RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO

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SECTION 1. GENERAL RULES.

RULE 1.00. Purpose.

The foundation of our government rests upon the confidence of the people in the ability of their courts to achieve liberty and justice for all under the law. The fair, impartial, and speedy resolution of cases without unnecessary delay maintains this confidence, safeguards the rights of litigants to the just processing of their causes, and earns the trust of the public.

To secure these ends, the Supreme Court of Ohio adopts the following Rules of Superintendence for the Courts of Ohio to serve the public interest that mandates prompt disposition of all causes, at all times, in all courts of this state.

Commentary (July 1, 2026)

Preface was renumbered to Rule 1.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 1.01. Authority.

These rules are promulgated pursuant to Article IV, Section 5(A)(1) of the Ohio Constitution.

Commentary (July 1, 1997)

Rule 1 is patterned after Rule 1 of the Rules of Superintendence for Courts of Common Pleas and has been revised to reflect the adoption of uniform superintendence rules. The Rules of Superintendence for the Courts of Ohio are intended to apply to all trial and appellate courts, except the Court of Claims, unless a rule clearly is intended to apply only to a specific court or division of a court.

Commentary (July 1, 2026)

Division (B) of Rule 1 was renumbered to Rule 1.01 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 1.02. Applicability.

Except where otherwise provided, these Rules of Superintendence for the Courts of Ohio are applicable to all courts of appeal, courts of common pleas, municipal courts, and county courts in this state.

Commentary (July 1, 2026)

Division (A) of Rule 1 was renumbered to Rule 1.02 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 1.03. Title.

These rules shall be known as the Rules of Superintendence for the Courts of Ohio.

Commentary (July 1, 2026)

Division (C) of Rule 1 was split up and renumbered to Rule 1.03 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 1.04. Citation.

The Rules of Superintendence for the Courts of Ohio shall be cited as “Sup.R. ___.”

Commentary (July 1, 2026)

Division (C) of Rule 1 was split up and renumbered to Rule 1.04 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

SECTION 2. DEFINITIONS.

RULE 2.00. Definitions.

As used in these rules:

(A) "Appear," "appearance," "attendance," and "in person" mean the physical or remote presence of an individual.

(B) "Case" means a notice of appeal, petition, or complaint filed in the court of appeals and any of the following when filed in the court of common pleas, municipal court, and county court:

(1) A civil complaint, petition, or administrative appeal;

(2) A criminal indictment, complaint, or other charging instrument that charges a defendant with one or more violations of the law arising from the same act, transaction, or series of acts or transactions;

(3) A petition, complaint, or other instrument alleging that a child is delinquent, unruly, or a juvenile traffic offender based on conduct arising out of the same act, transaction, or series of acts or transactions or a petition alleging that a child is dependent, neglected, or abused.

(C) "Court" means a court of appeals, court of common pleas, municipal court, or county court.

(D) "Division" means the general, domestic relations, juvenile, or probate division of the court of common pleas, any combination of the general, domestic relations, juvenile, or probate divisions of the court of common pleas, or the environmental or housing divisions of the municipal court.

(E) "Open court" means a live proceeding of a court or division that the public may attend either in person or by remote presence.

(F) "Remote," "remotely," and "remote presence" mean the presence of an individual who is using live two-way video or audio technology.

Commentary (July 1, 1997)

This rule contains definitions of several terms used throughout the Rules of Superintendence. Because the Rules of Superintendence relate primarily to the internal operation of Ohio courts, these definitions are not intended to apply to questions of statutory interpretation. For example, the definition of "case" is designed as a benchmark for statistical reporting purposes that will allow for some uniform measure of the workload of the courts. The definition is not designed to address statutory issues such as the proper assessment of court costs or filing fees in civil and criminal cases.

Commentary (July 1, 2026)

Rule 2 was renumbered to Rule 2.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009, July 1, 2022; July 1, 2026

SECTION 3. LOCAL RULES.

RULE 3.00. Filing of Local Rules Upon Adoption.

Upon adoption of a local rule of practice, a court or division shall file the rule with its clerk, the clerk of the Supreme Court, and, if the rule relates to the use of information technology, the Supreme Court Commission on Technology and the Courts.

Commentary (July 1, 1997)

Division (B) incorporates and modifies the former requirement that a court or division file local rules upon adoption with the clerk of the Supreme Court. Division (C) contains a new requirement that each court and division annually file a complete set of its local rules with the clerk of the Supreme Court or certify that there were no changes to the local rules in the prior calendar year. Together with the requirement that local rules be filed with the Supreme Court upon adoption, this provision will ensure that the Supreme Court has a current, comprehensive set of local rules adopted by each court or division.

Commentary (July 1, 2026)

Division (B) of Rule 5 was renumbered to Rule 3.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: June 1, 2018; July 1, 2022; September 1, 2025; November 13, 2025

RULE 3.01. Annual Filing of Local Rules.

On or before the first day of February of each year, each court or division shall do one of the following:

(A) File with the clerk of the Supreme Court a complete copy of all local rules of practice of the court or division in effect on the immediately preceding first day of January;

(B) Certify to the clerk of the Supreme Court that there were no changes in the immediately preceding calendar year to the local rules of practice of the court or division.

Commentary (July 1, 2026)

Division (C) of Rule 5 was renumbered to Rule 3.01 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 3.02. Case and Jury Management Plans.

In addition to local rules of practice and any other Rule of Superintendence, each court or division, as applicable, shall adopt the following by local rule:

(A) A case management plan for the purposes of ensuring the readiness of cases for pretrial and trial, and maintaining and improving the timely disposition of cases. In addition to any other provisions necessary to satisfy the purposes of his division, the plan shall include provisions for an early case management conference, referral to appropriate and available alternative dispute resolution programs, establishment of a binding case management schedule, and a pretrial conference in cases where the trial judge determines a conference is necessary and appropriate. A municipal or county court may establish separate provisions or exceptions from the plan for small claims, traffic, and other types of cases that the court determines would not benefit from the case management plan.

(B) A jury management plan for purposes of ensuring the efficient and effective use and management of jury resources. In addition to any other provisions necessary to satisfy the purposes of this division, the plan shall address the provisions of the Ohio Trial Court Jury Use and Management Standards adopted by the Supreme Court on August 16, 1993, and procedures for conducting a trial by jury, whether in whole or in part, remotely.

Commentary (July 1, 2026)

Division (D) of Rule 5 was renumbered to Rule 3.02 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 3.03. Technology Plan.

In addition to local rules of practice and any other Rule of Superintendence, each court or division, as applicable, shall adopt the following by local rule:

(A) A technology plan for the purposes of ensuring the efficient and effective use of technology in the delivery of services of the court or division. The plan shall include a comprehensive strategy for implementing and maintaining technology solutions for conducting remote hearings, electronic service, the acceptance of electronic signatures, and any other technology-related solution utilized by the court or division.

(B) Procedures for notifying and providing instructions to the public on how to use the technology solutions implemented by the court or division and how the solutions will comply with any accessibility accommodation requirements, including any applicable requirements of the "Americans with Disabilities Act."

Commentary (July 1, 2026)

Division (E) of Rule 5 was renumbered to Rule 3.03 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 3.04. Reporting-to-Law-Enforcement-and-Compliance Plan.

(A) In addition to local rules of practice and any other Rule of Superintendence, each court or division of a court, as applicable, shall adopt by local rule a reporting-to-law-enforcement-and-compliance plan for the purpose of ensuring complete, accurate, and timely submission of information into the state's computerized criminal history repository at the Bureau of Criminal Investigation, the Ohio Law Enforcement Automated Data System, and other law enforcement databases. The plan shall be developed with the clerk of the court or division and applicable justice system partners and do all of the following:

(1) Establish procedures and timelines for obtaining and submitting fingerprints and reporting information pursuant to the Revised Code and Supreme Court rules, including R.C. 109.57(A)(2), 109.60(A), 2151.311, 2151.313, 2152.71(A)(2), 2923.14, 2929.44(B), 2945.402(E)(1), and 5122.311(A), Crim.R. 39(C), and Crim.R. 9(A);

(2) Establish procedures and timelines for reporting information regarding protection orders pursuant to the Revised Code and Supreme Court rules, including R.C. 2151.34, 2903.213, 2903.214, 2919.26, and 3113.31, Civ.R. 65.1(H) and Crim.R. 38(A);

(3) Establish procedures and timelines for reporting information to the Bureau of Motor Vehicles, Ohio Department of Public Safety pursuant to R.C. 4510.03, 4513.37, 5502.10, and Supreme Court rules;

(4) Establish procedures to ensure completeness and accuracy of records in accordance with the statutes and rules listed in divisions (A)(1) and (2) of this rule, 18 U.S.C. 922(g), and R.C. 2923.13 in the event of an audit by the Federal Bureau of Investigation, the Bureau of Criminal Investigation, or state or local auditors;

(5) Establish procedures and timelines for reporting sealed or expunged records into the state's computerized criminal history repository at the Bureau of Criminal Investigation, the Ohio Law Enforcement Automated Data System, and other law enforcement databases pursuant to the Revised Code, including R.C. Ch. 2151 and 2953, and R.C. 2930.171 and 3113.31.

(B) The court or division of the court shall adopt the initial reporting to law enforcement and compliance plan by July 1, 2026. The court or division shall update the plan at least once every three years.

Commentary (July 1, 2026)

Division (F) of Rule 5 was renumbered to Rule 3.04 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 3.05. Language-Access Plan.

For purposes of ensuring language access and effective appointment of interpreters, a court shall develop and implement a language access plan. The language-access plan shall address how the court will provide language services in case or court functions and ancillary court services. The court shall update the language access plan at least once every three years. A court that adopts the Supreme Court of Ohio Model Language Access Plan template is presumed to have complied with this rule.

Commentary (July 1, 2026)

Division (M) of Rule 88 was renumbered to Rule 3.05 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: July 1, 2014; January 1, 2021; July 1, 2023; November 13, 2025

SECTION 4. ADMINISTRATION OF COURT.

RULE 4.00. Presiding Judge – Designation or Election.

(A) Single-judge courts

In a single-judge court of common pleas or a single-judge municipal or county court, the judge is designated and shall serve as the presiding judge of the court.

(B) Multi-judge courts

(1) In a court of appeals, a multi-judge court of common pleas, or a multi-judge municipal or county court, the judges of the court shall elect by a majority vote the presiding judge of the court from the judges of the court.

(2) If the judges of a court are unable to elect a presiding judge of the court pursuant to division (B)(1) of this rule, the presiding judge shall be determined as follows:

(a) The judge having the longest total service on the court;

(b) If two or more judges have equal periods of total service on the court, the judge having the longest total service as an Ohio judge;

(c) If two or more judges have equal periods of total service as an Ohio judge, the judge having the earliest date of admittance to the practice of law in Ohio;

(d) If two or more judges were admitted to the practice of law in Ohio on the same date, the Chief Justice of the Supreme Court shall designate one of the judges of the court.

(C) Term

(1) The term of a presiding judge of a court shall be one year and begin on January 1st of the year immediately following the designation or election of the presiding judge.

(2) A presiding judge may serve consecutive terms. A presiding judge of a two or three judge court shall serve no more than two full consecutive terms, except by unanimous vote.

(D) Death, resignation, incapacity, or ineligibility

(1) In the event the presiding judge of a single-judge court dies, resigns, becomes ineligible, or otherwise unable to perform the duties of the office of presiding judge,

a sitting or retired judge assigned by the Chief Justice shall serve as the presiding judge until the vacancy is resolved.

(2) In the event the presiding judge of a court with two judges dies, resigns, becomes ineligible, or otherwise unable to perform the duties of the office of presiding judge, the remaining judge is designated as the successor presiding judge and shall serve until the inability or ineligibility resolves or the balance of the term, whichever occurs first.

(3) In the event the presiding judge of a court with three or more judges dies, resigns, becomes ineligible, or otherwise unable to perform the duties of the office of presiding judge, a successor presiding judge shall be elected pursuant to division (B) of this rule within fifteen days and shall serve until the inability or ineligibility resolves or the balance of the term, whichever occurs first.

(E) Designation or election date

The designation or election of a presiding judge of a court shall occur on or before December 31st of the year preceding the term.

(F) Notification of designation or election

(1) A presiding judge of a court shall notify the Administrative Director of the Supreme Court of a judge's designation or election as the presiding judge by January 15th of the year of the term.

(2) A presiding judge of a court shall notify the Administrative Director of the Supreme Court of a judge's mid-term designation or election as the presiding judge within three business days of the designation or election.

Commentary (July 1, 2026)

Rule 3 was renumbered to Rule 4.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: December 1, 2012; August 1, 2017; June 4, 2026

RULE 4.01. Presiding Judge Service as Administrative Judge.

A presiding judge of a court may serve as an administrative judge of a court or division of a court pursuant to Sup.R. 4.10.

Commentary (July 1, 2026)

Rule 3.02 was renumbered to Rule 4.01 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: December 1, 2012

RULE 4.02. Presiding Judge – Powers and Duties.

In addition to the powers and duties set forth in the Ohio Constitution, Revised Code, the rules promulgated by the Supreme Court of Ohio, or local rules of the court that do not conflict with the powers and duties of the administrative judge of a court or division of a court set forth in Sup.R. 4.12, a presiding judge of a court shall do all of the following:

(A) Call and conduct an annual meeting, and other meetings as necessary, of the judges of the court for the purpose of discussing and resolving administrative problems common to all divisions of the court. In the event the judges are unable to resolve administrative problems, the presiding judge shall consider referring the matter to the Government Conflict Resolution Services Program.

(B) Assign judges of the court on a temporary basis to serve in another division of the court as required by the business of the court.

(C) Perform any other duties as required by the Ohio Constitution, Revised Code, the rules promulgated by the Supreme Court of Ohio, local rules of the court or division, or the Chief Justice.

Commentary (July 1, 2026)

Rule 3.01 was renumbered to Rule 4.02 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: December 1, 2012; June 4, 2026

Rules 4.03 through 4.09 are reserved for future use.

RULE 4.10. Administrative Judge – Designation or Election.

(A) Single-judge courts and divisions

The judge of the following courts and divisions of courts is designated and shall serve as the administrative judge of that court or division:

(1) A single-judge court of common pleas;

(2) A single-judge division of a court of common pleas;

(3) A single-judge municipal court;

(4) A single-judge division of a municipal court;

(5) A single-judge county court.

(B) Multi-judge courts and divisions

(1) In multi-judge courts or divisions, a judge must have served as an Ohio judge for two (2) years in that court or division prior to being eligible to be elected as administrative judge, except by majority vote.

(2) Except as provided in R.C. 2301.03 and subject to the term limits provided in division (C)(2) of this rule, the judges of the following courts and divisions shall elect by a majority vote of the judges of that court or division an administrative judge of the court or division:

(a) A court of appeals;

(b) A multi-judge court of common pleas with no divisions;

(c) A multi-judge division of a court of common pleas;

(d) A multi-judge municipal court with no divisions;

(e) A multi-judge division of a municipal court;

(f) A multi-judge county court.

(3) In courts or divisions of two or three judges, if the judges are unable to elect an administrative judge of the court or division pursuant to division (B)(1) and (B)(2) of this rule, the administrative judge shall be determined by an order of rotation pursuant to divisions (B)(4)(a) through (d) of this rule, commencing with the judge who is not currently serving as administrative judge and subject to the term limits provided in division (C)(2) of this rule.

(4) In courts or divisions of four or more judges, if the judges are unable to elect an administrative judge of the court or division pursuant to division (B)(1) of this rule, the administrative judge shall be determined as follows:

(a) The judge having the longest total service on that court or in that division;

(b) If two or more judges have equal periods of total service on that court or in that division, the judge having the longest total service as an Ohio judge;

(c) If two or more judges have equal periods of total service as an Ohio judge, the judge of that court or in that division having the earliest date of admittance to the practice of law in Ohio;

(d) If two or more judges were admitted to the practice of law in Ohio on the same date, as follows:

(i) For courts of appeals or multi-judge municipal and county courts, the Chief Justice of the Supreme Court of Ohio shall designate one of the judges of the court or division;

(ii) For muti-judge divisions of courts of common pleas, the presiding judge of the court shall designate one of the judges of the court or division.

(C) Term

(1) There shall be no term limit of an administrative judge of a single-judge court or division.

(2) In multi-judge courts or divisions, except as provided in R.C. 2301.03, the term of an administrative judge of a court or division shall be six years unless otherwise agreed and begin on January 1st of the year immediately following the designation or election of the administrative judge.

(a) An administrative judge may serve consecutive terms.

(b) An administrative judge of a multi-judge court or division with three or fewer judges shall serve no more than one full term, except by unanimous vote.

(c) An administrative judge of a multi-judge court or division with four or more judges shall serve no more than one full term, except by majority vote.

(D) Death, resignation, incapacity, or ineligibility

(1) In the event the administrative judge of a single-judge court or division dies, resigns, becomes ineligible, or otherwise unable to perform the duties of the office of administrative judge, a sitting or retired judge assigned by the Chief Justice shall serve as the administrative judge until the vacancy is resolved.

(2) In the event the administrative judge of a court or division with two judges dies, resigns, becomes ineligible, or otherwise unable to perform the duties of the office of administrative judge, the remaining judge is designated as the successor administrative judge and shall serve until the inability or ineligibility resolves or the balance of the term, whichever occurs first.

(3) In the event the administrative judge of a court or division with three or more judges dies, resigns, becomes ineligible, or otherwise unable to perform the duties of the office of administrative judge, a successor administrative judge shall be elected pursuant to division (B) of this rule within fifteen days and shall serve until the inability or ineligibility resolves or the balance of the term, whichever occurs first.

(E) Designation or election date

Except as provided in R.C. 2301.03, the designation or election of an administrative judge of a court or division shall occur on or before December 31st of the year preceding the term that begins on January 1.

(F) Notice of designation or election

(1) An administrative judge of a court or division shall notify the Administrative Director of the Supreme Court of Ohio of the judge's designation or election as the administrative judge by January 15th of the year of the term.

(2) An administrative judge of a court shall notify the Administrative Director and Judicial Assignment Analyst of the Supreme Court of Ohio of a judge's mid-term designation or election as the administrative judge within three business days of the designation or election.

Commentary (June 4, 2026)

In Ohio, the structure of the courts is governed by both the Ohio Constitution and the Revised Code. Article IV, Section 1 of the Ohio Constitution establishes the Supreme Court of Ohio, the courts of appeals, and the courts of common pleas. Meanwhile, the Revised Code establishes municipal courts (R.C. 1901.01) and county courts (R.C. 1907.01).

The Revised Code also delineates the divisions within the courts of common pleas and some municipal courts. R.C. 2301.03 generally creates the general, domestic relations, juvenile, and probate divisions for the courts of common pleas, though it allows for various combinations of these divisions in specific courts. R.C. 1901.011 establishes a housing division in the Cleveland and Toledo Municipal Courts and an environmental division in the Franklin County Municipal Court.

Therefore, when electing or designating an administrative judge, it is crucial to consult the relevant sections of the Revised Code to understand the court's structure and determine if it includes multiple divisions and, if so, the specific structure of those divisions.

In courts and divisions with multiple judges, the rule prioritizes elections by majority vote to ensure that the administrative judge reflects the collective confidence of the bench. However, recognizing that consensus may not always be achievable, particularly in courts with only three or fewer judges, the rule provides a rotation mechanism to prevent deadlocks and ensure equitable distribution of administrative responsibilities. This rotation begins with the judge not currently serving and is subject to term limits, promoting shared leadership and reducing the potential for prolonged concentration of authority.

Commentary (July 1, 2026)

Rule 4 was renumbered to Rule 4.10 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; December 1, 2012; August 1, 2017; August 1, 2018; June 4, 2026

RULE 4.11. Administrative Judge Service as Presiding Judge.

An administrative judge of a court or division of a court may serve as a presiding judge pursuant to Sup.R. 4.00.

Commentary (July 1, 2026)

Rule 4.04 was renumbered to Rule 4.11 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: December 1, 2012; June 4, 2026

RULE 4.12. Administrative Judge – Powers and Duties.

(A) Compliance

(1) All first-time administrative judges shall complete the Administrative Judge Fundamentals course offered by the Supreme Court of Ohio Judicial College.

(2) An administrative judge of a court or division shall be responsible to the Chief Justice of the Supreme Court of Ohio for the compliance by the court or division with the requirements of the Ohio Constitution, Revised Code, and rules promulgated by the Supreme Court.

(B) Powers and duties

An administrative judge of a court or division shall do all of the following:

(1) Be responsible for and exercise control over the administration, docket, and calendar of the court or division while taking into consideration the opinions and concerns of judicial colleagues in the court or division pursuant to Sup.R. 4.13;

(2) Pursuant to Sup.R. 5.21, ensure the timely and accurate termination of all cases in the court or division without undue delay and in accordance with the time guidelines;

(3) Pursuant to Sup.R. 5.23, ensure the timely and accurate processing of all cases, including those heard by assigned judges;

(4) Pursuant to Sup.R. 5.24, undertake corrective actions regarding the use of excessive continuances or extensions and report, as necessary, to the Case Management Section of the Supreme Court of Ohio;

(5) Pursuant to Sup.R. 5.11 through 5.13 and 5.20, assign cases to individual judges of the court or division or to panels of judges of the court in the court of appeals;

(6) Pursuant to Sup.R. 5.14, assign cases to particular sessions in municipal and county courts;

(7) Require timely and accurate reports from each judge of the court or division concerning the status of individually assigned cases and from judges and court personnel concerning cases assigned to particular sessions;

(8) Pursuant to Sup.R. 5.31 through 5.33, timely file all administrative judge reports required by the Case Management Section of the Supreme Court of Ohio;

(9) Develop accounting and auditing systems within the court or division and the office of the clerk of the court that ensure the accuracy and completeness of all required reports;

(10) Request, as necessary, the assignment of judges to the court or division by the Chief Justice or, if applicable, the presiding judge of the court pursuant to Sup.R. 4.02(B);

(11) Administer personnel policies established by the court or division after consultation with judicial colleagues in the court or division pursuant to Sup.R. 4.13;

(12) Pursuant to Sup.R. 4.20(B), notify the Office of Attorney Services of the Supreme Court of Ohio of the appointment or termination of appointment of a magistrate of the court or division;

(13) Pursuant to Gov.Jud.R. IV(5), ensure all acting judges and magistrates are registered with the Secretary of the Supreme Court of Ohio Commission on Continuing Legal Education and complete the required credit hours of continuing legal education for each biennial period;

(14) On or before the 15th day of January of each year, file with the Administrative Director of the Supreme Court of Ohio an email address to be used by the Supreme Court in communicating official notifications to the clerk of the court or division, as applicable;

(15) Pursuant to Sup.R. 3.00, ensure the timely filing of a local rule of practice;

(16) Pursuant to R.C. 117.103, ensure all required employees complete the auditor of state fraud training;

(17) Pursuant to R.C. 2929.021, collaborate with the clerk of the court for timely notice of an indictment or dismissal of the indictment to the clerk of the Supreme Court of Ohio;

(18) Pursuant to Sup.R. 3.00 through 3.04, develop and administer the following operational plans:

(a) A case management plan in accordance with Sup.R. 3.02;

(b) A jury management plan, if applicable, in accordance with Sup.R. 3.02;

(c) A technology plan in accordance with Sup.R. 3.03;

(d) A reporting plan, if applicable, in accordance with Sup.R. 3.04.

(19) Pursuant to Sup.R. 9.10, develop and administer a language access plan.

(20) Perform other duties as required by the Ohio Constitution, Revised Code, the Rules of Superintendence for the Courts of Ohio, local rules of the court or division, or the Chief Justice;

(21) Perform any other duties in furtherance of the responsibilities of the administrative judge.

Commentary (July 1, 2026)

Rule 4.01 was renumbered to Rule 4.12 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: December 1, 2012
Amended: July 1, 2018; June 4, 2026

RULE 4.13. Restrictions, Limitations, Modification, or Vacation of Administrative Judge Actions.

(A) In a multi-judge court or division of a court, the administrative judge has no authority over personal, fiduciary, or confidential judicial staff of individual judges, except in instances where budgetary, operational, or professional conduct affecting the court or division as a whole compel the intervention of the administrative judge.

(B) In a multi-judge court or division of a court, the administrative judge shall not terminate any staff shared by the court or division without taking into consideration the opinions and concerns of judicial colleagues, except in instances where budgetary, operational, or professional conduct affecting the court or division as a whole compel the intervention of the administrative judge.

(C) The judges of a multi-judge court or division of a court, by majority vote, may modify or vacate the actions of the administrative judge of the court or division. In the event of a tie, the judges may utilize the Government Conflict Resolution Services Program of the Supreme Court of Ohio.

Commentary (July 1, 2026)

Rule 4.02 was renumbered to Rule 4.13 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: December 1, 2012; June 4, 2026

RULE 4.14. Administrative Judge Relief from Case or Trial Duties.

By local rule of the court or division of the court, the administrative judge of a court or division may be relieved of a portion of the judge's case or trial duties to manage the calendar and docket of the court or division.

Commentary (July 1, 2026)

Rule 4.03 was renumbered to Rule 4.14 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: December 1, 2012; June 4, 2026

Rules 4.15 through 4.19 are reserved for future use.

RULE 4.20. Magistrates.

(A) Definition

As used in this rule, "magistrate" means a magistrate appointed by a court pursuant to App.R. 34, Crim.R. 19, Civ.R. 53, Juv.R. 40, or Traf.R. 14.

(B) Notification

An administrative judge of a court or division of a court shall notify the Office of Attorney Services of the Supreme Court, in a manner prescribed by the office, within thirty days of the appointment or termination of appointment of a magistrate for that court or division.

(C) Annual registration

A magistrate shall annually register with the Office of Attorney Services by filing a certificate of registration furnished by the office.

(D) Oath of office

(1) Upon appointment to a court or division, a magistrate shall take an oath of office administered by the administrative judge of that court or division. The oath shall be the same or substantially similar to the following:

> "I, (name), do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of Ohio, will administer justice without respect to persons, and will faithfully and impartially discharge and perform all the duties incumbent upon me as a magistrate of the (name of court) according to the best of my ability and understanding."

(2) Within thirty days of appointment, a magistrate shall file a certificate of oath, signed by the administrative judge administering the oath, with the clerk of the court in which the magistrate serves.

Commentary (July 1, 2026)

Rule 19 was renumbered to Rule 4.20 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: March 1, 2008; January 1, 2018; November 13, 2025

RULE 4.21. Magistrates – Municipal Court.

(A) Mandatory appointment and use. All municipal courts having more than two judges shall appoint one or more magistrates who may hear the following proceedings:

(1) Default proceedings under Civil Rule 55;

(2) Forcible entry and detainer proceedings under Chapter 1923 of the Revised Code in which the right to trial by jury is waived or not demanded;

(3) Small claims proceedings under Chapter 1925 of the Revised Code;

(4) Traffic proceedings in which there is a guilty plea or written waiver by the defendant of the right to trial by a judge;

(5) Other appropriate matters referred by the court for report and recommendation.

(B) Permissive appointment. This rule does not preclude the appointment of magistrates by courts having two or fewer judges.

Commentary (July 1, 2026)

Rule 19.1 was renumbered to Rule 4.21 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: March 1, 2008
Amended: January 1, 2018

Rules 4.22 through 4.29 are reserved for future use.

RULE 4.30. Assignment of Judges--Municipal and County Courts.

(A) Definitions

As used in this rule:

(1) "Retired judge" means a person who left service on the applicable court either voluntarily by reason of resignation or retirement or involuntarily by reason of Article IV, Section 6(C) of the Ohio Constitution. "Retired judge" does not include either of the following:

(a) A person who was removed or suspended without reinstatement from service on any court of the state pursuant to the Rules for the Government of the Judiciary or resigned or retired from service on any court of the state while a complaint was pending against the person under those rules;

(b) A person who is engaged in the practice of law.

(2) "Sitting judge" means a person who currently holds judicial office by reason of election or gubernatorial appointment.

(B) Assignment

The Chief Justice or acting Chief Justice of the Supreme Court may assign any of the following persons who consent to temporarily serve as a judge on any municipal or county court:

(1) A sitting judge of a municipal or county court;

(2) A retired judge of a municipal or county court, provided the judge was not defeated in the judge's final election for new or continued service on a municipal or county court;

(3) A sitting judge of a court of common pleas or court of appeals who formerly served as a judge of a municipal or county court, provided the judge was not defeated in the judge's final election for new or continued service on a municipal or county court;

(4) A retired judge of a court of common pleas or court of appeals who formerly served as a judge of a municipal or county court, provided the judge was not defeated in the judge's final election for new or continued service on a municipal or county court;

(5) A sitting judge of a court of common pleas who has not formerly served as a judge of a municipal or county court, but has completed an educational program established by the Supreme Court of Ohio Judicial College;

(6) A retired judge of a court of common pleas who has not formerly served as a judge of a municipal or county court, but has completed an educational program established by the Judicial College.

(C) Compensation

While serving on assignment pursuant to this rule, an assigned judge shall receive per diem compensation as provided in R.C. 1901.122(B) and 1907.142(B). Payment and reimbursement of the per diem compensation shall be as provided in R.C. 1901.123 and 1907.143.

(D) Expenses

While serving on assignment pursuant to this rule, an assigned judge shall receive actual and necessary expenses for each day assigned. Expenses shall be paid from the municipal treasury or, in the case of a county-operated municipal court or a county court, from the county treasury.

(E) Construction

This rule shall not be construed to limit affidavits of disqualification pursuant to R.C. 2701.031 or the assignment of acting judges pursuant to R.C. 1901.121 or 1907.142.

(F) Waiver

The Chief Justice may waive compliance with any requirement of this rule to assist the exercise of the Chief Justice's discretion in making temporary assignments of judges pursuant to the Ohio Constitution and the Revised Code.

