of the Revised Code, on claims brought under 631
this chapter, does not preclude later claims for damages, 632
including claims brought under 42 U.S.C. 1983, even if the 633
common law doctrine of res judicata would otherwise bar the 634
claim. 635

The general assembly intends that this section be 636
construed to override the federal sixth circuit court of 637
appeals's decision in the case *Lavon Moore v. Hiram Twp.*, 988 638
F.3d 353 (6th Cir. 2021). 639

Sec. 713.16. A final judgment on the merits issued by a 640
court of competent jurisdiction pursuant to its power of review 641
under Chapter 2506. of the Revised Code, on claims brought under 642

this chapter, does not preclude later claims for damages, 643
including claims brought under 42 U.S.C. 1983, even if the 644
common law doctrine of res judicata would otherwise bar the 645
claim. 646

The general assembly intends that this section be 647
construed to override the federal sixth circuit court of 648
appeals's decision in the case *Lavon Moore v. Hiram Twp.*, 988 649
F.3d 353 (6th Cir. 2021). 650

Sec. 956.11. (A) The director of agriculture may enter 651
into contracts or agreements with an animal rescue for dogs, an 652
animal shelter for dogs, a boarding kennel, a veterinarian, a 653
board of county commissioners, or a humane society for the 654
purposes of this section. 655

(B) (1) If the director or the director's authorized 656
representative determines that a dog is being kept by a high 657
volume breeder or dog broker in a manner that materially 658
violates this chapter or rules adopted under it, the director 659
may impound the dog and order it to be seized by an animal 660
rescue for dogs, an animal shelter for dogs, a boarding kennel, 661
a veterinarian, a board of county commissioners, or a humane 662
society with which the director has entered into a contract or 663
agreement under division (A) of this section. Upon receiving the 664
order from the director, the animal rescue for dogs, animal 665
shelter for dogs, boarding kennel, veterinarian, board of county 666
commissioners, or humane society shall seize the dog and keep, 667
house, and maintain it. 668

(2) The director or the director's authorized 669
representative shall give written notice of the impoundment by 670
posting a notice on the door of the premises from which the dog 671
was taken or by otherwise posting the notice in a conspicuous 672

place at the premises from which the dog was taken. The notice 673
shall provide a date for an adjudication hearing, which shall 674
take place not later than five business days after the dog is 675
taken and at which the director shall determine if the dog 676
should be permanently relinquished to the custody of the 677
director. 678

(C) The owner or operator of the applicable high volume 679
breeder or the person acting as or performing the functions of a 680
dog broker may appeal the determination made at the adjudication 681
hearing in accordance with section 119.12 of the Revised Code, ~~7-~~ 682
~~except that the appeal may be made only to the environmental-~~ 683
~~division of the Franklin county municipal court.~~ 684

(D) If, after the final disposition of an adjudication 685
hearing and any appeals from that adjudication hearing, it is 686
determined that a dog shall be permanently relinquished to the 687
custody of the director, the dog may be adopted directly from 688
the animal rescue for dogs, animal shelter for dogs, boarding 689
kennel, veterinarian, county dog pound, or humane society where 690
it is being kept, housed, and maintained, provided that the dog 691
has been spayed or neutered unless there are medical reasons 692
against spaying or neutering as determined by a veterinarian. 693
The animal rescue for dogs, animal shelter for dogs, boarding 694
kennel, veterinarian, county dog pound, or humane society may 695
charge a reasonable adoption fee. The fee shall be at least 696
sufficient to cover the costs of spaying or neutering the dog 697
unless it is medically contraindicated. Impounded dogs shall be 698
returned to persons acquitted of any alleged violations. 699

Sec. 956.15. (A) The director of agriculture shall deny an 700
application for a license that is submitted under section 956.04 701
or 956.05 of the Revised Code for either of the following 702

reasons: 703

(1) The applicant for the license has violated any 704
provision of this chapter or a rule adopted under it if the 705
violation materially threatens the health or welfare of a dog. 706

(2) The applicant has been convicted of or pleaded guilty 707
to a disqualifying offense as determined in accordance with 708
section 9.79 of the Revised Code. 709

(B) The director may suspend or revoke a license issued 710
under this chapter for violation of any provision of this 711
chapter or a rule adopted or order issued under it if the 712
violation materially threatens the health and welfare of a dog. 713

(C) An application or a license shall not be denied, 714
suspended, or revoked under this section without a written order 715
of the director stating the findings on which the denial, 716
suspension, or revocation is based. A copy of the order shall be 717
sent to the applicant or license holder by certified mail or may 718
be provided to the applicant or license holder by personal 719
service. In addition, the person to whom a denial, suspension, 720
or revocation applies may request an adjudication hearing under 721
Chapter 119. of the Revised Code. The director shall comply with 722
such a request. The determination of the director at an 723
adjudication hearing may be appealed in accordance with section 724
119.12 of the Revised Code, ~~except that the determination may be~~ 725
~~appealed only to the environmental division of the Franklin-~~ 726
~~county municipal court.~~ 727

Sec. 1901.02. (A) The municipal courts established by 728
section 1901.01 of the Revised Code have jurisdiction within the 729
corporate limits of their respective municipal corporations, or, 730
for the Clermont county municipal court, and, effective January 731

1, 2008, the Erie county municipal court, within the municipal 732
corporation or unincorporated territory in which they are 733
established, and are courts of record. Each of the courts shall 734
be styled "_____ municipal court," 735
inserting the name of the municipal corporation, except the 736
following courts, which shall be styled as set forth below: 737

(1) The municipal court established in Chesapeake that 738
shall be styled and known as the "Lawrence county municipal 739
court"; 740

(2) The municipal court established in Cincinnati that 741
shall be styled and known as the "Hamilton county municipal 742
court"; 743

(3) The municipal court established in Ravenna that shall 744
be styled and known as the "Portage county municipal court"; 745

(4) The municipal court established in Athens that shall 746
be styled and known as the "Athens county municipal court"; 747

(5) The municipal court established in Columbus that shall 748
be styled and known as the "Franklin county municipal court"; 749

(6) The municipal court established in London that shall 750
be styled and known as the "Madison county municipal court"; 751

(7) The municipal court established in Newark that shall 752
be styled and known as the "Licking county municipal court"; 753

(8) The municipal court established in Wooster that shall 754
be styled and known as the "Wayne county municipal court"; 755

(9) The municipal court established in Wapakoneta that 756
shall be styled and known as the "Auglaize county municipal 757
court"; 758

- (10) The municipal court established in Troy that shall be 759
styled and known as the "Miami county municipal court"; 760
- (11) The municipal court established in Bucyrus that shall 761
be styled and known as the "Crawford county municipal court"; 762
- (12) The municipal court established in Logan that shall 763
be styled and known as the "Hocking county municipal court"; 764
- (13) The municipal court established in Urbana that shall 765
be styled and known as the "Champaign county municipal court"; 766
- (14) The municipal court established in Jackson that shall 767
be styled and known as the "Jackson county municipal court"; 768
- (15) The municipal court established in Springfield that 769
shall be styled and known as the "Clark county municipal court"; 770
- (16) The municipal court established in Kenton that shall 771
be styled and known as the "Hardin county municipal court"; 772
- (17) The municipal court established within Clermont 773
county in Batavia or in any other municipal corporation or 774
unincorporated territory within Clermont county that is selected 775
by the legislative authority of that court that shall be styled 776
and known as the "Clermont county municipal court"; 777
- (18) The municipal court established in Wilmington that, 778
beginning July 1, 1992, shall be styled and known as the 779
"Clinton county municipal court"; 780
- (19) The municipal court established in Port Clinton that 781
shall be styled and known as the "Ottawa county municipal 782
court"; 783
- (20) The municipal court established in Lancaster that, 784
beginning January 2, 2000, shall be styled and known as the 785

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| "Fairfield county municipal court"; | 786 |
| (21) The municipal court established within Columbiana | 787 |
| county in Lisbon or in any other municipal corporation or | 788 |
| unincorporated territory selected pursuant to division (I) of | 789 |
| section 1901.021 of the Revised Code, that shall be styled and | 790 |
| known as the "Columbiana county municipal court"; | 791 |
| (22) The municipal court established in Georgetown that, | 792 |
| beginning February 9, 2003, shall be styled and known as the | 793 |
| "Brown county municipal court"; | 794 |
| (23) The municipal court established in Mount Gilead that, | 795 |
| beginning January 1, 2003, shall be styled and known as the | 796 |
| "Morrow county municipal court"; | 797 |
| (24) The municipal court established in Greenville that, | 798 |
| beginning January 1, 2005, shall be styled and known as the | 799 |
| "Darke county municipal court"; | 800 |
| (25) The municipal court established in Millersburg that, | 801 |
| beginning January 1, 2007, shall be styled and known as the | 802 |
| "Holmes county municipal court"; | 803 |
| (26) The municipal court established in Carrollton that, | 804 |
| beginning January 1, 2007, shall be styled and known as the | 805 |
| "Carroll county municipal court"; | 806 |
| (27) The municipal court established within Erie county in | 807 |
| Milan or established in any other municipal corporation or | 808 |
| unincorporated territory that is within Erie county, is within | 809 |
| the territorial jurisdiction of that court, and is selected by | 810 |
| the legislative authority of that court that, beginning January | 811 |
| 1, 2008, shall be styled and known as the "Erie county municipal | 812 |
| court"; | 813 |

(28) The municipal court established in Ottawa that, 814
beginning January 1, 2011, shall be styled and known as the 815
"Putnam county municipal court"; 816

(29) The municipal court established within Montgomery 817
county in any municipal corporation or unincorporated territory 818
within Montgomery county, except the municipal corporations of 819
Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, 820
Miamisburg, Moraine, Oakwood, Union, Vandalia, and West 821
Carrollton and Butler, German, Harrison, Miami, and Washington 822
townships, that is selected by the legislative authority of that 823
court and that, beginning July 1, 2010, shall be styled and 824
known as the "Montgomery county municipal court"; 825

(30) The municipal court established within Sandusky 826
county in any municipal corporation or unincorporated territory 827
within Sandusky county, except the municipal corporations of 828
Bellevue and Fremont and Ballville, Sandusky, and York 829
townships, that is selected by the legislative authority of that 830
court and that, beginning January 1, 2013, shall be styled and 831
known as the "Sandusky county municipal court"; 832

(31) The municipal court established in Tiffin that, 833
beginning January 1, 2014, shall be styled and known as the 834
"Tiffin-Fostoria municipal court"; 835

(32) The municipal court established in New Lexington 836
that, beginning January 1, 2018, shall be styled and known as 837
the "Perry county municipal court"; 838

(33) The municipal court established in Paulding that, 839
beginning January 1, 2020, shall be styled and known as the 840
"Paulding county municipal court"; 841

(34) The municipal court established in Wauseon that, 842

beginning January 1, 2024, shall be styled and known as the 843
"Fulton county municipal court." 844

(B) In addition to the jurisdiction set forth in division 845
(A) of this section, the municipal courts established by section 846
1901.01 of the Revised Code have jurisdiction as follows: 847

The Akron municipal court has jurisdiction within Bath, 848
Richfield, and Springfield townships, and within the municipal 849
corporations of Fairlawn, Lakemore, and Mogadore, in Summit 850
county. 851

The Alliance municipal court has jurisdiction within 852
Lexington, Marlboro, Paris, and Washington townships in Stark 853
county. 854

The Ashland municipal court has jurisdiction within 855
Ashland county. 856

The Ashtabula municipal court has jurisdiction within 857
Ashtabula, Plymouth, and Saybrook townships in Ashtabula county. 858

The Athens county municipal court has jurisdiction within 859
Athens county. 860

The Auglaize county municipal court has jurisdiction 861
within Auglaize county. 862

The Avon Lake municipal court has jurisdiction within the 863
municipal corporations of Avon and Sheffield in Lorain county. 864

The Barberton municipal court has jurisdiction within 865
Coventry, Franklin, and Green townships, within all of Copley 866
township except within the municipal corporation of Fairlawn, 867
and within the municipal corporations of Clinton and Norton, in 868
Summit county. 869

The Bedford municipal court has jurisdiction within the 870
municipal corporations of Bedford Heights, Oakwood, Glenwillow, 871
Solon, Bentleyville, Chagrin Falls, Moreland Hills, Orange, 872
Warrensville Heights, North Randall, and Woodmere, and within 873
Warrensville and Chagrin Falls townships, in Cuyahoga county. 874

The Bellefontaine municipal court has jurisdiction within 875
Logan county. 876

The Bellevue municipal court has jurisdiction within Lyme 877
and Sherman townships in Huron county and within York township 878
in Sandusky county. 879

The Berea municipal court has jurisdiction within the 880
municipal corporations of Strongsville, Middleburgh Heights, 881
Brook Park, Westview, and Olmsted Falls, and within Olmsted 882
township, in Cuyahoga county. 883

The Bowling Green municipal court has jurisdiction within 884
the municipal corporations of Bairdstown, Bloomdale, Bradner, 885
Custar, Cygnet, Grand Rapids, Haskins, Hoytville, Jerry City, 886
Milton Center, North Baltimore, Pemberville, Portage, Rising 887
Sun, Tontogany, Wayne, West Millgrove, and Weston, and within 888
Bloom, Center, Freedom, Grand Rapids, Henry, Jackson, Liberty, 889
Middleton, Milton, Montgomery, Perry, Plain, Portage, 890
Washington, Webster, and Weston townships in Wood county. 891

Beginning February 9, 2003, the Brown county municipal 892
court has jurisdiction within Brown county. 893

The Bryan municipal court has jurisdiction within Williams 894
county. 895

The Cambridge municipal court has jurisdiction within 896
Guernsey county. 897

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| The Campbell municipal court has jurisdiction within | 898 |
| Coitsville township in Mahoning county. | 899 |
| The Canton municipal court has jurisdiction within Canton, | 900 |
| Lake, Nimishillen, Osnaburg, Pike, Plain, and Sandy townships in | 901 |
| Stark county. | 902 |
| The Carroll county municipal court has jurisdiction within | 903 |
| Carroll county. | 904 |
| The Celina municipal court has jurisdiction within Mercer | 905 |
| county. | 906 |
| The Champaign county municipal court has jurisdiction | 907 |
| within Champaign county. | 908 |
| The Chardon municipal court has jurisdiction within Geauga | 909 |
| county. | 910 |
| The Chillicothe municipal court has jurisdiction within | 911 |
| Ross county. | 912 |
| The Circleville municipal court has jurisdiction within | 913 |
| Pickaway county. | 914 |
| The Clark county municipal court has jurisdiction within | 915 |
| Clark county. | 916 |
| The Clermont county municipal court has jurisdiction | 917 |
| within Clermont county. | 918 |
| The Cleveland municipal court has jurisdiction within the | 919 |
| municipal corporation of Bratenahl in Cuyahoga county. | 920 |
| Beginning July 1, 1992, the Clinton county municipal court | 921 |
| has jurisdiction within Clinton county. | 922 |
| The Columbiana county municipal court has jurisdiction | 923 |
| within Columbiana county. | 924 |

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| The Coshocton municipal court has jurisdiction within Coshocton county. | 925 926 |
| The Crawford county municipal court has jurisdiction within Crawford county. | 927 928 |
| Until December 31, 2008, the Cuyahoga Falls municipal court has jurisdiction within Boston, Hudson, Northfield Center, Sagamore Hills, and Twinsburg townships, and within the municipal corporations of Boston Heights, Hudson, Munroe Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow, Tallmadge, Twinsburg, and Macedonia, in Summit county. | 929 930 931 932 933 934 |
| Beginning January 1, 2005, the Darke county municipal court has jurisdiction within Darke county except within the municipal corporation of Bradford. | 935 936 937 |
| The Defiance municipal court has jurisdiction within Defiance county. | 938 939 |
| The Delaware municipal court has jurisdiction within Delaware county. | 940 941 |
| The Eaton municipal court has jurisdiction within Preble county. | 942 943 |
| The Elyria municipal court has jurisdiction within the municipal corporations of Grafton, LaGrange, and North Ridgeville, and within Elyria, Carlisle, Eaton, Columbia, Grafton, and LaGrange townships, in Lorain county. | 944 945 946 947 |
| Beginning January 1, 2008, the Erie county municipal court has jurisdiction within Erie county except within the townships of Florence, Huron, Perkins, and Vermilion and the municipal corporations of Bay View, Castalia, Huron, Sandusky, and Vermilion. | 948 949 950 951 952 |

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| The Fairborn municipal court has jurisdiction within the | 953 |
| municipal corporation of Beavercreek and within Bath and | 954 |
| Beavercreek townships in Greene county. | 955 |
| Beginning January 2, 2000, the Fairfield county municipal | 956 |
| court has jurisdiction within Fairfield county. | 957 |
| The Findlay municipal court has jurisdiction within all of | 958 |
| Hancock county except within Washington township. | 959 |
| The Franklin municipal court has jurisdiction within | 960 |
| Franklin township in Warren county. | 961 |
| The Franklin county municipal court has jurisdiction | 962 |
| within Franklin county. | 963 |
| The Fremont municipal court has jurisdiction within | 964 |
| Ballville and Sandusky townships in Sandusky county. | 965 |
| Beginning January 1, 2024, the Fulton county municipal | 966 |
| court has jurisdiction within Fulton county. | 967 |
| The Gallipolis municipal court has jurisdiction within | 968 |
| Gallia county. | 969 |
| The Garfield Heights municipal court has jurisdiction | 970 |
| within the municipal corporations of Maple Heights, Walton | 971 |
| Hills, Valley View, Cuyahoga Heights, Newburgh Heights, | 972 |
| Independence, and Brecksville in Cuyahoga county. | 973 |
| The Girard municipal court has jurisdiction within | 974 |
| Liberty, Vienna, and Hubbard townships in Trumbull county. | 975 |
| The Hamilton municipal court has jurisdiction within Ross | 976 |
| and St. Clair townships in Butler county. | 977 |
| The Hamilton county municipal court has jurisdiction | 978 |
| within Hamilton county. | 979 |

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| The Hardin county municipal court has jurisdiction within Hardin county. | 980 981 |
| The Hillsboro municipal court has jurisdiction within all of Highland county except within Madison township. | 982 983 |
| The Hocking county municipal court has jurisdiction within Hocking county. | 984 985 |
| The Holmes county municipal court has jurisdiction within Holmes county. | 986 987 |
| The Huron municipal court has jurisdiction within all of Huron township in Erie county except within the municipal corporation of Sandusky. | 988 989 990 |
| The Ironton municipal court has jurisdiction within Aid, Decatur, Elizabeth, Hamilton, Lawrence, Upper, and Washington townships in Lawrence county. | 991 992 993 |
| The Jackson county municipal court has jurisdiction within Jackson county. | 994 995 |
| The Kettering municipal court has jurisdiction within the municipal corporations of Centerville and Moraine, and within Washington township, in Montgomery county. | 996 997 998 |
| Until January 2, 2000, the Lancaster municipal court has jurisdiction within Fairfield county. | 999 1000 |
| The Lawrence county municipal court has jurisdiction within the townships of Fayette, Mason, Perry, Rome, Symmes, Union, and Windsor in Lawrence county. | 1001 1002 1003 |
| The Lebanon municipal court has jurisdiction within Turtlecreek township in Warren county. | 1004 1005 |
| The Licking county municipal court has jurisdiction within | 1006 |

