

As Introduced

**134th General Assembly
Regular Session
2021-2022**

S. C. R. No. 16

Senator Gavarone

A CONCURRENT RESOLUTION

To disapprove the proposed amendments to specified rules, and 1
to Staff Notes to specified rules, under the Ohio Rules of 2
Civil Procedure, the Ohio Rules of Criminal Procedure, the 3
Ohio Rules of Evidence, and the Ohio Rules of Juvenile 4
Procedure, filed by the Ohio Supreme Court with the General 5
Assembly on April 26, 2022, and the previously proposed 6
amendments to those specified Rules and Staff Notes to 7
those specified rules filed on January 12, 2022. 8

BE IT RESOLVED BY THE SENATE OF THE STATE OF OHIO (THE HOUSE OF REPRESENTATIVES CONCURRING):

WHEREAS, The Ohio Supreme Court, under the authority 9
granted by Section 5(B) of Article IV of the Ohio Constitution, 10
promulgated and filed on January 12, 2022, with the Clerk of the 11
Senate and the Clerk of the House of Representatives, proposed 12
amendments to the Ohio Rules of Civil Procedure, the Ohio Rules 13
of Criminal Procedure, the Ohio Rules of Evidence, and the Ohio 14
Rules of Juvenile Procedure, and also filed with the chairperson 15
of the Senate Judiciary Committee, the chairperson of the House 16
Criminal Justice Committee, and the chairperson of the House 17
Civil Justice Committee on that date the same proposed 18
amendments to those Rules that also included proposed amendments 19
to Staff Notes for certain of those Rules; and 20

WHEREAS, The Ohio Supreme Court, under the authority 21

granted by Section 5(B) of Article IV of the Ohio Constitution, 22
promulgated and filed on April 26, 2022, with the Clerk of the 23
Senate and the Clerk of the House of Representatives, proposed 24
amendments to the Ohio Rules of Civil Procedure, the Ohio Rules 25
of Criminal Procedure, the Ohio Rules of Evidence, and the Ohio 26
Rules of Juvenile Procedure, and also filed with the chairperson 27
of the Senate Judiciary Committee, the chairperson of the House 28
Criminal Justice Committee, and the chairperson of the House 29
Civil Justice Committee on that date the same proposed 30
amendments to those Rules that also included proposed amendments 31
to Staff Notes for certain of those Rules, to supplant the 32
proposed Rules and Staff Notes filed on January 12, 2022; and 33

WHEREAS, The proposed amendments to the Ohio Rules of Civil 34
Procedure, the Ohio Rules of Criminal Procedure, the Ohio Rules 35
of Evidence, and the Ohio Rules of Juvenile Procedure and any 36
other amendments to those Rules, and the proposed amendments to 37
Staff Notes under those Rules, that are filed not later than May 38
1, 2022, would take effect July 1, 2022, and all statutes of 39
this state in conflict with those amendments to the Rules would 40
have no further force or effect thereafter, unless this 134th 41
General Assembly of the State of Ohio adopts a concurrent 42
resolution of disapproval of the Rules prior to July 1, 2022; 43
now therefore be it 44

RESOLVED, That the 134th General Assembly of the State of 45
Ohio hereby disapproves of the proposed amendments to the 46
following Ohio Rules of Civil Procedure, Ohio Rules of Criminal 47
Procedure, Ohio Rules of Evidence, and Ohio Rules of Juvenile 48
Procedure filed on April 26, 2022, with the Clerk of the Senate 49
and the Clerk of the House of Representatives, and the 50
previously proposed amendments to those Rules filed on January 51
12, 2022, and also disapproves of the proposed amendments to the 52
following Staff Notes for certain of those Rules filed with the 53
chairperson of the Senate Judiciary Committee, the chairperson 54

of the House Criminal Justice Committee, and the chairperson of 55
the House Civil Justice Committee on those dates: 56

1. Ohio Rules of Civil Procedure -- disapprove proposed 57
amendments to Rule 1, Rule 1.1, Rule 30, Rule 39, and Rule 43, 58
and to Staff Notes to Rule 16, Rule 30, Rule 39, and Rule 43; 59

2. Ohio Rules of Criminal Procedure -- disapprove proposed 60
amendments to Rule 1, Rule 2, Rule 10, Rule 40, and Rule 43, and 61
to Staff Notes to Rule 40 and Rule 43; 62

3. Ohio Rules of Evidence -- disapprove proposed amendments 63
to Rule 101; 64

4. Ohio Rules of Juvenile Procedure -- disapprove proposed 65
amendments to Rule 1, Rule 2, Rule 20, Rule 25, Rule 27, Rule 66
29, Rule 34, and Rule 41; and be it further 67

RESOLVED, That it is the intention of the General Assembly 68
in adopting this concurrent resolution of disapproval to comply 69
with Section 5(B) of Article IV of the Ohio Constitution, and 70
thus to prevent the specified proposed amendments to the Ohio 71
Rules of Civil Procedure, Ohio Rules of Criminal Procedure, Ohio 72
Rules of Evidence, and Ohio Rules of Juvenile Procedure filed on 73
April 26, 2022, and the previously proposed amendments to those 74
Rules filed on January 12, 2022, from taking effect, and to also 75
prevent the specified proposed amendments to the Staff Notes for 76
certain of those Rules filed with the chairperson of the Senate 77
Judiciary Committee, the chairperson of the House Criminal 78
Justice Committee, and the chairperson of the House Civil 79
Justice Committee on those dates from taking effect; and be it 80
further 81

RESOLVED, That within five days after the adoption of this 82
concurrent resolution, the Clerk of the Senate shall send a 83
certified copy to the Supreme Court, together with a 84
certification stating the date on which this resolution was 85

adopted.