Commentary

Assignment of sitting and retired municipal and county court judges

The assignment and compensation of all other sitting and retired judges is addressed in the Ohio Constitution, the Revised Code, and the Guidelines for the Assignment of Judges.

Compensation

The language "actual and necessary expenses" in division (C) of this rule does not appear in the Constitution, but reflects State, ex rel. Winn v. Galvin (1974), 39 Ohio St.2d 58, which held actual and necessary expenses are a part of the established compensation of a visiting judge as specified in Article IV, Section 6(C) of the Ohio Constitution. While Winn concerned common pleas judges, State, ex rel. Graves v. Brown (1969), 18 Ohio St.2d 61 held Article IV, Section 6(C) of the Ohio Constitution also applies to municipal court judges.

Commentary (July 1, 2026)

Rule 17 was renumbered to Rule 4.30 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: December 1, 2009; January 12, 2021

RULE 4.31. Court Appointments.

(A) Definitions

As used in this rule:

(1) "Appointment" means the selection by a court or judicial officer of any person or entity designated pursuant to constitutional or statutory authority, rule of court, or the inherent authority of the court to represent, act on behalf or in the interests of another, or perform any services in a court proceeding. The term "appointment" does not include the selection by a court or judicial officer of the following:

(a) An acting judge pursuant to R.C. 1901.121(A)(2)(a), (B)(1), or (C)(1) or R.C. 1907.141(A)(2)(a), (B)(1), or (C)(1);

(b) A receiver pursuant to R.C. 2735.01;

(c) An arbitrator, mediator, investigator, psychologist, interpreter, or other expert in a case following independent formal or informal recommendations to the court or judicial officer by litigants;

(d) Any individual who is appointed by any court pursuant to the Revised Code or the inherent authority of the court to serve in a non-judicial public office for a full or unexpired term or to perform any function of an elected or appointed public official for a specific matter as set forth in the entry of appointment;

(e) A guardian ad litem pursuant to Sup.R. 8.00 through 8.07;

(f) A guardian pursuant to Sup.R.8.30 through 8.39.

(2) "Appointee" means any person, other than a court employee, receiving an appointment by a court or judicial officer. "Appointee" does not include a person or entity who is selected by someone other than the court.

(3) "Equitable distribution" means a system through which appointments are made in an objectively rational, fair, neutral, and nondiscriminatory manner and are widely distributed among substantially all persons from the list maintained by the court or division of persons pre-qualified for appointment.

(4) "Judicial officer" means a judge or magistrate.

(B) Local rule

(1) Each court or division of a court shall adopt a local rule governing appointments made in the court or division.

(2) The local rule required by division (B)(1) of this rule shall include all of the following:

(a) For appointments frequently made in the court or division, a procedure for selecting appointees from a list maintained by the court or division of persons pre-qualified to serve in the capacity designated by the court or division. The procedure shall ensure an equitable distribution of appointments. To ensure an equitable distribution of appointments, the court or division may utilize a rotary system from a graduated list that pairs the seriousness and complexity of the case with the qualifications and experience of the person to be appointed. The court or division may maintain separate lists for different types of appointments.

(b) A procedure by which all appointments made in the court or division are reviewed periodically to ensure the equitable distribution of appointments;

(c) If not addressed by the Revised Code or Supreme Court rule, the compensation appointees will receive for services provided and expenses incurred as a result of the appointment, including, if applicable, a fee schedule.

(3) The local rule required by division (B)(1) of this rule may include the following:

(a) Qualifications established by the court or division for inclusion on the appointment list;

(b) The process by which persons are added to or removed from the appointment list;

(c) Other provisions considered appropriate by the court or division.

(C) Compensation review and report

At least once every five years, each court or division shall review the compensation paid court appointees to determine the compensation's adequacy and effect upon the availability of court appointments. The court or division shall provide the report to all funding authorities of the court or division.

(D) Factors in making appointments

In making appointments, a court or judicial officer shall take into account all of the following:

(1) The anticipated complexity of the case in which appointment will be made;

(2) Any educational, mental health, language, or other challenges facing the party for whom the appointment is made;

(3) The relevant experience of those persons available to accept the appointment, including proficiency in a foreign language, familiarity with mental health issues, and scientific or other evidence issues;

(4) The avoidance of conflicts of interest or other situations that may potentially delay timely completion of the case;

(5) Intangible factors, including the court or judicial officer's view of a potential appointee's commitment to providing timely, cost-effective, quality representation to each prospective client.

(E) Payment of fees

(1) Except as provided in division (E)(2) of this rule, if a party or other person is required to pay all or a portion of the fees payable to an appointee, the appointee promptly shall notify that party or person of the appointment and the applicable fee schedule. The court or division shall require the appointee to file with the court or division and serve upon any party or other person required to pay all or a portion of the fees itemized fee and expense statements on a regular basis as determined by the court or division. If the party or other person required to pay all or a portion of the fees claims that the fees are excessive or unreasonable, the burden of proving the reasonableness of the fees is on the appointee.

(2) Division (E)(1) of this rule shall not apply to the repayment of all or part of the costs of indigent defense by a criminal defendant as a condition of probation.

(3) The notification requirement of division (E)(1) of this rule may be satisfied with service upon counsel of record as provided in the applicable rules of procedure.

(F) Code of Judicial Conduct

In making appointments, a court or judicial officer shall conform to all applicable ethical and campaign finance restrictions and requirements of the Ohio Code of Judicial Conduct.

(G) Effect of inclusion on appointment list

Persons on a list maintained by the court or division of persons pre-qualified to serve are not assured a substantially equal number of appointments. No person is granted a legal right or claim by virtue of this rule.

Commentary (July 1, 1997)

Rule 8 requires each court or division of a court to adopt a local rule outlining the procedures to be followed within the court or division for making court appointments. Division (B)(2) of the rule specifies three general items that must be included in each local appointment rule. Together with division (B)(3), division (B) provides courts and divisions with flexibility as to the specific content of the local rule in recognition of the different types of appointments that are made in various courts and divisions.

The rule contemplates that each court or division will maintain a list from which appointments will be made. Lists of potential appointees would be required only for appointments frequently made in a court or division, such as the appointment of counsel in criminal cases. However, a list would not be required for appointments rarely made in the court or division, such as the appointment by a probate court of an appraiser for a rare art collection.

Commentary (January 1, 2017)

The 2017 amendments to this rule primarily address questions that have arisen about appointment of counsel for indigent criminal defendants, but in key respects also apply to all court appointments. The amendments are intended to make the following clarifications:

- The rule does not apply to appointments made by a public defender office or other entity outside the control of a court or judicial officer;

- The rule applies to post-sentencing selection by a court or judicial officer;

- That all applicable ethical and campaign finance restrictions and requirements in Ohio's Judicial Conduct Rules apply to every appointment made by a court or judicial officer;

- That the appointment system used by courts or divisions ensures the equitable distribution of appointments, but does not require a blind rotation system among all those available for appointment or a substantially equal number of appointments to everyone on an appointment list. The goal of equitable distribution is to distribute appointments as widely as reasonably possible among available appointees, but without limiting the discretion used in individual courts and individual cases. Studies show the availability of potential appointees across the state varies widely and that a large majority of responding judges seek to maintain their discretion in making appointments. As has been true for nearly two decades, individual courts remain obligated to adopt an appointment system by local rule. In addition, this amendment clarifies that all appointments are to be made in an objectively rational, fair, neutral, and nondiscriminatory manner, even though judicial officers may take into account many factors including the complexity of individual cases, special needs of a party, avoidance of conflicts of interest, time constraints in a case, and the judicial officer's experience with a potential appointee, including current or prior representation of the client, and the perception of the appointee's commitment to providing quality representation to each client.

Commentary (July 1, 2026)

Rule 8 was renumbered to Rule 4.31 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: January 1, 2017; November 13, 2025

SECTION 5. CASE MANAGEMENT.

RULE 5.00. Case Numbering--Municipal and County Court.

(A) Method. When filed in the clerk's office, cases shall be categorized as civil, criminal, or traffic and serially numbered within each category on an annual basis beginning on the first day of January of each year. Cases shall be identified by year and by reference to the case type designator on the administrative judge report. Additional identifiers may be added by local court rule.

(B) Multiple defendants or charges in criminal cases.

(1) In criminal cases, including traffic cases, all defendants shall be assigned separate case numbers.

(2) Where a defendant is charged with a misdemeanor and a traffic offense, the defendant shall be assigned separate case numbers pursuant to Sup.R. 5.34. The category selected for the case number and its case type designator shall be that of the offense having the greatest potential penalty.

(3) Where as a result of the same act, transaction, or series of acts or transactions, a defendant is charged with a felony or felonies and a misdemeanor or misdemeanors, including traffic offenses, the defendant shall be assigned separate case numbers, one for the felony or felonies and one for each other type of offense pursuant to Sup.R. 5.34. The category selected for the case number and its case type designator shall be that of the offense having the greatest potential penalty.

Commentary (July 1, 1997)

Rule 43 is analogous to former M.C. Sup.R. 12(E).

Rule 43(A) Method

This division provides the basis for the case numbering system to be used by all courts to which these rules are applicable. The rule states the following minimum requirements:

(a) All cases must be categorized as civil, criminal, or traffic;

(b) All cases must be serially numbered within one of the three categories listed above on an annual basis;

(c) All cases must be identified by year;

(d) All cases must be identified with the appropriate alphabetic case type designator from the Administrative Judge Report.

The civil case category is used for Personal Injury and Property Damage cases, Contracts cases, F.E.D. cases, Other Civil cases and Small Claims cases. The criminal case category is used for Felony cases and non-traffic Misdemeanor cases. The traffic case category is used for O.M.V.I. cases and for all

Other Traffic cases. Definitions of these case types are contained in the comment concerning preparation of the Administrative Judge Report.

The numbering system can be explained by example. If the first case filed in 2000 is a felony, its case number would be 00-CR-A-00001. The “00” is the year reference. The “CR” is the criminal case category reference. The “A” is the reference to the case type column on the Administrative Judge Report. The “00001” is the serial number for 2000 within the criminal case category. If the second case filed is a non-traffic misdemeanor, it would be numbered 00-CR-B-00002. If the third case filed is a driving under the influence case, it would be numbered 00-TR-C-00001.

(Note that this is the first serial number for 2000 in the traffic category.) If the fourth case filed is an Other Traffic case, it would be numbered 00-TR-D-00002. If the fifth case filed is a Personal Injury or Property Damage case, it would be numbered 00-CV-E-00001.

There are certain circumstances in which a case has been reported in one column on the Administrative Judge Report and the need subsequently arises for the case to be moved to another column.

Since the case designation on the Administrative Judge Report corresponds to the alphabetic designator segment of the case number, the alphabetic designator in the case number must be changed to reflect the change made on the Administrative Judge Report. This is the only segment of the case number which should ever be altered once a number is assigned. The combination of the year, category, and serial number form a unique number to identify a particular case. No matter what the alphabetic designator is, there should never be more than one case which has the same combination of year, category, and serial number. Thus, the alteration of the alphabetic designator segment cannot effect the uniqueness of the number.

The changes in the report and case number can be illustrated by the following example: Assume that a Small Claims case is filed. It is assigned the number 00-CV-I-00006. It is reported as filed on the Administrative Judge Report and is shown as pending at the end of the report period. After the close of the report period the defendant files a counterclaim on a contract which exceeds the jurisdiction of the small claims division. The following action would be taken pursuant to the case numbering rule and the monthly report form requirements:

(a) The case would be listed as terminated by transfer on line 7 of Column I, Administrative Judge Report;

(b) The case would be shown as transferred in on line 3 of Column F, Administrative Judge Report;

(c) The case number would be changed from 00-CV-I-00006 to 00-CV-F-00006;

(d) The case would be shown as terminated by transfer to an individual judge on line 7, Column F, Administrative Judge Report; and,

(e) The case would be shown as a new case filed on line 2, Column F, Individual Judge Report.

The last sentence of Rule 43(A) provides that courts may add additional identifiers to suit their needs. For example, an identifier for the judge to whom the case is assigned, or an identifier for the degree of misdemeanor charged, may be added.

Rule 43(B) Multiple defendants or charges in criminal cases

Under division (B), each criminal defendant is assigned at least one case number.

Multiple defendants charged with the same offense arising out of the same act or transaction or series of acts or transactions receive separate case numbers. Where there are multiple defendants, they may be charged in a single complaint or each may be charged by separate complaints. In any event, each defendant is assigned a separate case number and a copy of the complaint is placed in the defendant's file.

Where one defendant is charged with more than one offense arising from the same act or transaction or series of acts or transactions, the defendant will be assigned separate case numbers pursuant to Rule 37.04(C). If the offenses charged fall in more than one category, e.g., both criminal and traffic, the case number assigned will correspond to the category. If the offenses charged fall into one category, e.g., traffic, but could be listed in more than one column on the Administrative Judge Report, then the case number assigned will be that of the offense which has the greatest potential penalty. For example, a defendant charged with O.M.V.I. and with a traffic offense other than O.M.V.I. would be assigned the case number of the offense having the greatest potential penalty.

Where a defendant is charged with more than one offense arising out of the same act or transaction or series of acts or transactions and one or more but not all of the offenses charged are felonies, case numbers for each offense type are assigned. One number is for the felony or felonies, and the other numbers are for each of the non-felony offense types. For example, a multi-count indictment that includes two felonies, two misdemeanors, and two traffic offenses would result in the assignment of three case numbers. In determining what number to assign to the non-felony offenses, the normal rule described above in this Comment is applied.

The criminal case numbering rule is illustrated by the following example. Assume that a defendant is charged with aggravated assault under section 2903.12(A)(2) of the Revised Code, disorderly conduct under section 2917.11(B)(2) of the Revised Code, menacing under section 2903.22(A) of the Revised Code, and driving under the influence of alcohol under section 4511.19 of the Revised Code. Three case numbers are assigned to this defendant as follows:

00-CR-A-00895.
Charge: Aggravated assault, R.C. 2903.12(A)(2)

00-CR-B-000896.
Charge: Disorderly conduct, R.C. 2917.11(B)(2),
Menacing, R.C. 2903.22(A)

00-TR-C-001334.
Charges: Operating a motor vehicle under the influence of alcohol, R.C. 4511.19

The first case number is for the offense of aggravated assault, which is a felony. The rule states that a felony charged against a defendant will always receive a case number separate from any non-felony offenses charged which occur from the same act or transaction or series of acts or transactions. The "CR" indicates that the case is in the criminal category and the "A" indicates that the case is reported in the Felonies column of the Administrative judge Report.

The second case number is for all the other criminal offenses. The third case number is for all the traffic offenses. The case number assigned is determined by comparing the potential penalties for the offenses charged. The case number is assigned based upon the offenses charged. In the example given, the offenses are as follows:

Driving under the influence of alcohol - imprisonment for six months. R.C. 2929.21(B)(1)

Disorderly conduct - fine of not more than $100. R.C. 22929.21(D)

Menacing - imprisonment for thirty days. R.C. 2929.21(B)(4)

In the example, the case number assigned is 00-TRC-001334 and 00-CR-B-000896. The "TR" represents the Traffic category and the "C" represents the O.M.V.I. column on the Administrative Judge

Report. The "CR" represents the Criminal category and the "B" represents the misdemeanor column on the Administrative Judge Report. Regardless of the number of offenses, there will never be more than three case numbers for a defendant stemming from one incident.

Rule 43(B) is designed to make the case numbering system consistent with the reporting requirements established by Rule 37.03. If this rule is utilized properly, less bookkeeping will be needed to complete the review of pending cases required by Rule 40, and the record keeping necessary under the individual assignment system will be simplified.

Commentary (July 1, 2026)

Rule 43 was renumbered to Rule 5.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: January 1, 2021; November 13, 2025

RULE 5.01. Annual Case Inventory; New Judge Inventory.

(A) Definitions

As used in this rule:

(1) "Case inventory" means the review of the physical or electronic case files, as applicable, to ensure an accurate count and to evaluate the accuracy of the court's case management practice.

(2) "Case file" means the compendium of documents and information in documents submitted to a court or filed with a clerk of court in a judicial action or proceeding.

(B) Requirement

Within three months of the date of a judge taking office to the court of appeals, court of common pleas, municipal court, or county court and thereafter annually on or before October 1st, the judge shall be responsible for the completion of a case inventory of all cases reported as pending on the applicable statistical report forms filed by the judge in accordance with the instructions prescribed by the Case Management Section of the Supreme Court. If determined necessary by the judge, the judge may include in the case inventory all cases reported as closed or inactive on the applicable statistical report forms filed by the judge.

(C) Documentation of inventory

A judge shall document completion of a case inventory performed pursuant to division (B) of this rule in the appropriate space on the applicable statistical report forms.

(D) Reporting of discrepancies

A judge shall report corrections of discrepancies found during a case inventory performed pursuant to division (B) of this rule on the next statistical report form filed after the inventory is completed.

Commentary (July 1, 2026)

Rule 38 was renumbered to Rule 5.01 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: January 1, 2017

INSTRUCTIONS FOR COMPLETION OF CASE INVENTORY

New Judge Inventory.

1. Within three months of the date of a judge taking office to the court of appeals, court of common pleas, municipal court, or county court, the judge shall be responsible for the completion of a physical or electronic case inventory, as applicable, of all pending cases.

2. A case inventory involves actually reviewing the physical case files, if the court maintains paper files, or the electronic case files, if the court maintains electronic files through a case management system. A judge decides whether reviewing closed or inactive cases is necessary; however, pending cases must be reviewed. A computer-generated list of pending cases may be used to identify the pending cases which must be physically or electronically retrieved and reviewed.

3. Once the physical or electronic case files, as applicable, are retrieved, a judge should review each file and do the following:

    a. Identify cases in which a conflict of interest exists and therefore must be reassigned to another judge of the court or assigned to a visiting judge;

    b. Identify cases that lack a next scheduled event date;

    c. Identify cases that should be terminated or closed for purposes of reporting on the Supreme Court of Ohio Statistical Report Form;

    d. Identify cases that are ripe for settlement or resolution prior to the scheduled trial date;

    e. Identify cases that have been incorrectly classified on a previous report.

4. A judge shall document completion of the case inventory in the space provided on the applicable statistical report form by indicating the date the most recent case inventory was completed.

5. A judge may amend any report the judge's predecessors previously submitted. For example, a case inventory performed pursuant to Sup.R. 5.01 might reveal cases that are pending that were not previously being reported as such or cases that had been previously reported as pending which in fact have been terminated. In these and similar instances, the report preparer (if other than the judge) should confer with the reporting judge to determine the best solution for resolving the discrepant pending case counts or contact the Case Management Section for assistance. The most important goal is to ensure good quality data going forward.

Annual Case Inventory.

1. The judge shall be responsible for annually completing a physical or electronic case inventory, as applicable, of all pending cases.

2. A case inventory involves actually reviewing the physical case files, if the court maintains paper files, or the electronic case files, if the court maintains electronic files through a case management system. A judge decides whether reviewing closed or inactive cases is necessary; however, pending cases must be reviewed. A computer-generated list of pending cases may be used to identify the pending cases which must be physically or electronically retrieved and reviewed.

3. Once the physical or electronic case files, as applicable, are retrieved, a judge should review each file and do the following:

   a. Identify cases that lack a next scheduled event date;

   b. Identify cases that should be terminated or closed for purposes of reporting on the Supreme Court of Ohio Statistical Report Form;

   c. Identify cases that are ripe for settlement or resolution prior to the scheduled trial date;

   d. Identify cases that have been incorrectly classified on a previous report.

4. A judge shall document completion of the case inventory in the space provided on the applicable statistical report form by indicating the date the most recent case inventory was completed.

5. A judge may amend any report the judge's predecessors previously submitted. For example, a case inventory performed pursuant to Sup.R. 5.01 might reveal cases that are pending that were not previously being reported as such or cases that had been previously reported as pending which in fact have been terminated. In these and similar instances, the report preparer (if other than the judge) should confer with the reporting judge to determine the best solution for resolving the discrepant pending case counts or contact the Case Management Section for assistance. The most important goal is to ensure good quality data going forward.

Rules 5.02 through 5.09 are reserved for future use.

RULE 5.10. Definitions.

As used in Sup.R. 5.10 through 5.19:

(A) Assigned by lot

(1) "Assigned by lot" means the assignment of a case to a judge that meets each of the following requirements:

(a) The assignment is made by drawing from a pool of judges using paper, balls, or other objects as lots or counters or a computer;

(b) The assignment is arbitrated by chance with the determination fortuitous and wholly uncontrolled;

(c) The assignment is made using the entire base of the number of judges in the court or division, as applicable.

(2) "Assigned by lot" does not include an assignment of cases to judges in an established order of rotation, even if the order of rotation is altered periodically.

(B) Individual assignment system

"Individual assignment system" means the system in which, upon the filing in or transfer to a court or division of a court, a case immediately is assigned by lot to a judge of the court or division, as applicable, who becomes primarily responsible for the determination of every issue and proceeding in the case until its termination.

(C) Particular session of court

"Particular session of court" means the system in which cases are assigned by subject category rather than by the individual assignment system.

Commentary (July 1, 2026)

Rule 36.01 was renumbered to Rule 5.10 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2018
Amended: November 13, 2025

RULE 5.11. Individual Assignment System.

(A) Adoption of system

Except as provided in Sup.R. 5.12 through 5.15, each multi-judge general, domestic relations, probate, and juvenile division of a court of common pleas; multi-judge municipal court; and multi-judge county court shall adopt the individual assignment system for the assignment of all cases to judges of the court or division of the court, as applicable.

(B) Time of assignment

Cases shall be assigned pursuant to the individual assignment system as follows:

(1) In a civil case in a municipal or county court, when an answer is filed or when a motion, other than a motion for default judgment, is filed;

(2) In a traffic or criminal case in a municipal or county court, when a plea of not guilty is entered;

(3) In a civil case in a court of common pleas, when a complaint or petition is filed with the clerk of court;

(4) In a criminal case in a court of common pleas, no later than upon arraignment;

(5) In a delinquency, unruly, adult, or traffic case in the juvenile division of a court of common pleas, no later than upon arraignment or initial appearance. In all other cases in the juvenile division, when a complaint or petition is filed.

(C) Modifications to system

(1) Except as provided in Sup.R. 5.12, each multi-judge general, domestic relations, probate, and juvenile division of a court of common pleas and multi-judge municipal and county court may adopt modifications to the individual assignment system to provide for the following:

(a) The redistribution of cases involving the same criminal defendant, parties, family members, or subject-matter;

(b) The direct assignment of a new criminal or delinquency case involving a person who is currently on probation with the court or division to the judge to whom the probation case is assigned.

(2) Any modifications shall be adopted by local rule of court and ensure each of the following:

(a) Judicial accountability for the processing of individual cases;

(b) Timely processing of cases through prompt judicial control over cases and the pace of litigation;

(c) Random assignment of cases to judges of the division through an objective and impartial system that ensures the equitable distribution of cases between or among the judges of the division.

Commentary (January 1, 2018)

The individual assignment system is defined by the rule as a system whereby, upon the filing or transfer of a civil case, or upon arraignment in a criminal case, the case is immediately assigned to a judge of the court. The rule sets forth three purposes of the individual assignment system. All multi-judge divisions of the court of common pleas and all multi-judge municipal and county courts, except as provided in Sup.R. 36.012 through 36.015 are required to adopt the individual assignment system. Courts or divisions are permitted to deviate from the individual assignment system only if the modifications satisfy the three stated purposes of the system and are adopted by local rule of court pursuant to Sup.R. 5. Permissible modifications include the assignment and consideration of cases involving the same criminal defendant, parties, family members, or subject-matter.

The distinguishing feature of the individual assignment system is that it places responsibility upon one judge for the disposition of cases. Once a case is assigned to a judge under this system, all matters pertaining to the case are to be submitted to that judge for determination. An exception is made where that judge is unavailable. In that instance, the administrative judge may act in the assigned judge's absence.

Under Sup.R. 36.011, the administrative judge is responsible for the assignment of cases to the individual judges of the court. Assignment may be made by the administrative judge personally or by court personnel at the administrative judge's direction. All assignments of cases to individual judges must be made by lot.

The purpose of the random assignment, by lot, of cases is to avoid judge-shopping on the part of counsel and to distribute the cases equitably among the judges.

Commentary (July 1, 2026)

Rule 36.011 was renumbered to Rule 5.11 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2018
Amended: November 13, 2025

RULE 5.12. Assignment of Commercial Docket Eligible Cases.

A case eligible for assignment into a commercial docket of a court of common pleas pursuant to Sup.R. 7.45 shall be assigned as follows:

(A) If the court has established a commercial docket pursuant to Sup.R. 7.41, the case shall be assigned to the commercial docket pursuant to Sup.R. 7.47;

(B) If the court has not established a commercial docket pursuant to Sup.R. 7.41, the cases shall be assigned by lot to a judge of the court or division of the court pursuant to the individual assignment system.

Commentary (July 1, 2026)

Rule 36.012 was renumbered to Rule 5.12 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2018
Amended: November 13, 2025

RULE 5.13. Assignment of Capital Cases.

Criminal cases in which an indictment or a count in an indictment charges the defendant with aggravated murder and contains one or more specifications of aggravating circumstances listed in R.C. 2929.04(A) shall be assigned to a judge of the court or division of the court who is qualified to hear the cases pursuant to either of the following methods:

(A) Randomly assigned by lot among all judges who are qualified;

(B) By a method that meets each of the following requirements:

(1) Assignments are made by lot from a pool consisting of the names of each judge of the court or division who is eligible to hear the criminal cases;

(2) Upon receipt of such criminal case, the name of the assigned judge is removed from the pool;

(3) Upon the assignment of such criminal case to the second-to-last judge in the pool, the names of each judge of the court or division who is eligible to hear capital cases are added back into the pool.

Commentary (July 1, 2026)

Rule 36.013 was renumbered to Rule 5.13 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2018
Amended: November 13, 2025

RULE 5.14. Assignment to Individual Judge or Particular Session.

(A) Cases eligible for assignment

In each multi-judge municipal or county court or division of the court, cases may be assigned to an individual judge or to a particular session of court. The following subject categories shall be disposed of by particular session:

(1) Civil cases in which a motion for default judgment is made;

(2) Criminal cases in which a plea of guilty or no contest is entered;

(3) Initial appearance in criminal cases;

(4) Preliminary hearings in criminal cases;

(5) Criminal cases in which an immediate trial is conducted upon initial appearance;

(6) Small claims cases;

(7) Forcible entry and detainer cases in which the right to trial by jury is waived or not demanded.

(B) Apportionment of assignments

(1) Except as provided in division (B)(2) of this rule, the administrative judge shall equally apportion particular session assignments among all judges. A judge shall not be assigned to a particular session of court for more than two consecutive weeks.

(2) Division (B)(1) of this rule shall not apply to cases involving an allegation that a judge or staff member of a court, a staff member of the office of the clerk of the court, or any relative of such individuals has committed a traffic or misdemeanor violation within the court's jurisdiction. Such cases shall be initially assigned to the administrative judge for:

(a) Reassignment to one of the judges of the court by random lot;

(b) Request for the assignment of a visiting judge for disposition;

(c) Retention and disposal by the administrative judge with the agreement of the parties.

Commentary (January 1, 2018)

Assignment system

In multi-judge municipal and county courts, Sup.R. 36.014 establishes a dual system for the assignment of cases. Under this system, certain types of cases are processed in a court session, designated particular session, presided over by a judge or magistrate for a specified period of time. Other types of cases are assigned to an individual judge pursuant to the individual assignment system.

Particular session; assignment

The types of cases designated in Sup.R. 36.014 for disposition in particular sessions of court are high volume cases that may be processed by a judge or magistrate at a single session. The rule does not preclude the processing of types of cases, other than those listed, that are susceptible to disposition in particular sessions.

Cases that may not be processed by particular session are civil cases where an answer is filed or a motion, other than one for default judgment, is filed and criminal cases in which a plea of not guilty is entered. These cases are to be assigned pursuant to the individual assignment system at the time the answer, motion, or plea is filed or made.

Duration of assignment to particular session

Assignments to particular session are to be equally divided among the judges of the court and are to be limited to two-week periods. The two-week limitation accommodates the individual assignment system, and allows each judge adequate time to work on the cases individually assigned to the judge. Judges should not be assigned to a particular session or a series of particular sessions for more than two consecutive weeks.

Commentary (July 1, 2026)

Rule 36.014 was renumbered to Rule 5.14 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2018
Amended: November 13, 2025

RULE 5.15. Assignment of Case Arising out of Pre-Indictment Matter.

If a judge has been randomly assigned to preside over a pre-indictment matter pertaining to a particular person, upon the filing of any case arising out of the same incident or subject matter against that person, the judge previously assigned shall preside over the new case, unless that judge is precluded from hearing the case or other good cause exists to reassign the case by lot.

Commentary (July 1, 2026)

Rule 36.015 was renumbered to Rule 5.15 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2018

RULE 5.16. Case Management of Individual Judge Docket.

(A) Authority

Pursuant to Sup.R. 4.12, the administrative judge may take necessary action to assist with the case management of an assigned judge's individual docket.

(B) Request

Upon the request of a judge in a multi-judge court of common pleas, municipal court, or county court, or the case management section of the supreme court, the administrative judge of the court or division of the court may, for good cause, take necessary action to assist with the case management of the assigned judge's docket.

(C) Reassignment

Any cases transferred from the assigned judge's docket shall be reassigned by lot among the remaining judges of the court or division.

Commentary (July 1, 2026)

Rule 36.016 was renumbered to Rule 5.16 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2018
Amended: November 13, 2025

RULE 5.17. Assignment of Refiled Cases.