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| Licking county. | 1007 |
| The Lima municipal court has jurisdiction within Allen county. | 1008 1009 |
| The Lorain municipal court has jurisdiction within the municipal corporation of Sheffield Lake, and within Sheffield township, in Lorain county. | 1010 1011 1012 |
| The Lyndhurst municipal court has jurisdiction within the municipal corporations of Mayfield Heights, Gates Mills, Mayfield, Highland Heights, and Richmond Heights in Cuyahoga county. | 1013 1014 1015 1016 |
| The Madison county municipal court has jurisdiction within Madison county. | 1017 1018 |
| The Mansfield municipal court has jurisdiction within Madison, Springfield, Sandusky, Franklin, Weller, Mifflin, Troy, Washington, Monroe, Perry, Jefferson, and Worthington townships, and within sections 35-36-31 and 32 of Butler township, in Richland county. | 1019 1020 1021 1022 1023 |
| The Marietta municipal court has jurisdiction within Washington county. | 1024 1025 |
| The Marion municipal court has jurisdiction within Marion county. | 1026 1027 |
| The Marysville municipal court has jurisdiction within Union county. | 1028 1029 |
| The Mason municipal court has jurisdiction within Deerfield township in Warren county. | 1030 1031 |
| The Massillon municipal court has jurisdiction within Bethlehem, Perry, Sugar Creek, Tuscarawas, Lawrence, and Jackson | 1032 1033 |

townships in Stark county. 1034

The Maumee municipal court has jurisdiction within the 1035
municipal corporations of Waterville and Whitehouse, within 1036
Waterville and Providence townships, and within those portions 1037
of Springfield, Monclova, and Swanton townships lying south of 1038
the northerly boundary line of the Ohio turnpike, in Lucas 1039
county. 1040

The Medina municipal court has jurisdiction within the 1041
municipal corporations of Briarwood Beach, Brunswick, Chippewa- 1042
on-the-Lake, and Spencer and within the townships of Brunswick 1043
Hills, Chatham, Granger, Hinckley, Lafayette, Litchfield, 1044
Liverpool, Medina, Montville, Spencer, and York townships, in 1045
Medina county. 1046

The Mentor municipal court has jurisdiction within the 1047
municipal corporation of Mentor-on-the-Lake in Lake county. 1048

The Miami county municipal court has jurisdiction within 1049
Miami county and within the part of the municipal corporation of 1050
Bradford that is located in Darke county. 1051

The Miamisburg municipal court has jurisdiction within the 1052
municipal corporations of Germantown and West Carrollton, and 1053
within German and Miami townships in Montgomery county. 1054

The Middletown municipal court has jurisdiction within 1055
Madison township, and within all of Lemon township, except 1056
within the municipal corporation of Monroe, in Butler county. 1057

Beginning July 1, 2010, the Montgomery county municipal 1058
court has jurisdiction within all of Montgomery county except 1059
for the municipal corporations of Centerville, Clayton, Dayton, 1060
Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, 1061
Union, Vandalia, and West Carrollton and Butler, German, 1062

| | |
|--|------|
| Harrison, Miami, and Washington townships. | 1063 |
| Beginning January 1, 2003, the Morrow county municipal | 1064 |
| court has jurisdiction within Morrow county. | 1065 |
| The Mount Vernon municipal court has jurisdiction within | 1066 |
| Knox county. | 1067 |
| The Napoleon municipal court has jurisdiction within Henry | 1068 |
| county. | 1069 |
| The New Philadelphia municipal court has jurisdiction | 1070 |
| within the municipal corporation of Dover, and within Auburn, | 1071 |
| Bucks, Fairfield, Goshen, Jefferson, Warren, York, Dover, | 1072 |
| Franklin, Lawrence, Sandy, Sugarcreek, and Wayne townships in | 1073 |
| Tuscarawas county. | 1074 |
| The Newton Falls municipal court has jurisdiction within | 1075 |
| Bristol, Bloomfield, Lordstown, Newton, Braceville, Southington, | 1076 |
| Farmington, and Mesopotamia townships in Trumbull county. | 1077 |
| The Niles municipal court has jurisdiction within the | 1078 |
| municipal corporation of McDonald, and within Weathersfield | 1079 |
| township in Trumbull county. | 1080 |
| The Norwalk municipal court has jurisdiction within all of | 1081 |
| Huron county except within the municipal corporation of Bellevue | 1082 |
| and except within Lyme and Sherman townships. | 1083 |
| The Oberlin municipal court has jurisdiction within the | 1084 |
| municipal corporations of Amherst, Kipton, Rochester, South | 1085 |
| Amherst, and Wellington, and within Henrietta, Russia, Camden, | 1086 |
| Pittsfield, Brighton, Wellington, Penfield, Rochester, and | 1087 |
| Huntington townships, and within all of Amherst township except | 1088 |
| within the municipal corporation of Lorain, in Lorain county. | 1089 |
| The Oregon municipal court has jurisdiction within the | 1090 |

municipal corporation of Harbor View, and within Jerusalem 1091
township, in Lucas county, and north within Maumee Bay and Lake 1092
Erie to the boundary line between Ohio and Michigan between the 1093
easterly boundary of the court and the easterly boundary of the 1094
Toledo municipal court. 1095

The Ottawa county municipal court has jurisdiction within 1096
Ottawa county. 1097

The Painesville municipal court has jurisdiction within 1098
Painesville, Perry, Leroy, Concord, and Madison townships in 1099
Lake county. 1100

The Parma municipal court has jurisdiction within the 1101
municipal corporations of Parma Heights, Brooklyn, Linndale, 1102
North Royalton, Broadview Heights, Seven Hills, and Brooklyn 1103
Heights in Cuyahoga county. 1104

Beginning January 1, 2018, the Perry county municipal 1105
court has jurisdiction within Perry county. 1106

Beginning January 1, 2020, the Paulding county municipal 1107
court has jurisdiction within Paulding county. 1108

The Perrysburg municipal court has jurisdiction within the 1109
municipal corporations of Luckey, Millbury, Northwood, Rossford, 1110
and Walbridge, and within Perrysburg, Lake, and Troy townships, 1111
in Wood county. 1112

The Portage county municipal court has jurisdiction within 1113
Portage county. 1114

The Portsmouth municipal court has jurisdiction within 1115
Scioto county. 1116

The Putnam county municipal court has jurisdiction within 1117
Putnam county. 1118

The Rocky River municipal court has jurisdiction within 1119
the municipal corporations of Bay Village, Westlake, Fairview 1120
Park, and North Olmsted, and within Riveredge township, in 1121
Cuyahoga county. 1122

The Sandusky municipal court has jurisdiction within the 1123
municipal corporations of Castalia and Bay View, and within 1124
Perkins township, in Erie county. 1125

Beginning January 1, 2013, the Sandusky county municipal 1126
court has jurisdiction within all of Sandusky county except 1127
within the municipal corporations of Bellevue and Fremont and 1128
Ballville, Sandusky, and York townships. 1129

The Shaker Heights municipal court has jurisdiction within 1130
the municipal corporations of University Heights, Beachwood, 1131
Pepper Pike, and Hunting Valley in Cuyahoga county. 1132

The Shelby municipal court has jurisdiction within Sharon, 1133
Jackson, Cass, Plymouth, and Blooming Grove townships, and 1134
within all of Butler township except sections 35-36-31 and 32, 1135
in Richland county. 1136

The Sidney municipal court has jurisdiction within Shelby 1137
county. 1138

Beginning January 1, 2009, the Stow municipal court has 1139
jurisdiction within Boston, Hudson, Northfield Center, Sagamore 1140
Hills, and Twinsburg townships, and within the municipal 1141
corporations of Boston Heights, Cuyahoga Falls, Hudson, Munroe 1142
Falls, Northfield, Peninsula, Reminderville, Silver Lake, Stow, 1143
Tallmadge, Twinsburg, and Macedonia, in Summit county. 1144

The Struthers municipal court has jurisdiction within the 1145
municipal corporations of Lowellville, New Middleton, and 1146
Poland, and within Poland and Springfield townships in Mahoning 1147

county. 1148

The Sylvania municipal court has jurisdiction within the 1149
municipal corporations of Berkey and Holland, and within 1150
Sylvania, Richfield, Spencer, and Harding townships, and within 1151
those portions of Swanton, Monclova, and Springfield townships 1152
lying north of the northerly boundary line of the Ohio turnpike, 1153
in Lucas county. 1154

Beginning January 1, 2014, the Tiffin-Fostoria municipal 1155
court has jurisdiction within Adams, Big Spring, Bloom, Clinton, 1156
Eden, Hopewell, Jackson, Liberty, Loudon, Pleasant, Reed, 1157
Scipio, Seneca, Thompson, and Venice townships in Seneca county,~~—~~ 1158
and within Washington township in Hancock county,~~—and within—~~ 1159
~~Perry township, except within the municipal corporation of West—~~ 1160
~~Millgrove, in Wood county.~~ 1161

The Toledo municipal court has jurisdiction within 1162
Washington township, and within the municipal corporation of 1163
Ottawa Hills, in Lucas county. 1164

The Upper Sandusky municipal court has jurisdiction within 1165
Wyandot county. 1166

The Vandalia municipal court has jurisdiction within the 1167
municipal corporations of Clayton, Englewood, and Union, and 1168
within Butler, Harrison, and Randolph townships, in Montgomery 1169
county. 1170

The Van Wert municipal court has jurisdiction within Van 1171
Wert county. 1172

The Vermilion municipal court has jurisdiction within the 1173
townships of Vermilion and Florence in Erie county and within 1174
all of Brownhelm township except within the municipal 1175
corporation of Lorain, in Lorain county. 1176

The Wadsworth municipal court has jurisdiction within the 1177
municipal corporations of Gloria Glens Park, Lodi, Seville, and 1178
Westfield Center, and within Guilford, Harrisville, Homer, 1179
Sharon, Wadsworth, and Westfield townships in Medina county. 1180

The Warren municipal court has jurisdiction within Warren 1181
and Champion townships, and within all of Howland township 1182
except within the municipal corporation of Niles, in Trumbull 1183
county. 1184

The Washington Court House municipal court has 1185
jurisdiction within Fayette county. 1186

The Wayne county municipal court has jurisdiction within 1187
Wayne county. 1188

The Willoughby municipal court has jurisdiction within the 1189
municipal corporations of Eastlake, Wickliffe, Willowick, 1190
Willoughby Hills, Kirtland, Kirtland Hills, Waite Hill, 1191
Timberlake, and Lakeline, and within Kirtland township, in Lake 1192
county. 1193

Through June 30, 1992, the Wilmington municipal court has 1194
jurisdiction within Clinton county. 1195

The Xenia municipal court has jurisdiction within 1196
Caesarcreek, Cedarville, Jefferson, Miami, New Jasper, Ross, 1197
Silvercreek, Spring Valley, Sugarcreek, and Xenia townships in 1198
Greene county. 1199

(C) As used in this section: 1200

(1) "Within a township" includes all land, including, but 1201
not limited to, any part of any municipal corporation, that is 1202
physically located within the territorial boundaries of that 1203
township, whether or not that land or municipal corporation is 1204

governmentally a part of the township. 1205

(2) "Within a municipal corporation" includes all land 1206
within the territorial boundaries of the municipal corporation 1207
and any townships that are coextensive with the municipal 1208
corporation. 1209

Sec. 1901.021. (A) Except as otherwise provided in 1210
division (M) of this section, the judge or judges of any 1211
municipal court established under division (A) of section 1212
1901.01 of the Revised Code having territorial jurisdiction 1213
outside the corporate limits of the municipal corporation in 1214
which it is located may sit outside the corporate limits of the 1215
municipal corporation within the area of its territorial 1216
jurisdiction. 1217

(B) Two or more of the judges of the Hamilton county 1218
municipal court may be assigned by the presiding judge of the 1219
court to sit outside the municipal corporation of Cincinnati. 1220

(C) Two of the judges of the Portage county municipal 1221
court shall sit within the municipal corporation of Ravenna, and 1222
one of the judges shall sit within the municipal corporation of 1223
Kent. The judges may sit in other incorporated areas of Portage 1224
county. 1225

(D) The judges of the Wayne county municipal court shall 1226
sit within the municipal corporation of Wooster and may sit in 1227
other incorporated areas of Wayne county. 1228

(E) The judge of the Auglaize county municipal court shall 1229
sit within the municipal corporations of Wapakoneta and St. 1230
Marys and may sit in other incorporated areas in Auglaize 1231
county. 1232

(F) At least one of the judges of the Miami county 1233

municipal court shall sit within the municipal corporations of 1234
Troy, Piqua, and Tipp City, and the judges may sit in other 1235
incorporated areas of Miami county. 1236

(G) The judge of the Crawford county municipal court shall 1237
sit within the municipal corporations of Bucyrus and Galion and 1238
may sit in other incorporated areas in Crawford county. 1239

(H) The judge of the Jackson county municipal court shall 1240
sit within the municipal corporations of Jackson and Wellston 1241
and may sit in other incorporated areas in Jackson county. 1242

(I) Each judge of the Columbiana county municipal court 1243
may sit within the municipal corporation of Lisbon, Salem, or 1244
East Palestine until the judges jointly select a central 1245
location within the territorial jurisdiction of the court. When 1246
the judges select a central location, the judges shall sit at 1247
that location. 1248

(J) In any municipal court, other than the Hamilton county 1249
municipal court and the Montgomery county municipal court, that 1250
has more than one judge, the decision for one or more judges to 1251
sit outside the corporate limits of the municipal corporation 1252
shall be made by rule of the court as provided in division (C) 1253
of sections 1901.14 and 1901.16 of the Revised Code. 1254

(K) The assignment of a judge to sit in a municipal 1255
corporation other than that in which the court is located does 1256
not affect the jurisdiction of the mayor except as provided in 1257
section 1905.01 of the Revised Code. 1258

(L) The judges of the Clermont county municipal court may 1259
sit in any municipal corporation or unincorporated territory 1260
within Clermont county. 1261

(M) Beginning July 1, 2010, the judges of the Montgomery 1262

county municipal court shall sit in the same locations as the 1263
judges of the Montgomery county county court sat before the 1264
county court was abolished on that date. The legislative 1265
authority of the Montgomery county municipal court may determine 1266
after that date that the judges of the Montgomery county 1267
municipal court shall sit in any municipal corporation or 1268
unincorporated territory within Montgomery county. 1269

(N) The judge of the Tiffin-Fostoria municipal court shall 1270
sit within each of the municipal corporations of Tiffin and 1271
Fostoria on a weekly basis. Cases that arise within the 1272
municipal corporation of Tiffin and within Adams, Big Spring, 1273
Bloom, Clinton, Eden, Hopewell, Liberty, Pleasant, Reed, Scioto, 1274
Seneca, Thompson, and Venice townships in Seneca county shall be 1275
filed in the office of the clerk of the court located in the 1276
municipal corporation of Tiffin. Cases that arise in the 1277
municipal corporation of Fostoria ~~and~~, and within Loudon and 1278
Jackson townships in Seneca county, and within Washington 1279
township in Hancock county, ~~and within Perry township, except~~ 1280
~~within the municipal corporation of West Millgrove, in Wood~~ 1281
~~county,~~ shall be filed in the office of the special deputy clerk 1282
located in the municipal corporation of Fostoria. 1283

(O) The judge of the Fulton county municipal court shall 1284
sit within each of the municipal corporations of Wauseon and 1285
Swanton on a weekly basis. Cases that arise within the municipal 1286
corporation of Wauseon and within Chesterfield, Clinton, Dover, 1287
Franklin, German, and Gorham townships in Fulton county shall be 1288
filed in the office of the clerk of the court located in the 1289
municipal corporation of Wauseon. Cases that arise in the 1290
municipal corporation of Swanton and within Amboy, Fulton, Pike, 1291
Swan Creek, Royalton, and York townships shall be filed in the 1292
office of the special deputy clerk located in the municipal 1293

corporation of Swanton. 1294

Sec. 1901.041. (A) Except as authorized by or provided in 1295
division (B) of section 1901.181 of the Revised Code, all cases 1296
filed after the institution of a housing or environmental 1297
division of a municipal court and over which the division has 1298
jurisdiction shall be assigned by the administrative judge of 1299
the municipal court to the judge of the division. Any cases 1300
pending in the municipal court at the time the division is 1301
instituted and over which the division has jurisdiction shall be 1302
reassigned to the judge of the division, if the administrative 1303
judge determines that reassignment will not delay the trial of 1304
the case and that reassignment is in the best interests of the 1305
parties. 1306

(B) The Hamilton county municipal court may refer a case 1307
~~of the type described in division (B) (3) of section 2301.03 of~~ 1308
~~the Revised Code to the drug court judge of the court of common~~ 1309
~~pleas of Hamilton county pursuant to that division if the case~~ 1310
is of a type that is eligible for admission into the drug court 1311
under the local rule adopted by the court of common pleas under 1312
division (B) (3) of section 2301.03 of the Revised Code. 1313

Sec. 2301.03. (A) In Franklin county, the judges of the 1314
court of common pleas whose terms begin on January 1, 1953, 1315
January 2, 1953, January 5, 1969, January 5, 1977, January 2, 1316
1997, January 9, 2019, and January 3, 2021, and successors, 1317
shall have the same qualifications, exercise the same powers and 1318
jurisdiction, and receive the same compensation as other judges 1319
of the court of common pleas of Franklin county and shall be 1320
elected and designated as judges of the court of common pleas, 1321
division of domestic relations. They shall have all the powers 1322
relating to juvenile courts, and all cases under Chapters 2151. 1323

and 2152. of the Revised Code, all parentage proceedings under 1324
Chapter 3111. of the Revised Code over which the juvenile court 1325
has jurisdiction, and all divorce, dissolution of marriage, 1326
legal separation, and annulment cases shall be assigned to them. 1327
In addition to the judge's regular duties, the judge who is 1328
senior in point of service shall serve on the children services 1329
board and the county advisory board and shall be the 1330
administrator of the domestic relations division and its 1331
subdivisions and departments. 1332

(B) In Hamilton county: 1333

(1) The judge of the court of common pleas, whose term 1334
begins on January 1, 1957, and successors, and the judge of the 1335
court of common pleas, whose term begins on February 14, 1967, 1336
and successors, shall be the juvenile judges as provided in 1337
Chapters 2151. and 2152. of the Revised Code, with the powers 1338
and jurisdiction conferred by those chapters. 1339