If a previously filed and dismissed case is refiled, the case shall be reassigned to the judge originally assigned by lot to hear it unless, for good cause shown, that judge is precluded from hearing the case.

Commentary

To promote judicial economy and discourage judge-shopping, this division mandates that all dismissed and subsequently refiled cases be reassigned to the originally assigned judge. An exception exists for circumstances in which the original judge develops a conflict or transfer to a newly drawn judge is sensible.

Commentary (July 1, 2026)

Rule 36.017 was renumbered to Rule 5.17 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2018

RULE 5.18. Assignment of Cases to New Judicial Positions and Successor Judges.

(A) Newly Established Judicial Positions

(1) After the date of election, but prior to the first day of the term of a newly established judicial position, the administrative judge of the court or division of the court, as applicable, through a random selection of pending cases shall equitably reassign cases pending in the court or division between or among the judges of the court or division and shall create a docket for the newly established judicial position similar to a representative docket. Reassignment shall be completed in a manner consistent with this rule and may exclude criminal cases and cases scheduled for trial.

(2) Any matters arising in cases assigned to the docket for the newly established judicial position prior to the date on which the judge elected to that position takes office shall be resolved by the administrative judge or assigned to another judge.

(B) Successor Judges

Upon taking office, an appointed or elected successor judge shall assume all cases previously assigned to the predecessor judge. If the terms of two or more successor judges commence simultaneously and there is no identified predecessor judge for each successor judge, the administrative judge of the court or division shall randomly designate the predecessor judge for each successor judge.

Commentary (November 13, 2025)

For newly established judicial positions, the reassignment of cases must be random, equitable, and accomplished in a manner consistent with the principles set forth in Sup.R. 36.011(C)(2). In effect, a random selection system must be used, rather than culling cases from pending dockets. Certain dockets or portions of dockets may be created through the individual assignment system. This method may be particularly useful in assigning criminal cases. The process set forth in this rule should facilitate the creation of a balanced docket with a minimum disruption of the pending caseload of the court or division.

Pursuant to Sup.R. 38(B), judges must complete a case inventory within three months of the date of taking office. Gov.Jud.R. VII(2) requires the predecessor judge to deliver to the judge's successor all records; papers, books, and other instruments; and other property and effects belonging to the court.

Please contact the Case Management Section in the Office of Court Services of the Supreme Court if the court needs assistance determining the impacted judgeship.

Commentary (July 1, 2026)

Rule 36.018 was renumbered to Rule 5.18 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2018
Amended: November 13, 2025

RULE 5.19. Assignment of Cases Following Disqualification.

(A) General

Following the disqualification of a judge in a multi-judge court or division of a court, the administrative judge of the court or division shall randomly assign the case among the remaining judges of the court or division who are able to hear the case.

(B) Request for assigned judge

If all judges of the court or division are disqualified from the case, the administrative judge may request the Chief Justice of the Supreme Court temporary assign a sitting or retired judge to serve on that court or division pursuant to Article IV, Sections 5(A)(3) and 6(C) of the Ohio Constitution and the "Guidelines for the Assignment of Judges."

Commentary (July 1, 2026)

Rule 36.019 was renumbered to Rule 5.19 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2018
Amended: November 13, 2025

RULE 5.20. Assignment of Appellate Court Cases.

Cases filed in a court of appeals shall be randomly assigned to judges of the court through an objective and impartial system that ensures, to the extent practicable, equitable distribution of cases among the judges. The random assignment system should have no discernable pattern so that parties will not be able to predict to whom a case is assigned before the actual assignment.

Commentary (July 1, 2026)

Rule 36.020 was renumbered to Rule 5.20 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2020

RULE 5.21. Case Time Limits.

(A) Appellate and civil case time limits. The time limits for disposition of appellate and civil cases shall be as indicated on the Supreme Court report forms.

(B) Criminal case time limits.

(1) General. In common pleas court, ninety-five percent of all criminal cases shall be tried within nine months of the date of arraignment on an indictment or information. In municipal and county court, all criminal cases shall be tried within the time provided in R.C. Chapter 2945. Whenever a hearing or trial time is extended or shortened pursuant to R.C. 2945.72 or Crim.R. 5 or 45, the judge shall state the reason for the change in an order and journalize the order.

(2) Grand jury proceedings. When an accused has been bound over to a grand jury and no final action is taken by the grand jury within sixty days after the date of the bindover, the administrative judge of the court or division of the court shall dismiss the charge unless for good cause shown the prosecuting attorney is granted a continuance for a definite period of time.

(3) Felony preliminary hearing. A preliminary hearing in a felony case shall be held within two months of the date of arrest or the date of issuance of the summons in ninety-five percent of felony cases.

(4) Sentencing. Provided the defendant in a criminal case is available, the court shall impose sentence or hold a sentencing hearing with all parties present within fifteen days of the verdict or finding of guilt or receipt of a completed pre-sentence investigation report. Any failure to meet this time standard shall be reported to the administrative judge, who shall take the necessary corrective action. In a single judge division, the failure shall be reported by the judge to the Case Management Section, which shall refer the matter to the Chief Justice of the Supreme Court for corrective action.

(5) Post-conviction relief petitions; death penalty cases. All post-conviction relief petitions filed in death penalty cases shall be ruled upon within one hundred eighty days of the date of filing. In any month where a post-conviction relief petition in a death penalty case is filed, pending, or terminated, the administrative judge shall submit the Post-Conviction Relief Petition Report detailing the status of the petition.

(C) Reporting. Any failure to comply with the time limits specified in this rule, and the reason for the failure, shall be reported immediately to the administrative judge, who shall take the necessary corrective action. In a single-judge court or division, the failure shall be reported by the judge to the Case Management Section. The Case Management Section shall report to the Chief Justice, who may take such action as may be necessary to cause the delinquent case to be tried forthwith.

(D) Dismissal and refiling of cases. A judge shall not order, instruct, or otherwise direct, suggest, encourage, or request a party or attorney to dismiss and subsequently refile a case in order to avoid failure by the judge to comply with the time limits specified in this rule.

Commentary (July 1, 1997)

Rule 39 consolidates the time limits contained in former C.P. Sup.R. 8 and 8.01 and M.C. Sup.R. 5. The provisions of C.P. Sup.R. 8.01(B) have been moved to Rule 42. Division (B)(5) is a new time guideline and reporting requirement.

The time limits applicable to criminal cases are for the purpose of facilitating the prompt disposition of criminal cases. These time limits in no way affect the statutorily mandated limits contained in R.C. 2945.71. However, the failure to dispose of cases within these time guidelines may result in intervention by the Chief Justice. While the administrative guidelines set out in Rule 8(B) are keyed to the date of arraignment, the requirement of R.C. 2945.71 begins to run from the date of arrest.

Although criminal cases are not reported as filed on Common Pleas Form A until the accused is arraigned on an indictment or information, the responsibility of the court of common pleas for the processing of the case beings upon receipt of the papers in the case pursuant to Crim.R. 5 (B)(7). When no final action has been taken by a grand jury within sixty days after bindover, the court or administrative judge should dismiss the charge unless the prosecutor is, for good cause, granted a continuance. The key date for purposes of division (B)(2) is the date of bindover. Thus, the summoning of a grand jury under Crim.R. 8 should not be unduly delayed. Although R.C. 2945.71 does not mandate a time limit for completion of the grand jury process, the statutory time limit runs from the date of arrest, including time taken in the grand jury process.

The dismissal contemplated by division (B)(2) is not a dismissal with prejudice.

Crim.R. 5(B)(1) provides time guidelines for preliminary hearings only. Crim.R. 5(A)(2) and 5(B)(1) each contain provisions pertaining to the extension of preliminary hearing time limits. Crim.R. 45(A) explains the method to be used in computing time. Crim.R. 45(B) provides for the enlargement or reduction of time provisions.

Division (B)(1) provides for the journalization of all actions taken pursuant to section 2945.72 of the Revised Code, Crim.R. 5(A)(2), 5(B)(1) or 45(B), which either extend or shorten the time periods provided in section 2945.71 of the Revised Code or Crim.R. 5. The journal entry must include the fact of the extension or shortening of time and a statement of the reasons therefor to provide a record should any question arise concerning compliance with section 2945.71 of the Revised Code.

Rule 39(B)(4) Sentencing

If the defendant is available, the court must take action within fifteen days of the verdict or finding of guilty or within fifteen days of the receipt of a completed presentence investigation report. This action may be to impose sentence, to place on probation, or to hold a hearing on the report.

Although R.C. 2945.71 is satisfied if the accused is brought to trial within the appropriate period from arrest, the Form A report keys termination to the sentencing or granting of probation. Thus, the nine month guidelines contained on the report form includes any period of time between the commencement of trial and the imposition of sentence.

Failure to meet the time standard of this section must be reported to the administrative judge for corrective action. In a single judge division, any failure is to be reported to the Case Management Section.

The fifteen day time limit of division (B)(4) of this rule should not be confused with the requirement of Sup.R. 7 that the journal entry be made within thirty days of the judgment.

Rule 39(B)(5) Post-conviction relief petitions; death penalty cases

Prior to July 1997, no reporting requirements existed for post-conviction relief petitions, and these petitions were treated as motions in previously terminated cases. In view of the public policies reflected by the November 1994 constitutional amendment abolishing intermediate appeals in death penalty cases and legislation affecting post-conviction relief actions (Am. Sub. S.B. 4 of the 121st General Assembly, effective September 21, 1995), it is imperative that courts provide timely consideration of death penalty cases and ensuing post-conviction relief petitions in those cases. To assist in the management of post-conviction relief petitions in death penalty cases, division (B)(5) of this rule establishes a one hundred eighty day time guideline for the disposition of these petitions and provides for the monthly reporting of the status of the petitions. The one hundred eighty day time guideline is identical to the guideline contained in Rule 35 of the Ohio Rules of Criminal Procedure, effective July 1, 1997.

Although the assigned judge is ultimately responsible for the termination of the case and is so designated on the report form, the administrative judge is responsible for tracking and reporting the status of these petitions.

Rule 39(C) Reporting

The time limits imposed by this rule are for administrative purposes only. Failure to comply with these time limits does not give rise to the sanctions imposed by R.C. 2945.71. However, failure to dispose of cases within these times limits may result in the intervention of the administrative judge and the Chief Justice.

The reports required by this rule should be submitted monthly to the administrative judge or the Case Management Section. A case should be listed on this report for each month during which it is delinquent.

Although no specific form is prescribed for this report, it should contain, at a minimum, the style of the case, the offense charged, the date of its filing, an explanation of the delay in disposition, and the date on which it is anticipated that the case will be completed.

Failure to meet the time standard of this section must be reported to the administrative judge for corrective action. In a single-judge division, any failure is to be reported to the Case Management Section.

Commentary (July 1, 2026)

Rule 39 was renumbered to Rule 5.21 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; December 14, 2023; November 13, 2025; January 1, 2026

RULE 5.22. Complex Litigation--Court of Common Pleas.

(A) Complex litigation determination. An attorney representing a party to an action filed in the general division of the court of common pleas may request that the case be designated as complex litigation. The attorney filing the request shall certify that the attorney has approval from his or her client to file the request. In determining whether a case shall be designated as complex litigation, the judge to whom the case is assigned shall consider all of the following:

(1) Number of parties involved;

(2) Whether a class action is involved;

(3) Whether it is a products liability case;

(4) Whether there are other related cases involving unusual multiplicity or complexity of factual or legal issues;

(5) Extent of discovery necessary to prepare the case for trial;

(6) Number or availability of parties and witnesses for trial;

(7) Any endorsement of or objections to the request from an opposing party or counsel for an opposing party.

(B) Complex litigation determination--judicial. The judge to whom the case is assigned may designate a case as complex litigation without a request from an attorney representing a party to the action. The designation shall be made after the judge considers the factors set forth in divisions (A)(1) to (7) of this rule.

(C) Time; reporting. A designation of a case as complex litigation pursuant to division (A) or (B) of this rule shall be made within six months of the date on which the case was filed. If a case is designated as complex litigation, the judge shall submit to the Case Management Section of the Supreme Court a report specifying the reasons for the designation of the case as complex litigation. The judge shall include the case in the statistical report submitted pursuant to Sup.R. 5.32(A) under the category of complex litigation. The judge shall have thirty-six months from the date of filing to terminate the case.

(D) Authority of the Chief Justice. The Case Management Section shall periodically report the designation of cases as complex litigation to the Chief Justice of the Supreme Court, who may decide that a case should not be classified as complex litigation. If the Chief Justice determines that a case should not be classified as complex litigation, the Case Management Section shall notify the judge who shall remove the case from the complex litigation docket and notify the parties.

Commentary (July 1, 1997)

This rule is analogous to former C.P. Sup.R. 8.01(B). No changes were made in the 1997 amendments to the Rules of Superintendence.

Commentary (January 1, 1996 Amendment)

Two significant changes have been made to this rule pertaining to complex litigation. First, counsel and the trial judge are in the best position to assess the factors set forth in division (A)(1) to (7) of the rule and determine whether the case merits designation as complex litigation. Accordingly, the process of designating a case as complex litigation is revised to allow an attorney, with the consent of his or her client, to make a request and to have the designation made by the trial judge. The trial judge also may designate a case as complex litigation without a request from counsel. Through Sup.R. 4 and by reviewing and signing Common Pleas Report Form A, the administrative judge of the general division will continue to monitor complex litigation determinations and ensure uniform application of the criteria throughout the division. If the trial judge is considering the designation of a case as complex litigation without a request from counsel, he or she should inform the parties of that fact and the significance of the designation. Once a determination has been made, the judge should notify the parties.

The second revision extends the time for making a complex litigation determination from ninety days to six months. Under the former rule, the complexities of a case often were not apparent within three months of filing, and the additional three months provided by this rule will allow for a more complete and accurate assessment and designation.

Commentary (July 1, 2026)

Rule 42 was renumbered to Rule 5.22 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; July 1, 2013; January 1, 2021

RULE 5.23. Review of Cases; Dismissal; Rulings on Motions and Submitted Cases.

(A) Review; dismissal; rulings.

(1) Each trial judge shall review, or cause to be reviewed, all cases assigned to the judge. Cases that have been on the docket for six months without any proceedings taken in the case, except cases awaiting trial assignment, shall be dismissed, after notice to counsel of record, for want of prosecution, unless good cause be shown to the contrary.

(2) All cases submitted for determination after a court trial shall be decided within ninety days from the date the case was submitted.

(3) All motions shall be ruled upon within one hundred twenty days from the date the motion was filed, except as otherwise noted on the report forms.

(4) All child support hearings involving an obligor or obligee called to active military service in the uniformed services, as defined in section 3119.77 of the Revised Code, shall be heard within thirty days from the date the court receives notice that the obligor or oblige has requested a hearing.

(B) Reporting.

(1) Each judge shall report to the administrative judge decisions that have not been ruled upon within the applicable time period. The administrative judge shall confer with the judge who has motions pending beyond the applicable time period and shall determine the reasons for the delay on the rulings. If the administrative judge determines that there is no just cause for the delay, the administrative judge shall seek to rectify the delay within sixty days. If the delay is not rectified within sixty days, the administrative judge shall report the delay to the Case Management Section of the Supreme Court.

(2) In a single-judge court, if the judge has not rectified the delay, the judge shall report the delay in the rulings to the Case Management Section within one hundred eighty days from the date of the filing of the overtime motion or the submission of the case.

(3) All reports submitted to the administrative judge and the Case Management Section under this rule shall be available for public access pursuant to Sup.R. 11.09 through 11.16.

(C) Assigned judges. The provisions of this rule apply to judges sitting by assignment of the Chief Justice of the Supreme Court.

Commentary (July 1, 1997)

Rule 40 is identical to former C.P. Sup.R. 6 and M.C. Sup.R. 6.

Rule 40(A) Review; dismissal; rulings

Each trial judge is required to periodically review all cases assigned to the judge. This requirement applies to civil and criminal cases. The dismissal sanction does not apply in criminal cases because it is overridden by Rule 39 and by R.C. 2945.73, which contain specific provisions as to criminal cases. The review may be conducted personally or be done under the direction of the judge.

The purpose of the review of assigned cases is to: (1) identify and dismiss those cases that have been on the docket for six months without any activity or action being taken; (2) dismiss those inactive cases for want of prosecution; and (3) bring to the attention of each judge those matters which are pending and require decision.

"Been on the Docket" as used in the rule means pending, that is, being on the appearance docket. It does not refer to being on the trial docket for six months.

"Except cases awaiting trial assignment" does not refer to cases that are not yet placed on the trial docket by reason of the issues not being made up or that are awaiting the next establishment of the trial docket. It refers to those cases that are ready for trial but have not been tried because of the volume of cases in the court. The exception exists to prevent the dismissal of those cases where the delay is not the responsibility of the parties or their counsel.

"Without any proceedings taken in the case" means a case that has been totally inactive as revealed by the appearance docket and the case file. The absence of appearance docket entries over a six-month period indicates a case either is ready for trial or is an inactive case.

Dismissal is not summary; notice to the parties or counsel is a condition precedent. The notice is not limited to plaintiff's counsel, but must go to the counsel of record for all parties. Ordinary mail notice suffices under the rule. The return of ordinary mail notice should not be permitted to frustrate the action of the court.

Counsel is required to provide counsel's address with all pleadings and motions; Civ.R. 11. The address must be kept current so that the notice requirements of the Civil Rules function throughout the litigation. The requirement of notice to counsel is not a requirement for an oral hearing on the matter of dismissal. Such a requirement does not appear in the rule and does not appear in Civ.R. 41(B)(1) (dismissal for failure to prosecute). An oral hearing may be conducted. The notice issued by the court may set a time period within which counsel can show cause as to why the action should not be dismissed.

The control and supervision of the docket is the responsibility of the administrative judge. The administrative judge must rely on the individual judges in implementing this assignment. The review, with its sanction of dismissal, is a powerful tool in keeping cases moving and dockets current.

"For want of prosecution", as used in the rule, does not limit the dismissal of cases to those situations where the inactivity is directly attributable to the plaintiff. When a defendant fails to take a required step, the plaintiff, under the Civil Rules, has an available remedy. If the plaintiff files a complaint and the defendant does not answer, and the court finds no proceedings taken for six months, the court may dismiss the case for want of prosecution because the plaintiff could have prosecuted the case by seeking a default judgment. The rule is an example of the intent of the rules of superintendence to expedite the disposition of cases.

Each trial judge is required by the rule to review, or cause to be reviewed, all pending motions and cases that have been submitted to the judge for determination following court trial.

As to motions, the applicable time period begins to run on the day the motion is filed or made. As to cases submitted, the ninety days runs from the day the trial is ended or, if applicable, the day all post-trial pleadings have been filed.

Rule 40 (B) Reporting

Each trial judge is required to report to the administrative judge motions and submitted cases pending beyond the applicable time period. If the administrative judge is unable to resolve the delay, or, in a single judge court, the matter is referred to the Case Management Section for reporting to the Chief Justice for corrective action.

Rule 40(C) Assigned judges

Visiting judges and retired judges sitting by assignment of the Chief Justice are subject to the applicable time periods for disposition of motions and submitted cases, and to the reporting requirements of this rule.

Commentary (July 4, 2005)

The 2005 amendment to Rule 40(A) added an expedited process for hearings regarding child support orders for those called to active military service pursuant to Amended Substitute House Bill 149 (eff. 06/02/04).

Commentary (July 1, 2026)

Rule 40 was renumbered to Rule 5.23 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 4, 2005; July 1, 2009; January 1, 2021

RULE 5.24. Conflict of Trial Court Assignment Dates, Continuances and Engaged Counsel.

(A) Conflict of Trial Date Assignments

(1) When a continuance is requested for the reasons that counsel is scheduled to appear in another case assigned for trial on the same date in the same or another trial court of this state, the case which was first set for trial shall have priority and shall be tried on the date assigned. Criminal cases assigned for trial have priority over civil cases assigned for trial. The court should not consider any motion for a continuance due to a conflict of trial assignment dates unless a copy of the conflicting assignment is attached to the motion and the motion is filed not less than thirty days prior to trial.

(2) Except as provided in division (A)(3) of this rule, a continuance shall be granted, upon request, under either of the following circumstances:

(a) A party, counsel, or witness under subpoena is scheduled to appear on the same date at a hearing before the Board of Professional Conduct of the Supreme Court as a member of the Board, as a party, as counsel for a party, or as a witness under subpoena for the hearing;

(b) Counsel requesting the continuance will be unavailable to participate in the judicial proceeding because counsel is a member of the General Assembly whose attendance is required at a scheduled voting session or committee meeting of the General Assembly.

(3) In considering a continuance requested pursuant to division (A)(2)(b) of this rule, the court may require counsel to obtain the consent of the client and provide notice to all other parties to the action. The court may deny the requested continuance if either or both of the following apply:

(a) Counsel has been granted prior continuances in the same case based on attendance at scheduled voting sessions or committee meetings of the General Assembly;

(b) The court determines that further delay in the proceeding would result in substantial prejudice to a party.

(B) Engaged counsel. If a designated trial attorney has a number of cases assigned for trial in courts of this state that causes undue delay in the disposition of the cases, the administrative judge may summon the trial attorney who persistently requests continuances and extensions to warn the attorney of the possibility of sanctions and to encourage the attorney to make necessary adjustments in the management of his or her practice. Where such measures fail, the administrative judge may impose restrictions on the number of cases in which the attorney may participate at any one time.

(C) Continuances; reporting. Trial continuances shall be reported on a monthly basis to the administrative judge. Where a judge is persistently and unreasonably indulgent in granting continuances or extensions, the administrative judge shall investigate the reasons for the excessive continuances and take appropriate corrective action at the local level. If corrective action at the local level is unsuccessful, the administrative judge shall report that fact to the Case Management Section of the Supreme Court. If it comes to the attention of the Case Management Section that the judge of a single-judge division is persistently and unreasonably indulgent in granting continuances, it shall report the information to the Chief Justice, who shall take appropriate corrective action.

Commentary (July 1, 1997)

Rule 41 consolidates the provisions of former C.P. Sup.R. 7 and M.C. Sup.R. 16.

Rule 41(B) Conflict of trial assignment dates

Division (B) sets priorities among all trial courts for resolution of conflicts when counsel is assigned for trial in more than one court on the same date.

When a continuance is requested by reason of conflict, the case first set for trial is to be given priority and tried on the date assigned. Priority is dependent on firm assignment for trial. Thus, a general policy of early assignment to achieve priority would be inconsistent with the purpose of this rule. Within this general system, criminal cases assigned for trial are to be accorded priority over civil cases.

Attached to the motion for a continuance should be a copy of the conflicting assignment, and the motion should be filed not less than thirty days prior to the trial sought to be continued. These provisions are not mandatory, and there may be situations where compliance with one or both is not possible.

Rule 41(C) Engaged counsel

Division (C) gives the administrative judge authority to restrict the number of cases that an attorney may handle at one time if trial counsel has so many cases assigned for trial that undue delay is caused in the disposition of those cases.

Rule 41(D) Continuances; reporting

Division (D) of this rule requires the administrative judge to take action if it appears that a judge grants an inappropriate number of continuances. The administrative judge shall first take corrective action at the local level. If that action is not successful, the administrative judge has the duty to refer the matter to the Case Management Section. The Case Management Section also has the responsibility to refer any matter to the Chief Justice for corrective action if it is brought to its attention that the judge of a single-judge division or court appears to be granting an inappropriate number of continuances.

Commentary (July 1, 2026)

Rule 41 was renumbered to Rule 5.24 as part of the 2026 restructuring of the Rules of Superintendence. Division (A) of Rule 41 was moved to the Rules of Practice and Procedure.

Effective Date: July 1, 1997

Amended: October 1, 2003; July 1, 2009; August 11, 2015; January 1, 2021; November 13, 2025; July 1, 2026

Rules 5.25 through 5.29 are reserved for future use.

RULE 5.30. Statistical Reports and Information.

(A) Submission of reports

The judges of a court shall submit to the Case Management Section of the Supreme Court in electronic format via the Supreme Court website reports as required by Sup.R. 5.31 through 5.33. The reporting judge, administrative judge, and preparer, if other than the reporting judge, shall be deemed to have attested to the accuracy of the report. The reports shall be as prescribed by the manager and submitted no later than the fifteenth day after the close of the reporting period.

(B) Website Credentials

The administrative judge of each court of appeals, court or division of a court of common pleas, municipal court, or county court shall take steps necessary to ensure the security of the Supreme Court website login credentials.

Commentary (July 1, 2026)

Rule 37 was renumbered to Rule 5.30 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; July 1, 2013

RULE 5.31. Courts of Appeals Reports.

(A) Presiding judge reports

The administrative judge of a court of appeals shall prepare and submit a quarterly "Presiding Judge Report" in compliance with Sup.R. 5.30.

(B) Judge reports

Each judge of a court of appeals shall prepare and submit a quarterly "Appellate Judge Report" which shall be submitted through the presiding or administrative judge in compliance with Sup.R. 5.30.

Commentary (July 1, 2026)

Rule 37.01 was renumbered to Rule 5.31 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013
Amended: November 13, 2025

RULE 5.32. Courts of Common Pleas Reports.

(A) Judge reports

Each judge of a general, domestic relations, or juvenile division of a court of common pleas shall prepare and submit a monthly statistical report in compliance with Sup.R. 5.30. Each judge of a probate division of a court of common pleas shall prepare and submit a quarterly statistical report in compliance with Sup.R. 5.30.

(B) Assigned judge reports

Each judge temporarily assigned to a court of common pleas by the Chief Justice of the Supreme Court and each judge of a court of common pleas temporarily assigned to another division of the court by the presiding judge of the court shall prepare and submit a monthly statistical report. The reports shall be submitted to the judge for whom the assigned judge is sitting and included in that judge's report to the Case Management Section of the Supreme Court submitted by the administrative judge of the division in compliance with Sup.R. 5.30.

Commentary (July 1, 2026)

Rule 37.02 was renumbered to Rule 5.32 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013
Amended: November 13, 2025

RULE 5.33. Municipal and County Court Reports.

(A) Administrative judge reports

Each administrative judge of a municipal or county court shall prepare and submit a monthly "Administrative Judge Report" in compliance with Sup.R. 5.30.

(B) Individual judge reports

Each judge of a municipal or county court shall prepare and submit a monthly "Individual Judge Report" in compliance with Sup.R. 5.30.

(C) Assigned judge reports

Each judge temporarily assigned to a municipal or county court by the Chief Justice of the Supreme Court and each judge of a municipal or county court temporarily assigned to another division of the court by the presiding judge of the court shall prepare and submit a monthly statistical report. The report shall be submitted to the judge for whom the assigned judge is sitting and included in that judge's report to the Case Management Section of the Supreme Court submitted by the administrative judge of the division in compliance with Sup.R. 5.30.

Staff Notes

Reports to administrative judge

Under Sup.R. 4.10(B)(3), the administrative judge may require reports from each judge as are necessary to discharge the overall responsibility for the administration, docket, and calendar of the court. Sup.R. 5.01 sets out the duties of the administrative judge with respect to the preparation of reports.

Municipal and county court reports

The Administrative Judge Report pertains to cases pending on the docket of the court which have not been individually assigned pursuant to Sup.R. 5. The preparation of this report and the review of cases required by Sup.R. 5.23 are the principal tools that the administrative judge uses to discharge the responsibilities under Sup.R. 4.

The timely and accurate preparation of the Individual Judge Report and the review of cases required by Sup.R. 5.23 provide the information necessary for the individual judge to discharge the judge's duties.

For purposes of this reporting requirement, an assigned judge may be an active or retired judge. Additionally, assigned judges, as well as acting judges, report their work in accordance with the instructions regarding the Visiting Judge column.

Commentary (July 1, 2026)

Rule 37.03 was renumbered to Rule 5.33 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013
Amended: November 13, 2025

RULE 5.34. Reporting Standards.

The following standards shall apply in completing the statistical reports required by Sup.R. 5.31 through 5.33:

(A) In domestic relations cases, motions filed prior or subsequent to a final decree of divorce or dissolution shall be considered part of the original case and reported under the original case number;

(B) A motion filed in delinquency and unruly cases shall be considered part of the case in which the motion is filed, unless the motion is considered a separate delinquency case under R.C. 2151.02(B);

(C) A criminal case and a traffic case arising from the same act, transaction, or series of acts or transactions shall be considered separate cases.

Commentary (July 1, 2026)

Rule 37.04 was renumbered to Rule 5.34 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013

Rules 5.35 through 5.40 are reserved for future use.

RULE 5.41. Requests for Additional Information; Accuracy of Reports.

(A) Chief Justice requests

The Chief Justice of the Supreme Court or the Chief Justice's designee may require additional information concerning the disposition of cases and the management of the courts in order to discharge the Chief Justice's constitutional and statutory duties. All judges, clerks, and other officers of all courts shall furnish any requested information.

(B) Accuracy of reports

All judges, clerks, and other officers of all courts shall cooperate with the Case Management Section of the Supreme Court to ensure the accuracy of the reports submitted to section pursuant to Sup.R. 5.30.

Commentary (July 1, 2026)

Rule 37.07 was renumbered to Rule 5.41 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013

RULE 5.42. Public Access to Submitted Reports and Information.

All reports and information submitted to the Case Management Section of the Supreme Court pursuant to Sup.R. 5.30 shall be available for public access pursuant to Sup.R. 11.09 through 11.16.

Commentary (July 1, 2026)

Rule 37.06 was renumbered to Rule 5.42 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013

SECTION 6. DISPUTE RESOLUTION.

RULE 6.00. Definitions.

As used in Sup.R. 6.00 through 6.46:

(A) Civil stalking protection order case

"Civil stalking protection order case" means a proceeding under R.C. 2903.214.

(B) Domestic abuse

"Domestic abuse" means aggressive behaviors directed toward a current or former intimate partner that are physical, sexual, economic, spiritual, or coercively controlling. "Domestic abuse" may occur as a single aggressive behavior or a combination of aggressive behaviors and may vary from family to family in terms of frequency, recency, severity, intention, circumstance, and consequence.

(C) Domestic violence

"Domestic violence" has the same meaning as in R.C. 3113.31(A)(1).

(D) Evaluator

"Evaluator" means an individual who conducts a neutral evaluation.

(E) Facilitation

"Facilitation" means a process in which a neutral party moderates discussions by ensuring the fluid and orderly exchange of information and ideas from all participants and that is primarily concerned with assisting individuals in refining their communication and organizational skills so that they may learn to work more efficiently with one another in a group setting.

(F) Mediation

"Mediation" means a process in which a neutral third party helps the parties communicate and negotiate with each other to help them reach a voluntary agreement regarding their dispute by helping the parties clarify their positions and interests, identifying underlying concerns, and creating practical solutions for resolving their dispute.

(G) Mediator

"Mediator" means an individual who conducts a mediation.

(H) Neutral evaluation

"Neutral evaluation" means a process in which the parties to a dispute present their claims or defenses and describe the principal evidence on which their claims or defenses are based to a neutral third party who then shares impressions about the strengths and weaknesses of each matter.

(I) Parenting coordination

"Parenting coordination" means a child-focused dispute resolution process ordered by a court of common pleas or division of the court to assist parties in implementing a parental rights and responsibilities or companionship time order using assessment, education, case management, conflict management, coaching, or decision-making. "Parenting coordination" is not mediation subject to R.C. Chapter 2710 or Sup.R. 6.01 through 6.06.

(J) Parenting coordinator

"Parenting coordinator" means an individual who conducts parenting coordination.

Commentary (July 1, 2026)

Rule 16.14 was renumbered to Rule 6.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2020
Amended: April 15, 2021; January 1, 2023

RULE 6.01. Application.

Sup.R. 6.01 through 6.06 shall apply when a court elects to use mediation.

Commentary (July 1, 2026)

Rule 16.20 was renumbered to Rule 6.01 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2020

RULE 6.02. Local Mediation Rule.

(A) General

A court that elects to use mediation shall adopt a local rule governing mediation. The local rule shall do all of the following:

(1) Incorporate by reference the provisions of the "Ohio Uniform Mediation Act" under R.C. Chapter 2710;

(2) Identify the case types eligible for mediation and those that are precluded from mediation, if any;

(3) Address confidentiality;

(4) Prohibit the use of mediation in domestic violence cases pursuant to R.C. 2919.25, 2919.26, 2919.27, and 3113.31. Nothing in this division shall prohibit the use of mediation in either of the following cases:

(i) A subsequent divorce or custody case, even though the case may result in the termination of the provisions of a protection order pursuant to R.C. 3113.31;

(ii) A juvenile delinquency case.

(5) Establish procedures for encouraging appropriate referrals to legal counsel and other support services for all parties, including victims and suspected victims of domestic violence;

(6) Address other provisions as the court considers necessary and appropriate.

(B) Juvenile courts

A juvenile court that elects to use mediation in abuse, neglect, dependency, unruly, and delinquency cases or juvenile civil protection order cases pursuant to R.C. 2151.34 or 3113.31 shall adopt a local rule that does all of the following:

(1) Complies with division (A) of this rule;

(2) Includes procedures in abuse, neglect, and dependency cases to ensure parties who are not represented by counsel attend mediation only if they have waived the right to counsel in open court and that parties represented by counsel attend mediation without counsel only where the right to have counsel present at the mediation has been specifically waived. Waivers may be rescinded at any time.

(3) Includes procedures for the selection and referral of a case to mediation at any point after the case is filed;

(4) Includes procedures for notifying the parties and nonparty participants of the mediation.

Commentary (July 1, 2026)

Rule 16.21 was renumbered to Rule 6.02 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2020
Amended: April 15, 2021

RULE 6.03. Responsibilities of Mediator.

(A) General responsibilities

In order to provide a fair mediation process for parties, a mediator who mediates for a court shall remain impartial and neutral and shall comply with all of the following:

(1) The "Core Values of Mediation," as approved by the Supreme Court Dispute Resolution Section in accordance with recommendations established by the Commission on Dispute Resolution;

(2) The "Model Standards of Conduct for Mediators" adopted by the American Bar Association, American Arbitration Association, and the Association for Conflict Resolution;

(3) For mediation in domestic relations or juvenile courts, the "Model Standards of Practice for Family and Divorce Mediation" adopted by the Association for Family and Conciliation Courts;

(4) For mediation in juvenile courts of abuse, neglect, and dependency cases, the "Guidelines for Child Protection Mediation" adopted by the Association for Family and Conciliation Courts.

(B) Conflicts of interest

(1) A mediator shall avoid any actual or apparent conflicts of interest arising from any relationship or activity, including but not limited to those of employment or business or from professional or personal contacts with parties or others involved in the dispute. A mediator shall avoid self-dealing or association from which the mediator might directly or indirectly benefit, except from compensation for services as a mediator.

(2) Upon becoming aware of any actual or apparent conflict of interest, a mediator shall notify the parties as soon as practicable.

(3) The requirements of this rule are in addition to and do not supersede the requirements of R.C. 2710.08. Wherever a conflict exists between this rule and R.C. 2710.08, the statute shall control.

(C) Legal Advice

A mediator shall not offer legal advice.

(D) Satisfaction of training requirements

(1) A mediator shall meet the qualifications and comply with all training requirements of Sup.R. 6.04 and local court rules governing mediators and mediation adopted pursuant to Sup.R. 6.02.

(2) A mediator shall meet the qualifications for mediators for each court in which the mediator serves and promptly advise the court of any grounds for disqualification or any issues affecting the ability to serve.

(3) Upon request, a mediator shall provide a court from which the mediator receives referrals documentation indicating compliance with all training and education requirements so that the court may meet the requirements of Sup.R. 6.05(A)(1)(d). The documentation shall include information detailing the date, location, contents, credit hours, and sponsor of any relevant training.

Commentary (July 1, 2026)

Rule 16.22 was renumbered to Rule 6.03 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2020

RULE 6.04. Mediator Education and Training.

(A) General

(1) Except as provided in division (A)(2) of this rule, a mediator shall complete "Fundamentals of Mediation Training" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution.

(2) A mediator shall not be required to complete training pursuant to division (A)(1) of this rule if any of the following apply:

(a) Prior to January 1, 2020, the mediator has completed at least twelve hours of basic mediation training;

(b) Prior to January 1, 2020, the mediator has served as a full-time mediator for a minimum of three years or mediated at least forty-five cases, in which case the mediator shall complete the "Advanced Mediation Workshop" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution;

(c) The mediator is a law student enrolled in a clinical mediation or dispute resolution program at an American Bar Association accredited law school, has completed mandatory coursework in fundamental mediation topics, and mediates under the supervision of faculty at the law school.

(B) Domestic relations and juvenile courts

(1) Prior to accepting a referral from a court for disputes involving the termination of marriage; the allocation of parental rights and responsibilities; the care of or visitation with minor children; unruly and delinquency cases; or juvenile civil protection order cases pursuant to R.C. 2151.34 or R.C. 3113.31, a mediator shall meet all of the following qualifications:

(a) Possess a bachelor's degree, or equivalent educational experience as is satisfactory to the court, and at least two years of professional experience with families, including counseling, casework, legal representation in family law matters, or such other equivalent experience satisfactory to the court;

(b) Comply with the requirements of division (A) of this rule;

(c) Complete "Specialized Family or Divorce Mediation Training" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution, provided that a mediator who is mediating a delinquency or unruly case may do so even if the mediator has not taken this training;

(d) Complete "Specialized Domestic Abuse Issues and Mediation Training" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution unless either of the following apply:

(i) The mediator is co-mediating with another mediator who has completed the training;

(ii) The mediator is a law student enrolled in a clinical mediation or dispute resolution program at an American Bar Association accredited law school, has completed mandatory coursework in fundamental and domestic abuse mediation topics, and mediates under the supervision of faculty at the law school who has completed the training.

(2) Prior to accepting a referral from a court for disputes involving abuse, neglect, and dependency, a mediator shall meet all of the following qualifications:

(a) Possess significant experience mediating family disputes;

(b) Complete the requirements of division (B)(1) of this rule;

(c) Complete "Specialized Child Protection Mediation Training" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution.

(3) Prior to accepting a referral from a court for disputes involving school attendance mediation, a mediator shall meet either of the following qualifications:

(a) Complete the requirements of division (A) of this rule;

(b) Complete "School Attendance Mediation Training" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution.

Commentary (July 1, 2026)

Rule 16.23 was renumbered to Rule 6.04 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2020

RULE 6.05. Responsibilities of Court.

(A) General

(1) In order to ensure only qualified individuals perform the duties of a mediator and the requirements of Sup.R. 6.01 through 6.06 are met, a court that elects to use mediation shall do all of the following:

(a) Establish screening procedures for the capacity of parties to mediate;

(b) Establish procedures for monitoring and evaluating mediation to ensure the quality of the mediators and programs to which cases are referred;

(c) Develop a process and appoint a person for accepting and considering written comments and complaints regarding the performance of mediators receiving referrals from the court. A copy of comments and complaints submitted to the court shall be provided to the mediator who is the subject of the complaint or comment. The person appointed may forward any comments and complaints to the administrative judge of the court or division of the court for consideration and appropriate action. Dispositions by the court shall be made promptly. The court shall maintain a written record in the mediator's file regarding the nature and disposition of any comment or complaint and shall notify the person making the comment or complaint and the mediator of the disposition.

(d) Allow mediation to proceed only if the mediator meets the qualifications, education, and training requirements of Sup.R. 6.04;

(e) Prohibit mediation when domestic abuse or domestic violence is alleged, suspected, or present unless all of the following conditions are satisfied:

(i) Screening is conducted, both before and during mediation, for domestic abuse and domestic violence and for the capacity of the parties to mediate;

(ii) The person who is or may be the victim of domestic abuse or domestic violence is fully informed about the mediation process, right to decline participation in the mediation process, and of the option to have a support person, in addition to an attorney, present at the mediation sessions;

(iii) The parties have the capacity to mediate without fear of coercion or control;

(iv) The court has taken reasonable precautions to create a safe mediation environment for the parties and all other persons involved in the mediation process;

(v) Procedures are in place for the mediator to terminate a mediation session if there is a threat of domestic abuse, domestic violence, or coercion between the parties;

(vi) Procedures are in place for issuing written findings of fact to refer certain cases involving domestic violence to mediation, as required by R.C. 3109.052.

(B) General

A court shall not be responsible for the quality of a mediator selected by the parties without guidance from the court and who does not meet the qualifications, education, and training requirements of Sup.R. 6.04.

Commentary (July 1, 2026)

Rule 16.24 was renumbered to Rule 6.05 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2020
Amended: November 13, 2025

RULE 6.06. Public Access.

The files maintained by a mediator but not filed with a clerk or submitted to a court shall not be available for public access pursuant to Sup.R. 11.09 through 11.16.

Commentary (July 1, 2026)

Rule 16.25 was renumbered to Rule 6.06 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2020

Rules 6.07 through 6.09 are reserved for future use.

RULE 6.10. Civil Stalking Protection Order Mediation.

A court of common pleas may offer mediation in a civil stalking protection order case subject to the following factors or restrictions:

(A) The court shall not offer mediation if any of the following apply:

(1) The petitioner is a family or household member of the respondent, as defined in R.C. 3113.31(A)(3);

(2) The allegations in the civil stalking protection order petition involve a sexually oriented offense, as defined in R.C. 2950.01(A);

(3) The allegations in the civil stalking protection order petition involve serious physical harm, as defined in R.C. 2901.01(A)(5);

(4) The allegations in the civil stalking protection order petition form the basis for an active criminal complaint arising out of the same activities as those that are the basis of the petition.

(B) The court shall consider the following factors to determine the appropriateness of offering mediation. The existence of any of the following factors weighs against the use of mediation:

(1) Ongoing physical violence or history of serious physical harm, as defined in R.C. 2901.01(A)(5);

(2) Threats of serious physical harm, as defined in R.C. 2901.01(A)(5), or the threatened use of deadly weapons;

(3) Coercion, coercive controlling behavior, or intimidation based on past violence;

(4) Petitioner's fear of the respondent despite the implementation of safety precautions;

(5) Respondent's controlling, manipulative, or hostile conduct toward the petitioner or the mediation process;

(6) Any other circumstance deemed relevant that puts a party or mediator at risk of harm or abuse.

Commentary (July 1, 2026)

Rule 16.30 was renumbered to Rule 6.10 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: April 15, 2021

RULE 6.11. Process for Offering Mediation.

(A) Assessment

A court of common pleas may assess a civil stalking protection order case for mediation eligibility pursuant to Sup.R. 6.10 after the filing of the civil stalking protection order petition, but before the final disposition of the case.

(B) Civil protection order proceedings

(1) A court of common pleas may grant an ex parte civil protection order prior to offering mediation.

(2) A court of common pleas may continue the full hearing in a civil stalking protection order case pursuant to R.C. 2903.214(D)(2)(a)(iv) to allow adequate time for screening of the parties and mediating the case. If the court has granted an ex parte civil protection order, the court may extend the duration of the order in accordance with R.C. 2903.214(D)(2)(b).

(C) Forms

A court of common pleas offering mediation to the parties in a civil stalking protection order case shall use forms that are substantially similar to "Forms 16.30-A through 16.30-D."

Commentary (July 1, 2026)

Rule 16.31 was renumbered to Rule 6.11 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: April 15, 2021

RULE 6.12. General.

(A) Voluntary participation

(1) A court shall not mandate that parties in a civil stalking protection order case use mediation.

(2) The parties in a civil stalking protection order case shall knowingly and voluntarily participate in mediation based on informed consent; free from coercion or intimidation; and absent from coercive, controlling, or abusive conduct.

(B) Fees and costs

A court of common pleas shall not assess to the petitioner any fees or costs in connection with the mediation of a civil stalking protection order case.

(C) Mediation environment

A court of common pleas shall take reasonable precautions to create a safe mediation environment for the parties.

(D) Education and training

A mediator appointed to a mediate civil stalking protection order case shall comply with the education and training requirements of Sup.R. 6.04.

Commentary (July 1, 2026)

Rule 16.32 was renumbered to Rule 6.12 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: April 15, 2021

RULE 6.13. Inter-Court Communication in Domestic Violence and Related Cases.

(A) Determining existence of conflicting order

(1) A court issuing a protection order pursuant to section 2919.26 or 3113.31 of the Revised Code should make a reasonable effort to determine the existence and terms of any domestic violence civil protection orders, domestic violence temporary protection orders, and orders allocating parental rights and responsibilities issued by another court and involving the same parties. A court issuing an order allocating parental rights and responsibilities should make a reasonable effort to determine the existence and terms of any protection orders issued by another court pursuant to section 2919.26 or 3113.31 of the Revised Code and involving the same parties.

(2) To determine the existence and terms of other orders pursuant to division (A)(1) of this rule, a court may utilize the Ohio Courts Network, examine publicly available court records involving the same parties from other courts, or use any other reasonable mechanism suitable for communicating and sharing public information.

(3) A court need not make a record of any communication between it and another court made for the purpose of determining the existence and terms of other orders pursuant to division (A)(1) of this rule.

(4) A court issuing a protection order pursuant to section 2919.26 or 3113.31 of the Revised Code or an order allocating parental rights and responsibilities shall comply with Chapter 3127. of the Revised Code.

(B) Avoiding conflicting order

(1) If a court has issued a protection order pursuant to section 2919.26 or 3113.31 of the Revised Code or an order allocating parental rights and responsibilities and becomes aware another court has issued a conflicting order, the court should consider, if appropriate, revising its order to avoid conflict between the orders.

(2) A court shall consider and may adopt a local rule of court creating a procedure by which the court may revise its orders pursuant to division (B)(1) of this rule.

(3) Division (B)(1) of this rule is not intended to change the procedures for the modification or early termination of a domestic violence civil protection order pursuant to division (E)(8) of section 3113.31 of the Revised Code or the procedures for the filing of a copy of a civil or criminal protection order with the local enforcement agency for entry in the National Crime Information Center database pursuant to Civ.R 65.1 and Crim.R. 38.

Commentary (July 1, 2026)

Rule 10.06 was renumbered to Rule 6.13 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: March 1, 2012

Rules 6.14 through 6.19 are reserved for future use.

RULE 6.20. Arbitration.

(A) Arbitration in civil cases.

(1) The judge or judges of general divisions of courts of common pleas, of municipal courts, or of county courts shall consider, and may adopt, a plan for the mandatory arbitration of civil cases. The plan shall specify the amount in controversy that will require submission of the case to arbitration and arbitration shall be required in cases where the amount in controversy does not exceed that specified sum. Arbitration shall be permitted in cases where the amount in controversy exceeds the sum specified in the plan for mandatory arbitration where all parties to the action agree to arbitration. The court shall determine at an appropriate pre-trial stage whether a case is to be referred to mandatory arbitration.

(2) Every plan for the mandatory arbitration of civil cases adopted pursuant to this rule shall be filed with the Supreme Court and shall include the following basic principles:

(a) **Actions excluded.** Actions involving title to real estate, equitable relief and appeals shall be excluded.

(b) **Arbitrators.** The court shall establish a list of qualified attorneys who have consented to serve as arbitrators. The court shall appoint from the list an arbitrator who has no interest in the determination of the case or relationship with the parties or their counsel that would interfere with an impartial consideration of the case. Upon written request of a party, the court shall appoint a board of three arbitrators in the same manner as a single arbitrator is appointed.

(c) **Report and award.** Within thirty days after the hearing, the board or the single arbitrator shall file a report and award with the clerk of the court and forward copies to all parties or their counsel. The report and award, unless appealed, shall be final and have the legal effect of a verdict upon which judgment shall be entered by the court.

(d) **Appeals.** Any party may appeal the award to the court if, within thirty days after the filing of the award with the clerk of court, the party does both of the following:

(i) Files a notice of appeal with the clerk of courts and serves a copy on the adverse party or parties accompanied by an affidavit that the appeal is not being taken for delay;

(ii) Reimburses the county or municipal corporation for all fees paid to the arbitrator or arbitrators in the case or pays the fees directly to the arbitrator or arbitrators, unless otherwise directed by the court.

All appeals shall be de novo proceedings at which members of the deciding board or the single arbitrator are barred as witnesses.

Exceptions to the decision of the board or single arbitrator based on either misconduct or corruption of the board or single arbitrator may also be filed by any party within thirty days after the filing of the report, and, if sustained, the report shall be vacated.

(B) Arbitration in juvenile and domestic relations cases.

(1) The judge or judges of a division of a court of common pleas having domestic relations or juvenile jurisdiction may, at the request of all parties, refer a case or a designated issue to arbitration.

(2) The parties shall propose an arbitrator to the court and identify all issues to be resolved by the arbitrator. The arbitrator shall consent to serve and shall have no interest in the determination of the case or relationship with the parties or their counsel that would interfere with the impartial consideration of the case. An arbitrator selected pursuant to this section is not required to be an attorney.

(3) The request for arbitration submitted by the parties shall provide for the manner of payment of the arbitrator.

(4) The arbitrator shall file a report and award pursuant to division (A)(2)(c) of this rule.

(5) Any party may appeal the report and award pursuant to division (A)(2)(d) of this rule.

Commentary (July 1, 1997)

The rule establishes guidelines for arbitration procedures. Adoption of a plan for the arbitration of cases is within the discretion of the court. Arbitration has been proven to be an effective method of case disposition.

Two changes are made from the former rule. The rule now permits the appointment of a single arbitrator or a panel of three arbitrators. This change was recommended by the Supreme Court Committee on Dispute Resolution. The amendment brings the rule into conformance with practice in several courts and provides a more cost effective route for litigants who seek arbitration services. Further, the use of a single, trusted, respected neutral should eliminate some advocacy that currently takes place when the three arbitrators engage in the decision-making aspect of the process. Also, as a cost savings measure, the rule provides for the direct payment of fees to the arbitrator or arbitrators.

Commentary (November 30, 1992 Amendment to C.P. Sup.R. 15)

Rule 15 authorizes the general division of a court of common pleas to permit mandatory arbitration, by local rule, in civil cases. The Supreme Court Committee on Dispute Resolution has reviewed this rule in the context of cases in the juvenile and domestic relations divisions of the common pleas courts. In these divisions, the Committee believes that the use of arbitration in appropriate cases would be of benefit to both the parties and the court. The Committee believes that the primary use of arbitration in juvenile and domestic relations cases would occur in cases involving the valuation of real and personal property.

By way of example, the appraisal of real and personal property involved in a divorce proceeding generally requires expert evaluation of the worth. However, in cases where there is a significant dispute or difference of opinion between the experts regarding the worth of the property, the Committee believes that the parties could benefit by having the option to request arbitration of the issue. A court could reserve ruling on issues of spousal support, child support, or custody until the valuation of personal and real property has been arbitrated. This process would free the court to direct its attention to other cases.

Accordingly, the Committee recommends the adoption of division (B). This division would permit the parties, with leave of court, to select an arbitrator for a case or an issue. The parties would select an arbitrator and propose this arbitrator to the court. Under the rule, the judge *may*, but is not required to, grant the parties leave to have the case or issue arbitrated. This permissive rule will allow the judge to intervene when he or she feels that the selection of the arbitrator by the parties is not appropriate under the specific circumstances of a given case. However, the Committee also stresses its strong belief in the fundamental principle that parties should be permitted to freely contract between themselves, unless strong public policy reasons intervene.

Division (B) also provides that the arbitrator need not be an attorney. In some cases, an expert from outside the area of the law may have the expertise necessary to provide a fair and just decision to the parties. The remaining provisions of division (B) mirror the requirements for arbitration in the general division of the court.

Commentary (July 1, 2026)

Rule 15 was renumbered to Rule 6.20 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

Rules 6.21 through 6.29 are reserved for future use.

RULE 6.30. Application.

Sup.R. 6.30 through 6.35 shall apply to a court that elects to use neutral evaluation and to an evaluator conducting neutral evaluation.

Commentary (July 1, 2026)

Rule 16.50 was renumbered to Rule 6.30 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023

RULE 6.31. Local Neutral Evaluation Rule.

A court shall adopt a local rule governing neutral evaluation. The local rule shall do all of the following:

(A) Identify the case types eligible for neutral evaluation and those that are precluded from neutral evaluation, if any;

(B) Address confidentiality;

(C) Prohibit the use of neutral evaluation in domestic violence cases under R.C. 2919.25, 2919.26, 2919.27, and 3113.31. Nothing in this division shall prohibit the use of neutral evaluation in either of the following cases:

(1) A subsequent divorce or custody case, even though the case may result in the termination of the provisions of a protection order under R.C. 3113.31;

(2) A juvenile delinquency case.

(D) Establish procedures for and encourage appropriate referrals to legal counsel and other support services for all parties, including victims and suspected victims of domestic violence;

(E) Address other issues as the court considers necessary and appropriate.

Commentary (July 1, 2026)

Rule 16.51 was renumbered to Rule 6.31 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023

RULE 6.32. Responsibilities of Evaluator.

(A) Conflicts of interest

(1) An evaluator shall avoid any actual or apparent conflicts of interest arising from any relationship or activity, including but not limited to those of employment or business or from professional or personal contacts with parties or others involved in the case. An evaluator shall avoid self-dealing or association from which the evaluator might directly or indirectly benefit, except from compensation for services as an evaluator.

(2) Upon becoming aware of any actual or apparent conflict of interest, an evaluator shall notify the appointing court and the parties of the action taken to resolve the conflict and, if unable to do so, seek the direction of the court.

(B) Legal advice

An evaluator shall not offer legal advice.

(C) Satisfaction of training requirements

(1) An evaluator shall meet the qualifications and comply with all training requirements of Sup.R. 6.33 and local court rules governing evaluators and neutral evaluation adopted under Sup.R. 6.31.

(2) An evaluator shall meet the qualifications for neutral evaluators for each court in which the evaluator serves and promptly notify the court of any grounds for disqualification or any issues affecting the ability to serve.

(3) Upon request, an evaluator shall provide a court from which the evaluator receives referrals documentation indicating compliance with all training and education requirements so that the court may meet the requirements of Sup.R. 6.34. The documentation shall include information detailing the date, location, contents, credit hours, and sponsor of any relevant training.

(D) Disclosure of qualifications

At the request of a party, an individual serving as an evaluator shall disclose the evaluator's qualifications to evaluate the subject matter in dispute.

(E) Neutral evaluator future disqualification

An evaluator shall not serve as a witness, consultant, attorney, or expert in any pending or future action relating to a dispute for which the evaluator conducted an evaluation or commenced the evaluation process.

Commentary (July 1, 2026)

Rule 16.52 was renumbered to Rule 6.32 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023

RULE 6.33. Neutral Evaluator Education and Training.

(A) Civil or probate cases

Prior to accepting appointment in a civil or probate case of a court, an evaluator or team of evaluators shall individually possess or, where applicable, in combination possess the following qualifications:

(1) Be licensed to practice law in Ohio, with at least five years of experience working in the area of civil or probate litigation as applicable based upon the nature of the case before the evaluator. The evaluator, if one evaluator is conducting the neutral evaluation, or at least one member of the evaluation team, if a team of evaluators is conducting the neutral evaluation, shall have participated in civil trials or probate proceedings, as applicable, to the satisfaction of the court.

(2) At least one evaluator conducting the neutral evaluation shall have completed "Fundamentals of Mediation Training" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution under Sup.R. 6.04(A)(1) or be otherwise qualified under Sup.R. 6.04 as a civil mediator in Ohio.

(B) Domestic relations and juvenile cases

Prior to accepting appointment in a domestic relations or juvenile case, a team of evaluators shall possess the following qualifications:

(1) At least one evaluator conducting the neutral evaluation shall be licensed to practice law in Ohio, with at least five years of experience working in the area of domestic relations or juvenile law. The second evaluator may also be licensed to practice law in Ohio, with at least five years of experience working in the area of domestic relations or juvenile law, or possess a master's degree in the fields of psychology, social work, sociology, counseling, or related field acceptable to the court, with at least five years of experience working with children and families;

(2) Comply with the requirements of division (A)(2) of this rule;

(3) At least one evaluator shall have completed "Specialized Family or Divorce Mediation Training" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution under Sup.R. 6.04(B)(1)(c);

(4) At least one evaluator shall have completed "Specialized Domestic Abuse Issues and Mediation Training" approved by the Supreme Court Dispute

Resolution Section in accordance with standards established by the Commission on Dispute Resolution under Sup.R. 6.04(B)(1)(d).

(C) Continuing education

(1) An evaluator shall complete at least three hours per calendar year of continuing education relating to neutral evaluation, negotiation, mediation, or the area of law in which the evaluator evaluates.

(2) If a neutral evaluator fails to comply with the continuing education requirement of division (C)(1) of this rule, the neutral evaluator shall not be eligible to serve as a neutral evaluator until the requirement is satisfied.

Commentary (July 1, 2026)

Rule 16.53 was renumbered to Rule 6.33 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023

RULE 6.34. Responsibilities of Court.

(A) General

In order to ensure only qualified individuals perform the duties of an evaluator and the requirements of Sup.R. 6.30 through 6.35 are met, a court shall do all of the following:

(1) Establish screening procedures for the capacity of parties to participate in neutral evaluation;

(2) Establish procedures for monitoring and evaluating neutral evaluation to ensure the quality of the evaluators and programs to which cases are referred;

(3) Develop a process and designate a person for accepting and considering written comments and complaints regarding the performance of evaluators appointed by the court. A copy of comments and complaints submitted to the court shall be provided to the evaluator who is the subject of the complaint or comment. The neutral evaluator may submit a written response to the comment or complaint. The comment or complaint, and any written response submitted by the neutral evaluator, shall be forwarded to the administrative judge of the court or division of the court for consideration and appropriate action. Dispositions by the court shall be made promptly. The court shall maintain a written record in the evaluator's file regarding the nature and the disposition of any comment or complaint and shall notify the person making the comment or complaint and the evaluator of the disposition.

(4) Allow neutral evaluation to proceed only if the evaluator meets the qualifications, education, and training requirements of Sup.R. 6.33;

(5) Prohibit neutral evaluation when domestic abuse or domestic violence is alleged, suspected, or present, unless all of the following conditions are satisfied:

(a) Screening is conducted, both before and during neutral evaluation, for domestic abuse and domestic violence and for the capacity of the parties to engage in neutral evaluation;

(b) The person who is or may be the victim of domestic abuse or domestic violence is fully informed about the neutral evaluation process, the right to decline participation in the neutral evaluation process, and of the option to have a support person, in addition to an attorney, present at the neutral evaluation sessions;

(c) The parties have the capacity to participate in neutral evaluation without fear of coercion or control;

(d) The court has taken reasonable precautions to create a safe neutral evaluation environment for the parties and all other persons involved in the neutral evaluation process;

(e) Procedures are in place for the evaluator to terminate a neutral evaluation session if there is a threat of domestic abuse, domestic violence, or coercion between the parties.

(B) Number of evaluators

In a civil or probate case, a court may appoint one evaluator or a team of two evaluators to conduct the neutral evaluation. In a domestic relations or juvenile case, a court shall appoint a team of two evaluators to conduct the neutral evaluation.

Commentary (July 1, 2026)

Rule 16.54 was renumbered to Rule 6.34 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023
Amended: November 13, 2025

RULE 6.35. Public Access.

The files maintained by an evaluator but not filed with a clerk or submitted to a court shall not be available for public access under Sup.R. 11.09 through 11.16.