(2) The judges of the court of common pleas whose terms 1340
begin on January 5, 1957, January 16, 1981, and July 1, 1991, 1341
and successors, shall be elected and designated as judges of the 1342
court of common pleas, division of domestic relations, and shall 1343
have assigned to them all divorce, dissolution of marriage, 1344
legal separation, and annulment cases coming before the court. 1345
On or after the first day of July and before the first day of 1346
August of 1991 and each year thereafter, a majority of the 1347
judges of the division of domestic relations shall elect one of 1348
the judges of the division as administrative judge of that 1349
division. If a majority of the judges of the division of 1350
domestic relations are unable for any reason to elect an 1351
administrative judge for the division before the first day of 1352
August, a majority of the judges of the Hamilton county court of 1353

common pleas, as soon as possible after that date, shall elect 1354
one of the judges of the division of domestic relations as 1355
administrative judge of that division. The term of the 1356
administrative judge shall begin on the earlier of the first day 1357
of August of the year in which the administrative judge is 1358
elected or the date on which the administrative judge is elected 1359
by a majority of the judges of the Hamilton county court of 1360
common pleas and shall terminate on the date on which the 1361
administrative judge's successor is elected in the following 1362
year. 1363

In addition to the judge's regular duties, the 1364
administrative judge of the division of domestic relations shall 1365
be the administrator of the domestic relations division and its 1366
subdivisions and departments and shall have charge of the 1367
employment, assignment, and supervision of the personnel of the 1368
division engaged in handling, servicing, or investigating 1369
divorce, dissolution of marriage, legal separation, and 1370
annulment cases, including any referees considered necessary by 1371
the judges in the discharge of their various duties. 1372

The administrative judge of the division of domestic 1373
relations also shall designate the title, compensation, expense 1374
allowances, hours, leaves of absence, and vacations of the 1375
personnel of the division, and shall fix the duties of its 1376
personnel. The duties of the personnel, in addition to those 1377
provided for in other sections of the Revised Code, shall 1378
include the handling, servicing, and investigation of divorce, 1379
dissolution of marriage, legal separation, and annulment cases 1380
and counseling and conciliation services that may be made 1381
available to persons requesting them, whether or not the persons 1382
are parties to an action pending in the division. 1383

The board of county commissioners shall appropriate the 1384
sum of money each year as will meet all the administrative 1385
expenses of the division of domestic relations, including 1386
reasonable expenses of the domestic relations judges and the 1387
division counselors and other employees designated to conduct 1388
the handling, servicing, and investigation of divorce, 1389
dissolution of marriage, legal separation, and annulment cases, 1390
conciliation and counseling, and all matters relating to those 1391
cases and counseling, and the expenses involved in the 1392
attendance of division personnel at domestic relations and 1393
welfare conferences designated by the division, and the further 1394
sum each year as will provide for the adequate operation of the 1395
division of domestic relations. 1396

The compensation and expenses of all employees and the 1397
salary and expenses of the judges shall be paid by the county 1398
treasurer from the money appropriated for the operation of the 1399
division, upon the warrant of the county auditor, certified to 1400
by the administrative judge of the division of domestic 1401
relations. 1402

The summonses, warrants, citations, subpoenas, and other 1403
writs of the division may issue to a bailiff, constable, or 1404
staff investigator of the division or to the sheriff of any 1405
county or any marshal, constable, or police officer, and the 1406
provisions of law relating to the subpoenaing of witnesses in 1407
other cases shall apply insofar as they are applicable. When a 1408
summons, warrant, citation, subpoena, or other writ is issued to 1409
an officer, other than a bailiff, constable, or staff 1410
investigator of the division, the expense of serving it shall be 1411
assessed as a part of the costs in the case involved. 1412

(3) The judge of the court of common pleas of Hamilton 1413

county whose term begins on January 3, 1997, and the successors 1414
to that judge shall each be elected and designated as the drug 1415
court judge of the court of common pleas of Hamilton county. ~~The~~ 1416
~~drug court judge may accept or reject any case referred to the~~ 1417
~~drug court judge under division (B) (3) of this section. After~~ 1418
~~the drug court judge accepts a referred case, the drug court~~ 1419
~~judge has full authority over the case, including the authority~~ 1420
~~to conduct arraignment, accept pleas, enter findings and~~ 1421
~~dispositions, conduct trials, order treatment, and if treatment~~ 1422
~~is not successfully completed pronounce and enter sentence.~~ 1423

~~A judge of the general division of the court of common~~ 1424
~~pleas of Hamilton county and a judge of the Hamilton county~~ 1425
~~municipal court may refer to the drug court judge any case, and~~ 1426
~~any companion cases, the judge determines meet the criteria~~ 1427
~~described under divisions (B) (3) (a) and (b) of this section. If~~ 1428
~~the drug court judge accepts referral of a referred case, the~~ 1429
~~case, and any companion cases, shall be transferred to the drug~~ 1430
~~court judge. A judge may refer a case meeting the criteria~~ 1431
~~described in divisions (B) (3) (a) and (b) of this section that~~ 1432
~~involves a violation of a condition of a community control~~ 1433
~~sanction to the drug court judge, and, if the drug court judge~~ 1434
~~accepts the referral, the referring judge and the drug court~~ 1435
~~judge have concurrent jurisdiction over the case.~~ 1436

~~A judge of the general division of the court of common~~ 1437
~~pleas of Hamilton county and a judge of the Hamilton county~~ 1438
~~municipal court may refer a case to the drug court judge under~~ 1439
~~division (B) (3) of this section if the judge determines that~~ 1440
~~both of the following apply:~~ 1441

~~(a) One of the following applies:~~ 1442

~~(i) The case involves a drug abuse offense, as defined in~~ 1443

~~section 2925.01 of the Revised Code, that is a felony of the~~ 1444
~~third or fourth degree if the offense is committed prior to July~~ 1445
~~1, 1996, a felony of the third, fourth, or fifth degree if the~~ 1446
~~offense is committed on or after July 1, 1996, or a misdemeanor.~~ 1447

~~(ii) The case involves a theft offense, as defined in~~ 1448
~~section 2913.01 of the Revised Code, that is a felony of the~~ 1449
~~third or fourth degree if the offense is committed prior to July~~ 1450
~~1, 1996, a felony of the third, fourth, or fifth degree if the~~ 1451
~~offense is committed on or after July 1, 1996, or a misdemeanor,~~ 1452
~~and the defendant is drug or alcohol dependent or in danger of~~ 1453
~~becoming drug or alcohol dependent and would benefit from~~ 1454
~~treatment.~~ 1455

~~(b) All of the following apply:~~ 1456

~~(i) The case involves an offense for which a community~~ 1457
~~control sanction may be imposed or is a case in which a~~ 1458
~~mandatory prison term or a mandatory jail term is not required~~ 1459
~~to be imposed.~~ 1460

~~(ii) The defendant has no history of violent behavior.~~ 1461

~~(iii) The defendant has no history of mental illness.~~ 1462

~~(iv) The defendant's current or past behavior, or both, is~~ 1463
~~drug or alcohol driven.~~ 1464

~~(v) The defendant demonstrates a sincere willingness to~~ 1465
~~participate in a fifteen-month treatment process.~~ 1466

~~(vi) The defendant has no acute health condition.~~ 1467

~~(vii) If the defendant is incarcerated, the county~~ 1468
~~prosecutor approves of the referral~~Eligibility for admission of 1469
a case into the drug court shall be set forth in a local rule 1470
adopted by the court of common pleas of Hamilton county. The 1471

local rule specifying eligibility shall not permit referral to 1472
the drug court of a case that involves a felony of the first or 1473
second degree, a violation of any prohibition contained in 1474
Chapter 2907. of the Revised Code that is a felony of the third 1475
degree, or a violation of section 2903.01 or 2903.02 of the 1476
Revised Code. 1477

(4) If the administrative judge of the court of common 1478
pleas of Hamilton county determines that the volume of cases 1479
pending before the drug court judge does not constitute a 1480
sufficient caseload for the drug court judge, the administrative 1481
judge, in accordance with the Rules of Superintendence for 1482
Courts of Common Pleas, shall assign individual cases to the 1483
drug court judge from the general docket of the court. If the 1484
assignments so occur, the administrative judge shall cease the 1485
assignments when the administrative judge determines that the 1486
volume of cases pending before the drug court judge constitutes 1487
a sufficient caseload for the drug court judge. 1488

~~(5) As used in division (B) of this section, "community-~~ 1489
~~control sanction," "mandatory prison term," and "mandatory jail-~~ 1490
~~term" have the same meanings as in section 2929.01 of the-~~ 1491
~~Revised Code.~~ 1492

(C) (1) In Lorain county: 1493

(a) The judges of the court of common pleas whose terms 1494
begin on January 3, 1959, January 4, 1989, and January 2, 1999, 1495
and successors, and the judge of the court of common pleas whose 1496
term begins on February 9, 2009, shall have the same 1497
qualifications, exercise the same powers and jurisdiction, and 1498
receive the same compensation as the other judges of the court 1499
of common pleas of Lorain county and shall be elected and 1500
designated as the judges of the court of common pleas, division 1501

of domestic relations. The judges of the court of common pleas 1502
whose terms begin on January 3, 1959, January 4, 1989, and 1503
January 2, 1999, and successors, shall have all of the powers 1504
relating to juvenile courts, and all cases under Chapters 2151. 1505
and 2152. of the Revised Code, all parentage proceedings over 1506
which the juvenile court has jurisdiction, and all divorce, 1507
dissolution of marriage, legal separation, and annulment cases 1508
shall be assigned to them, except cases that for some special 1509
reason are assigned to some other judge of the court of common 1510
pleas. From February 9, 2009, through September 28, 2009, the 1511
judge of the court of common pleas whose term begins on February 1512
9, 2009, shall have all the powers relating to juvenile courts, 1513
and cases under Chapters 2151. and 2152. of the Revised Code, 1514
parentage proceedings over which the juvenile court has 1515
jurisdiction, and divorce, dissolution of marriage, legal 1516
separation, and annulment cases shall be assigned to that judge, 1517
except cases that for some special reason are assigned to some 1518
other judge of the court of common pleas. 1519

(b) From January 1, 2006, through September 28, 2009, the 1520
judges of the court of common pleas, division of domestic 1521
relations, in addition to the powers and jurisdiction set forth 1522
in division (C) (1) (a) of this section, shall have jurisdiction 1523
over matters that are within the jurisdiction of the probate 1524
court under Chapter 2101. and other provisions of the Revised 1525
Code. 1526

(c) The judge of the court of common pleas, division of 1527
domestic relations, whose term begins on February 9, 2009, is 1528
the successor to the probate judge who was elected in 2002 for a 1529
term that began on February 9, 2003. After September 28, 2009, 1530
the judge of the court of common pleas, division of domestic 1531
relations, whose term begins on February 9, 2009, shall be the 1532

probate judge. 1533

(2) (a) From February 9, 2009, through September 28, 2009, 1534
with respect to Lorain county, all references in law to the 1535
probate court shall be construed as references to the court of 1536
common pleas, division of domestic relations, and all references 1537
to the probate judge shall be construed as references to the 1538
judges of the court of common pleas, division of domestic 1539
relations. 1540

(b) From February 9, 2009, through September 28, 2009, 1541
with respect to Lorain county, all references in law to the 1542
clerk of the probate court shall be construed as references to 1543
the judge who is serving pursuant to Rule 4 of the Rules of 1544
Superintendence for the Courts of Ohio as the administrative 1545
judge of the court of common pleas, division of domestic 1546
relations. 1547

(D) In Lucas county: 1548

(1) The judges of the court of common pleas whose terms 1549
begin on January 1, 1955, and January 3, 1965, and successors, 1550
shall have the same qualifications, exercise the same powers and 1551
jurisdiction, and receive the same compensation as other judges 1552
of the court of common pleas of Lucas county and shall be 1553
elected and designated as judges of the court of common pleas, 1554
division of domestic relations. All divorce, dissolution of 1555
marriage, legal separation, and annulment cases shall be 1556
assigned to them. 1557

The judge of the division of domestic relations, senior in 1558
point of service, shall be considered as the presiding judge of 1559
the court of common pleas, division of domestic relations, and 1560
shall be charged exclusively with the assignment and division of 1561

the work of the division and the employment and supervision of 1562
all other personnel of the domestic relations division. 1563

(2) The judges of the court of common pleas whose terms 1564
begin on January 5, 1977, and January 2, 1991, and successors 1565
shall have the same qualifications, exercise the same powers and 1566
jurisdiction, and receive the same compensation as other judges 1567
of the court of common pleas of Lucas county, shall be elected 1568
and designated as judges of the court of common pleas, juvenile 1569
division, and shall be the juvenile judges as provided in 1570
Chapters 2151. and 2152. of the Revised Code with the powers and 1571
jurisdictions conferred by those chapters. In addition to the 1572
judge's regular duties, the judge of the court of common pleas, 1573
juvenile division, senior in point of service, shall be the 1574
administrator of the juvenile division and its subdivisions and 1575
departments and shall have charge of the employment, assignment, 1576
and supervision of the personnel of the division engaged in 1577
handling, servicing, or investigating juvenile cases, including 1578
any referees considered necessary by the judges of the division 1579
in the discharge of their various duties. 1580

The judge of the court of common pleas, juvenile division, 1581
senior in point of service, also shall designate the title, 1582
compensation, expense allowance, hours, leaves of absence, and 1583
vacation of the personnel of the division and shall fix the 1584
duties of the personnel of the division. The duties of the 1585
personnel, in addition to other statutory duties include the 1586
handling, servicing, and investigation of juvenile cases and 1587
counseling and conciliation services that may be made available 1588
to persons requesting them, whether or not the persons are 1589
parties to an action pending in the division. 1590

(3) If one of the judges of the court of common pleas, 1591

division of domestic relations, or one of the judges of the 1592
juvenile division is sick, absent, or unable to perform that 1593
judge's judicial duties or the volume of cases pending in that 1594
judge's division necessitates it, the duties shall be performed 1595
by the judges of the other of those divisions. 1596

(E) In Mahoning county: 1597

(1) The judge of the court of common pleas whose term 1598
began on January 1, 1955, and successors, shall have the same 1599
qualifications, exercise the same powers and jurisdiction, and 1600
receive the same compensation as other judges of the court of 1601
common pleas of Mahoning county, shall be elected and designated 1602
as judge of the court of common pleas, division of domestic 1603
relations, and shall be assigned all the divorce, dissolution of 1604
marriage, legal separation, and annulment cases coming before 1605
the court. In addition to the judge's regular duties, the judge 1606
of the court of common pleas, division of domestic relations, 1607
shall be the administrator of the domestic relations division 1608
and its subdivisions and departments and shall have charge of 1609
the employment, assignment, and supervision of the personnel of 1610
the division engaged in handling, servicing, or investigating 1611
divorce, dissolution of marriage, legal separation, and 1612
annulment cases, including any referees considered necessary in 1613
the discharge of the various duties of the judge's office. 1614

The judge also shall designate the title, compensation, 1615
expense allowances, hours, leaves of absence, and vacations of 1616
the personnel of the division and shall fix the duties of the 1617
personnel of the division. The duties of the personnel, in 1618
addition to other statutory duties, include the handling, 1619
servicing, and investigation of divorce, dissolution of 1620
marriage, legal separation, and annulment cases and counseling 1621

and conciliation services that may be made available to persons 1622
requesting them, whether or not the persons are parties to an 1623
action pending in the division. 1624

(2) The judge of the court of common pleas whose term 1625
began on January 2, 1969, and successors, shall have the same 1626
qualifications, exercise the same powers and jurisdiction, and 1627
receive the same compensation as other judges of the court of 1628
common pleas of Mahoning county, shall be elected and designated 1629
as judge of the court of common pleas, juvenile division, and 1630
shall be the juvenile judge as provided in Chapters 2151. and 1631
2152. of the Revised Code, with the powers and jurisdictions 1632
conferred by those chapters. In addition to the judge's regular 1633
duties, the judge of the court of common pleas, juvenile 1634
division, shall be the administrator of the juvenile division 1635
and its subdivisions and departments and shall have charge of 1636
the employment, assignment, and supervision of the personnel of 1637
the division engaged in handling, servicing, or investigating 1638
juvenile cases, including any referees considered necessary by 1639
the judge in the discharge of the judge's various duties. 1640

The judge also shall designate the title, compensation, 1641
expense allowances, hours, leaves of absence, and vacation of 1642
the personnel of the division and shall fix the duties of the 1643
personnel of the division. The duties of the personnel, in 1644
addition to other statutory duties, include the handling, 1645
servicing, and investigation of juvenile cases and counseling 1646
and conciliation services that may be made available to persons 1647
requesting them, whether or not the persons are parties to an 1648
action pending in the division. 1649

(3) If a judge of the court of common pleas, division of 1650
domestic relations or juvenile division, is sick, absent, or 1651

unable to perform that judge's judicial duties, or the volume of 1652
cases pending in that judge's division necessitates it, that 1653
judge's duties shall be performed by another judge of the court 1654
of common pleas. 1655

(F) In Montgomery county: 1656

(1) The judges of the court of common pleas whose terms 1657
begin on January 2, 1953, and January 4, 1977, and successors, 1658
shall have the same qualifications, exercise the same powers and 1659
jurisdiction, and receive the same compensation as other judges 1660
of the court of common pleas of Montgomery county and shall be 1661
elected and designated as judges of the court of common pleas, 1662
division of domestic relations. These judges shall have assigned 1663
to them all divorce, dissolution of marriage, legal separation, 1664
and annulment cases. 1665

The judge of the division of domestic relations, senior in 1666
point of service, shall be charged exclusively with the 1667
assignment and division of the work of the division and shall 1668
have charge of the employment and supervision of the personnel 1669
of the division engaged in handling, servicing, or investigating 1670
divorce, dissolution of marriage, legal separation, and 1671
annulment cases, including any necessary referees, except those 1672
employees who may be appointed by the judge, junior in point of 1673
service, under this section and sections 2301.12 and 2301.18 of 1674
the Revised Code. The judge of the division of domestic 1675
relations, senior in point of service, also shall designate the 1676
title, compensation, expense allowances, hours, leaves of 1677
absence, and vacation of the personnel of the division and shall 1678
fix their duties. 1679

(2) The judges of the court of common pleas whose terms 1680
begin on January 1, 1953, and January 1, 1993, and successors, 1681

shall have the same qualifications, exercise the same powers and 1682
jurisdiction, and receive the same compensation as other judges 1683
of the court of common pleas of Montgomery county, shall be 1684
elected and designated as judges of the court of common pleas, 1685
juvenile division, and shall be, and have the powers and 1686
jurisdiction of, the juvenile judge as provided in Chapters 1687
2151. and 2152. of the Revised Code. 1688

In addition to the judge's regular duties, the judge of 1689
the court of common pleas, juvenile division, senior in point of 1690
service, shall be the administrator of the juvenile division and 1691
its subdivisions and departments and shall have charge of the 1692
employment, assignment, and supervision of the personnel of the 1693
juvenile division, including any necessary referees, who are 1694
engaged in handling, servicing, or investigating juvenile cases. 1695
The judge, senior in point of service, also shall designate the 1696
title, compensation, expense allowances, hours, leaves of 1697
absence, and vacation of the personnel of the division and shall 1698
fix their duties. The duties of the personnel, in addition to 1699
other statutory duties, shall include the handling, servicing, 1700
and investigation of juvenile cases and of any counseling and 1701
conciliation services that are available upon request to 1702
persons, whether or not they are parties to an action pending in 1703
the division. 1704