Commentary (July 1, 2026)

Rule 16.55 was renumbered to Rule 6.35 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023

Rules 6.36 through 6.39 are reserved for future use.

RULE 6.40. Application.

Sup.R. 6.40 through 6.46 shall apply to a court of common pleas or division of the court that elects to use parenting coordination and to a parenting coordinator conducting parenting coordination.

Commentary (July 1, 2026)

Rule 16.60 was renumbered to Rule 6.40 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023

RULE 6.41. Local Parenting Coordination Rule.

A court or division of a court shall adopt a local rule governing parenting coordination. The local rule shall do all of the following:

(A) Identify the case types eligible for parenting coordination and those that are precluded from parenting coordination, if any;

(B) Specify that, except as provided by law, communications made as part of parenting coordination shall not be confidential or privileged;

(C) Include procedures for the selection and referral of a case to parenting coordination at any point after an interim or final parental rights and responsibilities or companionship time order is filed;

(D) Prohibit the use of parenting coordination in domestic violence cases under R.C. 2919.25, 2919.26, 2919.27, and 3113.31. Nothing in this division shall prohibit the use of parenting coordination in either of the following cases:

(1) A subsequent divorce or custody case, even though the case may result in the termination of the provisions of a protection order under R.C. 3113.31;

(2) A juvenile delinquency case.

(E) Establish procedures for and encourage appropriate referrals to legal counsel, counseling, parenting courses, and other support services for all parties, including victims and suspected victims of domestic abuse and domestic violence;

(F) Address other issues as the court or division considers necessary and appropriate.

Commentary (July 1, 2026)

Rule 16.61 was renumbered to Rule 6.41 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023
Amended: November 13, 2025

RULE 6.42. Ordering of Parenting Coordination.

(A) Reasons to order parenting coordination

A court or division of a court may order parenting coordination when one or more of the following factors are present:

(1) The parties have disagreements about the implementation of a parental rights and responsibilities or companionship time order and need assistance;

(2) There is a history of parental conflict that has been unresolved by previous litigation or other interventions and from which a child of the parties is adversely affected;

(3) The parties have a child whose parenting time schedule requires frequent adjustments, specified in an order of the court or division, to maintain age-appropriate contact with both parties, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the court or division;

(4) The parties have a child with a medical or psychological condition or disability who requires frequent decisions regarding treatment or frequent adjustments in the parenting time schedule, specified in an order of the court or division, and the parties have been previously unable to reach agreements on their parenting time schedule without intervention by the court or division;

(5) One or both parties suffer from a medical or psychological condition or disability that results in an inability to reach agreements or to adjust their parenting time schedule without assistance, even when minor in nature;

(6) Any other factor as determined by the court or division.

(B) Reasons not to order parenting coordination

A court or division shall not order parenting coordination to determine any of the following:

(1) Changes in the designation of the residential parent or legal custodian;

(2) Changes in the school placement of a child, in the case of shared parenting;

(3) Substantive changes in parenting time;

(4) The modification of child support or the allocation of tax exemptions or benefits or the division of uncovered medical expenses.

Commentary (July 1, 2026)

Rule 16.62 was renumbered to Rule 6.42 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023
Amended: November 13, 2025

RULE 6.43. Responsibilities of Parenting Coordinator.

(A) General responsibilities

In order to provide a fair parenting coordination process for the parties, a parenting coordinator shall comply with the "2019 Revised Guidelines for Parenting Coordination" developed by the Association of Family and Conciliation Courts Task Force on Parenting Coordination. Wherever a conflict exists between the guidelines and Sup.R. 6.40 through 6.46, the rules shall control.

(B) Conflicts of interest

(1) A parenting coordinator shall avoid any actual or apparent conflicts of interest arising from any relationship activity, including but not limited to those of employment or business or from professional or personal contacts with parties or others involved in the case. A parenting coordinator shall avoid self-dealing or associations from which the parenting coordinator may directly or indirectly benefit except from compensation for services as a parenting coordinator.

(2) Upon becoming aware of any actual or apparent conflict of interest, a parenting coordinator shall notify the appointing court or division of the court and the parties of the action taken to resolve the conflict and, if unable to do so, seek the direction of the court or division.

(3) A parenting coordinator shall avoid serving in multiple roles with the same family, even with the consent of the parties.

(C) Legal advice

A parenting coordinator shall not offer legal advice.

(D) Satisfaction of training requirements

(1) A parenting coordinator shall meet the qualifications and comply with all training requirements of Sup.R. 6.44 and local court rules governing parenting coordinators and parenting coordination adopted under Sup.R. 6.41.

(2) A parenting coordinator shall meet the qualifications for parenting coordinators for each court or division in which the parenting coordinator serves and promptly notify the court or division of any grounds for disqualification or any issues affecting the ability to serve.

(3) Upon request, a parenting coordinator shall provide a court or division from which the parenting coordinator receives appointments documentation indicating compliance with all training and education requirements so that the court may meet the requirements of Sup.R. 6.44(A)(4). The documentation shall include

information detailing the date, location, contents, credit hours, and sponsor of any relevant trainings.

(E) Compliance with appointment order

A parenting coordinator shall comply with the requirements of and act in accordance with the appointment order issued by a court or division under Sup.R. 6.45(B).

(F) Competence or ability to perform

A parenting coordinator shall decline or withdraw from an appointment or request appropriate assistance in either of the following situations:

(1) The facts and circumstances of the case are beyond the skill or expertise of the parenting coordinator;

(2) Personal circumstances, including but not limited to medical, mental health, or substance misuse or dependence, exist that compromise the ability of the parenting coordinator to perform his or her role.

(G) Ex parte communications

A parenting coordinator shall have no ex parte communications with the appointing court or division regarding substantive matters or issues on the merits of the case.

(H) Recordkeeping of fees and costs

A parenting coordinator shall maintain records necessary to document charges for services and expenses. A parenting coordinator shall issue invoices for services and expenses to the parties no less than once per month.

Commentary (July 1, 2026)

Rule 16.63 was renumbered to Rule 6.43 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023
Amended: November 13, 2025

RULE 6.44. Parenting Coordinator Education and Training.

(A) General

(1) Prior to accepting appointment of a court or division of a court to serve as a parenting coordinator, an individual shall meet all of the following qualifications:

(a) Be an independently licensed mental health professional, be licensed to practice law in Ohio, or otherwise have education and experience satisfactory to the appointing court or division;

(b) Possess extensive practical and professional experience with situations involving children. This experience may include counseling, casework, or legal representation in complex family law matters; serving as a guardian ad litem or mediator; or other equivalent experience satisfactory to the court or division.

(c) Complete "Fundamentals of Mediation Training" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution under Sup.R. 6.04(A)(1) or qualify for an exception as provided in Sup.R. 6.04(A)(2);

(d) Complete "Specialized Family or Divorce Mediation Training" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution under Sup.R. 6.04(B)(1)(c);

(e) Complete "Specialized Domestic Abuse Issues in Mediation Training" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution under Sup.R. 6.04(B)(1)(d);

(f) Complete "Parenting Coordination Training" approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution.

(2) Prior to accepting appointment of a court or division to serve as a parenting coordinator in an abuse, neglect, or dependency case, an individual shall meet both of the following qualifications:

(a) Complete the requirements of division (A)(1) of this rule;

(b) Complete "Specialized Child Protection Mediation" that has been approved by the Supreme Court Dispute Resolution Section in accordance with standards established by the Commission on Dispute Resolution under Sup.R. 6.04(B)(2)(c).

(B) Continuing education

(1) A parenting coordinator shall complete at least six hours per calendar year of continuing education relating to children, mediation, or diversity. The diversity training may include awareness and responsiveness; cultural and racial diversity; and the effects of a parenting coordinator's personal biases, values, and styles on the parenting coordination process. The continuing education may include continuing education for lawyers, social workers, psychologists, or other licensed mental health professionals and professional development events that are acceptable to the court or division appointing the parenting coordinator.

(2) If a parenting coordinator fails to comply with the continuing education requirement of division (B)(1) of this rule, the parenting coordinator shall not be eligible to serve as a parenting coordinator until the requirement is satisfied.

Commentary (July 1, 2026)

Rule 16.64 was renumbered to Rule 6.44 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023
Amended: November 13, 2025

RULE 6.45. Responsibilities of Court.

(A) General

In order to ensure only qualified individuals perform the duties of a parenting coordinator and the requirements of Sup.R. 6.40 through 6.46 are met, a court of common pleas or division of a court that elects to use parenting coordination shall do all of the following:

(1) Establish screening procedures for the capacity of the parties to participate in parenting coordination;

(2) Establish procedures for monitoring and evaluating parenting coordination to ensure the quality of the parenting coordinators to which cases are referred;

(3) Develop a process and designate a person for accepting and considering written comments and complaints regarding the performance of parenting coordinators appointed by the court or division of the court. A copy of comments and complaints submitted to the court or division shall be provided to the parenting coordinator who is the subject of the complaint or comment. The parenting coordinator may submit a written response to the comment or complaint. The comment or complaint, and any written response submitted by the parenting coordinator, shall be forwarded to the administrative judge of the court or division, as applicable, for consideration and appropriate action. Dispositions by the court or division shall be made promptly. The court or division shall maintain a written record in the parenting coordinator's file regarding the nature and disposition of any comment or complaint and shall notify the person making the comment or complaint and the parenting coordinator of the disposition.

(4) Allow parenting coordination to proceed only if the parenting coordinator meets the qualifications, education, and training requirements of Sup.R. 6.44;

(5) Prohibit parenting coordination when domestic abuse or domestic violence is alleged, suspected, or present, unless all of the following conditions are satisfied:

(a) Screening is conducted, both before and during parenting coordination, for domestic abuse and domestic violence and for the capacity of the parties to engage in parenting coordination;

(b) The person who is or may be the victim of domestic abuse or domestic violence is fully informed about the parenting coordination process; the right to decline participation in the parenting coordination process; and, at the discretion of the parenting coordinator, the right to have any other individuals attend and participate in parenting coordination sessions;

(c) The parties have the capacity to participate in the parenting coordination process without fear of coercion or control;

(d) The court has taken reasonable precautions to create a safe parenting coordination environment for the parties and all other persons involved in the parenting coordination process;

(e) Procedures are in place for the parenting coordinator to terminate a parenting coordination session if there is a threat of domestic abuse, domestic violence, or coercion between the parties.

(B) Appointment order

When ordering parenting coordination, the court or division shall issue an appointment order that does all of the following:

(1) Includes the name and contact information of the parenting coordinator and outlines the definition and purpose of the parenting coordinator;

(2) Specifies the scope of authority of the parenting coordinator;

(3) Sets forth the term of the appointment;

(4) Allocates the responsibility for fees and expenses related to parenting coordination;

(5) Addresses procedures for decision-making of the parenting coordinator;

(6) Addresses procedures for objections to parenting coordinator decisions;

(7) Addresses other provisions as the court considers necessary and appropriate;

(8) Orders the parties to contact the parenting coordinator within the time period specified by the court.

Commentary (July 1, 2026)

Rule 16.65 was renumbered to Rule 6.45 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023
Amended: November 13, 2025

RULE 6.46. Public Access.

The files maintained by a parenting coordinator but not filed with a clerk or submitted to a court shall not be available for public access under Sup.R. 11.09 through 11.16.

Commentary (July 1, 2026)

Rule 16.66 was renumbered to Rule 6.46 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2023

SECTION 7. COURT DOCKETS.

RULE 7.00. Specialized Docket Certification.

(A) Procedure for certification

The judge of a court of common pleas, municipal court, or county court or division of the court operating or establishing a particular session of court that offers a therapeutically oriented judicial approach to providing court supervision and appropriate treatment to individuals may receive certification of the session from the Supreme Court by doing both of the following:

(1) Complying with and adopting a local rule or issuing an administrative order implementing the "Specialized Docket Standards," as set forth in Sup.R. 7.20 through 7.32 to this rule;

(2) Successfully completing the certification application process pursuant to Sup.R. 7.01 through 7.06.

(B) Application

Division (A) of this rule shall not apply to a commercial docket of a court of common pleas or a housing or environmental division of a municipal court.

Commentary (July 1, 2026)

Rule 36.20 was renumbered to Rule 7.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021

RULE 7.01. Submission of Certification Application.

(A) Intent to apply and application

The judge of a court of common pleas, municipal court, or county court or division of the court seeking certification from the Supreme Court of a particular session of court that offers a therapeutically oriented judicial approach to providing court supervision and appropriate treatment to individuals pursuant to Sup.R. 7.00 shall do both of the following in order:

(1) Prior to submitting the application for certification pursuant to (A)(2) of this rule, submit a "Notice of the Formation of Advisory Committee and Intent to Apply for Certification" to the Specialized Dockets Section of the Supreme Court in the form and manner as prescribed by the section. Providing "Notice of the Formation of Advisory Committee and Intent to Apply for Certification" does not require a court to subsequently implement a docket.

(2) Submit an application to the section in the form and manner as prescribed by the section that includes all of the following:

(a) A copy of the local rule adopted or administrative order issued by the court or division pursuant to Sup.R. 7.00(A)(1) and Sup.R. 7.20(B);

(b) A copy of the program description created by the court or division pursuant to Sup.R. 7.20(C);

(c) A copy of the written participation agreement and participant handbook created by the court or division pursuant to Sup.R. 7.20(D).

(B) Notification of receipt

Upon receipt of an application submitted by the judge of a court or division pursuant to division (A) of this rule, the section shall provide the judge notice by regular or electronic mail of the receipt.

Commentary (July 1, 2026)

Rule 36.21 was renumbered to Rule 7.01 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021

RULE 7.02. Initial Review of Certification Application.

(A) Review by Section

Upon receipt of an application for certification submitted by the judge of a court of common pleas, municipal court, or county court or division of the court pursuant to Sup.R. 7.01, staff of the Specialized Dockets Section of the Supreme Court shall review the application to determine whether the application is complete.

(B) Deficiency in application

If pursuant to division (A) of this rule it is determined that an application for certification is incomplete, staff of the section shall provide the judge of the court or division notice by regular or electronic mail identifying the deficiency. If the judge fails to correct the deficiency within thirty days after the notice is issued, the manager of the section, pursuant to Sup.R. 7.06, may recommend the application be denied.

Commentary (July 1, 2026)

Rule 36.22 was renumbered to Rule 7.02 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021

RULE 7.03. Substantive Review of Certification Application.

(A) Review by Section

Upon the determination of staff of the Specialized Dockets Section of the Supreme Court pursuant to Sup.R. 7.02 that an application for certification submitted by the judge of a court of common pleas, municipal court, or county court or division of the court pursuant to Sup.R. 7.01 is complete, staff of the section shall substantively review the application by assessing the application and the accompanying documents for completeness and compliance with the "Specialized Docket Standards" set forth in Sup.R. 7.20 through 7.32.

(B) Deficiency in application

If pursuant to division (A) of this rule it is determined that an application for certification is substantively deficient, staff of the section shall provide the judge of the court or division technical assistance pursuant to Sup.R. 7.09. If technical assistance does not resolve the deficiency, staff of the section shall provide the judge notice by regular or electronic mail identifying the deficiency. If the judge fails to correct the deficiency within forty-five days after the notice is issued, the manager of the section, pursuant to Sup.R. 7.06, may recommend the application be denied.

Commentary (July 1, 2026)

Rule 36.23 was renumbered to Rule 7.03 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021

RULE 7.04. Initial Certification.

(A) Determination by section

Upon the determination of staff of the Specialized Dockets Section of the Supreme Court pursuant to Sup.R. 7.03 that all of the following conditions exist, a court of common pleas, municipal court, or county court or division of the court that submitted an application for certification pursuant to Sup.R. 7.01 shall receive initial certification of the session:

(1) The application is substantively complete;

(2) The application complies with the "Specialized Docket Standards" set forth in Sup.R. 7.20 through 7.32;

(3) The judge and, if applicable, magistrate assigned to the session has successfully completed an observation of a certified specialized docket identified by the section.

(B) Length of initial certification

The initial certification shall be effective for a period of six months or until a determination is made on final certification pursuant to Sup.R. 7.06, whichever occurs first.

Commentary (July 1, 2026)

Rule 36.24 was renumbered to Rule 7.04 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.05. Site Review.

(A) Performance of site review

Staff of the Specialized Dockets Section of the Supreme Court shall conduct a site review of the treatment team meeting and status review hearing for a court of common pleas, municipal court, or county court or division of the court that has received initial certification pursuant to Sup.R. 7.04. The section shall provide the judge of the court or division notice by regular or electronic mail specifying the date and time for the visit and identifying which staff of the court or division shall be available for interview during the visit. If the identified staff are not available for interview during the visit, the manager of the section, pursuant to Sup.R. 7.06(A), may recommend the application be denied.

(B) Unsatisfactory site review

If upon conducting the site review pursuant to division (A) of this rule a deficiency is identified, staff of the section shall provide the judge of the court or division technical assistance pursuant to Sup.R.7.09(B). If technical assistance does not resolve the deficiency, staff of the section shall provide the judge of the court or division notice by regular or electronic mail identifying the deficiency. Staff of the section may conduct additional site reviews to verify compliance. If the judge fails to correct the deficiency within forty-five days after the notice is issued, the manager of section, pursuant to Sup.R. 7.06(A), may recommend the application be denied.

Commentary (July 1, 2026)

Rule 36.25 was renumbered to Rule 7.05 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021

RULE 7.06. Determination on Final Certification.

(A) Recommendation on Certification

Upon the completion of the review of an application for certification and a site visit pursuant to Sup.R. 7.02 through 7.06, the manager of the Specialized Dockets Section of the Supreme Court shall issue a recommendation on final certification of the judge of the session. The manager shall provide the judge notice by regular or electronic mail of the recommendation.

(B) Review by Commission

The Commission on Specialized Dockets shall review and make a determination on a recommendation on final certification issued by the manager of the section pursuant to division (A) of this rule. Staff of the section shall provide to the judge of the court or division of the court notice by regular or electronic mail specifying the date and time the commission will meet to review the recommendation. The notice shall also inform the judge that at the meeting a representative of the court or division may be present and offer evidence and arguments in support of the application for certification. The decision of the commission on certification shall be final and not appealable.

Commentary (July 1, 2026)

Rule 36.26 was renumbered to Rule 7.06 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; November 13, 2025

RULE 7.07. Specialized Docket Title.

A particular session of court that offers a therapeutically oriented judicial approach to providing court supervision and appropriate treatment to individuals may be styled a “specialized docket” only upon receipt of initial certification pursuant to Sup.R. 7.04 or final certification pursuant to Sup.R. 7.06.

Commentary (July 1, 2026)

Rule 36.27 was renumbered to Rule 7.07 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021

RULE 7.08. Maintenance of Certification.

To maintain certification of a specialized docket issued by the Supreme Court pursuant to Sup.R. 7.06, the judge of a court of common pleas, municipal court, or county court or division of the court operating the specialized docket shall do all of the following:

(A) Attest in the form and manner as prescribed by the section that each specialized docket judge and, if applicable, magistrate assigned to the docket has completed at least six hours of specialized docket education during the certification period to promote effective specialized docket planning, implementation, and operations. The education shall be completed prior to the specialized docket judge submitting an application for recertification pursuant to Sup.R. 7.01 through 7.06;

(B) Every three years after receipt of certification or within twelve months after a change in the judge or appointed judge assigned to the specialized docket, whichever occurs first, submit an application for recertification pursuant to Sup.R. 7.01 through 7.06, subject to both of the following:

(1) The section may assign an abbreviated certification period for a new docket and for dockets that are being recertified as a result of a change in the judge assigned to the specialized docket to allow for rotating certification periods among the courts and divisions or to allow for additional technical assistance;

(2) Certification shall lapse at the conclusion of the certification period or within twelve months after a change in the judge or the appointed judge assigned to the specialized docket, whichever occurs first, unless an application for recertification has been submitted. Upon submission of an application for recertification, certification shall be automatically extended and remain effective until a determination is made on the application.

(C) Submit a "Maintenance of Certification Materials form to the section whenever any changes to the procedures, documents, or treatment providers used by the specialized docket are made after certification is issued. The form shall be in the form and manner as prescribed by the section.

Commentary (July 1, 2026)

Rule 36.28 was renumbered to Rule 7.08 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021

RULE 7.09. Requests for Technical Assistance.

(A) Prior to achieving certification

The judge of a court of common pleas, municipal court, or county court or division of the court that is considering the formation of a specialized docket or that has submitted an application for certification pursuant to Sup.R. 7.01 may request technical assistance from the staff of the Specialized Dockets Section of the Supreme Court at any time. The judge of the court or division shall achieve compliance with the "Specialized Docket Standards" set forth in Sup.R. 7.20 through 7.32 within a reasonable amount of time during the certification application process. The staff of the section may elect to offer technical assistance prior to issuing any formal notifications of deficiencies during the application and site review processes.

(B) During the certification period

The judge of a court or division operating a specialized docket shall maintain compliance with the "Specialized Docket Standards" set forth in Sup.R. 7.20 through 7.32 during the entire certification period. The staff of the section shall provide technical assistance to a specialized docket upon request of the team members or staff of a specialized docket, participants in the specialized docket, or others that indicate such assistance may be necessary or beneficial to maintain compliance with the certification standards.

Commentary (July 1, 2026)

Rule 36.29 was renumbered to Rule 7.09 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021

RULE 7.10. Requests for Extension of Time.

Prior to the expiration of a certification period, time to remedy a deficiency, or any other deadline pursuant to Sup.R. 7.00 through 7.12, the judge of a court of common pleas, municipal court, or county court or division of the court operating a specialized docket may submit a written request to the Specialized Dockets Section of the Supreme Court for an extension of time. The request shall contain the reason for the extension and specify the length of time desired. Upon receipt of the request, or when otherwise deemed advisable, the manager of the section shall have the sole discretion to issue one or more written extensions for a total period not to exceed six months. Any additional requests for extensions, or extensions requested after the expiration of the deadline, shall be subject to approval by the Commission on Specialized Dockets.

Commentary (July 1, 2026)

Rule 36.30 was renumbered to Rule 7.10 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021

RULE 7.11. Decertification Process.

(A) Initiating a complaint

(1) The judge of a court of common pleas, municipal court, or county court or division of the court operating a specialized docket that has been certified by the Supreme Court pursuant to Sup.R. 7.06 shall maintain compliance with the "Specialized Docket Standards" set forth in Sup.R. 7.20 through 7.32 during the entire certification period. Anyone with information alleging non-compliance with the standards may initiate a complaint process which may prompt technical assistance from the staff of the Specialized Dockets Section of the Supreme Court pursuant to Sup.R. 7.09.

(2) If technical assistance does not resolve the alleged non-compliance, a formal written complaint may be submitted to the section. The complaint shall be in the form and manner as prescribed by the section and include the name and contact information for the person filing the complaint, the judge of the court or division operating the specialized docket, identification of any and all standards in question, and the nature of the areas of non-compliance. The section shall acknowledge receipt of the complaint within ten business days of its filing by regular or electronic mail.

(3) The section shall send a copy of the complaint with a request for response to the judge of the court or division operating the specialized docket. The judge shall provide a written response to the subcommittee of the Supreme Court Commission on Specialized Dockets within thirty days.

(4) The chair and vice-chair of the Commission on Specialized Dockets shall appoint a separate subcommittee of three commission members to review each complaint submitted to the section and the written response of the judge.

(B) Recommendation on decertification

Upon receipt of the complaint and response from the judge pursuant to division (A) of this rule or upon expiration of the response deadline if no response is received, the appointed subcommittee of the Commission on Specialized Dockets shall issue a recommendation on the certification of the specialized docket. The manager shall provide notice to the judge operating the specialized docket.

(C) Review by commission

The Commission on Specialized Dockets shall review and make a determination on the recommendation of the certification of the specialized docket issued by the appointed subcommittee of the commission pursuant to division (B) of this rule. The section shall provide to the judge operating the specialized docket notice by regular or electronic mail specifying the date and time the commission will meet to review the recommendation. The notice shall also inform the judge that at the meeting a representative of the court or division may be present and offer evidence and arguments in opposition of the recommendation on decertification. The decision of the commission on decertification shall be final and not appealable.

Commentary (July 1, 2026)

Rule 36.31 was renumbered to Rule 7.11 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021

RULE 7.12. Voluntary Discontinuance of Certification.

The judge of a court of common pleas, municipal court, or county court or division of the court operating a specialized docket may voluntarily discontinue certification at any time. The judge of the court or division shall provide notification to the manager of the Specialized Dockets Section of the Supreme Court by regular or electronic mail. Voluntary discontinuance of certification shall be effective as of the date notice is received.

Commentary (July 1, 2026)

Rule 36.32 was renumbered to Rule 7.12 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021

Rules 7.13 through 7.19 are reserved for future use.

RULE 7.20. Planning Process (Specialized Docket Standard 1).

A specialized docket shall utilize a comprehensive and collaborative planning process that includes all of the following:

(A) An advisory committee. All of the following apply to the advisory committee:

(1) The advisory committee shall be comprised of a multidisciplinary team of key officials, policymakers, and relevant parties needed to support the effective operations of the specialized docket. The relevant parties should represent criminal justice representatives; treatment representatives, including mental health, substance abuse, medical, and other treatment areas; and community stakeholders. The relevant parties may include, but are not limited to, the following:

(a) The specialized docket judge;

(b) The court;

(c) The prosecutor;

(d) Defense counsel;

(e) Licensed treatment providers;

(f) Children services for family dependency treatment dockets;

(g) The probation department and the parole authority for criminal and juvenile dockets;

(h) Law enforcement agencies;

(i) The veterans administration for veterans dockets;

(j) Funding authorities;

(k) Community-based service providers.

(2) The advisory committee should provide oversight on policies and procedures, facilitate agreements with partner agencies, improve the quality and expand the quantity of available services, garner political and community support for the specialized docket, evaluate specialized docket effectiveness, and plan for the sustainability of the specialized docket;

(3) The advisory committee shall establish and monitor measurable goals and objectives for the specialized docket;

(4) Advisory committee meetings shall include the specialized docket judge, who shall attend and serve as the chair of the committee. In the event of a shared advisory committee, each specialized docket judge shall chair the portion of the agenda concerning that judge's docket.

(B) A local rule or an administrative order authorizing the operation of the specialized docket.

(C) A program description that contains written policies and procedures that demonstrate compliance with all specialized docket certification requirements. The judge of a court or division establishing a specialized docket should incorporate national best practices for the particular type of docket and participants to be served.

(D) A written participation agreement and participant handbook detailing the rights and responsibilities of participants in the specialized docket;

(E) A process that is non-adversarial, but recognizes the distinct role of a prosecutor in pursuing justice and protecting public safety and victim's rights and the distinct role of a defense counsel in preserving the constitutional rights of a specialized docket participant.

Commentary (July 1, 2026)

Appendix I, Standard 1 was renumbered to Rule 7.20 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.21. Legal and Clinical Eligibility (Specialized Docket Standard 2).

A specialized docket shall identify its target population and establish written legal and clinical eligibility criteria that have been collaboratively developed, reviewed, and agreed upon by the advisory committee. Each of the following shall apply with regard to legal and clinical eligibility:

(A) Eligibility and exclusion criteria shall identify the individuals who can be treated safely and effectively within the type of specialized docket established;

(B) A specialized docket shall generally target individuals with a moderate to high risk for recidivism and a high need for treatment. If a specialized docket is unable to target only high-risk and high-need offenders, the docket may be required to use alternative tracks with services that are modified to meet the risk and need levels of its participants.

(C) A specialized docket shall ensure equal opportunity for everyone to participate and succeed, regardless of race, ethnicity, or gender. A specialized docket shall take affirmative steps to detect and correct disproportionate census, inequitable services, and disparate outcomes involving those who have historically faced discrimination. A specialized docket shall ensure that teams understand and are responsive to the cultural differences within their population.

Commentary (July 1, 2026)

Appendix I, Standard 2 was renumbered to Rule 7.21 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.22. Program Entry and Case Flow (Specialized Docket Standard 3).

(A) Referral process

A specialized docket shall include a written referral process that addresses how candidates are identified, evaluated, and transferred into the docket. The referral process shall indicate at what stage or stages of the legal process referrals will be considered.

(B) Assessment

(1) Candidates shall be promptly evaluated for admission into a specialized docket using assessment tools and procedures based upon written legal and clinical eligibility criteria.

(2) A specialized docket should use risk scales specific to the type of legal case, participant, and desired outcome to increase predictive accuracy.

(3) All substance abuse, mental health, and other programming assessments shall include available collateral information to ensure the accuracy of the assessment;

(4) A participant or the participant's guardian shall complete a release of information form to provide for communication about confidential information, participation/progress in treatment, and compliance with the provisions of relevant law, including the "Health Insurance Portability and Accountability Act of 1996," 42 U.S.C. 300gg-42, as amended; 42 CFR Part 2; and R.C. 2151.421 and 2152.99;

(5) All screenings and assessments for treatment determinations shall be provided by programs or persons who are appropriately licensed and trained to deliver such services according to the standards of the profession.

(C) Decision on admission

(1) A specialized docket judge shall have discretion to decide the admission into a specialized docket in accordance with the written criteria for the specialized docket.

(2) The written legal and clinical eligibility criteria do not create a right to participation in a specialized docket.

(D) Acceptance into docket

(1) Before entering a specialized docket, each participant shall receive and agree to the terms and conditions set forth in a detailed, written participation agreement and participant handbook outlining the requirements and process of the specialized docket.

(2) Each participant shall receive an explanation of responses to compliance and noncompliance, including criteria for successful, neutral, and unsuccessful specialized docket completion.

(3) In addition to any constitutional or legal right to counsel throughout the process, a participant shall have the right to request the attendance of defense counsel during the portion of a specialized docket treatment team meeting concerning the participant.

Commentary (July 1, 2026)

Appendix I, Standard 3 was renumbered to Rule 7.22 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.23. Treatment and Rehabilitation (Specialized Docket Standard 4).

(A) Prompt access

A specialized docket shall provide prompt access to a continuum of approved treatment and other rehabilitation services.

(B) Placement in treatment services

Specialized docket participants shall be placed as soon as possible in appropriate treatment services and programs.

(C) Screenings and assessments

All screenings and assessments for treatment determinations shall be provided by programs or persons appropriately licensed and trained to deliver such services according to the standards of the profession.

(D) Licensing and training

All required treatment and programming shall be provided by programs or persons appropriately licensed and trained to deliver such services according to the standards of their profession.

(E) Treatment and services

(1) Coordinated treatment and other rehabilitative services shall meet the individualized needs of each specialized docket participant and incorporate evidence-based strategies for the participant population being served by the docket. Treatment and services shall be trauma informed, gender-responsive, and culturally appropriate and shall effectively address co-occurring disorders. Whenever possible, service providers should have separate tracks for specialized docket participants.

(2) Medication assisted treatment services shall be provided in a form and manner that adhere to "The Supreme Court of Ohio's Principles for the Use of Medication Assisted Treatment (MAT) in Specialized Dockets."

(3) Treatment and services should be comprehensive and family-centered, meeting the assessed needs of the participant in the context of family relationships.

(F) Ancillary services

A full continuum of complementary treatment and social services should be provided for conditions that are likely to interfere with a specialized docket participant's compliance with docket requirements, increase criminal recidivism, or diminish treatment gains and long term rehabilitation, including all of the following:

(1) Education;

(2) Vocational training;

(3) Employment;

(4) Transportation;

(5) Housing;

(6) Domestic violence programming;

(7) Physical, mental, and dental health;

(8) Parenting;

(9) Language Services pursuant to Sup.R. 9.11.

Commentary (July 1, 2026)

Appendix I, Standard 4 was renumbered to Rule 7.23 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.24. Docket Progression (Specialized Docket Standard 5).

(A) General

Progression through a specialized docket is based upon the participant's performance in the treatment plan and compliance with requirements of the docket phases. A participant's progress through the docket phases shall not be based solely upon preset timelines.

(B) Structure

A specialized docket shall include a clearly defined structure for progression through the docket. The progression shall include all of the following:

(1) The minimum length of time, if any, that shall be spent achieving any particular phase;

(2) The nature and frequency of specialized docket appearances, supervision meetings, and other attendance requirements;

(3) Realistic and concrete behavioral based requirements for the docket, case management, substance monitoring, and treatment objectives that shall be satisfied before advancing;

(4) The process for advancing to the next phase, including any applications, if any, that shall be completed.

(C) Sequence and timing

The sequence and timing of requirements and services provided by the specialized docket should take into account the relative priority of participant needs to be addressed.

(D) Productive activities

The structure of a specialized docket should include productive activities, such as employment, education, or attendance in peer support groups.

Commentary (July 1, 2026)

Appendix I, Standard 5 was renumbered to Rule 7.24 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.25. Treatment Team (Specialized Docket Standard 6).

(A) Composition

A treatment team shall be comprised of a multidisciplinary group of professionals needed to implement the daily operations of the specialized docket. Treatment team members may include, but are not limited to, the following:

(1) The specialized docket judge;

(2) Probation staff / community control staff;

(3) Parole officers;

(4) Licensed treatment providers;

(5) A prosecutor;

(6) Defense counsel;

(7) A specialized docket program coordinator;

(8) Case managers;

(9) Law enforcement personnel;

(10) Jail, prison, or juvenile detention personnel;

(11) Children services personnel;

(12) Veterans justice outreach coordinator;

(13) Representatives of other community-based stakeholders.

(C) Roles and responsibilities

The specific roles and responsibilities for each treatment team member shall be set forth in writing.

(D) Meetings

The treatment team shall hold regular meetings prior to the status review hearings to evaluate participant progress, develop plans to improve individual outcomes, and prepare for the status review hearings.

(E) Participation of specialized docket judge

The specialized docket judge shall attend and chair treatment team meetings.

(F) Communication

Ongoing communication shall take place among the treatment team members, including frequent exchanges of timely and accurate information about the participant's overall performance.

(G) Length of service

For consistency and stability in specialized docket operations, treatment team members should serve on the treatment team for a minimum of one year.

Commentary (July 1, 2026)

Appendix I, Standard 6 was renumbered to Rule 7.25 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.26. Participant Monitoring (Specialized Docket Standard 7).

(A) General

(1) A specialized docket shall monitor each participant's performance and progress.

(2) Participants shall be placed under reporting supervision as soon as possible to monitor compliance with docket requirements.

(3) A specialized docket shall maintain a current treatment plan and record of activities.

(B) Ongoing judicial interaction

(1) A specialized docket shall incorporate ongoing judicial interaction with each participant as an essential component of the docket.

(2) A specialized docket participant shall appear at least twice monthly before the specialized docket judge during the initial phase, no less than monthly after the initial phase, and no less than every six weeks during the final phase to review the participant's progress. Frequent status review hearings establish and reinforce the specialized docket's policies and ensure effective supervision of the participant.

(3) A specialized docket should have a significant number of specialized docket participants appear at a single specialized docket session in order to educate each participant as to the benefits of docket compliance and consequences for noncompliance.

(4) Hearings shall, as much as practicable, be before the same specialized docket judge for the length of each participant's time in the specialized docket.

Commentary (July 1, 2026)

Appendix I, Standard 7 was renumbered to Rule 7.26 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.27. Incentives, Sanctions, and Therapeutic Adjustments (Specialized Docket Standard 8).

(A) General

Specialized dockets shall establish written policies and procedures regarding responses to a participant's behavior that are predictable, fair, and consistent and that are administered in accordance with evidence-based principles of effective behavior modification.

(B) Incentives

(1) Immediate, graduated, and individualized incentives shall govern the responses of a specialized docket to a participant's compliance.

(2) Praise and positive incentives should be offered consistently to promote achieving productive behaviors.

(C) Sanctions

(1) Immediate, graduated, and individualized sanctions shall govern the responses of a specialized docket to a docket participant's noncompliance.

(2) The magnitude of the sanction should take into the relative ease with which the participant can achieve the desired behavior at that point in time.

(D) Therapeutic adjustment

Therapeutic adjustments in treatment services, as well as participation in community-based mutual support meetings, should be based upon the clinically informed needs of the participant.

Commentary (July 1, 2026)

Appendix I, Standard 8 was renumbered to Rule 7.27 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.28. Substance Monitoring (Specialized Docket Standard 9).

(A) General

A specialized docket shall monitor each docket participant's substance use by random, frequent, and observed alcohol and other drug testing protocols that include all of the following:

(1) Written policies and procedures for sample collection, sample analysis, and result reporting. The testing policies and procedures shall address elements that contribute to the reliability and validity of the testing process.

(2) Individualized drug and alcohol testing plans, including reduced or eliminated testing for participants without a substance use disorder;

(3) Testing protocols that ensure that all testing is random, frequent, and observed. Random testing shall be implemented in a manner so that the odds of being tested are the same on any given day of the week. Drug and alcohol testing shall be performed frequently enough to ensure substance use is detected quickly and reliably. The collection of test specimens shall be witnessed directly by a staff person or drug testing technician who has been trained to prevent tampering and substitution of fraudulent specimens.

(B) Positive tests

(1) Testing positive, failure to submit to testing, submitting an adulterated sample or the sample of another individual, or diluting the sample shall be treated as positive tests.

(2) A specialized docket shall receive immediate notification of all positive tests.

(3) An appropriate sanction or therapeutic adjustment for all positive tests after entering a specialized docket program shall be immediately enforced and reinforced by the specialized docket judge.

(C) Sufficiency of testing

Testing shall be sufficient to include the participant's primary substance of use, as well as a sufficient range of other common substances.

(D) Compliance by agencies

All agencies conducting substance testing for use with the specialized docket shall comply with the requirements of this section.

Commentary (July 1, 2026)

Appendix I, Standard 9 was renumbered to Rule 7.28 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025; August 6, 2026

RULE 7.29. Program Completion (Specialized Docket Standard 10).

(A) Criteria

A specialized docket shall have written policies and criteria related to program completion that have been collaboratively developed, reviewed, and agreed upon by the advisory committee.

(B) Categories

The categories of completion for a specialized docket shall be “successful completion,” “unsuccessful completion,” and “neutral termination.”

(C) Decision on termination

After affording participants any legal process to which they may be entitled, a specialized docket judge shall have discretion to decide the category of completion of the specialized docket and associated outcomes in accordance with the written criteria for the docket and after affording participants any legal process to which they may be entitled.

(D) No right to continued participation

The written legal and clinical eligibility and termination criteria do not create a right to continued participation in a specialized docket.

Commentary (July 1, 2026)

Appendix I, Standard 10 was renumbered to Rule 7.29 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.30. Professional Education (Specialized Docket Standard 11).

(A) General

A specialized docket should assure continuing interdisciplinary education of advisory committee members, treatment team members, and personnel to promote effective specialized docket planning, implementation, and operations.

(B) Continuing education plan

A specialized docket should establish and maintain a viable continuing education plan for specialized docket personnel.

(C) Treatment team

(1) Treatment team members should make reasonable efforts to observe all required specialized docket service provider programs to gain confidence in the services provided and to better understand the treatment and programming process.

(2) A specialized docket should plan for the transition of a treatment team member and provide sufficient training and program document for new treatment team members.

(3) For consistency in the non-adversarial approach, prosecutors and defense counsel should be trained in specialized docket processes.

(D) Judicial knowledge

The specialized docket judge should be knowledgeable about treatment and programming methods and limitations of the methods.

Commentary (July 1, 2026)

Appendix I, Standard 11 was renumbered to Rule 7.30 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.31. Effectiveness Evaluation (Specialized Docket Standard 12).

A specialized docket judge shall evaluate the effectiveness of the specialized docket by doing each of the following:

(A) Reporting data as required by the Supreme Court, including information to assess compliance with these standards;

(B) Engaging in on-going data collection in order to evaluate whether the specialized docket is meeting its goals and objectives;

(C) Establishing a data collection plan. The plan should identify who is collecting the data, how the data is collected, and the time frames for conducting program reviews based on the data. Treatment team members should provide data. The specialized docket should develop policies concerning protection of confidential information and identities when collecting data.

Commentary (July 1, 2026)

Appendix I, Standard 12 was renumbered to Rule 7.31 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

RULE 7.32. Constitutional and Due Process Rights (Specialized Docket Standard 13).

A specialized docket shall comply with all constitutional and statutory rights of their participants. Any such rights that are permitted to be waived by said participants are to be done in a manner that ensures substantive due process rights of the participant. All certified specialized dockets shall comply with the "Constitutional and Due Process Guidance Document issued by the Commission on Specialized Dockets."

Commentary (July 1, 2026)

Appendix I, Standard 13 was renumbered to Rule 7.32 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: January 1, 2021; July 10, 2025

Rules 7.33 through 7.39 are reserved for future use.

RULE 7.40. Definitions.

As used in Sup.R. 7.40 through 7.52:

(A) Business entity

"Business entity" means a for profit or nonprofit corporation, partnership, limited liability company, limited liability partnership, professional association, business trust, joint venture, unincorporated association, or sole proprietorship.

(B) Commercial docket judge

"Commercial docket judge" means a sitting judge designated or retired judge assigned by the Chief Justice pursuant to Sup.R. 7.42 to hear cases assigned to a commercial docket.

(C) Retired judge

"Retired judge" has the same meaning as in Sup.R. 4.30(A)(1).

Commentary (July 1, 2026)

Rule 49 was renumbered to Rule 7.40 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013
Amended: July 1, 2013; October 7, 2014

RULE 7.41. Establishment of Commercial Docket.

A court of common pleas having six or more general division judges or located in a county having a population of three hundred thousand or more according to the latest federal decennial census may establish and maintain a dedicated docket to hear commercial litigation pursuant to Sup.R. 7.40 through 7.52. The docket shall be styled a "commercial docket."

Commentary (July 1, 2026)

Rule 49.01 was renumbered to Rule 7.41 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013

RULE 7.42. Designation or Assignment of Commercial Docket Judges.

(A) Designation or assignment

Each court of common pleas that has established a commercial docket pursuant to Sup.R. 7.41 shall select either of the following methods for designating or assigning commercial docket judges:

(1) By majority vote of the judges of the general division of the court, designate two or more sitting judges of the division. A judge shall not be designated a commercial docket judge unless the judge agrees to participate and meets either of the following qualifications:

(a) Within the previous six years, the judge has served on the general division of the court for at least three consecutive years;

(b) The judge has at least seven years of substantial practice as a commercial or business-related litigator.

(2) Request the Chief Justice to assign one or more retired judges to active duty on the court pursuant to Article IV, Section 6(C) of the Ohio Constitution.

(B) Candidate considerations

When designating or assigning a commercial docket judge pursuant to division (A) of this rule, the judges of the general division of the court or the Chief Justice, as applicable, should consider each of the following:

(1) The candidate's length of judicial experience;

(2) Any commercial or business-related education or experience the candidate may possess;

(3) Any commercial or business-related litigation experience the candidate may possess, including any specific commercial or business-related litigation in which the candidate participated as an attorney or over which the candidate presided as a judge;

(4) The candidate's case management expertise and experience, including case management of complex litigation;

(5) For a sitting judge, the candidate's current caseload, including the number of pending cases the candidate may have that are beyond the time limits for disposition pursuant to Sup.R. 5.21;

(6) Whether the candidate has demonstrated a continuous commitment to the commercial docket concept;

(7) For a sitting judge, whether the candidate demonstrates a willingness to assume any additional duties and responsibilities required by the commercial docket;

(8) Whether the candidate demonstrates a willingness to participate in commercial and business law-related training and education;

(9) The candidate's judicial temperament;

(10) The input and opinion of the regional or local bar associations;

(11) Any other relevant factors or qualifications.

(C) Term length

A court of common pleas that has established a commercial docket with sitting judges of the general division of the court serving as the commercial docket judges pursuant to Sup.R. 7.41 and division (A)(1) of this rule shall adopt a local rule establishing a length of term of no less than three years for the judges.

Commentary (July 1, 2026)

Rule 49.02 was renumbered to Rule 7.42 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013
Amended: July 1, 2013; October 7, 2014; March 1, 2017

RULE 7.43. Termination of Commercial Docket.

(A) Sitting judges serving as commercial docket judge

If a vacancy in the position of a commercial docket judge occurs in a court of common pleas that has established a commercial docket with sitting judges of the general division of the court serving as the commercial docket judges pursuant to Sup.R. 7.41 and 7.42(A)(1), resulting in the court having only one commercial docket judge, and no other judge of the court designated as a commercial docket judge pursuant to Sup.R. 7.41(A)(1), the court shall terminate the commercial docket as follows:

(1) The court shall cease assigning cases to the commercial docket;

(2) Commercial docket cases assigned to the remaining commercial docket judge shall remain with the judge until final disposition;

(3) Following final disposition of all commercial docket cases assigned to the remaining commercial docket judge, the commercial docket shall cease to exist.

(B) Retired judge serving as commercial docket judge

If a vacancy in the position of a commercial docket judge occurs in a court of common pleas that has established a commercial docket with a retired judge serving as the commercial docket judge pursuant to Sup.R. 7.41 and 7.42(A)(2), resulting in the court having no commercial docket judge, and no other retired judge volunteers to serve and is appointed by the Chief Justice to the commercial docket pursuant to Sup.R. 7.42(A)(2), the court shall terminate the commercial docket and all remaining commercial docket cases shall be randomly assigned to a judge of the court in accordance with the individual assignment system adopted by the court pursuant to Sup.R. 5.11(B)(2).

Commentary (July 1, 2026)

Rule 49.03 was renumbered to Rule 7.43 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013
Amended: July 1, 2013; March 1, 2017

RULE 7.44. Commercial Docket Judge Education.

(A) Initial orientation and education program

Within the period of time commencing two years prior to appointment to the commercial docket and ending one year following the appointment, each commercial docket judge shall complete an orientation and education program on business law and the administration of commercial dockets to be offered or approved by the Supreme Court of Ohio Judicial College or the National Judicial College.

(B) Biennial education

As part of the forty hours of continuing legal education instruction required by Gov.Jud.R. IV, Section 2(A), each commercial docket judge shall complete at least twelve hours of commercial docket education offered or approved by the Supreme Court of Ohio Judicial College or the National Judicial College.

(C) Non-commercial docket judges

Non-commercial docket judges shall be encouraged to attend commercial docket education opportunities offered pursuant to divisions (A) and (B) of this rule. A non-commercial docket judge who complies with the requirements of divisions (A) and (B) of this rule shall be eligible for assignment by the Chief Justice pursuant to Article IV, Section 5(A)(3) of the Ohio Constitution to hear cases assigned to the commercial docket.

Commentary (July 1, 2026)

Rule 49.04 was renumbered to Rule 7.44 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013
Amended: March 1, 2017

RULE 7.45. Cases Eligible for the Commercial Docket.

Any civil case, including any jury case; non-jury case; injunction, including any temporary restraining order; class action; declaratory judgment; or derivative action, shall be eligible for assignment into the commercial docket of a court of common pleas pursuant to Sup.R. 7.47 if the gravamen of the case relates to any of the following:

(A) The formation, governance, dissolution, or liquidation of a business entity;

(B) The rights or obligations between or among the owners, shareholders, partners, or members of a business entity, or rights and obligations between or among any of them and the business entity;

(C) Trade secret, non-disclosure, non-compete, or employment agreements involving a business entity and an owner, sole proprietor, shareholder, partner, or member of the business entity;

(D) The rights, obligations, liability, or indemnity of an officer, director, manager, trustee, partner, or member of a business entity owed to or from the business entity;

(E) Disputes between or among two or more business entities or individuals as to their business or investment activities relating to contracts, transactions, or relationships between or among them, including without limitation the following:

(1) Transactions governed by the uniform commercial code, except for consumer product liability claims described in Sup.R. 7.46;

(2) The purchase, sale, lease, or license of; a security interest in; or the infringement or misappropriation of patents, trademarks, service marks, copyrights, trade secrets, or other intellectual property;

(3) The purchase or sale of a business entity or the assets of a business entity;

(4) The sale of goods or services by a business entity to a business entity;

(5) Non-consumer bank or brokerage accounts, including loan, deposit, cash management, and investment accounts;

(6) Surety bonds and suretyship or guarantee obligations of individuals given in connection with business transactions;

(7) The purchase, sale, lease, or license of or a security interest in commercial property, whether tangible, intangible personal, or real property;

(8) Franchise or dealer relationships;

(9) Business related torts, such as claims of unfair competition, false advertising, unfair trade practices, fraud, or interference with contractual relations or prospective contractual relations;

(10) Cases relating to or arising under federal or state antitrust laws;

(11) Cases relating to securities or relating to or arising under federal or state securities laws;

(12) Commercial insurance contracts, including coverage disputes.

Commentary (July 1, 2026)

Rule 49.05 was renumbered to Rule 7.45 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013

RULE 7.46. Cases Not Eligible for the Commercial Docket.

A civil case shall not be eligible for assignment into the commercial docket of a court of common pleas pursuant to Sup.R. 7.47 if a labor organization is a party in the case, a governmental entity is other than a nominal party in the case, the case does not relate to any of the topics provided under Sup.R. 7.45, or the gravamen of the case relates to any of the following:

(A) Personal injury, survivor, or wrongful death matters;

(B) Consumer claims against business entities or insurers of business entities, including product liability and personal injury cases, and cases arising under federal or state consumer protection laws;

(C) Matters involving wages or hours, occupational health or safety, workers' compensation, or unemployment compensation;

(D) Environmental claims, except those arising from a breach of contractual or legal obligations or indemnities between business entities;

(E) Matters in eminent domain;

(F) Employment law cases, except those involving owners as described in Sup.R. 7.45(C);

(G) Discrimination cases based upon the federal or state constitutions or the applicable federal, state, or political subdivision statutes, rules, regulations, or ordinances;

(H) Administrative agency, tax, zoning, and other appeals;

(I) Petition actions in the nature of a change of name of an individual, mental health act, guardianship, or government election matters;

(J) Individual residential real estate disputes, including foreclosure actions, or non-commercial landlord-tenant disputes;

(K) Any matter subject to the jurisdiction of the domestic relations, juvenile, or probate divisions of a court of common pleas;

(L) Any matter subject to the jurisdiction of a municipal court, county court, mayor's court, small claims division of a municipal court or county court, or any matter required by statute or other law to be heard in some other court or division of a court;

(M) Any criminal matter, other than criminal contempt in connection with a matter pending on the commercial docket.

Commentary (July 1, 2026)

Rule 49.06 was renumbered to Rule 7.46 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023

RULE 7.47. Assignment of Case to the Commercial Docket.

Notwithstanding the case assignment requirements of Sup.R. 5.11(B)(2), the following shall apply when a case is filed with a court of common pleas that has established a commercial docket pursuant to Sup.R. 7.42:

(A) If the case is eligible for assignment to the commercial docket pursuant to Sup.R. 7.45, the attorney filing the case shall include with the initial pleading a notification that it is a commercial docket case. Upon receipt of the pleading and notification, the clerk shall randomly assign the case to one of the commercial docket judges.

(B) If the case is eligible for assignment to the commercial docket pursuant to Sup.R. 7.45, but the attorney filing the case fails to file the notification pursuant to division (A) of this rule and the case is assigned to a non-commercial docket judge, an attorney representing any other party shall file a motion for transfer of the case to the commercial docket with that party's first responsive pleading. Copies of the motion shall be delivered to the administrative judge.

(C) If the case is eligible for assignment to the commercial docket pursuant to Sup.R. 7.45, but the attorney filing the case does not file the notification pursuant to division (A) of this rule, no attorney representing a party in the case files a motion for transfer pursuant to division (B) of this rule, and the case is assigned to a non-commercial docket judge, the judge shall sua sponte request the administrative judge to transfer the case to the commercial docket. If the judge requests the transfer of the case to the commercial docket one-hundred and twenty days or more after the case was filed, the transfer of the case to the commercial docket shall be at the discretion of the commercial docket judge to whom the case would be assigned.

(D) If the case is not eligible for assignment to the commercial docket pursuant to Sup.R. 7.46, but the case is assigned to the commercial docket, upon motion of any party or sua sponte at any time during the course of the litigation, the commercial docket judge shall transfer the case from the commercial docket.

Commentary (July 1, 2026)

Rule 49.07 was renumbered to Rule 7.47 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013

RULE 7.48. Review of Transfer to the Commercial Docket.

(A) Ruling or decision on transfer

(1) A non-commercial docket judge shall rule on a party's motion for transfer of a case to the commercial docket filed pursuant to Sup.R. 7.47(B) no later than two days after the filing of the motion. A party to the case may appeal the non-commercial docket judge's decision to the administrative judge within three days of the non-commercial docket judge's decision. The administrative judge shall decide the appeal no later than two days after the filing of the appeal.

(2) An administrative judge shall decide the sua sponte request of a non-commercial docket judge for transfer of a case to the commercial docket made pursuant to Sup.R. 7.47(C) no later than two days after the request is made.

(B) Review of transfer

(1) The factors set forth in Sup.R. 7.45 and 7.46 shall be dispositive in determining whether a case shall be transferred to or removed from the commercial docket pursuant Sup.R. 7.47(B) through (D).

(2) The ruling or decision of the administrative judge as to the transfer of a case under division (A) of this rule is final and not appealable.

Commentary (July 1, 2026)

Rule 49.08 was renumbered to Rule 7.48 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013

RULE 7.49. Commercial Docket Judge Workload.

(A) Adjustment of other case assignments

To promote a fair and equal distribution of cases, in a court of common pleas that has established a commercial docket with sitting judges of the general division of the court serving as the commercial docket judges pursuant to Sup.R. 7.41 and 7.42(A)(1), for each commercial docket case assigned to a commercial docket judge pursuant to Sup.R. 7.47, a similar non-commercial docket civil case shall be assigned by lot from the docket of the commercial docket judge to a non-commercial docket judge of the court.

(B) Adoption of local rule reducing workload

Notwithstanding the case assignment requirements of Sup.R. 5.11(B)(2), a court of common pleas that has established a commercial docket with sitting judges of the general division of the court serving as the commercial docket judges pursuant to Sup.R. 7.41 and Sup.R. 7.42(A)(1) shall adopt a local rule of court reducing the number of cases assigned to each commercial docket judge through one or more of the following measures:

(1) Each commercial docket judge receiving no fourth or fifth degree felony cases;

(2) A fifty percent reduction in the number of criminal cases assigned to each commercial docket judge;

(3) A meaningful reduction in the non-commercial docket civil cases assigned to each commercial docket judge.

Commentary (July 1, 2026)

Rule 49.09 was renumbered to Rule 7.49 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013

RULE 7.50. Dispute Resolution.

(A) Referral of case

A commercial docket judge may refer a commercial docket case to any available dispute resolution process, including but not limited to dispute resolution by a commercial docket judge in another county or a retired or sitting former commercial docket judge with the approval of the judge to whom the case would be referred.

(B) Compensation

A sitting, retired, or sitting former commercial docket judge accepting a dispute resolution assignment pursuant to division (A) of this rule shall not be entitled to additional compensation. However, in appropriate circumstances where out-of-county travel, overnight lodging, or other out-of-pocket expenses are reasonably incurred, the judge shall be reimbursed from the court in which the commercial docket case is pending. Such expenses may be taxed as costs.

Commentary (July 1, 2026)

Rule 49.10 was renumbered to Rule 7.50 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013

RULE 7.51. Rulings on Motions and Submitted Cases.

(A) Deadline for motions

A commercial docket judge shall rule upon all dispositive motions in a commercial docket case no later than ninety days from the completion of briefing or oral arguments, whichever is later, and all other motions no later than sixty days from the completion of briefing or oral arguments, whichever is later.

(B) Deadline for submitted cases

A commercial docket judge shall issue a decision in all commercial docket cases submitted for determination after a court trial no later than ninety days from the date on which the case was submitted.

Commentary (July 1, 2026)

Rule 49.11 was renumbered to Rule 7.51 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013

RULE 7.52. Commercial Docket Case Disposition Time Guideline.

Except for a case designated as complex litigation pursuant to Sup.R. 5.22, a court shall aspire to dispose of a commercial docket case within eighteen months of the date on which the case was filed. This time guideline is not mandatory, but shall serve as a benchmark and assist courts and commercial docket judges in measuring the effectiveness of commercial docket case management.

Commentary (July 1, 2026)

Rule 49.12 was renumbered to Rule 7.52 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2013

SECTION 8. SUPPLEMENTAL SERVICES.

RULE 8.00. Application.

Sup.R. 8.00 through 8.07 shall apply in all domestic relations and juvenile cases in the courts of common pleas where a court appoints a guardian ad litem to act in the best interest of a child.

Commentary (July 1, 2026)

Rule 48 was renumbered to Rule 8.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: March 1, 2009
Amended: January 1, 2021

RULE 8.01. Definitions.

As used in Sup.R. 8.00 through 8.07:

(A) Allocation of parental rights and responsibilities

References in this rule to cases involving "allocation of parental rights and responsibilities" shall also include those cases in which legal custody, parenting time, companionship, or visitation rights are at issue. "Allocation of parental rights and responsibilities, legal custody, parenting time, companionship, or visitation rights" has the same meaning as in R.C. 3109.04 and 3109.051 and includes an original proceeding or any proceeding for modification of a prior order of the court making the allocation.

(B) Attorney for the child

"Attorney for the child" means an attorney appointed to act as legal counsel for a child and advocate for the wishes of the child.

(C) Guardian ad litem

"Guardian ad litem" means an individual appointed to assist a court in its determination of the best interest of a child.

(D) Child

"Child" means:

(1) A person under eighteen years of age;

(2) A person who is older than eighteen years of age who is deemed a child until the person attains twenty-one years of age under R.C. 2151.011(B)(6) or 2152.02(C);

(3) A child under R.C. 3109.04 or a disabled child under R.C.3119.86 who falls under the jurisdiction of a domestic relations or juvenile court.

Commentary (July 1, 2026)

Rule 48.01 was renumbered to Rule 8.01 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021; July 1, 2026

RULE 8.02. Appointment of Guardian Ad Litem.

(A) Orders of appointment

Each court appointing a guardian ad litem under this rule shall enter an order of appointment. The order of appointment shall include statements regarding all of the following:

(1) Whether it is a sole guardian ad litem appointment or a dual guardian ad litem and attorney appointment;

(2) That unless otherwise specified by court rule, the appointment shall remain in effect until discharged by order of the court;

(3) That the guardian ad litem shall be given notice of all hearings and proceedings and be provided a copy of all pleadings, motions, notices, and other documents filed in the case;

(4) That the guardian ad litem's written report shall include the following language: "The guardian ad litem has provided this report in accordance with the Rules of Superintendence for the Court of Ohio. No party receiving a copy of this report may reproduce, copy, share, or distribute the report, or any part, excerpt, or image from it, by any means without the permission of the court. Any violation may result in court action, including the penalties for contempt, which include a fine and/or incarceration."

(5) The rate or amount of compensation for the guardian ad litem in allocation of parental rights and responsibilities cases;

(6) The terms and amount of any installment payments and deposits in allocation of parental rights and responsibilities cases.

(B) Limited Scope of Appointment

A court may appoint a guardian ad litem to address a specific issue or issues. A court shall include in the order of appointment the specific issue or issues to be addressed and a statement the guardian ad litem is relieved of the duties set forth in Sup.R. 8.03(D) that are not applicable to the specific issue or issues.

(C) Mandatory appointments in abuse, neglect, dependency, unruly, and delinquent cases

A court shall appoint a guardian ad litem in abuse, neglect, dependency, unruly, and delinquency cases as required by rule or statute.