If one of the judges of the court of common pleas, 1705
division of domestic relations, or one of the judges of the 1706
court of common pleas, juvenile division, is sick, absent, or 1707
unable to perform that judge's duties or the volume of cases 1708
pending in that judge's division necessitates it, the duties of 1709
that judge may be performed by the judge or judges of the other 1710
of those divisions. 1711

(G) In Richland county: 1712

(1) The judge of the court of common pleas whose term 1713
begins on January 1, 1957, and successors, shall have the same 1714
qualifications, exercise the same powers and jurisdiction, and 1715
receive the same compensation as the other judges of the court 1716
of common pleas of Richland county and shall be elected and 1717
designated as judge of the court of common pleas, division of 1718
domestic relations. That judge shall be assigned and hear all 1719
divorce, dissolution of marriage, legal separation, and 1720
annulment cases, all domestic violence cases arising under 1721
section 3113.31 of the Revised Code, and all post-decree 1722
proceedings arising from any case pertaining to any of those 1723
matters. The division of domestic relations has concurrent 1724
jurisdiction with the juvenile division of the court of common 1725
pleas of Richland county to determine the care, custody, or 1726
control of any child not a ward of another court of this state, 1727
and to hear and determine a request for an order for the support 1728
of any child if the request is not ancillary to an action for 1729
divorce, dissolution of marriage, annulment, or legal 1730
separation, a criminal or civil action involving an allegation 1731
of domestic violence, or an action for support brought under 1732
Chapter 3115. of the Revised Code. Except in cases that are 1733
subject to the exclusive original jurisdiction of the juvenile 1734
court, the judge of the division of domestic relations shall be 1735
assigned and hear all cases pertaining to paternity or 1736
parentage, the care, custody, or control of children, parenting 1737
time or visitation, child support, or the allocation of parental 1738
rights and responsibilities for the care of children, all 1739
proceedings arising under Chapter 3111. of the Revised Code, all 1740
proceedings arising under the uniform interstate family support 1741
act contained in Chapter 3115. of the Revised Code, and all 1742

post-decree proceedings arising from any case pertaining to any 1743
of those matters. 1744

In addition to the judge's regular duties, the judge of 1745
the court of common pleas, division of domestic relations, shall 1746
be the administrator of the domestic relations division and its 1747
subdivisions and departments. The judge shall have charge of the 1748
employment, assignment, and supervision of the personnel of the 1749
domestic relations division, including any magistrates the judge 1750
considers necessary for the discharge of the judge's duties. The 1751
judge shall also designate the title, compensation, expense 1752
allowances, hours, leaves of absence, vacation, and other 1753
employment-related matters of the personnel of the division and 1754
shall fix their duties. 1755

(2) The judge of the court of common pleas whose term 1756
begins on January 3, 2005, and successors, shall have the same 1757
qualifications, exercise the same powers and jurisdiction, and 1758
receive the same compensation as other judges of the court of 1759
common pleas of Richland county, shall be elected and designated 1760
as judge of the court of common pleas, juvenile division, and 1761
shall be, and have the powers and jurisdiction of, the juvenile 1762
judge as provided in Chapters 2151. and 2152. of the Revised 1763
Code. Except in cases that are subject to the exclusive original 1764
jurisdiction of the juvenile court, the judge of the juvenile 1765
division shall not have jurisdiction or the power to hear, and 1766
shall not be assigned, any case pertaining to paternity or 1767
parentage, the care, custody, or control of children, parenting 1768
time or visitation, child support, or the allocation of parental 1769
rights and responsibilities for the care of children or any 1770
post-decree proceeding arising from any case pertaining to any 1771
of those matters. The judge of the juvenile division shall not 1772
have jurisdiction or the power to hear, and shall not be 1773

assigned, any proceeding under the uniform interstate family support act contained in Chapter 3115. of the Revised Code. 1774
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In addition to the judge's regular duties, the judge of the juvenile division shall be the administrator of the juvenile division and its subdivisions and departments. The judge shall have charge of the employment, assignment, and supervision of the personnel of the juvenile division who are engaged in handling, servicing, or investigating juvenile cases, including any magistrates whom the judge considers necessary for the discharge of the judge's various duties. 1776
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The judge of the juvenile division 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. The duties of the personnel, in addition to other statutory duties, include the handling, servicing, and investigation of juvenile cases and providing any counseling, conciliation, and mediation services that the court makes available to persons, whether or not the persons are parties to an action pending in the court, who request the services. 1784
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(H) (1) In Stark county, the judges of the court of common pleas whose terms begin on January 1, 1953, January 2, 1959, 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 the court of common pleas of Stark county and shall be elected and designated as judges of the court of common pleas, family court division. They shall have all the powers relating to juvenile courts, and all cases under Chapters 2151. and 2152. of the Revised Code, all parentage proceedings over which the juvenile court has jurisdiction, and all divorce, dissolution of marriage, legal 1793
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separation, and annulment cases, except cases that are assigned 1804
to some other judge of the court of common pleas for some 1805
special reason, shall be assigned to the judges. 1806

(2) The judge of the family court division, second most 1807
senior in point of service, shall have charge of the employment 1808
and supervision of the personnel of the division engaged in 1809
handling, servicing, or investigating divorce, dissolution of 1810
marriage, legal separation, and annulment cases, and necessary 1811
referees required for the judge's respective court. 1812

(3) The judge of the family court division, senior in 1813
point of service, shall be charged exclusively with the 1814
administration of sections 2151.13, 2151.16, 2151.17, and 1815
2152.71 of the Revised Code and with the assignment and division 1816
of the work of the division and the employment and supervision 1817
of all other personnel of the division, including, but not 1818
limited to, that judge's necessary referees, but excepting those 1819
employees who may be appointed by the judge second most senior 1820
in point of service. The senior judge further shall serve in 1821
every other position in which the statutes permit or require a 1822
juvenile judge to serve. 1823

(4) On and after September 29, 2015, all references in law 1824
to "the division of domestic relations," "the domestic relations 1825
division," "the domestic relations court," "the judge of the 1826
division of domestic relations," or "the judge of the domestic 1827
relations division" shall be construed, with respect to Stark 1828
county, as being references to "the family court division" or 1829
"the judge of the family court division." 1830

(I) In Summit county: 1831

(1) The judges of the court of common pleas whose terms 1832

begin on January 4, 1967, and January 6, 1993, and successors, 1833
shall have the same qualifications, exercise the same powers and 1834
jurisdiction, and receive the same compensation as other judges 1835
of the court of common pleas of Summit county and shall be 1836
elected and designated as judges of the court of common pleas, 1837
division of domestic relations. The judges of the division of 1838
domestic relations shall have assigned to them and hear all 1839
divorce, dissolution of marriage, legal separation, and 1840
annulment cases that come before the court. Except in cases that 1841
are subject to the exclusive original jurisdiction of the 1842
juvenile court, the judges of the division of domestic relations 1843
shall have assigned to them and hear all cases pertaining to 1844
paternity, custody, visitation, child support, or the allocation 1845
of parental rights and responsibilities for the care of children 1846
and all post-decree proceedings arising from any case pertaining 1847
to any of those matters. The judges of the division of domestic 1848
relations shall have assigned to them and hear all proceedings 1849
under the uniform interstate family support act contained in 1850
Chapter 3115. of the Revised Code. 1851

The judge of the division of domestic relations, senior in 1852
point of service, shall be the administrator of the domestic 1853
relations division and its subdivisions and departments and 1854
shall have charge of the employment, assignment, and supervision 1855
of the personnel of the division, including any necessary 1856
referees, who are engaged in handling, servicing, or 1857
investigating divorce, dissolution of marriage, legal 1858
separation, and annulment cases. That judge also shall designate 1859
the title, compensation, expense allowances, hours, leaves of 1860
absence, and vacations of the personnel of the division and 1861
shall fix their duties. The duties of the personnel, in addition 1862
to other statutory duties, shall include the handling, 1863

servicing, and investigation of divorce, dissolution of 1864
marriage, legal separation, and annulment cases and of any 1865
counseling and conciliation services that are available upon 1866
request to all persons, whether or not they are parties to an 1867
action pending in the division. 1868

(2) The judge of the court of common pleas whose term 1869
begins on January 1, 1955, and successors, shall have the same 1870
qualifications, exercise the same powers and jurisdiction, and 1871
receive the same compensation as other judges of the court of 1872
common pleas of Summit county, shall be elected and designated 1873
as judge of the court of common pleas, juvenile division, and 1874
shall be, and have the powers and jurisdiction of, the juvenile 1875
judge as provided in Chapters 2151. and 2152. of the Revised 1876
Code. Except in cases that are subject to the exclusive original 1877
jurisdiction of the juvenile court, the judge of the juvenile 1878
division shall not have jurisdiction or the power to hear, and 1879
shall not be assigned, any case pertaining to paternity, 1880
custody, visitation, child support, or the allocation of 1881
parental rights and responsibilities for the care of children or 1882
any post-decree proceeding arising from any case pertaining to 1883
any of those matters. The judge of the juvenile division shall 1884
not have jurisdiction or the power to hear, and shall not be 1885
assigned, any proceeding under the uniform interstate family 1886
support act contained in Chapter 3115. of the Revised Code. 1887

The juvenile judge shall be the administrator of the 1888
juvenile division and its subdivisions and departments and shall 1889
have charge of the employment, assignment, and supervision of 1890
the personnel of the juvenile division, including any necessary 1891
referees, who are engaged in handling, servicing, or 1892
investigating juvenile cases. The judge also shall designate the 1893
title, compensation, expense allowances, hours, leaves of 1894

absence, and vacation of the personnel of the division and shall 1895
fix their duties. The duties of the personnel, in addition to 1896
other statutory duties, shall include the handling, servicing, 1897
and investigation of juvenile cases and of any counseling and 1898
conciliation services that are available upon request to 1899
persons, whether or not they are parties to an action pending in 1900
the division. 1901

(J) In Trumbull county, the judges of the court of common 1902
pleas whose terms begin on January 1, 1953, and January 2, 1977, 1903
and successors, shall have the same qualifications, exercise the 1904
same powers and jurisdiction, and receive the same compensation 1905
as other judges of the court of common pleas of Trumbull county 1906
and shall be elected and designated as judges of the court of 1907
common pleas, division of domestic relations. They shall have 1908
all the powers relating to juvenile courts, and all cases under 1909
Chapters 2151. and 2152. of the Revised Code, all parentage 1910
proceedings over which the juvenile court has jurisdiction, and 1911
all divorce, dissolution of marriage, legal separation, and 1912
annulment cases shall be assigned to them, except cases that for 1913
some special reason are assigned to some other judge of the 1914
court of common pleas. 1915

(K) In Butler county: 1916

(1) The judges of the court of common pleas whose terms 1917
begin on January 1, 1957, and January 4, 1993, and successors, 1918
shall have the same qualifications, exercise the same powers and 1919
jurisdiction, and receive the same compensation as other judges 1920
of the court of common pleas of Butler county and shall be 1921
elected and designated as judges of the court of common pleas, 1922
division of domestic relations. The judges of the division of 1923
domestic relations shall have assigned to them all divorce, 1924

dissolution of marriage, legal separation, and annulment cases 1925
coming before the court, except in cases that for some special 1926
reason are assigned to some other judge of the court of common 1927
pleas. The judges of the division of domestic relations also 1928
have concurrent jurisdiction with judges of the juvenile 1929
division of the court of common pleas of Butler county with 1930
respect to and may hear cases to determine the custody, support, 1931
or custody and support of a child who is born of issue of a 1932
marriage and who is not the ward of another court of this state, 1933
cases commenced by a party of the marriage to obtain an order 1934
requiring support of any child when the request for that order 1935
is not ancillary to an action for divorce, dissolution of 1936
marriage, annulment, or legal separation, a criminal or civil 1937
action involving an allegation of domestic violence, an action 1938
for support under Chapter 3115. of the Revised Code, or an 1939
action that is within the exclusive original jurisdiction of the 1940
juvenile division of the court of common pleas of Butler county 1941
and that involves an allegation that the child is an abused, 1942
neglected, or dependent child, and post-decree proceedings and 1943
matters arising from those types of cases. The judge senior in 1944
point of service shall be charged with the assignment and 1945
division of the work of the division and with the employment and 1946
supervision of all other personnel of the domestic relations 1947
division. 1948

The judge senior in point of service also shall designate 1949
the title, compensation, expense allowances, hours, leaves of 1950
absence, and vacations of the personnel of the division and 1951
shall fix their duties. The duties of the personnel, in addition 1952
to other statutory duties, shall include the handling, 1953
servicing, and investigation of divorce, dissolution of 1954
marriage, legal separation, and annulment cases and providing 1955

any counseling and conciliation services that the division makes 1956
available to persons, whether or not the persons are parties to 1957
an action pending in the division, who request the services. 1958

(2) The judges of the court of common pleas whose terms 1959
begin on January 3, 1987, and January 2, 2003, and successors, 1960
shall have the same qualifications, exercise the same powers and 1961
jurisdiction, and receive the same compensation as other judges 1962
of the court of common pleas of Butler county, shall be elected 1963
and designated as judges of the court of common pleas, juvenile 1964
division, and shall be the juvenile judges as provided in 1965
Chapters 2151. and 2152. of the Revised Code, with the powers 1966
and jurisdictions conferred by those chapters. Except in cases 1967
that are subject to the exclusive original jurisdiction of the 1968
juvenile court, the judges of the juvenile division shall not 1969
have jurisdiction or the power to hear and shall not be 1970
assigned, but shall have the limited ability and authority to 1971
certify, any case commenced by a party of a marriage to 1972
determine the custody, support, or custody and support of a 1973
child who is born of issue of the marriage and who is not the 1974
ward of another court of this state when the request for the 1975
order in the case is not ancillary to an action for divorce, 1976
dissolution of marriage, annulment, or legal separation. The 1977
judge of the court of common pleas, juvenile division, who is 1978
senior in point of service, shall be the administrator of the 1979
juvenile division and its subdivisions and departments. The 1980
judge, senior in point of service, shall have charge of the 1981
employment, assignment, and supervision of the personnel of the 1982
juvenile division who are engaged in handling, servicing, or 1983
investigating juvenile cases, including any referees whom the 1984
judge considers necessary for the discharge of the judge's 1985
various duties. 1986

The judge, senior in point of service, also shall 1987
designate the title, compensation, expense allowances, hours, 1988
leaves of absence, and vacation of the personnel of the division 1989
and shall fix their duties. The duties of the personnel, in 1990
addition to other statutory duties, include the handling, 1991
servicing, and investigation of juvenile cases and providing any 1992
counseling and conciliation services that the division makes 1993
available to persons, whether or not the persons are parties to 1994
an action pending in the division, who request the services. 1995

(3) If a judge of the court of common pleas, division of 1996
domestic relations or juvenile division, is sick, absent, or 1997
unable to perform that judge's judicial duties or the volume of 1998
cases pending in the judge's division necessitates it, the 1999
duties of that judge shall be performed by the other judges of 2000
the domestic relations and juvenile divisions. 2001

(L) (1) In Cuyahoga county, the judges of the court of 2002
common pleas whose terms begin on January 8, 1961, January 9, 2003
1961, January 18, 1975, January 19, 1975, and January 13, 1987, 2004
and successors, shall have the same qualifications, exercise the 2005
same powers and jurisdiction, and receive the same compensation 2006
as other judges of the court of common pleas of Cuyahoga county 2007
and shall be elected and designated as judges of the court of 2008
common pleas, division of domestic relations. They shall have 2009
all the powers relating to all divorce, dissolution of marriage, 2010
legal separation, and annulment cases, except in cases that are 2011
assigned to some other judge of the court of common pleas for 2012
some special reason. 2013

(2) The administrative judge is administrator of the 2014
domestic relations division and its subdivisions and departments 2015
and has the following powers concerning division personnel: 2016

(a) Full charge of the employment, assignment, and supervision; 2017
2018

(b) Sole determination of compensation, duties, expenses, allowances, hours, leaves, and vacations. 2019
2020

(3) "Division personnel" include persons employed or referees engaged in hearing, servicing, investigating, counseling, or conciliating divorce, dissolution of marriage, legal separation and annulment matters. 2021
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(M) In Lake county: 2025

(1) The judge of the court of common pleas whose term begins on January 2, 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 Lake county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all the divorce, dissolution of marriage, legal separation, and annulment cases coming before the court, except in cases that for some special reason are assigned to some other judge of the court of common pleas. 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 domestic relations division. 2026
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The judge also shall designate the title, compensation, expense allowances, hours, leaves of absence, and vacations of the personnel of the division and shall fix their duties. The duties of the personnel, in addition to other statutory duties, shall include the handling, servicing, and investigation of divorce, dissolution of marriage, legal separation, and 2040
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annulment cases and providing any counseling and conciliation 2046
services that the division makes available to persons, whether 2047
or not the persons are parties to an action pending in the 2048
division, who request the services. 2049

(2) The judge of the court of common pleas whose term 2050
begins on January 4, 1979, and successors, shall have the same 2051
qualifications, exercise the same powers and jurisdiction, and 2052
receive the same compensation as other judges of the court of 2053
common pleas of Lake county, shall be elected and designated as 2054
judge of the court of common pleas, juvenile division, and shall 2055
be the juvenile judge as provided in Chapters 2151. and 2152. of 2056
the Revised Code, with the powers and jurisdictions conferred by 2057
those chapters. The judge of the court of common pleas, juvenile 2058
division, shall be the administrator of the juvenile division 2059
and its subdivisions and departments. The judge shall have 2060
charge of the employment, assignment, and supervision of the 2061
personnel of the juvenile division who are engaged in handling, 2062
servicing, or investigating juvenile cases, including any 2063
referees whom the judge considers necessary for the discharge of 2064
the judge's various duties. 2065

The judge also shall designate the title, compensation, 2066
expense allowances, hours, leaves of absence, and vacation of 2067
the personnel of the division and shall fix their duties. The 2068
duties of the personnel, in addition to other statutory duties, 2069
include the handling, servicing, and investigation of juvenile 2070
cases and providing any counseling and conciliation services 2071
that the division makes available to persons, whether or not the 2072
persons are parties to an action pending in the division, who 2073
request the services. 2074

(3) If a judge of the court of common pleas, division of 2075

domestic relations or juvenile division, is sick, absent, or 2076
unable to perform that judge's judicial duties or the volume of 2077
cases pending in the judge's division necessitates it, the 2078
duties of that judge shall be performed by the other judges of 2079
the domestic relations and juvenile divisions. 2080

(N) In Erie county: 2081

(1) The judge of the court of common pleas whose term 2082
begins on January 2, 1971, and the successors to that judge 2083
whose terms begin before January 2, 2007, shall have the same 2084
qualifications, exercise the same powers and jurisdiction, and 2085
receive the same compensation as the other judge of the court of 2086
common pleas of Erie county and shall be elected and designated 2087
as judge of the court of common pleas, division of domestic 2088
relations. The judge shall have all the powers relating to 2089
juvenile courts, and shall be assigned all cases under Chapters 2090
2151. and 2152. of the Revised Code, parentage proceedings over 2091
which the juvenile court has jurisdiction, and divorce, 2092
dissolution of marriage, legal separation, and annulment cases, 2093
except cases that for some special reason are assigned to some 2094
other judge. 2095

On or after January 2, 2007, the judge of the court of 2096
common pleas who is elected in 2006 shall be the successor to 2097
the judge of the domestic relations division whose term expires 2098
on January 1, 2007, shall be designated as judge of the court of 2099
common pleas, juvenile division, and shall be the juvenile judge 2100
as provided in Chapters 2151. and 2152. of the Revised Code with 2101
the powers and jurisdictions conferred by those chapters. 2102

(2) The judge of the court of common pleas, general 2103
division, whose term begins on January 1, 2005, and successors, 2104
the judge of the court of common pleas, general division whose 2105

term begins on January 2, 2005, and successors, and the judge of 2106
the court of common pleas, general division, whose term begins 2107
February 9, 2009, and successors, shall have assigned to them, 2108
in addition to all matters that are within the jurisdiction of 2109
the general division of the court of common pleas, all divorce, 2110
dissolution of marriage, legal separation, and annulment cases 2111
coming before the court, and all matters that are within the 2112
jurisdiction of the probate court under Chapter 2101., and other 2113
provisions, of the Revised Code. 2114

(0) In Greene county: 2115

(1) The judge of the court of common pleas whose term 2116
begins on January 1, 1961, and successors, shall have the same 2117
qualifications, exercise the same powers and jurisdiction, and 2118
receive the same compensation as the other judges of the court 2119
of common pleas of Greene county and shall be elected and 2120
designated as the judge of the court of common pleas, division 2121
of domestic relations. The judge shall be assigned all divorce, 2122
dissolution of marriage, legal separation, annulment, uniform 2123
reciprocal support enforcement, and domestic violence cases and 2124
all other cases related to domestic relations, except cases that 2125
for some special reason are assigned to some other judge of the 2126
court of common pleas. 2127

The judge shall be charged with the assignment and 2128
division of the work of the division and with the employment and 2129
supervision of all other personnel of the division. The judge 2130
also shall designate the title, compensation, hours, leaves of 2131
absence, and vacations of the personnel of the division and 2132
shall fix their duties. The duties of the personnel of the 2133
division, in addition to other statutory duties, shall include 2134
the handling, servicing, and investigation of divorce, 2135

dissolution of marriage, legal separation, and annulment cases 2136
and the provision of counseling and conciliation services that 2137
the division considers necessary and makes available to persons 2138
who request the services, whether or not the persons are parties 2139
in an action pending in the division. The compensation for the 2140
personnel shall be paid from the overall court budget and shall 2141
be included in the appropriations for the existing judges of the 2142
general division of the court of common pleas. 2143

(2) The judge of the court of common pleas whose term 2144
begins on January 1, 1995, and successors, shall have the same 2145
qualifications, exercise the same powers and jurisdiction, and 2146
receive the same compensation as the other judges of the court 2147
of common pleas of Greene county, shall be elected and 2148
designated as judge of the court of common pleas, juvenile 2149
division, and, on or after January 1, 1995, shall be the 2150
juvenile judge as provided in Chapters 2151. and 2152. of the 2151
Revised Code with the powers and jurisdiction conferred by those 2152
chapters. The judge of the court of common pleas, juvenile 2153
division, shall be the administrator of the juvenile division 2154
and its subdivisions and departments. The judge shall have 2155
charge of the employment, assignment, and supervision of the 2156
personnel of the juvenile division who are engaged in handling, 2157
servicing, or investigating juvenile cases, including any 2158
referees whom the judge considers necessary for the discharge of 2159
the judge's various duties. 2160

The judge also shall designate the title, compensation, 2161
expense allowances, hours, leaves of absence, and vacation of 2162
the personnel of the division and shall fix their duties. The 2163
duties of the personnel, in addition to other statutory duties, 2164
include the handling, servicing, and investigation of juvenile 2165
cases and providing any counseling and conciliation services 2166

that the court makes available to persons, whether or not the 2167
persons are parties to an action pending in the court, who 2168
request the services. 2169

(3) If one of the judges of the court of common pleas, 2170
general division, is sick, absent, or unable to perform that 2171
judge's judicial duties or the volume of cases pending in the 2172
general division necessitates it, the duties of that judge of 2173
the general division shall be performed by the judge of the 2174
division of domestic relations and the judge of the juvenile 2175
division. 2176

(P) In Portage county, the judge of the court of common 2177
pleas, whose term begins January 2, 1987, and successors, shall 2178
have the same qualifications, exercise the same powers and 2179
jurisdiction, and receive the same compensation as the other 2180
judges of the court of common pleas of Portage county and shall 2181
be elected and designated as judge of the court of common pleas, 2182
division of domestic relations. The judge shall be assigned all 2183
divorce, dissolution of marriage, legal separation, and 2184
annulment cases coming before the court, except in cases that 2185
for some special reason are assigned to some other judge of the 2186
court of common pleas. The judge shall be charged with the 2187
assignment and division of the work of the division and with the 2188
employment and supervision of all other personnel of the 2189
domestic relations division. 2190

The judge also shall designate the title, compensation, 2191
expense allowances, hours, leaves of absence, and vacations of 2192
the personnel of the division and shall fix their duties. The 2193
duties of the personnel, in addition to other statutory duties, 2194
shall include the handling, servicing, and investigation of 2195
divorce, dissolution of marriage, legal separation, and 2196

annulment cases and providing any counseling and conciliation 2197
services that the division makes available to persons, whether 2198
or not the persons are parties to an action pending in the 2199
division, who request the services. 2200

(Q) In Clermont county, the judge of the court of common 2201
pleas, whose term begins January 2, 1987, and successors, shall 2202
have the same qualifications, exercise the same powers and 2203
jurisdiction, and receive the same compensation as the other 2204
judges of the court of common pleas of Clermont county and shall 2205
be elected and designated as judge of the court of common pleas, 2206
division of domestic relations. The judge shall be assigned all 2207
divorce, dissolution of marriage, legal separation, and 2208
annulment cases coming before the court, except in cases that 2209
for some special reason are assigned to some other judge of the 2210
court of common pleas. The judge shall be charged with the 2211
assignment and division of the work of the division and with the 2212
employment and supervision of all other personnel of the 2213
domestic relations division. 2214

The judge also shall designate the title, compensation, 2215
expense allowances, hours, leaves of absence, and vacations of 2216
the personnel of the division and shall fix their duties. The 2217
duties of the personnel, in addition to other statutory duties, 2218
shall include the handling, servicing, and investigation of 2219
divorce, dissolution of marriage, legal separation, and 2220
annulment cases and providing any counseling and conciliation 2221
services that the division makes available to persons, whether 2222
or not the persons are parties to an action pending in the 2223
division, who request the services. 2224

(R) In Warren county, the judge of the court of common 2225
pleas, whose term begins January 1, 1987, and successors, shall 2226

have the same qualifications, exercise the same powers and 2227
jurisdiction, and receive the same compensation as the other 2228
judges of the court of common pleas of Warren county and shall 2229
be elected and designated as judge of the court of common pleas, 2230
division of domestic relations. The judge shall be assigned all 2231
divorce, dissolution of marriage, legal separation, and 2232
annulment cases coming before the court, except in cases that 2233
for some special reason are assigned to some other judge of the 2234
court of common pleas. The judge shall be charged with the 2235
assignment and division of the work of the division and with the 2236
employment and supervision of all other personnel of the 2237
domestic relations division. 2238

The judge also shall designate the title, compensation, 2239
expense allowances, hours, leaves of absence, and vacations of 2240
the personnel of the division and shall fix their duties. The 2241
duties of the personnel, in addition to other statutory duties, 2242
shall include the handling, servicing, and investigation of 2243
divorce, dissolution of marriage, legal separation, and 2244
annulment cases and providing any counseling and conciliation 2245
services that the division makes available to persons, whether 2246
or not the persons are parties to an action pending in the 2247
division, who request the services. 2248

(S) In Licking county, the judges of the court of common 2249
pleas, whose terms begin on January 1, 1991, and January 1, 2250
2005, and successors, shall have the same qualifications, 2251
exercise the same powers and jurisdiction, and receive the same 2252
compensation as the other judges of the court of common pleas of 2253
Licking county and shall be elected and designated as judges of 2254
the court of common pleas, division of domestic relations. The 2255
judges shall be assigned all divorce, dissolution of marriage, 2256
legal separation, and annulment cases, all cases arising under 2257

Chapter 3111. of the Revised Code, all proceedings involving 2258
child support, the allocation of parental rights and 2259
responsibilities for the care of children and the designation 2260
for the children of a place of residence and legal custodian, 2261
parenting time, and visitation, and all post-decree proceedings 2262
and matters arising from those cases and proceedings, except in 2263
cases that for some special reason are assigned to another judge 2264
of the court of common pleas. The administrative judge of the 2265
division of domestic relations shall be charged with the 2266
assignment and division of the work of the division and with the 2267
employment and supervision of the personnel of the division. 2268

The administrative judge of the division of domestic 2269
relations shall designate the title, compensation, expense 2270
allowances, hours, leaves of absence, and vacations of the 2271
personnel of the division and shall fix the duties of the 2272
personnel of the division. The duties of the personnel of the 2273
division, in addition to other statutory duties, shall include 2274
the handling, servicing, and investigation of divorce, 2275
dissolution of marriage, legal separation, and annulment cases, 2276
cases arising under Chapter 3111. of the Revised Code, and 2277
proceedings involving child support, the allocation of parental 2278
rights and responsibilities for the care of children and the 2279
designation for the children of a place of residence and legal 2280
custodian, parenting time, and visitation and providing any 2281
counseling and conciliation services that the division makes 2282
available to persons, whether or not the persons are parties to 2283
an action pending in the division, who request the services. 2284

(T) In Allen county, the judge of the court of common 2285
pleas, whose term begins January 1, 1993, and successors, shall 2286
have the same qualifications, exercise the same powers and 2287
jurisdiction, and receive the same compensation as the other 2288

judges of the court of common pleas of Allen county and shall be 2289
elected and designated as judge of the court of common pleas, 2290
division of domestic relations. The judge shall be assigned all 2291
divorce, dissolution of marriage, legal separation, and 2292
annulment cases, all cases arising under Chapter 3111. of the 2293
Revised Code, all proceedings involving child support, the 2294
allocation of parental rights and responsibilities for the care 2295
of children and the designation for the children of a place of 2296
residence and legal custodian, parenting time, and visitation, 2297
and all post-decree proceedings and matters arising from those 2298
cases and proceedings, except in cases that for some special 2299
reason are assigned to another judge of the court of common 2300
pleas. The judge shall be charged with the assignment and 2301
division of the work of the division and with the employment and 2302
supervision of the personnel of the division. 2303

The judge shall designate the title, compensation, expense 2304
allowances, hours, leaves of absence, and vacations of the 2305
personnel of the division and shall fix the duties of the 2306
personnel of the division. The duties of the personnel of the 2307
division, in addition to other statutory duties, shall include 2308
the handling, servicing, and investigation of divorce, 2309
dissolution of marriage, legal separation, and annulment cases, 2310
cases arising under Chapter 3111. of the Revised Code, and 2311
proceedings involving child support, the allocation of parental 2312
rights and responsibilities for the care of children and the 2313
designation for the children of a place of residence and legal 2314
custodian, parenting time, and visitation, and providing any 2315
counseling and conciliation services that the division makes 2316
available to persons, whether or not the persons are parties to 2317
an action pending in the division, who request the services. 2318

(U) In Medina county, the judge of the court of common 2319

pleas whose term begins January 1, 1995, and successors, shall 2320
have the same qualifications, exercise the same powers and 2321
jurisdiction, and receive the same compensation as other judges 2322
of the court of common pleas of Medina county and shall be 2323
elected and designated as judge of the court of common pleas, 2324
division of domestic relations. The judge shall be assigned all 2325
divorce, dissolution of marriage, legal separation, and 2326
annulment cases, all cases arising under Chapter 3111. of the 2327
Revised Code, all proceedings involving child support, the 2328
allocation of parental rights and responsibilities for the care 2329
of children and the designation for the children of a place of 2330
residence and legal custodian, parenting time, and visitation, 2331
and all post-decree proceedings and matters arising from those 2332
cases and proceedings, except in cases that for some special 2333
reason are assigned to another judge of the court of common 2334
pleas. The judge shall be charged with the assignment and 2335
division of the work of the division and with the employment and 2336
supervision of the personnel of the division. 2337

The judge shall designate the title, compensation, expense 2338
allowances, hours, leaves of absence, and vacations of the 2339
personnel of the division and shall fix the duties of the 2340
personnel of the division. The duties of the personnel, in 2341
addition to other statutory duties, include the handling, 2342
servicing, and investigation of divorce, dissolution of 2343
marriage, legal separation, and annulment cases, cases arising 2344
under Chapter 3111. of the Revised Code, and proceedings 2345
involving child support, the allocation of parental rights and 2346
responsibilities for the care of children and the designation 2347
for the children of a place of residence and legal custodian, 2348
parenting time, and visitation, and providing counseling and 2349
conciliation services that the division makes available to 2350

persons, whether or not the persons are parties to an action 2351
pending in the division, who request the services. 2352

(V) In Fairfield county, the judge of the court of common 2353
pleas whose term begins January 2, 1995, and successors, shall 2354
have the same qualifications, exercise the same powers and 2355
jurisdiction, and receive the same compensation as the other 2356
judges of the court of common pleas of Fairfield county and 2357
shall be elected and designated as judge of the court of common 2358
pleas, division of domestic relations. The judge shall be 2359
assigned all divorce, dissolution of marriage, legal separation, 2360
and annulment cases, all cases arising under Chapter 3111. of 2361
the Revised Code, all proceedings involving child support, the 2362
allocation of parental rights and responsibilities for the care 2363
of children and the designation for the children of a place of 2364
residence and legal custodian, parenting time, and visitation, 2365
and all post-decree proceedings and matters arising from those 2366
cases and proceedings, except in cases that for some special 2367
reason are assigned to another judge of the court of common 2368
pleas. The judge also has concurrent jurisdiction with the 2369
probate-juvenile division of the court of common pleas of 2370
Fairfield county with respect to and may hear cases to determine 2371
the custody of a child, as defined in section 2151.011 of the 2372
Revised Code, who is not the ward of another court of this 2373
state, cases that are commenced by a parent, guardian, or 2374
custodian of a child, as defined in section 2151.011 of the 2375
Revised Code, to obtain an order requiring a parent of the child 2376
to pay child support for that child when the request for that 2377
order is not ancillary to an action for divorce, dissolution of 2378
marriage, annulment, or legal separation, a criminal or civil 2379
action involving an allegation of domestic violence, an action 2380
for support under Chapter 3115. of the Revised Code, or an 2381

action that is within the exclusive original jurisdiction of the 2382
probate-juvenile division of the court of common pleas of 2383
Fairfield county and that involves an allegation that the child 2384
is an abused, neglected, or dependent child, and post-decree 2385
proceedings and matters arising from those types of cases. 2386

The judge of the domestic relations division shall be 2387
charged with the assignment and division of the work of the 2388
division and with the employment and supervision of the 2389
personnel of the division. 2390

The judge shall designate the title, compensation, expense 2391
allowances, hours, leaves of absence, and vacations of the 2392
personnel of the division and shall fix the duties of the 2393
personnel of the division. The duties of the personnel of the 2394
division, in addition to other statutory duties, shall include 2395
the handling, servicing, and investigation of divorce, 2396
dissolution of marriage, legal separation, and annulment cases, 2397
cases arising under Chapter 3111. of the Revised Code, and 2398
proceedings involving child support, the allocation of parental 2399
rights and responsibilities for the care of children and the 2400
designation for the children of a place of residence and legal 2401
custodian, parenting time, and visitation, and providing any 2402
counseling and conciliation services that the division makes 2403
available to persons, regardless of whether the persons are 2404
parties to an action pending in the division, who request the 2405
services. When the judge hears a case to determine the custody 2406
of a child, as defined in section 2151.011 of the Revised Code, 2407
who is not the ward of another court of this state or a case 2408
that is commenced by a parent, guardian, or custodian of a 2409
child, as defined in section 2151.011 of the Revised Code, to 2410
obtain an order requiring a parent of the child to pay child 2411
support for that child when the request for that order is not 2412

ancillary to an action for divorce, dissolution of marriage, 2413
annulment, or legal separation, a criminal or civil action 2414
involving an allegation of domestic violence, an action for 2415
support under Chapter 3115. of the Revised Code, or an action 2416
that is within the exclusive original jurisdiction of the 2417
probate-juvenile division of the court of common pleas of 2418
Fairfield county and that involves an allegation that the child 2419
is an abused, neglected, or dependent child, the duties of the 2420
personnel of the domestic relations division also include the 2421
handling, servicing, and investigation of those types of cases. 2422

(W) (1) In Clark county, the judge of the court of common 2423
pleas whose term begins on January 2, 1995, and successors, 2424
shall have the same qualifications, exercise the same powers and 2425
jurisdiction, and receive the same compensation as other judges 2426
of the court of common pleas of Clark county and shall be 2427
elected and designated as judge of the court of common pleas, 2428
domestic relations division. The judge shall have all the powers 2429
relating to juvenile courts, and all cases under Chapters 2151. 2430
and 2152. of the Revised Code and all parentage proceedings 2431
under Chapter 3111. of the Revised Code over which the juvenile 2432
court has jurisdiction shall be assigned to the judge of the 2433
division of domestic relations. All divorce, dissolution of 2434
marriage, legal separation, annulment, uniform reciprocal 2435
support enforcement, and other cases related to domestic 2436
relations shall be assigned to the domestic relations division, 2437
and the presiding judge of the court of common pleas shall 2438
assign the cases to the judge of the domestic relations division 2439
and the judges of the general division. 2440

(2) In addition to the judge's regular duties, the judge 2441
of the division of domestic relations shall serve on the 2442
children services board and the county advisory board. 2443

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

(X) In Scioto county, the judge of the court of common pleas whose term begins January 2, 1995, 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 Scioto county and shall be elected and designated as judge of the court of common pleas, division of domestic relations. The judge shall be assigned all divorce, dissolution of marriage, legal separation, and annulment cases, all cases arising under Chapter 3111. of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, visitation, and all post-decree proceedings and matters arising from those cases and proceedings, except in cases that for some special reason are assigned to another judge of the court of common pleas. The judge shall be charged with the assignment and division of the work of the division and with the employment and supervision of the personnel of the division.