(D) Separate appointments in abuse, neglect, dependency, unruly, and delinquency cases and cases of conflict

(1) A court shall appoint a separate attorney to represent a child in abuse, neglect, dependency, unruly, and delinquency cases in which the wishes of the child differ from the recommendations of the guardian ad litem.

(2) If an attorney who has been appointed to serve as both guardian ad litem and attorney for the child or any other party believes that a conflict exists in the dual appointment, the attorney or party shall immediately notify the court in writing with notice to the parties or affected agencies and request a separate appointment of a guardian ad litem and attorney for the child. The court shall make such additional appointment or appointments or order or orders to remedy the conflict. The court may also make such appointment or appointments on its own motion.

(E) Separate appointments in cases involving allocation of parental rights and responsibilities

If a court appoints a guardian ad litem in an allocation of parental rights and responsibilities case, the guardian ad litem shall be appointed only to represent the best interest of the child and shall not also be appointed as the attorney for the child.

(F) Discretionary appointments in allocation of parental rights and responsibilities, unruly, and delinquency cases

Unless a mandatory appointment is required by rule or statute, a court may make a discretionary appointment of a guardian ad litem in the allocation of parental rights and responsibilities, unruly, and delinquency cases. In making a discretionary appointment, a court should consider all of the circumstances of the case, including but not limited to all of the following factors:

(1) Allegations of abuse and neglect of the child;

(2) Consideration of extraordinary remedies, such as supervised visitation, terminating or suspending parenting time, or awarding custody or visitation to a non-parent;

(3) Relocation that could substantially reduce the time of a child with a parent or sibling;

(4) The wishes and concerns of the child;

(5) Harm to the child from drug or alcohol abuse by the party;

(6) Past or present child abduction or risk of future abduction;

(7) Past or present family violence;

(8) Past or present mental health issues of the child or a party;

(9) Special physical, educational, or mental health needs of the child that require investigation or advocacy;

(10) A high level of conflict;

(11) Inappropriate adult influence or manipulation;

(12) Interference with custody or parenting time;

(13) A need for more information relevant to the best interests of the child;

(14) A need to minimize the harm to the child from family separation or litigation;

(15) Any other relevant factor.

(G) Reappointment

A court should consider reappointment of the same guardian ad litem for a specific child in any subsequent case determining the best interest of the child.

(H) Guardian ad litem fee determinations in cases involving allocation of parental rights and responsibilities

(1) A court appointing a guardian ad litem in a case involving allocation of parental rights and responsibilities shall make a determination of the ability of any party to pay a deposit for the fees and expenses to the guardian ad litem and may reconsider that determination at any time prior to conclusion of the case. In making this determination, the court shall consider all of the following:

(a) The income, assets, liabilities, and financial circumstances of the parties, as demonstrated by an affidavit, testimony to the court, or evidence of qualification for any means-tested public assistance;

(b) The complexity of the issues;

(c) The anticipated expenses, including the travel of the guardian ad litem.

(2) At any time prior to the conclusion of a case, a guardian ad litem may submit a motion for payment. A guardian ad litem shall submit a motion for payment upon

conclusion of the duties. Any motion shall itemize the duties performed, time expended, and costs and expenses incurred pursuant to Sup.R. 8.03(H)(1).

(3) In determining the allocation of guardian ad litem fees and expenses, a court shall consider any relevant factor, including any of the following:

(a) The rate or amount of compensation of the guardian ad litem;

(b) The sources of compensation of the guardian ad litem, including the parties, any specialized funds allocated for payment of the guardian ad litem, or pro bono contribution of services by the guardian ad litem;

(c) The income, assets, liabilities, and financial circumstances of the parties, as demonstrated using an affidavit, testimony to the court, or evidence of qualification for any means-tested public assistance;

(d) The conduct of any party resulting in the increase of the guardian ad litem fees and expenses without just cause;

(e) The terms and amount of any installment payments.

(4) Unless a hearing is requested by a party or the court within fourteen days after a motion for payment is filed, a court shall issue an order regarding payment of guardian ad litem fees and expenses approving or denying any portion of the requested fees and expenses and allocating payment to one or more of the parties as appropriate.

(I) Enforcement of payment

(1) If the fees and expenses of a guardian ad litem exceed the deposits or installment payments ordered and made, a court may do any of the following:

(a) Issue a lump-sum judgment against any party owing guardian ad litem fees and expenses at the time of the determination of fees or at any further proceedings regarding payment of fees;

(b) Enforce the payment of fees and expenses of the guardian ad litem through contempt of court proceedings;

(c) Enforce any order regarding the payment of guardian ad litem fees and expenses in any other manner authorized by law.

(2) A court shall not delay or dismiss a proceeding solely because of the failure of a party to pay guardian ad litem fees and expenses required to be paid by the court.

(3) The inability of a party to pay guardian ad litem fees and expenses ordered by a court shall not delay any final entry.

Commentary (July 1, 2026)

Rule 48.02 was renumbered to Rule 8.02 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021; July 1, 2026

RULE 8.03. Responsibilities of Guardian Ad Litem.

(A) General responsibilities

The responsibilities of a guardian ad litem shall include, but are not limited to, the following:

(1) Provide the court recommendations of the best interest of the child. Recommendations of the best interest of the child may be inconsistent with the wishes of the child or other parties.

(2) Maintain independence, objectivity, and fairness, as well as the appearance of fairness, in dealings with parties and professionals, both in and out of the courtroom, and have no ex parte communications with the court regarding the merits of the case;

(3) Act with respect and courtesy in the performance of the responsibilities of the guardian ad litem;

(4) Attend any hearing relevant to the responsibilities of the guardian ad litem;

(5) Upon becoming aware that the recommendations of the guardian ad litem differ from the wishes of the child, immediately notify the court in writing with notice to the parties or affected agencies. The court shall take action as it deems necessary.

(6) If necessary, request timely court reviews and judicial intervention in writing with notice to the parties or affected agencies;

(7) If the guardian ad litem is an attorney, file pleadings, motions, and other documents as appropriate and call, examine, and cross-examine witnesses pursuant to the applicable rules of procedure;

(8) Be available to testify at any relevant hearing. Attorneys who are to serve as both guardian ad litem and attorney in any dual appointments shall comply with Rule 3.7 of the Rules of Professional Conduct.

(9) If the guardian ad litem is not an attorney, avoid engaging in conduct that constitutes the unauthorized practice of law and be vigilant in performing the duties of the guardian ad litem;

(10) If the guardian ad litem is not an attorney, request the court to appoint an attorney for the guardian ad litem to file pleadings, motions, and other documents as appropriate and call, examine, and cross-examine witnesses pursuant to the applicable rules of procedure. The court shall take action as it deems necessary.

(B) Conflicts of interest

(1) A guardian ad litem shall avoid any actual or apparent conflict of interest arising from any relationship or activity, including but not limited to those of employment or business or from professional or personal contacts with parties or others involved in the case. A guardian ad litem shall avoid self-dealing or associations that might directly or indirectly benefit except from compensation for services as a guardian ad litem.

(2) Upon becoming aware of any actual or apparent conflict of interest, a guardian ad litem shall immediately notify the court in writing. The court shall take action as it deems necessary.

(C) Satisfaction of training requirements

A guardian ad litem shall meet the qualifications and satisfy all pre-service and continuing education requirements of Sup.R. 8.04 and 8.05 and any local court rules governing guardians ad litem. A guardian ad litem shall do both of the following:

(1) Meet the qualifications for guardians ad litem for each court and promptly advise the court of any grounds for disqualification or any issues affecting the ability to serve;

(2) Provide the court documentation indicating compliance with pre-service and continuing educational requirements so the court may maintain the files required pursuant to Sup.R. 8.07. The documentation shall include information detailing the date, location, contents, and credit hours received for any relevant education.

(D) Duties of the Guardian ad Litem

Unless specifically relieved by the court, the duties of a guardian ad litem shall include, but are not limited to, the following:

(1) Become informed about the facts of the case and contact all relevant persons;

(2) Observe the child with each parent, foster parent, guardian or physical custodian;

(3) Interview the child, if age and developmentally appropriate, where no parent, foster parent, guardian, or physical custodian is present;

(4) Visit the child at the residence or proposed residence of the child in accordance with any standards established by the court;

(5) Ascertain the wishes and concerns of the child;

(6) Interview the parties, foster parents, guardians, physical custodian, and other significant individuals who may have relevant knowledge regarding the issues of the case. The guardian ad litem may require each individual to be interviewed without the presence of others. Upon request of the individual, the attorney for the individual may be present.

(7) Interview relevant school personnel, medical and mental health providers, child protective services workers, and court personnel and obtain copies of relevant records;

(8) Review pleadings and other relevant court documents in the case;

(9) Obtain and review relevant criminal, civil, educational, mental health, medical, and administrative records pertaining to the child and, if appropriate, the family of the child or other parties in the case;

(10) Request that the court order psychological evaluations, mental health or substance abuse assessments, or other evaluations or tests of the parties as the guardian ad litem deems necessary or helpful to the court;

(11) Review any necessary information and interview other persons as necessary to make an informed recommendation regarding the best interest of the child.

(E) Identification as guardian ad litem

A guardian ad litem shall immediately identify himself or herself as a guardian ad litem when contacting individuals and inform the individuals about the role of the guardian ad litem, including as an attorney if a dual appointment, the scope of appointment, and that documents and information obtained by the guardian ad litem may become part of court proceedings.

(F) Confidentiality

A guardian ad litem shall make no disclosures about a case or investigation, except to the parties and their legal counsel, in reports to the court, or as necessary to perform the duties of a guardian ad litem, including as a mandated reporter. The guardian ad litem shall maintain the confidential nature of personal identifiers, as defined in Sup.R. 11.09, and address where there are allegations of domestic violence or risk to the safety of a party or child. Upon application, the court may order disclosure of or access to the information necessary to challenge the truth of the information received from a confidential source. The court may impose conditions necessary to protect witnesses from potential harm.

(G) Timeliness

A guardian ad litem shall perform responsibilities in a prompt and timely manner.

(H) Record-keeping

(1) A guardian ad litem shall keep accurate records of the time spent, services rendered, and expenses incurred in each case while performing the responsibilities of a guardian ad litem.

(2) In allocation of parental rights and responsibilities cases, a guardian ad litem shall provide a monthly statement of fees and expenses to all parties.

(3) A guardian ad litem shall file an itemized statement and accounting with the court and provide a copy to each party or other entity responsible for payment upon order of the court or upon the conclusion of those responsibilities.

Commentary (July 1, 2026)

Rule 48.03 was renumbered to Rule 8.03 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021

RULE 8.04. Pre-Service Education.

(A) Pre-service education required for appointment

A guardian ad litem shall complete pre-service education provided by the Supreme Court, the Ohio Court Appointed Special Advocates (CASA) Guardian ad Litem Association, or with the approval of the appointing court, another provider.

(B) Pre-service education hours and topics

(1) Pre-service education for guardians ad litem shall be twelve hours.

(2) Of the twelve hours of pre-service education, six hours shall be obtained via a live education program.

(3) The remaining six hours of pre-service education may be satisfied by online or live education, teaching, writing, mentoring, or field-training activities with approval by the appointing court.

(4) Six hours of pre-service education shall include training on all the following topics:

(a) Basic human needs, stages of child development, and the impact of trauma;

(b) Communication skills, including but not limited to communication with children and adults, interviewing skills, methods of critical questioning, use of open-ended questions, understanding the perspective of a child, sensitivity, building trust, multicultural awareness, diversity, and confidentiality;

(c) Child abuse, neglect, dependency, unruliness, delinquency, and assessing risk and safety;

(d) Family and child issues, including but not limited to family dynamics, substance abuse and its effects, basic psychopathology for adults and children, and domestic violence and its effects, including assessing for lethality and safety;

(e) Legal processes, available community agencies and resources, methods of service, records checks, the role of a guardian ad litem in court, local resources and service practice, report content, mediation, and other types of dispute resolution processes;

(f) Any other topic that concerns the role of the guardian ad litem to help determine the best interest of the child.

(C) Current Guardians ad Litem

An individual who is currently serving as a guardian ad litem on January 1, 2021, shall be deemed compliant with the pre-service education and not be required to complete the twelve hours of pre-service education.

Commentary (July 1, 2026)

Rule 48.04 was renumbered to Rule 8.04 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021
Amended: July 1, 2022

RULE 8.05. Continuing Education.

(A) Continuing education hours and topics

(1) Continuing education for guardians ad litem shall total six hours annually and be provided by the Supreme Court; the Ohio Court Appointed Special Advocates (CASA) Guardian ad Litem Association; or, with the approval of the appointing court, another provider.

(2) Of the six hours of continuing education, three hours shall be obtained via a live education program.

(3) The remaining three hours of continuing education may be satisfied by online or live education, training, writing, mentoring, or field-training activities as pre-approved by the appointing court.

(4) Continuing education shall consist of advanced education related to topics identified in Sup.R. 8.04.

(B) Failure to comply

If a guardian ad litem fails to complete six hours of continuing education within any calendar year, the individual shall not be eligible to serve as a guardian ad litem on any new appointments until this continuing education requirement is satisfied. The court shall have the discretion to continue the current guardian ad litem appointments.

Commentary (July 1, 2026)

Rule 48.05 was renumbered to Rule 8.05 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021
Amended: July 1, 2022

RULE 8.06. Guardian Ad Litem Reports.

(A) General report requirements

(1) A guardian ad litem shall prepare a written final report, including recommendations to the court, within the times set forth in this division. The report shall affirmatively state that responsibilities have been met and shall detail the activities performed, hearings attended, persons interviewed, documents reviewed, experts consulted, and all other relevant information considered by the guardian ad litem in reaching the recommendations and in accomplishing the duties required by statute, by court rule, and in the order of appointment from the court.

(2) All written reports shall include the following warning: “The guardian ad litem has provided this report in accordance with the Rules of Superintendence for the Courts of Ohio. No party receiving a copy of this report may reproduce, copy, share, or distribute the report, or any part, excerpt, or image from it, by any means without the permission of the court. Any violation may result in court action, including the penalties for contempt, which include a fine and/or incarceration.”

(3) Oral and written reports shall address relevant issues, but shall not be considered determinative.

(4) A guardian ad litem shall be available to testify at any relevant hearing and may orally supplement the report at the conclusion of the hearing.

(5) A guardian ad litem may provide an interim written or oral report at any time.

(B) Guardian ad litem reports in abuse, neglect, dependency, unruly, and delinquency reports

(1) Not fewer than sever days prior to any initial dispositional hearing, permanent custody hearing, and any hearing upon a motion requesting a change in disposition, a guardian ad litem in abuse, neglect, dependency, unruly, and delinquency cases and actions to terminate parental rights shall provide a written report to the court, unrepresented parties, and legal counsel, who shall provide the report to their client. The court may alter the seven-day period as may be necessary for the administration of justice.

(2) No party receiving a copy of the written report may reproduce, copy, share, or distribute the report, or any part, excerpt, or image from it, by any means without the permission of the court. Any violation may result in court action, including the penalties for contempt, which include a fine and/or incarceration.

(3) A court shall review all guardian ad litem reports, written or oral, to ensure that the guardian ad litem has performed those responsibilities required by R.C. 2151.281.

(C) Guardian ad litem reports in allocation of parental rights and responsibilities cases

(1) Not fewer than seven days before the final hearing date, unless the due date is modified by the court, a guardian ad litem in proceedings involving the allocation of parental rights and responsibilities, custody, and visitation shall provide a written report to the court, unrepresented parties, and legal counsel, who shall provide the report to their client.

(2) No party receiving a copy of the written report may reproduce, copy, share, or distribute the report, or any part, excerpt, or image from it, by any means without the permission of the court. Any violation may result in court action, including the penalties for contempt, which include a fine and/or incarceration.

(3) The court shall consider the recommendation of the guardian ad litem in determining the best interest of the child only when the report or a portion of the report has been admitted as an exhibit.

Commentary (July 1, 2026)

Rule 48.06 was renumbered to Rule 8.06 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021
Amended: July 1, 2022; July 1, 2026

RULE 8.07. Responsibilities of the Court.

Each court appointing guardians ad litem shall do all of the following:

(A) Maintain a public list of approved guardians ad litem while maintaining individual privacy pursuant to Sup.R. 11.09 through 11.16;

(B) Establish criteria, which include all requirements of Sup.R. 8.00 through 8.07, for appointment and removal of guardians ad litem and procedures to ensure an equitable distribution of the work load among the guardians ad litem on the list. Equitable distribution means a system through which appointments are made in an objectively rational, fair, neutral, and nondiscriminatory manner and are widely distributed among substantially all persons from the list maintained by the court. The court may consider the complexity of the issues, parties, counsel, and the children involved, as well as the experience, expertise, and demeanor of available guardians ad litem.

(C) Coordinate the application and appointment process, keep the files and records required by Sup.R. 8.00 through 8.07, maintain information regarding training opportunities, and receive written comments and complaints regarding the performance of guardians ad litem practicing before that court;

(D) Maintain files for all applicants and for individuals approved for appointment as guardians ad litem with the court. The files shall contain all records and information required by Sup.R. 8.00 through 8.07 and by local rules for the selection and service of guardians ad litem, including a certificate or other satisfactory proof of compliance with training requirements.

(E) Require all applicants to submit a resume or information sheet stating the applicant's training, experience, and expertise demonstrating the ability of the applicant to successfully perform the responsibilities of a guardian ad litem;

(F) Review a criminal and civil background check and investigation of information relevant to the fitness of the applicant to serve as a guardian ad litem;

(G) Review all guardian ad litem reports, written or oral, to ensure that the guardian ad litem has performed those responsibilities required by R.C. 2151.281;

(H) Conduct, at least annually, a review of its list to determine that all guardians ad litem are in compliance with the training and education requirements of Sup.R. 8.00 through 8.07 and local rules, have performed satisfactorily on all assigned cases during the preceding calendar year, and are otherwise qualified to serve;

(I) Require all guardians ad litem on its list to certify annually they are unaware of any circumstances that would disqualify them from serving and to report the training they have attended to comply with Sup.R. 8.05;

(J) Develop a process or local rule for comments and complaints regarding the performance of guardians ad litem practicing before that court that does all of the following:

(1) Designates a person for accepting and considering written comments and complaints;

(2) Provides a copy of the comments and complaints to the guardian ad litem who is the subject of the complaint or comment;

(3) Forwards any comments and complaints to the administrative judge of the court for consideration and appropriate action;

(4) Develops a provision for the timely disposition by the court;

(5) Notifies the person making the comment or complaint and the subject guardian ad litem of the disposition;

(6) Maintains a written record in the file of the guardian ad litem regarding the nature and disposition of any comment or complaint.

Commentary (July 1, 2026)

Rule 48.07 was renumbered to Rule 8.07 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021

Rules 8.08 through 8.09 are reserved for future use.

RULE 8.10. Definitions.

As used in Sup.R. 8.10 through 8.18:

(A) Best interest

"Best interest" has the same meaning as in R.C. 3109.04 and 3109.051.

(B) Custody evaluation

"Custody evaluation" means an expert study and analysis, by an individual qualified to be a custody evaluator, of the needs and development of a child who is the subject of an action or proceeding in which child custody or parenting visitation is an issue, and of the comparative and relative capacities of the parties and other relevant adults to care for and meet the needs and best interest of the child. Custody evaluation shall include full and partial evaluation. Custody and parenting visitation shall include allocation of parental rights and responsibilities, companionship, and visitation.

(C) Custody evaluator

"Custody evaluator" means an individual meeting the requirements of Sup.R. 8.17. As used in this rule, a custody evaluator can be one of the following:

(1) "Court-connected evaluator," a person employed by the court or with whom the court contracts custody evaluation services.

(2) "Private custody evaluator," a person in private practice who provides custody evaluation services to the court.

(D) Evaluation

"Evaluation" includes an investigation and assessment.

(E) Full evaluation

"Full evaluation" means a comprehensive examination of the best interest of a child.

(F) Partial evaluation

"Partial evaluation" means an examination of the best interest of a child that is limited by court order in either time or scope.

Commentary (July 1, 2026)

Rule 91.01 was renumbered to Rule 8.10 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: September 1, 2022

RULE 8.11. Application of Rules.

Sup.R. 8.10 through 8.18 shall apply in a case in which a court of common pleas appoints a person to perform a custody evaluation to assist the court when child custody or parenting visitation is at issue.

Commentary (July 1, 2026)

Rule 91.02 was renumbered to Rule 8.11 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: September 1, 2022

RULE 8.12. Local Custody Evaluator Rule.

A court of common pleas that appoints custody evaluators shall adopt local rules governing appointment. The local rules shall do both of the following:

(A) Establish a process for submitting in electronic format or hard copy comments and complaints regarding the performance of custody evaluators appointed by the court and for considering such comments and complaints. The process shall include each of the following:

(1) The designation of a person for accepting and considering comments and complaints;

(2) A requirement that a copy of the submitted comment or complaint be provided to the custody evaluator who is the subject of the comment or complaint;

(3) A requirement that the court give prompt consideration to the comment or complaint and take appropriate action;

(4) A requirement that the court maintain a record, indicating where the filed comments and complaints will be kept, regarding the nature and disposition of the comment or complaint;

(5) A requirement that the court notify the person making the comment or complaint and the custody evaluator of the disposition of the comment or complaint.

(B) Address other provisions as the court considers necessary and appropriate.

Commentary (July 1, 2026)

Rule 91.03 was renumbered to Rule 8.12 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: September 1, 2022

RULE 8.13. Custody Evaluation.

(A) Order

Upon motion of a party, guardian ad litem, counsel for a child, or on its own initiative, a court of common pleas may order a custody evaluation to aid the court in evaluating the best interest of a child in a contested custody or parenting visitation case.

(B) Description of custody evaluation

Unless contraindicated in the judgment of the custody evaluator or limited by the order of appointment, a custody evaluation shall include but is not limited to all of the following:

(1) Information obtained through interviews, joint or individual, with each party seeking custody or parenting visitation;

(2) Information obtained through interviews with each child;

(3) Information obtained through interviews with stepparents, significant others, or any other adult residing in the home;

(4) Information obtained through interviews with step or half siblings residing in the home;

(5) Information obtained from child care providers, schools, counselors, hospitals, medical professionals, social service agencies, guardians ad litem, and law enforcement agencies;

(6) Information from home visits or observations of each child with the appropriate adults involved;

(7) Results of clinical tests administered;

(8) History of child abuse, domestic violence, substance abuse, psychiatric illness, and involvement with the legal system;

(9) Investigation into any other relevant information about the child's needs.

Commentary (July 1, 2026)

Rule 91.04 was renumbered to Rule 8.13 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: September 1, 2022

RULE 8.14. Appointment of Custody Evaluator.

(A) Custody evaluator

A court of common pleas that has ordered a custody evaluation pursuant to Sup.R. 8.13 may appoint a court-connected custody evaluator or a private custody evaluator to perform the evaluation. The custody evaluator shall meet the requirements of Sup.R. 8.17. The court shall not appoint as a custody evaluator a guardian ad litem appointed to the case pursuant to Sup.R. 8.00. The court shall consider only evaluations completed by a custody evaluator appointed by the court.

(B) Private custody evaluator list

A court of common pleas that appoints custody evaluators shall establish and maintain a list of private custody evaluators eligible to receive appointments from the court. The court shall do all of the following with respect the list:

(1) Establish criteria, which include all requirements of Sup.R. 8.10 through 8.18, for appointment and removal of private custody evaluators from the list and procedures to ensure an equitable distribution of the work load among the private custody evaluators on the list. "Equitable distribution" means a system through which appointments are made in an objectively rational, fair, neutral, and nondiscriminatory manner and are widely distributed among all private custody evaluators on the list. The court may consider the complexity of the issues, parties, counsel, and the children involved, as well as the experience, expertise, and demeanor of available private custody evaluators.

(2) Maintain a record of all private custody evaluators eligible for appointment by the court, including the name, business address, telephone number, and electronic mail address of the evaluator. The court shall require each private custody evaluator to immediately notify the court of any changes to this information or changes in licensure status, including disciplinary actions.

(3) Require each private custody evaluator to submit to the court a resume documenting compliance with the custody evaluator qualifications and completion of the initial training program under Sup.R. 8.17.

(4) Require each private custody evaluator to submit to the court on or before January 1st of each year any updates to the resume and a list of continuing education training completed by the evaluator during the previous calendar year pursuant to Sup.R. 8.18, including the provider, title, date, and location of each training.

(5) Develop a procedure to verify that, at a minimum on an annual basis, custody evaluators on the appointment list have met the training requirements.

(C) Order of appointment

(1) A court of common pleas that appoints a custody evaluator pursuant to division (A) of this rule shall enter an order of appointment that includes all of the following information:

(a) The name, business address, licensure, and telephone number of the evaluator;

(b) The purpose and scope of the appointment;

(c) The term of the appointment;

(d) A provision that a written report is required and oral testimony may be required;

(e) Any deadlines pertaining to the submission of reports to the court, including the dates of any pretrial, settlement conference, or trial associated with the furnishing of reports;

(f) A provision for payment of fees, expenses, and any hourly rate or fee that will be charged;

(g) Any provision the court deems necessary to address the safety and protection of all parties, the children of the parties, any other children residing in the home of a party, and the person being appointed;

(h) Any other provisions the court deems necessary.

(2) An order of appointment shall do both of the following:

(a) Grant the custody evaluator the right to access information as authorized by the appointment;

(b) Require the parties to cooperate with the custody evaluator and provide information promptly when requested to do so.

(D) Removal

The court may remove a custody evaluator appointed to perform a custody evaluation upon a showing of good cause.

(E) Resignation

A custody evaluator appointed to perform a custody evaluation may resign prior to completing the evaluation only upon a showing of good cause, notice to the parties, an opportunity to be heard, and with the approval of the court.

(F) Fees and expenses

(1) Prior to the appointment of a custody evaluator, the parties to the case shall have a right to be heard on the issue of the allocation of reasonable fees and expenses.

(2) The court shall inquire as to the rate and terms of compensation required by the custody evaluator and shall make a determination of the ability of any party to the case to pay for the reasonable fees and expenses of the evaluator. In making this determination, the court shall consider all of the following:

(a) The income, assets, liabilities, and financial circumstances of the parties, as demonstrated by an affidavit or statement of income and expenses, testimony to the court, or evidence of qualification for any means-tested public assistance;

(b) The complexity of the issues;

(c) The anticipated fees and expenses of the custody evaluator, including any fees or expenses related to potential testimony.

(3) Upon determination that the appointment of a custody evaluation should proceed, the court shall issue an order regarding allocation of payment of the evaluator's reasonable fees and expenses which shall consist of both of the following:

(a) Any requirement for a party to pay fees and expenses, including an initial deposit;

(b) Any requirement for any other entity or individual to contribute toward fees and expenses.

(4) For good cause shown, based upon a change of financial circumstances, the conduct of any party, or other unforeseen circumstances, the court may approve additional reasonable fees or expenses, reallocate fees or expenses, or require a party to reimburse another party in part or in whole for fees or expenses paid.

Commentary (July 1, 2026)

Rule 91.05 was renumbered to Rule 8.14 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: September 1, 2022

RULE 8.15. Responsibilities and Authority of Custody Evaluator.

(A) Responsibilities

A custody evaluator appointed by a court of common pleas pursuant to Sup.R. 8.13 shall do all of the following when performing the custody evaluation:

(1) Maintain objectivity, provide and gather balanced information from both parties to the case, and control for bias;

(2) Strive to minimize the potential psychological trauma to children during the evaluation and report writing by performing responsibilities in a prompt and timely manner;

(3) Protect the confidentiality of the parties and children with collateral contacts and not release information about the case to any individual except as authorized by the court or statute;

(4) Immediately identify himself or herself as a custody evaluator when contacting individuals in the course of a particular case and inform these individuals about the role of a custody evaluator and that documents and information obtained may become part of court proceedings;

(5) Refrain from any ex parte communications with the court regarding the merits of the case;

(6) Not offer any recommendations about a party unless that party has been evaluated directly or in consultation with another qualified neutral professional;

(7) Consider the health, safety, welfare, and best interest of the child in all phases of the process, including interviews with parents, extended family members, counsel for the child, and other interested parties or collateral contacts;

(8) Not pressure children to state a custodial preference;

(9) Inform the parties of the evaluator's reporting requirements, including, but not limited to suspected child abuse and neglect and threats to harm one's self or another person;

(10) Not disclose any recommendations to the parties, their attorneys, or the attorney for the child before having gathered the information necessary to support the conclusion;

(11) Be conscious of the socioeconomic status, gender, race, ethnicity, sexual orientation, cultural values, religion, family structures, and developmental characteristics of the parties;

(12) Upon discovery, notify the court in writing of any conflicts of interest arising from any relationship or activity with parties or others involved in the case. A custody evaluator shall avoid self-dealing or associations from which the custody evaluator may benefit, directly or indirectly, except from services as a custody evaluator.

(B) Assistance

When one party resides in another jurisdiction, a custody evaluator, upon order of the court, may rely upon another qualified neutral professional for assistance in gathering information.

(C) Communication with court

A custody evaluator may communicate with the court when necessary to amend the scope or time frame of the order of appointment.

Commentary (July 1, 2026)

Rule 91.06 was renumbered to Rule 8.15 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: September 1, 2022

RULE 8.16. Custody Evaluator Report.

(A) General

(1) A custody evaluator shall prepare and file with the court a written report at least 30 days prior to the final hearing. The report shall provide a detailed analysis of the relative strengths and areas in need of improvement of the parties with respect to meeting the needs of the child as well as a comparative analysis of different parenting or companionship plans under consideration. The report shall not be considered an investigation pursuant to Civ.R. 75(D).