The judge shall designate the title, compensation, expense 2475
allowances, hours, leaves of absence, and vacations of the 2476
personnel of the division and shall fix the duties of the 2477
personnel of the division. The duties of the personnel, in 2478
addition to other statutory duties, include the handling, 2479
servicing, and investigation of divorce, dissolution of 2480
marriage, legal separation, and annulment cases, cases arising 2481
under Chapter 3111. of the Revised Code, and proceedings 2482
involving child support, the allocation of parental rights and 2483
responsibilities for the care of children and the designation 2484
for the children of a place of residence and legal custodian, 2485
parenting time, and visitation, and providing counseling and 2486
conciliation services that the division makes available to 2487
persons, whether or not the persons are parties to an action 2488
pending in the division, who request the services. 2489

(Y) In Auglaize county, the judge of the probate and 2490
juvenile divisions of the Auglaize county court of common pleas 2491
also shall be the administrative judge of the domestic relations 2492
division of the court and shall be assigned all divorce, 2493
dissolution of marriage, legal separation, and annulment cases 2494
coming before the court. The judge shall have all powers as 2495
administrator of the domestic relations division and shall have 2496
charge of the personnel engaged in handling, servicing, or 2497
investigating divorce, dissolution of marriage, legal 2498
separation, and annulment cases, including any referees 2499
considered necessary for the discharge of the judge's various 2500
duties. 2501

(Z) (1) In Marion county, the judge of the court of common 2502
pleas whose term begins on February 9, 1999, and the successors 2503
to that judge, shall have the same qualifications, exercise the 2504
same powers and jurisdiction, and receive the same compensation 2505

as the other judges of the court of common pleas of Marion 2506
county and shall be elected and designated as judge of the court 2507
of common pleas, domestic relations-juvenile-probate division. 2508
Except as otherwise specified in this division, that judge, and 2509
the successors to that judge, shall have all the powers relating 2510
to juvenile courts, and all cases under Chapters 2151. and 2152. 2511
of the Revised Code, all cases arising under Chapter 3111. of 2512
the Revised Code, all divorce, dissolution of marriage, legal 2513
separation, and annulment cases, all proceedings involving child 2514
support, the allocation of parental rights and responsibilities 2515
for the care of children and the designation for the children of 2516
a place of residence and legal custodian, parenting time, and 2517
visitation, and all post-decree proceedings and matters arising 2518
from those cases and proceedings shall be assigned to that judge 2519
and the successors to that judge. Except as provided in division 2520
(Z) (2) of this section and notwithstanding any other provision 2521
of any section of the Revised Code, on and after February 9, 2522
2003, the judge of the court of common pleas of Marion county 2523
whose term begins on February 9, 1999, and the successors to 2524
that judge, shall have all the powers relating to the probate 2525
division of the court of common pleas of Marion county in 2526
addition to the powers previously specified in this division, 2527
and shall exercise concurrent jurisdiction with the judge of the 2528
probate division of that court over all matters that are within 2529
the jurisdiction of the probate division of that court under 2530
Chapter 2101., and other provisions, of the Revised Code in 2531
addition to the jurisdiction of the domestic relations-juvenile- 2532
probate division of that court otherwise specified in division 2533
(Z) (1) of this section. 2534

(2) The judge of the domestic relations-juvenile-probate 2535
division of the court of common pleas of Marion county or the 2536

judge of the probate division of the court of common pleas of 2537
Marion county, whichever of those judges is senior in total 2538
length of service on the court of common pleas of Marion county, 2539
regardless of the division or divisions of service, shall serve 2540
as the clerk of the probate division of the court of common 2541
pleas of Marion county. 2542

(3) On and after February 9, 2003, all references in law 2543
to "the probate court," "the probate judge," "the juvenile 2544
court," or "the judge of the juvenile court" shall be construed, 2545
with respect to Marion county, as being references to both "the 2546
probate division" and "the domestic relations-juvenile-probate 2547
division" and as being references to both "the judge of the 2548
probate division" and "the judge of the domestic relations- 2549
juvenile-probate division." On and after February 9, 2003, all 2550
references in law to "the clerk of the probate court" shall be 2551
construed, with respect to Marion county, as being references to 2552
the judge who is serving pursuant to division (Z)(2) of this 2553
section as the clerk of the probate division of the court of 2554
common pleas of Marion county. 2555

(AA) In Muskingum county, the judge of the court of common 2556
pleas whose term begins on January 2, 2003, and successors, 2557
shall have the same qualifications, exercise the same powers and 2558
jurisdiction, and receive the same compensation as the other 2559
judges of the court of common pleas of Muskingum county and 2560
shall be elected and designated as the judge of the court of 2561
common pleas, division of domestic relations. The judge shall be 2562
assigned all divorce, dissolution of marriage, legal separation, 2563
and annulment cases, all cases arising under Chapter 3111. of 2564
the Revised Code, all proceedings involving child support, the 2565
allocation of parental rights and responsibilities for the care 2566
of children and the designation for the children of a place of 2567

residence and legal custodian, parenting time, and visitation, 2568
and all post-decree proceedings and matters arising from those 2569
cases and proceedings, except in cases that for some special 2570
reason are assigned to another judge of the court of common 2571
pleas. The judge shall be charged with the assignment and 2572
division of the work of the division and with the employment and 2573
supervision of the personnel of the division. 2574

The judge shall designate the title, compensation, expense 2575
allowances, hours, leaves of absence, and vacations of the 2576
personnel of the division and shall fix the duties of the 2577
personnel of the division. The duties of the personnel of the 2578
division, in addition to other statutory duties, shall include 2579
the handling, servicing, and investigation of divorce, 2580
dissolution of marriage, legal separation, and annulment cases, 2581
cases arising under Chapter 3111. of the Revised Code, and 2582
proceedings involving child support, the allocation of parental 2583
rights and responsibilities for the care of children and the 2584
designation for the children of a place of residence and legal 2585
custodian, parenting time, and visitation and providing any 2586
counseling and conciliation services that the division makes 2587
available to persons, whether or not the persons are parties to 2588
an action pending in the division, who request the services. 2589

(BB) In Henry county, the judge of the court of common 2590
pleas whose term begins on January 1, 2005, and successors, 2591
shall have the same qualifications, exercise the same powers and 2592
jurisdiction, and receive the same compensation as the other 2593
judge of the court of common pleas of Henry county and shall be 2594
elected and designated as the judge of the court of common 2595
pleas, division of domestic relations. The judge shall have all 2596
of the powers relating to juvenile courts, and all cases under 2597
Chapter 2151. or 2152. of the Revised Code, all parentage 2598

proceedings arising under Chapter 3111. of the Revised Code over 2599
which the juvenile court has jurisdiction, all divorce, 2600
dissolution of marriage, legal separation, and annulment cases, 2601
all proceedings involving child support, the allocation of 2602
parental rights and responsibilities for the care of children 2603
and the designation for the children of a place of residence and 2604
legal custodian, parenting time, and visitation, and all post- 2605
decree proceedings and matters arising from those cases and 2606
proceedings shall be assigned to that judge, except in cases 2607
that for some special reason are assigned to the other judge of 2608
the court of common pleas. 2609

(CC) (1) In Logan county, the judge of the court of common 2610
pleas whose term begins January 2, 2005, and the successors to 2611
that judge, shall have the same qualifications, exercise the 2612
same powers and jurisdiction, and receive the same compensation 2613
as the other judges of the court of common pleas of Logan county 2614
and shall be elected and designated as judge of the court of 2615
common pleas, family court division. Except as otherwise 2616
specified in this division, that judge, and the successors to 2617
that judge, shall have all the powers relating to juvenile 2618
courts, and all cases under Chapters 2151. and 2152. of the 2619
Revised Code, all cases arising under Chapter 3111. of the 2620
Revised Code, all divorce, dissolution of marriage, legal 2621
separation, and annulment cases, all proceedings involving child 2622
support, the allocation of parental rights and responsibilities 2623
for the care of children and designation for the children of a 2624
place of residence and legal custodian, parenting time, and 2625
visitation, and all post-decree proceedings and matters arising 2626
from those cases and proceedings shall be assigned to that judge 2627
and the successors to that judge. Notwithstanding any other 2628
provision of any section of the Revised Code, on and after 2629

January 2, 2005, the judge of the court of common pleas of Logan 2630
county whose term begins on January 2, 2005, and the successors 2631
to that judge, shall have all the powers relating to the probate 2632
division of the court of common pleas of Logan county in 2633
addition to the powers previously specified in this division and 2634
shall exercise concurrent jurisdiction with the judge of the 2635
probate division of that court over all matters that are within 2636
the jurisdiction of the probate division of that court under 2637
Chapter 2101., and other provisions, of the Revised Code in 2638
addition to the jurisdiction of the family court division of 2639
that court otherwise specified in division (CC) (1) of this 2640
section. 2641

(2) The judge of the family court division of the court of 2642
common pleas of Logan county or the probate judge of the court 2643
of common pleas of Logan county who is elected as the 2644
administrative judge of the family court division of the court 2645
of common pleas of Logan county pursuant to Rule 4 of the Rules 2646
of Superintendence shall be the clerk of the family court 2647
division of the court of common pleas of Logan county. 2648

(3) On and after April 5, 2019, all references in law to 2649
"the probate court," "the probate judge," "the juvenile court," 2650
or "the judge of the juvenile court" shall be construed, with 2651
respect to Logan county, as being references to both "the 2652
probate division" and the "family court division" and as being 2653
references to both "the judge of the probate division" and the 2654
"judge of the family court division." On and after April 5, 2655
2019, all references in law to "the clerk of the probate court" 2656
shall be construed, with respect to Logan county, as being 2657
references to the judge who is serving pursuant to division (CC) 2658
(2) of this section as the clerk of the family court division of 2659
the court of common pleas of Logan county. 2660

(DD) (1) In Champaign county, the judge of the court of 2661
common pleas whose term begins February 9, 2003, and the judge 2662
of the court of common pleas whose term begins February 10, 2663
2009, and the successors to those judges, shall have the same 2664
qualifications, exercise the same powers and jurisdiction, and 2665
receive the same compensation as the other judges of the court 2666
of common pleas of Champaign county and shall be elected and 2667
designated as judges of the court of common pleas, domestic 2668
relations-juvenile-probate division. Except as otherwise 2669
specified in this division, those judges, and the successors to 2670
those judges, shall have all the powers relating to juvenile 2671
courts, and all cases under Chapters 2151. and 2152. of the 2672
Revised Code, all cases arising under Chapter 3111. of the 2673
Revised Code, all divorce, dissolution of marriage, legal 2674
separation, and annulment cases, all proceedings involving child 2675
support, the allocation of parental rights and responsibilities 2676
for the care of children and the designation for the children of 2677
a place of residence and legal custodian, parenting time, and 2678
visitation, and all post-decree proceedings and matters arising 2679
from those cases and proceedings shall be assigned to those 2680
judges and the successors to those judges. Notwithstanding any 2681
other provision of any section of the Revised Code, on and after 2682
February 9, 2009, the judges designated by this division as 2683
judges of the court of common pleas of Champaign county, 2684
domestic relations-juvenile-probate division, and the successors 2685
to those judges, shall have all the powers relating to probate 2686
courts in addition to the powers previously specified in this 2687
division and shall exercise jurisdiction over all matters that 2688
are within the jurisdiction of probate courts under Chapter 2689
2101., and other provisions, of the Revised Code in addition to 2690
the jurisdiction of the domestic relations-juvenile-probate 2691
division otherwise specified in division (DD) (1) of this 2692

section. 2693

(2) On and after February 9, 2009, all references in law 2694
to "the probate court," "the probate judge," "the juvenile 2695
court," or "the judge of the juvenile court" shall be construed 2696
with respect to Champaign county as being references to the 2697
"domestic relations-juvenile-probate division" and as being 2698
references to the "judge of the domestic relations-juvenile- 2699
probate division." On and after February 9, 2009, all references 2700
in law to "the clerk of the probate court" shall be construed 2701
with respect to Champaign county as being references to the 2702
judge who is serving pursuant to Rule 4 of the Rules of 2703
Superintendence for the Courts of Ohio as the administrative 2704
judge of the court of common pleas, domestic relations-juvenile- 2705
probate division. 2706

(EE) In Delaware county, the judge of the court of common 2707
pleas whose term begins on January 1, 2017, and successors, 2708
shall have the same qualifications, exercise the same powers and 2709
jurisdiction, and receive the same compensation as the other 2710
judges of the court of common pleas of Delaware county and shall 2711
be elected and designated as the judge of the court of common 2712
pleas, division of domestic relations. Divorce, dissolution of 2713
marriage, legal separation, and annulment cases, including any 2714
post-decree proceedings, and cases involving questions of 2715
paternity, custody, visitation, child support, and the 2716
allocation of parental rights and responsibilities for the care 2717
of children, regardless of whether those matters arise in post- 2718
decree proceedings or involve children born between unmarried 2719
persons, shall be assigned to that judge, except cases that for 2720
some special reason are assigned to another judge of the court 2721
of common pleas. 2722

| | |
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| (FF) In Hardin county: | 2723 |
| (1) The judge of the court of common pleas whose term begins on January 1, 2023, and successors, shall have the same qualifications, exercise the same powers and jurisdiction, and receive the same compensation as the other judge of the court of common pleas of Hardin county and shall be elected and designated as the judge of the court of common pleas, division of domestic relations. The judge shall have all of the powers relating to juvenile courts, and all cases under Chapter 2151. or 2152. of the Revised Code, all parentage proceedings arising under Chapter 3111. of the Revised Code over which the juvenile court has jurisdiction, all divorce, dissolution of marriage, legal separation, and annulment cases, civil protection orders issued under sections 2903.214 and 3113.31 of the Revised Code, all proceedings involving child support, the allocation of parental rights and responsibilities for the care of children and the designation for the children of a place of residence and legal custodian, parenting time, and visitation, and all post-decree proceedings and matters arising from those cases and proceedings shall be assigned to that judge, except in cases that for some special reason are assigned to the other judge of the court of common pleas. | 2724 2725 2726 2727 2728 2729 2730 2731 2732 2733 2734 2735 2736 2737 2738 2739 2740 2741 2742 2743 2744 |
| (2) The judge of the court of common pleas, general division, whose term begins on February 9, 2027, and successors, shall have assigned to the judge, in addition to all matters that are within the jurisdiction of the general division of the court of common pleas, all matters that are within the jurisdiction of the probate court under Chapter 2101., and other provisions, of the Revised Code. | 2745 2746 2747 2748 2749 2750 2751 |
| (GG) If a judge of the court of common pleas, division of | 2752 |

domestic relations, or juvenile judge, of any of the counties 2753
mentioned in this section is sick, absent, or unable to perform 2754
that judge's judicial duties or the volume of cases pending in 2755
the judge's division necessitates it, the duties of that judge 2756
shall be performed by another judge of the court of common pleas 2757
of that county, assigned for that purpose by the presiding judge 2758
of the court of common pleas of that county to act in place of 2759
or in conjunction with that judge, as the case may require. 2760

Sec. 2743.03. (A) (1) There is hereby created a court of 2761
claims. ~~Except as provided under section 107.43 of the Revised~~ 2762
~~Code, the~~ The court of claims is a court of record and has 2763
exclusive, original jurisdiction of all civil actions against 2764
the state permitted by the waiver of immunity contained in 2765
section 2743.02 of the Revised Code and exclusive jurisdiction 2766
of the causes of action of all parties in civil actions that are 2767
removed to the court of claims. The court shall have full equity 2768
powers in all actions within its jurisdiction and may entertain 2769
and determine all counterclaims, cross-claims, and third-party 2770
claims. 2771

(2) If the claimant in a civil action as described in 2772
division (A) (1) of this section also files a claim for a 2773
declaratory judgment, injunctive relief, or other equitable 2774
relief against the state that arises out of the same 2775
circumstances that gave rise to the civil action described in 2776
division (A) (1) of this section, the court of claims has 2777
exclusive, original jurisdiction to hear and determine that 2778
claim in that civil action. This division does not affect, and 2779
shall not be construed as affecting, the original jurisdiction 2780
of another court of this state to hear and determine a civil 2781
action in which the sole relief that the claimant seeks against 2782
the state is a declaratory judgment, injunctive relief, or other 2783

equitable relief. 2784

(3) In addition to its exclusive, original jurisdiction as 2785
conferred by divisions (A) (1) and (2) of this section, the court 2786
of claims has exclusive, original jurisdiction as follows: 2787

(a) As described in division (F) of section 2743.02, 2788
division (B) of section 3335.03, and division (C) of section 2789
5903.02 of the Revised Code; 2790

(b) Under section 2743.75 of the Revised Code to hear 2791
complaints alleging a denial of access to public records in 2792
violation of division (B) of section 149.43 of the Revised Code, 2793
regardless of whether the public office or person responsible 2794
for public records is an office or employee of the state or of a 2795
political subdivision. 2796

(B) The court of claims shall sit in Franklin county, its 2797
hearings shall be public, and it shall consist of incumbent 2798
justices or judges of the supreme court, courts of appeals, or 2799
courts of common pleas, or retired justices or judges eligible 2800
for active duty pursuant to division (C) of Section 6 of Article 2801
IV, Ohio Constitution, sitting by temporary assignment of the 2802
chief justice of the supreme court. The chief justice may direct 2803
the court to sit in any county for cases on removal upon a 2804
showing of substantial hardship and whenever justice dictates. 2805

(C) (1) A civil action against the state shall be heard and 2806
determined by a single judge. Upon application by the claimant 2807
or the state, the chief justice of the supreme court may assign 2808
a panel of three judges to hear and determine a civil action 2809
presenting novel or complex issues of law or fact. Concurrence 2810
of two members of the panel is necessary for any judgment or 2811
order. 2812

(2) Whenever the chief justice of the supreme court 2813
believes an equitable resolution of a case will be expedited, 2814
the chief justice may appoint magistrates in accordance with 2815
Civil Rule 53 to hear the case. 2816

(3) When any dispute under division (B) of section 153.12 2817
of the Revised Code is brought to the court of claims, upon 2818
request of either party to the dispute, the chief justice of the 2819
supreme court shall appoint a single referee or a panel of three 2820
referees. The referees need not be attorneys, but shall be 2821
persons knowledgeable about construction contract law, a member 2822
of the construction industry panel of the American arbitration 2823
association, or an individual or individuals deemed qualified by 2824
the chief justice to serve. No person shall serve as a referee 2825
if that person has been employed by an affected state agency or 2826
a contractor or subcontractor involved in the dispute at any 2827
time in the preceding five years. Proceedings governing referees 2828
shall be in accordance with Civil Rule 53, except as modified by 2829
this division. The referee or panel of referees shall submit its 2830
report, which shall include a recommendation and finding of 2831
fact, to the judge assigned to the case by the chief justice, 2832
within thirty days of the conclusion of the hearings. Referees 2833
appointed pursuant to this division shall be compensated on a 2834
per diem basis at the same rate as is paid to judges of the 2835
court and also shall be paid their expenses. If a single referee 2836
is appointed or a panel of three referees is appointed, then, 2837
with respect to one referee of the panel, the compensation and 2838
expenses of the referee shall not be taxed as part of the costs 2839
in the case but shall be included in the budget of the court. If 2840
a panel of three referees is appointed, the compensation and 2841
expenses of the two remaining referees shall be taxed as costs 2842
of the case. 2843

All costs of a case shall be apportioned among the 2844
parties. The court may not require that any party deposit with 2845
the court cash, bonds, or other security in excess of two 2846
hundred dollars to guarantee payment of costs without the prior 2847
approval in each case of the chief justice. 2848

(4) An appeal from a decision of the attorney general 2849
pursuant to sections 2743.51 to 2743.72 of the Revised Code 2850
shall be heard and determined by the court of claims. 2851

(D) The Rules of Civil Procedure shall govern practice and 2852
procedure in all actions in the court of claims, except insofar 2853
as inconsistent with this chapter. The supreme court may 2854
promulgate rules governing practice and procedure in actions in 2855
the court as provided in Section 5 of Article IV, Ohio 2856
Constitution. 2857

(E) (1) A party who files a counterclaim against the state 2858
or makes the state a third-party defendant in an action 2859
commenced in any court, other than the court of claims, shall 2860
file a petition for removal in the court of claims. The petition 2861
shall state the basis for removal, be accompanied by a copy of 2862
all process, pleadings, and other papers served upon the 2863
petitioner, and shall be signed in accordance with Civil Rule 2864
11. A petition for removal based on a counterclaim shall be 2865
filed within twenty-eight days after service of the counterclaim 2866
of the petitioner. A petition for removal based on third-party 2867
practice shall be filed within twenty-eight days after the 2868
filing of the third-party complaint of the petitioner. 2869

(2) Within seven days after filing a petition for removal, 2870
the petitioner shall give written notice to the parties, and 2871
shall file a copy of the petition with the clerk of the court in 2872
which the action was brought originally. The filing effects the 2873

removal of the action to the court of claims, and the clerk of 2874
the court where the action was brought shall forward all papers 2875
in the case to the court of claims. The court of claims shall 2876
adjudicate all civil actions removed. The court may remand a 2877
civil action to the court in which it originated upon a finding 2878
that the removal petition does not justify removal, or upon a 2879
finding that the state is no longer a party. 2880

(3) Bonds, undertakings, or security and injunctions, 2881
attachments, sequestrations, or other orders issued prior to 2882
removal remain in effect until dissolved or modified by the 2883
court of claims. 2884

Sec. 3794.09. Enforcement; Penalties. 2885

(A) Upon the receipt of a first report that a proprietor 2886
of a public place or place of employment or an individual has 2887
violated any provision of this chapter, the department of health 2888
or its designee shall investigate the report and, if it 2889
concludes that there was a violation, issue a warning letter to 2890
the proprietor or individual. 2891

(B) Upon a report of a second or subsequent violation of 2892
any provision of this chapter by a proprietor of a public place 2893
or place of employment or an individual, the department of 2894
health or its designee shall investigate the report. If the 2895
director of health or director's designee concludes, based on 2896
all of the information before ~~him or her~~ the director or the 2897
director's designee, that there was a violation, ~~he or she~~ the 2898
director or the director's designee shall impose a civil fine 2899
upon the proprietor or individual in accordance with the 2900
schedule of fines required to be promulgated under section 2901
3794.07 of ~~this chapter~~ the Revised Code. 2902

(C) Any proprietor or individual against whom a finding of a violation is made under this chapter may appeal the finding ~~to the Franklin County Court of Common Pleas. Such appeal shall be governed by the provisions of~~ in accordance with section 119.12 of the Revised Code.

(D) The director of health may institute an action in the court of common pleas seeking an order in equity against a proprietor or individual that has repeatedly violated the provisions of this chapter or fails to comply with its provisions.

Sec. 3901.321. (A) For the purposes of this section:

(1) "Acquiring party" means any person by whom or on whose behalf a merger or other acquisition of control is to be effected.

(2) "Domestic insurer" includes any person controlling a domestic insurer unless the person, as determined by the superintendent of insurance, is either directly or through its affiliates primarily engaged in business other than the business of insurance.

(3) "Person" does not include any securities broker holding, in the usual and customary broker's function, less than twenty per cent of the voting securities of an insurance company or of any person that controls an insurance company.

(B)(1) Subject to compliance with division (B)(2) of this section, no person other than the issuer shall do any of the following if, as a result, the person would, directly or indirectly, including by means of conversion or the exercise of any right to acquire, be in control of a domestic insurer:

(a) Make a tender offer for any voting security of a

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| domestic insurer; | 2932 |
| (b) Make a request or invitation for tenders of any voting security of a domestic insurer; | 2933 2934 |
| (c) Enter into any agreement to exchange securities of a domestic insurer; | 2935 2936 |
| (d) Seek to acquire or acquire, in the open market or otherwise, any voting security of a domestic insurer; | 2937 2938 |
| (e) Enter into an agreement to merge with, or otherwise to acquire control of, a domestic insurer. | 2939 2940 |
| (2) (a) No person shall engage in any transaction described in division (B) (1) of this section, unless all of the following conditions are met: | 2941 2942 2943 |
| (i) The person has filed with the superintendent of insurance a statement containing the information required by division (C) of this section; | 2944 2945 2946 |
| (ii) The person has sent the statement to the domestic insurer; | 2947 2948 |
| (iii) The offer, request, invitation, agreement, or acquisition has been approved by the superintendent in the manner provided in division (F) of this section. | 2949 2950 2951 |
| (b) The requirements of division (B) (2) (a) of this section shall be met at the time any offer, request, or invitation is made, or any agreement is entered into, or prior to the acquisition of the securities if no offer or agreement is involved. | 2952 2953 2954 2955 2956 |
| (3) Any controlling person of a domestic insurer seeking to divest its controlling interest in the domestic insurer shall | 2957 2958 |

file a confidential notice of its proposed divestiture with the 2959
superintendent at least thirty days prior to the cessation of 2960
control, and provide a copy of the confidential notice to the 2961
insurer. The superintendent may require the person seeking to 2962
divest the controlling interest to file for and obtain approval 2963
of the transaction. The information shall remain confidential 2964
until the conclusion of the transaction unless the 2965
superintendent, in the superintendent's discretion, determines 2966
that the confidential treatment will interfere with enforcement 2967
of this section. If the statement required by division (B) (2) of 2968
this section is otherwise filed with the superintendent in 2969
relation to all parties that acquire a controlling interest as a 2970
result of the divestiture, this division shall not apply. 2971

(C) The statement required by division (B) (2) of this 2972
section shall be made under oath or affirmation, and shall 2973
contain all of the following information: 2974

(1) The name and address of each acquiring party; 2975

(2) If the acquiring party is an individual, the 2976
individual's principal occupation and all offices and positions 2977
held during the past five years, and any conviction of crimes 2978
other than minor traffic violations during the past ten years; 2979

(3) If the acquiring party is not an individual, a report 2980
of the nature of its business operations during the past five 2981
years or for such lesser period as the acquiring party and any 2982
of its predecessors shall have been in existence; an informative 2983
description of the business intended to be done by the acquiring 2984
party and the acquiring party's subsidiaries; and a list of all 2985
individuals who are or who have been selected to become 2986
directors or executive officers of the acquiring party, who 2987
perform or will perform functions appropriate to such positions. 2988

The list shall include for each individual the information 2989
required by division (C) (2) of this section. 2990

(4) The source, nature, and amount of the consideration 2991
used or to be used in effecting the merger or other acquisition 2992
of control, a description of any transaction in which funds were 2993
or are to be obtained for any such purpose, including any pledge 2994
of the domestic insurer's stock, or the stock of any of its 2995
subsidiaries or controlling affiliates, and the identity of 2996
persons furnishing such consideration; 2997

(5) Fully audited financial information as to the earnings 2998
and financial condition of each acquiring party for its 2999
preceding five fiscal years, or for such lesser period as the 3000
acquiring party and any of its predecessors shall have been in 3001
existence, and similar unaudited information as of a date not 3002
earlier than ninety days prior to the filing of the statement; 3003

(6) Any plans or proposals which each acquiring party may 3004
have to liquidate such domestic insurer, to sell its assets or 3005
merge or consolidate it with any person, or to make any other 3006
material change in its business or corporate structure or 3007
management; 3008

(7) The number of shares of any security of such issuer or 3009
such controlling person that each acquiring party proposes to 3010
acquire, and the terms of the offer, request, invitation, 3011
agreement, or acquisition, and a statement as to the method by 3012
which the fairness of the proposal was determined; 3013

(8) The amount of each class of any security of such 3014
issuer or such controlling person which is beneficially owned or 3015
concerning which there is a right to acquire beneficial 3016
ownership by each acquiring party; 3017

(9) A full description of any contracts, arrangements, or 3018
understandings with respect to any security of such issuer or 3019
such controlling person in which any acquiring party is 3020
involved, including but not limited to transfer of any of the 3021
securities, joint ventures, loan or option arrangements, puts or 3022
calls, guarantees of loans, guarantees against loss or 3023
guarantees of profits, division of losses or profits, or the 3024
giving or withholding of proxies. The description shall identify 3025
the persons with whom such contracts, arrangements, or 3026
understandings have been made. 3027

(10) A description of the purchase of any security of such 3028
issuer or such controlling person during the year preceding the 3029
filing of the statement, by any acquiring party, including the 3030
dates of purchase, names of the purchasers, and consideration 3031
paid or agreed to be paid therefor; 3032

(11) A description of any recommendations to purchase any 3033
security of such issuer or such controlling person made during 3034
the year preceding the filing of the statement, by any acquiring 3035
party, or by anyone based upon interviews or at the suggestion 3036
of the acquiring party; 3037

(12) Copies of all tender offers for, requests, or 3038
invitations for tenders of, exchange offers for, and agreements 3039
to acquire or exchange any securities of such issuer or such 3040
controlling person, and, if distributed, of additional 3041
solicitation material relating thereto; 3042

(13) The terms of any agreement, contract, or 3043
understanding made with or proposed to be made with any broker 3044
or dealer as to solicitation of securities of such issuer or 3045
such controlling person for tender, and the amount of any fees, 3046
commissions, or other compensation to be paid to brokers or 3047

dealers with regard thereto; 3048

(14) With respect to proposed affiliations between 3049
depository institutions or any affiliate thereof, within the 3050
meaning of Title I, section 104(c) of the "Gramm-Leach-Bliley 3051
Act," Pub. L. No. 106-102, 113 Stat. 1338 (1999), and a domestic 3052
insurer, the proposed effective date of the acquisition or 3053
change of control; 3054

(15) An agreement by the person required to file the 3055
statement required by division (B) of this section that the 3056
person will provide the annual registration required by division 3057
(K) of section 3901.33 of the Revised Code for so long as the 3058
person has control of the domestic insurer; 3059

(16) An acknowledgment by the person required to file the 3060
statement required by division (B) of this section that the 3061
person and all subsidiaries within the person's control in the 3062
insurance holding company system will provide information to the 3063
superintendent upon request as necessary to evaluate enterprise 3064
risk to the insurer; 3065

(17) Such additional information as the superintendent may 3066
by rule prescribe as necessary or appropriate for the protection 3067
of policyholders of the domestic insurer or in the public 3068
interest. 3069

(D) (1) If the person required to file the statement 3070
required by division (B) (2) of this section is a partnership, 3071
limited partnership, syndicate, or other group, the 3072
superintendent may require that the information required by 3073
division (C) of this section be furnished with respect to each 3074
partner of such partnership or limited partnership, each member 3075
of such syndicate or group, and each person that controls such 3076

partner or member. If any such partner, member, or person is a 3077
corporation, or the person required to file the statement is a 3078
corporation, the superintendent may require that the information 3079
required by division (C) of this section be furnished with 3080
respect to the corporation, each officer and director of the 3081
corporation, and each person that is directly or indirectly the 3082
beneficial owner of more than ten per cent of the outstanding 3083
voting securities of the corporation. 3084

(2) If any material change occurs in the facts set forth 3085
in the statement required by division (B) (2) of this section, an 3086
amendment setting forth such change, together with copies of all 3087
documents and other material relevant to the change, shall be 3088
filed with the superintendent by the person subject to division 3089
(B) (2) of this section and sent to the domestic insurer within 3090
two business days after such person learns of the occurrence of 3091
the material change. 3092

(E) If any offer, request, invitation, agreement, or 3093
acquisition described in division (B) (1) of this section is 3094
proposed to be made by means of a registration statement under 3095
the "Securities Act of 1933," 48 Stat. 74, 15 U.S.C.A. 78a, or 3096
in circumstances requiring the disclosure of similar information 3097
under the "Securities Exchange Act of 1934," 48 Stat. 881, 15 3098
U.S.C.A. 78a, or under a state law requiring similar 3099
registration or disclosure, the person required to file the 3100
statement required by division (B) (2) of this section may use 3101
such documents in furnishing the information required by that 3102
statement. 3103

(F) (1) The superintendent shall approve any merger or 3104
other acquisition of control described in division (B) (1) of 3105
this section unless, after a public hearing, the superintendent 3106

finds that any of the following apply: 3107

(a) After the change of control, the domestic insurer 3108
would not be able to satisfy the requirements for the issuance 3109
of a license to write the line or lines of insurance for which 3110
it is presently licensed; 3111

(b) The effect of the merger or other acquisition of 3112
control would be substantially to lessen competition in 3113
insurance in this state or tend to create a monopoly; 3114

(c) The financial condition of any acquiring party is such 3115
as might jeopardize the financial stability of the domestic 3116
insurer, or prejudice the interests of its policyholders; 3117

(d) The plans or proposals that the acquiring party has to 3118
liquidate the domestic insurer, sell its assets, or consolidate 3119
or merge it with any person, or to make any other material 3120
change in its business or corporate structure or management, are 3121
unfair and unreasonable to policyholders of the domestic insurer 3122
and not in the public interest; 3123

(e) The competence, experience, and integrity of those 3124
persons that would control the operation of the domestic insurer 3125
are such that it would not be in the interest of policyholders 3126
of the domestic insurer and of the public to permit the merger 3127
or other acquisition of control; 3128

(f) The acquisition is likely to be hazardous or 3129
prejudicial to the insurance-buying public. 3130

(2) (a) Chapter 119. of the Revised Code, except for 3131
section 119.09 of the Revised Code, applies to any hearing held 3132
under division (F) (1) of this section, including the notice of 3133
the hearing, the conduct of the hearing, the orders issued 3134
pursuant to it, the review of the orders, and all other matters 3135

relating to the holding of the hearing, but only to the extent 3136
that Chapter 119. of the Revised Code is not inconsistent or in 3137
conflict with this section. 3138

(b) The notice of a hearing required under this division 3139
shall be transmitted by personal service, certified mail, e- 3140
mail, or any other method designed to ensure and confirm receipt 3141
of the notice, to the persons and addresses designated to 3142
receive notices and correspondence in the information statement 3143
filed under division (B) (2) of this section. Confirmation of 3144
receipt of the notice, including electronic "Read Receipt" 3145
confirmation, shall constitute evidence of compliance with the 3146
requirement of this section. The notice of hearing shall include 3147
the reasons for the proposed action and a statement informing 3148
the acquiring party that the party is entitled to a hearing. The 3149
notice also shall inform the acquiring party that at the hearing 3150
the acquiring party may appear in person, by attorney, or by 3151
such other representative as is permitted to practice before the 3152
superintendent, or that the acquiring party may present its 3153
position, arguments, or contentions in writing, and that at the 3154
hearing the acquiring party may present evidence and examine 3155
witnesses appearing for and against the acquiring party. A copy 3156
of the notice also shall be transmitted to attorneys or other 3157
representatives of record representing the acquiring party. 3158

(c) The hearing shall be held at the offices of the 3159
superintendent within ten calendar days, but not earlier than 3160
seven calendar days, of the date of transmission of the notice 3161
of hearing by any means, unless it is postponed or continued; 3162
but in no event shall the hearing be held unless notice is 3163
received at least three days prior to the hearing. The 3164
superintendent may postpone or continue the hearing upon receipt 3165
of a written request by an acquiring party, or upon the 3166

superintendent's motion, provided, however, a hearing in 3167
connection with a proposed change of control involving a 3168
depository institution or any affiliate thereof, within the 3169
meaning of Title I, section 104(c) of the "Gramm-Leach-Bliley 3170
Act," Pub. L. No. 106-102, 113 Stat. 1338 (1999), and a domestic 3171
insurer, may be postponed or continued only upon the request of 3172
an acquiring party, or upon the superintendent's motion when the 3173
acquiring party agrees in writing to extend the sixty-day period 3174
provided for in section 104(c) of the "Gramm-Leach-Bliley Act," 3175
by a number of days equal to the number of days of such 3176
postponement or continuance. 3177

(d) For the purpose of conducting any hearing held under 3178
this section, the superintendent may require the attendance of 3179
such witnesses and the production of such books, records, and 3180
papers as the superintendent desires, and may take the 3181
depositions of witnesses residing within or without the state in 3182
the same manner as is prescribed by law for the taking of 3183
depositions in civil actions in the court of common pleas, and 3184
for that purpose the superintendent may, and upon the request of 3185
an acquiring party shall, issue a subpoena for any witnesses or 3186
a subpoena duces tecum to compel the production of any books, 3187
records, or papers, directed to the sheriff of the county where 3188
such witness resides or is found, which shall be served and 3189
returned in the same manner as a subpoena in a criminal case is 3190
served and returned. The fees of the sheriff shall be the same 3191
as that allowed in the court of common pleas in criminal cases. 3192
Witnesses shall be paid the fees and mileage provided for under 3193
section 119.094 of the Revised Code. Fees and mileage shall be 3194
paid from the fund in the state treasury for the use of the 3195
superintendent in the same manner as other expenses of the 3196
superintendent are paid. In any case of disobedience or neglect 3197

of any subpoena served on any person or the refusal of any 3198
witness to testify in any matter regarding which the witness may 3199
lawfully be interrogated, the court of common pleas of any 3200
county where such disobedience, neglect, or refusal occurs or 3201
any judge thereof, on application by the superintendent, shall 3202
compel obedience by attachment proceedings for contempt, as in 3203
the case of disobedience of the requirements of a subpoena 3204
issued from the court or a refusal to testify therein. 3205

In any hearing held under this section, a record of the 3206
testimony, as provided by stenographic means or by use of audio 3207
electronic recording devices, as determined by the 3208
superintendent, and other evidence submitted shall be taken at 3209
the expense of the superintendent. The record shall include all 3210
of the testimony and other evidence, and rulings on the 3211
admissibility thereof, presented at the hearing. 3212

The superintendent shall pass upon the admissibility of 3213
evidence, but a party to the proceedings may at that time object 3214
to the rulings of the superintendent, and if the superintendent 3215
refuses to admit evidence, the party offering the evidence shall 3216
proffer the evidence. The proffer shall be made a part of the 3217
record of the hearing. 3218

In any hearing held under this section, the superintendent 3219
may call any person to testify under oath as upon cross- 3220
examination. The superintendent, or any one delegated by the 3221
superintendent to conduct a hearing, may administer oaths or 3222
affirmations. 3223

In any hearing under this section, the superintendent may 3224
appoint a hearing officer to conduct the hearing; the hearing 3225
officer has the same powers and authority in conducting the 3226
hearing as is granted to the superintendent. The hearing officer 3227

shall have been admitted to the practice of law in the state and 3228
be possessed of any additional qualifications as the 3229
superintendent requires. The hearing officer shall submit to the 3230
superintendent a written report setting forth the hearing 3231
officer's finding of fact and conclusions of law and a 3232
recommendation of the action to be taken by the superintendent. 3233
A copy of the written report and recommendation shall, within 3234
seven days of the date of filing thereof, be served upon the 3235
acquiring party or the acquiring party's attorney or other 3236
representative of record, by personal service, certified mail, 3237
electronic mail, or any other method designed to ensure and 3238
confirm receipt of the report. The acquiring party may, within 3239
three days of receipt of the copy of the written report and 3240
recommendation, file with the superintendent written objections 3241
to the report and recommendation, which objections the 3242
superintendent shall consider before approving, modifying, or 3243
disapproving the recommendation. The superintendent may grant 3244
extensions of time to the acquiring party within which to file 3245
such objections. No recommendation of the hearing officer shall 3246
be approved, modified, or disapproved by the superintendent 3247
until after three days following the service of the report and 3248
recommendation as provided in this section. The superintendent 3249
may order additional testimony to be taken or permit the 3250
introduction of further documentary evidence. The superintendent 3251
may approve, modify, or disapprove the recommendation of the 3252
hearing officer, and the order of the superintendent based on 3253
the report, recommendation, transcript of testimony, and 3254
evidence, or the objections of the acquiring party, and 3255
additional testimony and evidence shall have the same effect as 3256
if the hearing had been conducted by the superintendent. No such 3257
recommendation is final until confirmed and approved by the 3258
superintendent as indicated by the order entered in the record 3259

of proceedings, and if the superintendent modifies or 3260
disapproves the recommendations of the hearing officer, the 3261
reasons for the modification or disapproval shall be included in 3262
the record of proceedings. 3263

After the order is entered, the superintendent shall 3264
transmit in the manner and by any of the methods set forth in 3265
division (F)(2)(b) of this section a certified copy of the order 3266
and a statement of the time and method by which an appeal may be 3267
perfected. A copy of the order shall be mailed to the attorneys 3268
or other representatives of record representing the acquiring 3269
party. 3270

(e) An order of disapproval issued by the superintendent 3271
may be appealed to the court of common pleas ~~of Franklin county~~ 3272
in accordance with section 119.12 of the Revised Code by filing 3273
a notice of appeal with the superintendent and a copy of the 3274
notice of appeal with the court, within fifteen calendar days 3275
after the transmittal of the copy of the order of disapproval. 3276
The notice of appeal shall set forth the order appealed from and 3277
the grounds for appeal, in accordance with section 119.12 of the 3278
Revised Code. 3279

(3) The superintendent may retain at the acquiring party's 3280
expense any attorneys, actuaries, accountants, and other experts 3281
not otherwise a part of the superintendent's staff as may be 3282
reasonably necessary to assist the superintendent in reviewing 3283
the proposed acquisition of control. 3284

(G) This section does not apply to either of the 3285
following: 3286

(1) Any transaction that is subject to section 3921.14, or 3287
sections 3925.27 to 3925.31, 3941.35 to 3941.46, or section 3288

| | |
|---|--|
| 3953.19 of the Revised Code; | 3289 |
| (2) Any offer, request, invitation, agreement, or acquisition that the superintendent by order exempts from this section on either of the following bases: | 3290 3291 3292 |
| (a) It has not been made or entered into for the purpose and does not have the effect of changing or influencing the control of a domestic insurer; | 3293 3294 3295 |
| (b) It is not otherwise comprehended within the purposes of this section. | 3296 3297 |
| (H) Nothing in this section or in any other section of Title XXXIX of the Revised Code shall be construed to impair the authority of the attorney general to investigate or prosecute actions under any state or federal antitrust law with respect to any merger or other acquisition involving domestic insurers. | 3298 3299 3300 3301 3302 |
| (I) In connection with a proposed change of control involving a depository institution or any affiliate thereof, within the meaning of Title I, section 104(c) of the "Gramm-Leach-Bliley Act," Pub. L. No. 106-102, 113 Stat. 1338 (1999), and a domestic insurer, not later than sixty days after the date of the notification of the proposed change in control submitted pursuant to division (B) (2) of this section, the superintendent shall make any determination that the person acquiring control of the insurer shall maintain or restore the capital of the insurer to the level required by the laws and regulations of this state. | 3303 3304 3305 3306 3307 3308 3309 3310 3311 3312 3313 |
| Sec. 3913.13. Any policyholder adversely affected by an order of the superintendent of insurance pursuant to division (F) of section 3913.11 of the Revised Code, may appeal to the court of common pleas of Franklin county pursuant to section | 3314 3315 3316 3317 |

119.12 of the Revised Code. 3318

Sec. 3913.23. Any policyholder adversely affected by an 3319
order of the superintendent of insurance pursuant to division 3320
(F) of section 3913.21 of the Revised Code, may appeal to the 3321
court of common pleas ~~of Franklin county~~ pursuant to section 3322
119.12 of the Revised Code. 3323

Sec. 5101.35. (A) As used in this section: 3324

(1) (a) "Agency" means the following entities that 3325
administer a family services program: 3326

(i) The department of job and family services; 3327

(ii) A county department of job and family services; 3328

(iii) A public children services agency; 3329

(iv) A private or government entity administering, in 3330
whole or in part, a family services program for or on behalf of 3331
the department of job and family services or a county department 3332
of job and family services or public children services agency. 3333

(b) If the department of medicaid contracts with the 3334
department of job and family services to hear appeals authorized 3335
by section 5160.31 of the Revised Code regarding medical 3336
assistance programs, "agency" includes the department of 3337
medicaid. 3338

(2) "Appellant" means an applicant, participant, former 3339
participant, recipient, or former recipient of a family services 3340
program who is entitled by federal or state law to a hearing 3341
regarding a decision or order of the agency that administers the 3342
program. 3343

(3) (a) "Family services program" means all of the 3344

following: 3345

(i) A Title IV-A program as defined in section 5101.80 of 3346
the Revised Code; 3347

(ii) Programs that provide assistance under Chapter 5104. 3348
of the Revised Code; 3349

(iii) Programs that provide assistance under section 3350
5101.141, 5101.461, 5101.54, 5119.41, 5153.163, or 5153.165 of 3351
the Revised Code; 3352

(iv) Title XX social services provided under section 3353
5101.46 of the Revised Code, other than such services provided 3354
by the department of mental health and addiction services, the 3355
department of developmental disabilities, a board of alcohol, 3356
drug addiction, and mental health services, or a county board of 3357
developmental disabilities. 3358

(b) If the department of medicaid contracts with the 3359
department of job and family services to hear appeals authorized 3360
by section 5160.31 of the Revised Code regarding medical 3361
assistance programs, "family services program" includes medical 3362
assistance programs. 3363

(4) "Medical assistance program" has the same meaning as 3364
in section 5160.01 of the Revised Code. 3365

(B) Except as provided by divisions (G) and (H) of this 3366
section, an appellant who appeals under federal or state law a 3367
decision or order of an agency administering a family services 3368
program shall, at the appellant's request, be granted a state 3369
hearing by the department of job and family services. This state 3370
hearing shall be conducted in accordance with rules adopted 3371
under this section. The state hearing shall be recorded, but 3372
neither the recording nor a transcript of the recording shall be 3373

part of the official record of the proceeding. Except as 3374
provided in section 5160.31 of the Revised Code, a state hearing 3375
decision is binding upon the agency and department, unless it is 3376
reversed or modified on appeal to the director of job and family 3377
services or a court of common pleas. 3378

(C) Except as provided by division (G) of this section, an 3379
appellant who disagrees with a state hearing decision may make 3380
an administrative appeal to the director of job and family 3381
services in accordance with rules adopted under this section. 3382
This administrative appeal does not require a hearing, but the 3383
director or the director's designee shall review the state 3384
hearing decision and previous administrative action and may 3385
affirm, modify, remand, or reverse the state hearing decision. 3386
An administrative appeal decision is the final decision of the 3387
department and, except as provided in section 5160.31 of the 3388
Revised Code, is binding upon the department and agency, unless 3389
it is reversed or modified on appeal to the court of common 3390
pleas. 3391

(D) An agency shall comply with a decision issued pursuant 3392
to division (B) or (C) of this section within the time limits 3393
established by rules adopted under this section. If a county 3394
department of job and family services or a public children 3395
services agency fails to comply within these time limits, the 3396
department may take action pursuant to section 5101.24 of the 3397
Revised Code. If another agency, other than the department of 3398
medicaid, fails to comply within the time limits, the department 3399
may force compliance by withholding funds due the agency or 3400
imposing another sanction established by rules adopted under 3401
this section. 3402

(E) An appellant who disagrees with an administrative 3403

appeal decision of the director of job and family services or 3404
the director's designee issued under division (C) of this 3405
section may appeal from the decision to the court of common 3406
pleas pursuant to section 119.12 of the Revised Code. The appeal 3407
shall be governed by section 119.12 of the Revised Code except 3408
that: 3409

~~(1) The person may appeal to the court of common pleas of 3410
the county in which the person resides, or to the court of 3411
common pleas of Franklin county if the person does not reside in 3412
this state. 3413~~

~~(2)~~ The person may apply to the court for designation as 3414
an indigent and, if the court grants this application, the 3415
appellant shall not be required to furnish the costs of the 3416
appeal. 3417

~~(3)~~ (2) The appellant shall mail the notice of appeal to 3418
the department of job and family services and file notice of 3419
appeal with the court within thirty days after the department 3420
mails the administrative appeal decision to the appellant. For 3421
good cause shown, the court may extend the time for mailing and 3422
filing notice of appeal, but such time shall not exceed six 3423
months from the date the department mails the administrative 3424
appeal decision. Filing notice of appeal with the court shall be 3425
the only act necessary to vest jurisdiction in the court. 3426

~~(4)~~ (3) The department shall be required to file a 3427
transcript of the testimony of the state hearing with the court 3428
only if the court orders the department to file the transcript. 3429
The court shall make such an order only if it finds that the 3430
department and the appellant are unable to stipulate to the 3431
facts of the case and that the transcript is essential to a 3432
determination of the appeal. The department shall file the 3433

transcript not later than thirty days after the day such an 3434
order is issued. 3435

(F) The department of job and family services shall adopt 3436
rules in accordance with Chapter 119. of the Revised Code to 3437
implement this section, including rules governing the following: 3438

(1) State hearings under division (B) of this section. The 3439
rules shall include provisions regarding notice of eligibility 3440
termination and the opportunity of an appellant appealing a 3441
decision or order of a county department of job and family 3442
services to request a county conference with the county 3443
department before the state hearing is held. 3444

(2) Administrative appeals under division (C) of this 3445
section; 3446

(3) Time limits for complying with a decision issued under 3447
division (B) or (C) of this section; 3448

(4) Sanctions that may be applied against an agency under 3449
division (D) of this section. 3450

(G) The department of job and family services may adopt 3451
rules in accordance with Chapter 119. of the Revised Code 3452
establishing an appeals process for an appellant who appeals a 3453
decision or order regarding a Title IV-A program identified 3454
under division (A) (4) (c), (d), (e), (f), or (g) of section 3455
5101.80 of the Revised Code that is different from the appeals 3456
process established by this section. The different appeals 3457
process may include having a state agency that administers the 3458
Title IV-A program pursuant to an interagency agreement entered 3459
into under section 5101.801 of the Revised Code administer the 3460
appeals process. 3461

(H) If an appellant receiving medicaid through a health 3462

insuring corporation that holds a certificate of authority under 3463
Chapter 1751. of the Revised Code is appealing a denial of 3464
medicaid services based on lack of medical necessity or other 3465
clinical issues regarding coverage by the health insuring 3466
corporation, the person hearing the appeal may order an 3467
independent medical review if that person determines that a 3468
review is necessary. The review shall be performed by a health 3469
care professional with appropriate clinical expertise in 3470
treating the recipient's condition or disease. The department 3471
shall pay the costs associated with the review. 3472

A review ordered under this division shall be part of the 3473
record of the hearing and shall be given appropriate evidentiary 3474
consideration by the person hearing the appeal. 3475

(I) The requirements of Chapter 119. of the Revised Code 3476
apply to a state hearing or administrative appeal under this 3477
section only to the extent, if any, specifically provided by 3478
rules adopted under this section. 3479

Sec. 5164.38. (A) As used in this section: 3480

(1) "Party" has the same meaning as in division (G) of 3481
section 119.01 of the Revised Code. 3482

(2) "Revalidate" means to approve a medicaid provider's 3483
continued enrollment as a medicaid provider in accordance with 3484
the revalidation process established in rules authorized by 3485
section 5164.32 of the Revised Code. 3486

(B) This section does not apply to either of the 3487
following: 3488

(1) Any action taken or decision made by the department of 3489
medicaid with respect to entering into or refusing to enter into 3490
a contract with a managed care organization pursuant to section 3491

| | |
|--|------|
| 5167.10 of the Revised Code; | 3492 |
| (2) Any action taken by the department under division (D) | 3493 |
| (2) of section 5124.60, division (D) (1) or (2) of section | 3494 |
| 5124.61, or sections 5165.60 to 5165.89 of the Revised Code. | 3495 |
| (C) Except as provided in division (E) of this section and | 3496 |
| section 5164.58 of the Revised Code, the department shall do any | 3497 |
| of the following by issuing an order pursuant to an adjudication | 3498 |
| conducted in accordance with Chapter 119. of the Revised Code: | 3499 |
| (1) Refuse to enter into a provider agreement with a | 3500 |
| medicaid provider; | 3501 |
| (2) Refuse to revalidate a medicaid provider's provider | 3502 |
| agreement; | 3503 |
| (3) Suspend or terminate a medicaid provider's provider | 3504 |
| agreement; | 3505 |
| (4) Take any action based upon a final fiscal audit of a | 3506 |
| medicaid provider. | 3507 |
| (D) Any party who is adversely affected by the issuance of | 3508 |
| an adjudication order under division (C) of this section may | 3509 |
| appeal to the court of common pleas of Franklin county in | 3510 |
| accordance with section 119.12 of the Revised Code. | 3511 |
| (E) The department is not required to comply with division | 3512 |
| (C) (1), (2), or (3) of this section whenever any of the | 3513 |
| following occur: | 3514 |
| (1) The terms of a provider agreement require the medicaid | 3515 |
| provider to hold a license, permit, or certificate or maintain a | 3516 |
| certification issued by an official, board, commission, | 3517 |
| department, division, bureau, or other agency of state or | 3518 |
| federal government other than the department of medicaid, and | 3519 |

the license, permit, certificate, or certification has been 3520
denied, revoked, not renewed, suspended, or otherwise limited. 3521

(2) The terms of a provider agreement require the medicaid 3522
provider to hold a license, permit, or certificate or maintain 3523
certification issued by an official, board, commission, 3524
department, division, bureau, or other agency of state or 3525
federal government other than the department of medicaid, and 3526
the provider has not obtained the license, permit, certificate, 3527
or certification. 3528

(3) The medicaid provider's application for a provider 3529
agreement is denied, or the provider's provider agreement is 3530
terminated or not revalidated, because of or pursuant to any of 3531
the following: 3532

(a) The termination, refusal to renew, or denial of a 3533
license, permit, certificate, or certification by an official, 3534
board, commission, department, division, bureau, or other agency 3535
of this state other than the department of medicaid, 3536
notwithstanding the fact that the provider may hold a license, 3537
permit, certificate, or certification from an official, board, 3538
commission, department, division, bureau, or other agency of 3539
another state; 3540

(b) Division (D) or (E) of section 5164.35 of the Revised 3541
Code; 3542

(c) The provider's termination, suspension, or exclusion 3543
from the medicare program or from another state's medicaid 3544
program and, in either case, the termination, suspension, or 3545
exclusion is binding on the provider's participation in the 3546
medicaid program in this state; 3547

(d) The provider's pleading guilty to or being convicted 3548

of a criminal activity materially related to either the medicare 3549
or medicaid program; 3550

(e) The provider or its owner, officer, authorized agent, 3551
associate, manager, or employee having been convicted of one of 3552
the offenses that caused the provider's provider agreement to be 3553
suspended pursuant to section 5164.36 of the Revised Code; 3554

(f) The provider's failure to provide the department the 3555
national provider identifier assigned the provider by the 3556
national provider system pursuant to 45 C.F.R. 162.408. 3557

(4) The medicaid provider's application for a provider 3558
agreement is denied, or the provider's provider agreement is 3559
terminated or suspended, as a result of action by the United 3560
States department of health and human services and that action 3561
is binding on the provider's medicaid participation. 3562

(5) The medicaid provider's provider agreement and 3563
medicaid payments to the provider are suspended under section 3564
5164.36 or 5164.37 of the Revised Code. 3565

(6) The medicaid provider's application for a provider 3566
agreement is denied because the provider's application was not 3567
complete; 3568

(7) The medicaid provider's provider agreement is 3569
converted under section 5164.32 of the Revised Code from a 3570
provider agreement that is not time-limited to a provider 3571
agreement that is time-limited. 3572

(8) Unless the medicaid provider is a nursing facility or 3573
ICF/IID, the provider's provider agreement is not revalidated 3574
pursuant to division (B) (1) of section 5164.32 of the Revised 3575
Code. 3576

(9) The medicaid provider's provider agreement is 3577
suspended, terminated, or not revalidated because of either of 3578
the following: 3579

(a) Any reason authorized or required by one or more of 3580
the following: 42 C.F.R. 455.106, 455.23, 455.416, 455.434, or 3581
455.450; 3582

(b) The provider has not billed or otherwise submitted a 3583
medicaid claim for two years or longer. 3584

(F) In the case of a medicaid provider described in 3585
division (E) (3) (f), (6), (7), or (9) (b) of this section, the 3586
department may take its action by sending a notice explaining 3587
the action to the provider. The notice shall be sent to the 3588
medicaid provider's address on record with the department. The 3589
notice may be sent by regular mail. 3590

(G) The department may withhold payments for medicaid 3591
services rendered by a medicaid provider during the pendency of 3592
proceedings initiated under division (C) (1), (2), or (3) of this 3593
section. If the proceedings are initiated under division (C) (4) 3594
of this section, the department may withhold payments only to 3595
the extent that they equal amounts determined in a final fiscal 3596
audit as being due the state. This division does not apply if 3597
the department fails to comply with section 119.07 of the 3598
Revised Code, requests a continuance of the hearing, or does not 3599
issue a decision within thirty days after the hearing is 3600
completed. This division does not apply to nursing facilities 3601
and ICFs/IID. 3602

Section 2. That existing sections 107.43, 109.02, 119.12, 3603
124.34, 956.11, 956.15, 1901.02, 1901.021, 1901.041, 2301.03, 3604
2743.03, 3794.09, 3901.321, 3913.13, 3913.23, 5101.35, and 3605

5164.38 of the Revised Code are hereby repealed. 3606

Section 3. All cases arising in Perry Township in Wood 3607
County that are pending in the Fostoria branch of the Tiffin- 3608
Fostoria Municipal Court on the effective date of this section 3609
shall be adjudicated by the Fostoria branch of the Tiffin- 3610
Fostoria Municipal Court. All cases arising in Perry Township in 3611
Wood County on or after the effective date of this section shall 3612
be brought before the Bowling Green Municipal Court. 3613

Section 4. Section 119.12 of the Revised Code is presented 3614
in this act as a composite of the section as amended by both 3615
H.B. 52 and H.B. 64 of the 131st General Assembly. The General 3616
Assembly, applying the principle stated in division (B) of 3617
section 1.52 of the Revised Code that amendments are to be 3618
harmonized if reasonably capable of simultaneous operation, 3619
finds that the composite is the resulting version of the section 3620
in effect prior to the effective date of the section as 3621
presented in this act. 3622