(2) The written report shall include the statement "The custody evaluator's report shall be provided to the court for distribution to unrepresented parties and legal counsel. Unauthorized disclosure or distribution of the report may be subject to court action, including the penalties for contempt which include fines and/or incarceration."

(B) Court access to report

The court may receive and read the written report in advance of a hearing or trial for the purpose of conducting a settlement conference in the case.

(C) Record keeping

A custody evaluator shall establish and maintain a record-keeping system that shall include active control of their records and reasonable precautions to prevent the loss or destruction of records in compliance with established record retention standards.

(D) Discovery and public access

(1) The written report shall be subject to the Ohio Rules of Civil Procedure applicable to discovery in civil actions.

(2) The written report shall not be available for public access pursuant to Sup.R. 11.09 through 11.16.

(E) Copying and dissemination

A party may copy a written report of a custody evaluation but, except as permitted by the court, shall not disseminate the report by any means, including by social media. In particular, reports or the recommendations shall not be shared with minor children who are the subject of the case. Unauthorized disclosure or distribution of the report may be subject to court action, including the penalties for contempt which include fines and/or incarceration.

(F) Testimony and report at hearing or trial

(1) The evaluator's report shall be admitted into evidence at a hearing or trial on the court's motion. The report shall be admitted as the court's exhibit in the form of the evaluator's expert direct testimony. A party challenging the report shall subpoena the evaluator to appear not less than fourteen days before a hearing or trial.

(2) The court shall notify the evaluator as soon as a hearing or trial date is set. The evaluator shall be available to testify on cross-examination regarding the report if subpoenaed by a party not less than fourteen days prior to trial.

Commentary (July 1, 2026)

Rule 91.07 was renumbered to Rule 8.16 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: September 1, 2022

RULE 8.17. Custody Evaluator Licensure and Pre-Appointment Education Requirements.

(A) Licensure requirement

A court of common pleas shall appoint an individual as a custody evaluator only if the individual is one of the following:

(1) An Ohio licensed psychologist or a psychologist licensed in another jurisdiction and authorized by the Ohio Board of Psychology to practice psychology in this state on a temporary basis;

(2) An Ohio licensed social worker, professional clinical counselor, or marriage and family therapist or a professional with an equivalent level of licensure issued by another jurisdiction and authorized by the Ohio Counselor, Social Worker, and Marriage and Family Therapist Board to practice in this state on a temporary basis;

(3) A physician licensed in any state and board-certified in psychiatry or who has completed a psychiatry residency accredited by the Accreditation Council for Graduate Medical Education or a successor to that Council;

(4) A court-connected evaluator who has a minimum of a master's degree in a mental health field that includes formal education and training in the legal, social, familial, and cultural issues involved in custody decisions.

(B) Pre-appointment training

(1) Except as provided in division (B)(2) of this rule, a court of common pleas shall appoint an individual as a custody evaluator only if, at the time of appointment, the individual has completed an initial training program of forty hours to qualify for appointment. The initial training course shall be provided by the Supreme Court or other provider that has received prior approval of the Supreme Court. Approved topics for the initial training are detailed in the Supreme Court of Ohio's Custody Evaluator Training Guidelines.

(2) An individual serving as a custody evaluator on September 1, 2022, shall have until February 1, 2024, to complete the training required under division (B)(1) of this rule.

Commentary (July 1, 2026)

Rule 91.08 was renumbered to Rule 8.17 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: September 1, 2022

RULE 8.18. Custody Evaluator Continuing Education.

(A) Requirement

In each succeeding year following completion of the pre-appointment educational requirements of Sup.R. 8.17(B), a custody evaluator appointed by a court of common pleas shall complete a minimum of six hours of continuing education that meets all of the following requirements:

(1) Is provided by the Supreme Court or other provider that has received prior approval of the Supreme Court;

(2) Is comprised of approved continuing education topics detailed in the Supreme Court of Ohio's Custody Evaluator Training Guidelines.

(B) Failure to comply

The following shall apply to a custody evaluator who fails to comply with the continuing education requirement of division (A) of this rule:

(1) The custody evaluator shall not be eligible for new appointments to serve as a custody evaluator until the requirement is satisfied. If the deficiency in continuing education is more than three calendar years, the custody evaluator shall complete the initial training program pursuant to Sup.R. 8.17(B) to qualify again for appointment.

(2) If the custody evaluator is currently conducting an evaluation at the time of noncompliance, the appointing court may allow the custody evaluator to complete the evaluation and fulfill the requirements within the order of appointment.

Commentary (July 1, 2026)

Rule 91.09 was renumbered to Rule 8.18 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: September 1, 2022

Rules 8.19 through 8.24 are reserved for future use.

RULE 8.25. Assisted Outpatient Treatment Programs.

(A) Definitions

As used in this rule:

(1) "Assisted outpatient treatment program" means a particular session of court for persons with a mental illness subject to court order to receive treatment while being monitored in the community pursuant to R.C. Chapter 5122 and R.C. 2945.38, 2945.39, 2945.40, 2945.401, and 2945.402.

(2) "Person with a mental illness subject to court order" has the same meaning as in R.C. 5122.01(B).

(B) Establishment of program

(1) A court or a division of a court may establish an assisted outpatient treatment program for the purposes of monitoring compliance with a treatment plan for persons with a mental illness subject to court order who are supervised in an outpatient setting within the community.

(2) An assisted outpatient treatment program is not a specialized docket pursuant to Sup.R. 7.00.

(C) Local rule

A court or division that operates an assisted outpatient treatment program shall adopt a local rule governing the program. The rule shall include all of the following:

(1) Eligibility criteria for assisted outpatient candidates;

(2) Procedures for the selection and referral of an individual to the assisted outpatient treatment program;

(3) Expectations for assisted outpatient participants;

(4) Procedures for hospitals, treatment providers, county alcohol drug and mental health boards, participants, and attorneys to make confidential filings in the participant's underlying civil commitment pursuant to R.C. Chapter 5122;

(5) Procedures for notifying the parties and nonparty participants;

(6) Procedures for conducting the initial review and subsequent reviews;

(7) Criteria for successful completion of the program.

(D) Responsibilities of court

A court or division that operates an assisted outpatient treatment program shall be responsible for all of the following:

(1) Facilitating communication, as needed, among representatives of the court, treatment providers, and other individuals or agencies supporting the program participants;

(2) Monitoring a program participant's adherence to the treatment plan created by the community-based provider;

(3) Evaluating a program participant throughout the court-ordered treatment period;

(4) Maintaining confidentiality of proceedings, information, and records pursuant to R.C. Chapter 5122;

(5) Evaluating program outcomes.

Commentary (July 1, 2026)

Rule 79.01 was renumbered to Rule 8.25 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2025

Rules 8.26 through 8.29 are reserved for future use.

RULE 8.30. Definitions.

As used in Sup.R. 8.30 through 8.39:

(A) Best interest

"Best interest" means the course of action that maximizes what is best for a ward, including consideration of the least intrusive, most normalizing, and least restrictive course of action possible given the needs of the ward.

(B) Direct services

"Direct services" means services typically provided in exchange for compensation by home and community-based care and institutionally-based care providers, including medical and nursing care, care or case management services, care coordination, speech therapy, occupational therapy, physical therapy, psychological services, counseling, residential, legal representation, job training, and any other similar services. The term "direct services" does not include services of a guardian.

(C) Guardian

"Guardian" has the same meaning as in R.C. 2111.01(A).

(D) Ward

"Ward" means any adult person found by the probate division of a court of common pleas to be incompetent and for whom a guardianship is established.

(E) Guardianship services

"Guardianship services" means the duties assigned to a guardian in an adult guardianship case pursuant to R.C. Chapters 2109 and 2111.

(F) Family member

"Family member" means a parent, stepparent, spouse, sibling, stepsibling, grandparent, grandchild, aunt, uncle, nephew, niece, cousin, child, stepchild, or any other individual related by blood or marriage.

Commentary (July 1, 2026)

Rule 66.01 was renumbered to Rule 8.30 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: June 1, 2015
Amended: July 10, 2025

RULE 8.31. Guardianships.

(A) All applications for the appointment of a guardian on the grounds of mental incompetency shall be accompanied by either a statement of a physician or clinical psychologist or a statement that the prospective ward has refused to submit to an examination or the agent of the prospective ward or other individual has refused to consent to an examination.

(B) An Application for Authority to Expend Funds (Standard Probate Form 15.7) shall not be approved until an Inventory (Standard Probate Form 15.5) has been filed.

(C) An application for allowance of care and support of a minor shall allege, if such is the fact, that the parents are financially unable to provide the items for which the amount is sought.

Commentary (October 1, 1997)

This rule is analogous to former C.P. Sup.R. 34, and the title has been amended to be more inclusive in that the rule does not only apply to the guardian but also to all issues affecting the guardianship.

Division (A) has been deleted in that it described the parameters of the probate forms created under Sup.R. 51(D) and is therefore superfluous.

Former C.P. Sup.R. 34(B) has been relettered as division (A). The rule required the submission of a statement of a physician upon the filing of an application for guardianship or an application for dismissal of a guardianship or a declaration of competency. The rule has been amended to permit a clinical psychologist to complete the expert evaluation. This amendment recognizes that a psychologist's report is often more thorough than that of the physician and recognizes that the psychologist may complete the expert evaluation for the biennial report. The rule has not been expanded to permit the initial evaluation to be completed by a licensed clinical social worker.

The requirement for an expert evaluation for the dismissal or termination of a guardianship has been deleted due to statutory changes under R.C. 2111.49(C).

Former C.P. Sup.R. 34(C) has been deleted and incorporated in part in amended division (B), which continues the requirement to file an inventory prior to the authorization of any expenditure required in former C.P. Sup.R. 34(C).

Former C.P. Sup.R. 34(D) has been relettered as division (C). Division (C) has been amended to delete the term "parent-guardian" from the rule and to allow the application to be filed by the appointed guardian, who is not in all cases also the parent of the minor ward. With an application to expend funds for support of a minor ward, the rule formerly required a parent-guardian to state whether the parents had the ability to provide the support. The amendment expands the rule to require any guardian to state whether the parents can provide the support when requesting expenditure of the ward's funds for support.

Commentary (July 1, 2026)

Rule 66 was renumbered to Rule 8.31 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: October 1, 1997; March 15, 2016; July 1, 2022

RULE 8.32. Application of Rules.

(A) General

Sup.R. 8.30 through 8.39 shall apply in an adult guardianship case where the probate division of a court of common pleas appoints a guardian to protect and control a ward pursuant to R.C. 2111.02, provided the appointing court for good cause may, by order of the court, exempt a guardian who is related to the ward by consanguinity or affinity.

(B) Corporation as guardian

Sup.R. 8.30 through 8.39 shall apply to the employees of a corporation who provide guardianship services in an adult guardianship case where the probate division of a court of common pleas appoints the corporation as guardian.

Commentary (July 1, 2026)

Rule 66.02 was renumbered to Rule 8.32 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: June 1, 2015

RULE 8.33. Local Guardianship Rule.

The probate division of a court of common pleas that establishes guardianships shall adopt local rules governing the establishment of guardianships that do all of the following:

(A) Establish a process for emergency guardianships;

(B) Establish a process for submitting in electronic format or hard copy comments and complaints regarding the performance of guardians appointed by the court, including actions of the guardian in denying a request of a person to visit with the ward, and for considering such comments and complaints. The process shall include each of the following:

(1) The designation of a person for accepting and considering comments and complaints;

(2) A requirement that a copy of the submitted comment or complaint be provided to the guardian who is the subject of the comment or complaint;

(3) A requirement that the court give prompt consideration to the comment or complaint and take appropriate action;

(4) A requirement that the court maintain a record regarding the nature and disposition of the comment or complaint;

(5) A requirement that the court notify the person making the comment or complaint and the guardian of the disposition of the comment or complaint.

(C) Addresses other provisions as the court considers necessary and appropriate, including but not limited to indicating where filed comments and complaints will be kept.

Commentary (July 1, 2026)

Rule 66.03 was renumbered to Rule 8.33 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: June 1, 2015
Amended: July 1, 2022

RULE 8.34. Establishment of Guardianship.

(A) Scope of guardianship

When establishing a guardianship, the probate division of a court of common pleas shall consider a limited guardianship before establishing a plenary guardianship.

(B) County of residence

The last county of residence in Ohio in which a ward resided prior to losing the cognitive ability to choose shall be the ward's county of residence for purposes of establishing a guardianship, unless determined otherwise by the probate division of the court of common pleas establishing the guardianship.

(C) Guardianship of estate

The probate division of a court of common pleas may waive establishing or continuing the guardianship of the estate of a ward if the assets and principal income of the ward do not support a guardianship of the estate.

Commentary (July 1, 2026)

Rule 66.04 was renumbered to Rule 8.34 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: June 1, 2015
Amended: July 10, 2025

RULE 8.35. Responsibilities of Court Establishing Guardianships.

(A) General responsibilities

The probate division of a court of common pleas that establishes a guardianship shall do all of the following:

(1) Conduct, or cause to be conducted, a criminal background check of all applicants for appointment as guardian. If the applicant for appointment as a guardian is a licensed Ohio attorney, the court may accept a certificate of good standing with disciplinary information issued by the Supreme Court in place of a criminal background check.

(2) Require each guardian appointed by the court to execute an affidavit affirming the applicant has no pending misdemeanor or felony charges, has not been convicted of or pleaded guilty to any misdemeanor or felony offense, and shall notify the court within seventy-two hours of any change in the information in the affidavit.

(3) Determine what weight to give to the any pending charges or convictions of misdemeanor or felony offenses as disclosed in the criminal background check or the affidavit.

(4) Require each guardian appointed by the court to submit to the court information documenting compliance with the guardian qualifications pursuant to Sup.R. 8.36 or 8.37, as applicable;

(5) Direct the court investigator to inquire into the visitation history and preferences of the prospective ward during the service of notice and initial guardianship investigation pursuant to R.C. 2111.041 or at any other time that the court directs. The court investigator shall make a written report of the visitation recommendation to the court.

(B) Responsibilities regarding guardians with ten or more wards

The probate division of a court of common pleas shall do all of the following with respect to guardians with ten or more wards under the guardian's care:

(1) Maintain a roster, including the name, address, telephone number, and electronic mail address, of the guardians. The court shall require the guardians to notify the court of any changes to this information.

(2) Require the guardians to include in the guardian's report a certification stating that the guardian is unaware of any circumstances that may disqualify the guardian from serving as a guardian;

(3) Require the guardians to submit to the court an annual fee schedule that differentiates guardianship services fees, as established pursuant to local rule, from legal or other direct services;

(4) On or before March 1st of each year, review the roster of guardians to determine if the guardians are in compliance with the education requirements of Sup.R. 8.36 or 8.37, as applicable, and that the guardians are otherwise qualified to serve.

Commentary (July 1, 2026)

Rule 66.05 was renumbered to Rule 8.35 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: June 1, 2015
Amended: June 1, 2021; May 1, 2022; July 1, 2022

RULE 8.36. Guardian Pre-Appointment Education.

(A) Requirement

Except as provided in division (B) of this rule, the probate division of a court of common pleas shall not appoint an individual as a guardian unless, at the time of appointment or within six months thereafter, the individual has successfully completed, at a minimum, a six-hour guardian fundamentals course provided by the Supreme Court or, with the prior approval of the appointing court, another entity. The fundamentals course shall include, at a minimum, education on the following topics:

(1) Establishing the guardianship;

(2) The ongoing duties and responsibilities of a guardian;

(3) Record keeping and reporting duties of a guardian;

(4) Any other topic that concerns improving the quality of the life of a ward;

(5) Abuse, neglect, and exploitation training in order to detect and report allegations to authorities.

(B) Exception

An individual serving as a guardian on June 1, 2015, or who served as a guardian during the five years immediately preceding that date shall have until June 1, 2016, to complete the training required under division (A) of this rule unless the appointing court waives or extends the requirement for good cause.

Commentary (July 1, 2026)

Rule 66.06 was renumbered to Rule 8.36 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: June 1, 2015
Amended: July 1, 2022

RULE 8.37. Guardian Continuing Education.

(A) Requirement

In each succeeding year following completion of the requirement of Sup.R. 8.36, a guardian appointed by the probate division of a court of common pleas shall successfully complete a continuing education course that meets all of the following requirements:

(1) Is at least three hours in length;

(2) Is provided by the Supreme Court or, with the prior approval of the appointing court, another entity;

(3) Is specifically designed for continuing education needs of guardians and consists of advanced education relating to the topics listed in Sup.R. 8.36(A)(1) through (5).

(B) Annual compliance

On or before January 1st of each year, a guardian shall report to each probate division of a court of common pleas from which the guardian receives appointments information documenting compliance with the continuing education requirement pursuant to division (A) of this rule, including the title, date, location, and provider of the education or a certificate of completion.

(C) Failure to comply

If a guardian fails to comply with the continuing education requirement of division (A) of this rule, the guardian shall not be eligible for new appointments to serve as a guardian until the requirement is satisfied. If the deficiency in continuing education is more than three calendar years, the guardian shall complete, at a minimum, a six-hour fundamentals course pursuant to Sup.R. 8.36(A) to qualify again to serve as a guardian.

Commentary (July 1, 2026)

Rule 66.07 was renumbered to Rule 8.37 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: June 1, 2015

RULE 8.38. General Responsibilities of Guardian.

(A) Orders, rules, and laws

A guardian shall obey all orders of the probate division of a court of common pleas establishing the guardianship and shall perform duties in accordance with local rules and state and federal law governing guardianships.

(B) Pre-appointment meeting

Unless otherwise determined by the probate division of a court of common pleas, an applicant guardian shall meet with a proposed ward at least once prior to appearing before the court for a guardianship appointment.

(C) Reporting abuse, neglect, or exploitation

A guardian shall immediately report to the probate division of a court of common pleas and, when applicable, to adult protective services, the long-term care ombudsman, or law enforcement any appropriate allegations of abuse, neglect, or exploitation of a ward.

(D) Limitation or termination of guardianship

A guardian shall seek to limit or terminate the guardianship authority and promptly notify the probate division of a court of common pleas if any of the following occurs:

(1) A ward's ability to make decisions and function independently has improved;

(2) Less restrictive alternatives are available;

(3) A plenary guardianship is no longer in the best interest of a ward;

(4) A ward has died.

(E) Change of residence

(1) A guardian shall notify the probate division of a court of common pleas of a ward's change of residence and the reason for the change. Except if impracticable, the guardian shall notify the court no later than ten days prior to the proposed change.

(2) A ward's change of residence to a more restrictive setting in or outside of the county of the guardian's appointment shall be subject to the court's approval, unless a delay in authorizing the change of residence would affect the health and safety of the ward.

(F) Court approval of legal proceedings

A guardian shall seek approval from the probate division of a court of common pleas before filing a suit for the ward.

(G) Annual plan

A guardian of a person shall file annually with the probate division of the court of common pleas a guardianship plan as an addendum to the guardian's report. A guardian of an estate may be required to file an annual guardianship plan with the probate division of the court of common pleas. The guardianship plan shall state the guardian's goals for meeting the ward's personal and financial needs.

(H) Annual registration

All guardians appointed by the court who have ten or more wards under their care shall annually register with the probate division of the court of common pleas and provide such information as the court may require, including but not limited to a fee schedule that differentiates guardianship services from legal or other direct services.

(I) Ward's principal income

A guardian shall inform the probate division of the court of common pleas and apply to close the guardianship of the estate if the principal income of the ward is from governmental entities, a payee for that income is identified, and no other significant assets or income exist.

(J) Limits on guardian's compensation

(1) A guardian's compensation is subject to Civ.R. 73.23.

(2) A guardian who is in receipt of fees other than through the guardianship of the estate shall report to the probate division of the court of common pleas the source and entity which reviewed and authorized payment.

(3) A guardian shall not receive incentives or compensation from any direct service provider providing services to a ward.

(K) Conflict of interest

A guardian shall avoid actual or apparent conflicts of interest regarding a ward's personal or business affairs. A guardian shall report to the probate division of the court of common pleas all actual or apparent conflicts of interest for review and determination as to whether a waiver of the conflict of interest is in the best interest of the ward.

(L) Filing of ward's legal papers

In addition to filing an inventory, if applicable, pursuant to R.C. 2111.14(A)(1) and within three months after the guardian's appointment, a guardian shall file with the probate division of the court of common pleas a list of all of the ward's important legal papers, including but not limited to estate planning documents, advance directives, and powers of attorney, and the location of such legal papers, if known at the time of the filing.

Commentary (July 1, 2026)

Rule 66.08 was renumbered to Rule 8.38 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: June 1, 2015
Amended: July 1, 2022

RULE 8.39. Responsibilities of Guardian to Ward.

(A) Professionalism, character, and integrity

A guardian shall act in a manner above reproach, including but not limited to avoiding financial exploitation, sexual exploitation, and any other activity that is not in the best interest of the ward.

(B) Exercising due diligence

A guardian shall exercise due diligence in making decisions that are in the best interest of a ward, including but not limited to communicating with the ward and being fully informed about the implications of the decisions.

(C) Least restrictive alternative

Unless otherwise approved by the probate division of a court of common pleas, a guardian shall make a choice or decision for a ward that best meets the needs of the ward while imposing the least limitations on the ward's rights, freedom, or ability to control the ward's environment. To determine the least restrictive alternative, a guardian may seek and consider an independent assessment of the ward's functional ability, health status, and care needs.

(D) Person-centered planning

A guardian shall advocate for services focused on a ward's wishes and needs to reach the ward's full potential. A guardian shall strive to balance a ward's maximum independence and self-reliance with the ward's best interest.

(E) Ward's support system

A guardian shall strive to foster and preserve positive relationships in the ward's life unless such relationships are substantially harmful to the ward. A guardian shall be prepared to explain the reasons a particular relationship is severed and not in the ward's best interest.

(F) Communication with ward

(1) A guardian shall strive to know a ward's preferences and belief system by seeking information from the ward and the ward's family and friends. The guardian is encouraged to identify those persons with whom the ward desires to communicate and facilitate the communication the guardian believes is in the best interest of the ward.

(2) A guardian shall do all of the following:

(a) Meet with the ward as needed, but not less than once quarterly or as determined by the probate division of the court of common pleas;

(b) Communicate privately with the ward;

(c) Assess the ward's physical and mental conditions and limitations;

(d) Assess the appropriateness of the ward's current living arrangements;

(e) Assess the needs for additional services;

(f) Notify the court if the ward's level of care is not being met;

(g) Document all complaints made by a ward and assess the need to report the complaints to the court of common pleas.

(h) Encourage visitation and communication with the ward so long as such visitation and communication is in the best interest of the ward;

(i) Promptly submit a list of names to the court of any persons or entities whom the guardian has excluded or seeks to exclude from visiting or communicating with the ward.

(G) Direct services

A guardian, except a family member guardian of the ward, shall not provide any direct services to a ward without notifying the probate court. All guardians providing any direct services to a ward shall comply with all licensing, training, and accreditation rules required of paid providers by any applicable state agency.

(H) Monitor and coordinate services and benefits

A guardian shall monitor and coordinate all services and benefits provided to a ward, including doing all of the following as necessary to perform those duties:

(1) Having regular contact with all service providers;

(2) Assessing services to determine they are appropriate and continue to be in the ward's best interest;

(3) Maintaining eligibility for all benefits;

(4) Where the guardian of the person and guardian of the estate are different individuals, consulting regularly with each other.

(I) Extraordinary medical issues

(1) A guardian shall seek ethical, legal, and medical advice, as appropriate, to facilitate decisions involving extraordinary medical issues.

(2) A guardian shall strive to honor the ward's preferences and belief system concerning extraordinary medical issues.

(J) End of life decisions

A guardian shall make every effort to be informed about the ward's preferences and belief system in making end of life decisions on behalf of the ward.

(K) Caseload

A guardian shall appropriately manage the guardian's caseload to ensure the guardian is adequately supporting and providing for the best interest of the wards in the guardian's care.

(L) Duty of confidentiality

A guardian shall keep the ward's personal and financial information confidential, except when disclosure is in the best interest of the ward or upon order of the probate division of a court of common pleas.

Commentary (July 1, 2026)

Rule 66.09 was renumbered to Rule 8.39 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: June 1, 2015
Amended: July 1, 2022; July 1, 2022; July 10, 2025

Rules 8.40 through 8.49 are reserved for future use.

RULE 8.50. Complaint for Abortion without Parental Notification Pursuant to R.C. 2151.85.

(A) Complaint

(1) All actions pursuant to R.C. 2151.85 shall be commenced by filing a complaint on "Form 23-A" in the juvenile court of the county in which the juvenile resides or in a county bordering the county where the juvenile resides. The complaint shall be filed promptly upon the request of the complainant.

(2) A certified copy of the second page of "Form 23-A," with the case number noted on it, shall be given to the complainant after she signs it. The original second page of the form shall be removed from the file jacket and filed under seal in a safe or other secure place where access is limited to essential juvenile court personnel. All index records shall be filed under, "In the Matter of Jane Doe."

(B) Assistance to minor

A minor seeking to file an action pursuant to R.C. 2151.85 shall be given prompt assistance by the clerk of the juvenile court in a private, confidential setting. Assistance shall include performing the notary services necessary to file the complaint and affidavits described in this rule and Sup.R. 8.52.

(C) Filing fees and court costs

A complaint filed pursuant to division (A) of this rule and other forms described in these rules shall be provided without cost to the minor. No filing fees or court costs shall be imposed on the minor in connection with these proceedings or any notice of appeal filed in connection with these proceedings.

(D) Appointment of counsel

Upon the filing of a complaint pursuant to division (A) of this rule, the juvenile court shall appoint an attorney to represent the complainant if she is not represented by an attorney. Court-appointed attorneys shall be paid by the court without expense to the complainant.

(E) Appointment of guardian ad litem

Upon the filing of a complaint pursuant to division (A) of this rule, the juvenile court shall appoint a guardian ad litem. The court may appoint the same individual to serve as both the attorney and the guardian ad litem. If the court appoints an individual who volunteers to serve as a guardian ad litem for the complainant, that individual need not be paid. Other guardians ad litem shall be paid by the court without expense to the complainant.

(F) Hearing

(1) The juvenile court shall promptly conduct a hearing after the filing of a complaint pursuant to division (A) of this rule and should, if possible, conduct the hearing within twenty-four hours. In no event shall the court hold the hearing later than five business days after the filing of the complaint. The court shall accommodate school hours if at all possible. The hearing shall be conducted by a judge and shall not be heard by a magistrate. Hearings shall be closed to the public and exclude all persons except witnesses on behalf of the complainant, her attorney, her guardian ad litem, and essential court personnel. The hearing shall be conducted in a manner that preserves the anonymity of the complainant. The complainant's name shall not appear on the record.

(2) If both maturity and either abuse or best interest are alleged in the complaint, or if maturity, abuse, and best interest are alleged in the complaint, the court shall rule on the issue of maturity first. If the court finds against the complainant on the issue of maturity, it then shall determine the other issues alleged in the complaint.

(G) Judgment

(1) The juvenile court shall enter judgment immediately after the conclusion of the hearing and immediately provide a copy of the judgment to the complainant. The court shall issue an order on "Form 23-B" authorizing the complainant to consent to the performance of an abortion without notice to a parent, guardian, or custodian if it finds either of the following by clear and convincing evidence:

(a) The complainant is sufficiently mature and well enough informed to decide intelligently;

(b) There is evidence of a pattern of physical, sexual, or emotional abuse by one or both of the complainant's parents, guardian, or custodian or that notification is not in the best interest of the complainant.

(2) If the court determines that the complainant has not established the allegations of the complaint by clear and convincing evidence, the court shall dismiss the complaint. The court shall notify the complainant that she has a right to appeal pursuant to R.C. 2505.073 and provide the complainant with a copy of the notice of appeal, "Form 23-C."

(H) Appeals

(1) Immediately after the notice of appeal has been filed by the complainant, the clerk of the juvenile court shall notify the court of appeals. Within four days after the notice of appeal is filed, the clerk shall deliver a copy of the notice of appeal and the record, except page two of the complaint, to the clerk of the court of appeals who immediately shall place the appeal on the docket of the court of appeals.

(2) The juvenile court shall prepare a written transcript if possible. If a transcript cannot be prepared timely and if the testimony is on an audio or video recording, the recording may be forwarded as part of the record in the case to the court of appeals without prior transcription and the court of appeals shall accept the recording as the transcript in the case without prior transcription. The juvenile court shall ensure that the court of appeals has the necessary equipment to play the recording.

(I) General rule of expedition

If a complainant files a notice of appeal on the same day as the dismissal of her complaint, the entire court process, including the juvenile court hearing, appeal, and decision, shall be completed in sixteen calendar days from the time the complaint was filed.

(J) Confidentiality

The juvenile court shall not notify the parents, guardian, or custodian of the complainant that she is pregnant, that she wants to have an abortion, or that the complaint was filed. All court papers and records that pertain to the action shall be kept confidential and shall not be available for public access pursuant to Sup.R. 11.09 through 11.16.

(K) Verification notice

Upon request of the complainant or her attorney, the clerk of the juvenile court shall verify on "Form 23-D" the date the complaint was filed and whether a hearing has been held within five business days after the filing of the complaint. The clerk shall file and include the form as part of the record and shall provide a date-stamped copy to the complainant or her attorney.

Commentary (July 1, 2026)

Rule 23 was renumbered to Rule 8.50 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: January 1, 2015

RULE 8.51. Application for Authorization to Consent to an Abortion or for Judicial Consent to an Abortion Pursuant to R.C. 2919.121.

(A) Definition

As used in this rule, Sup.R. 8.53, and "Forms 23.1-A, 23.1-B, 23.1-C, and 25," "petitioner" means the minor female who is seeking consent to have an abortion regardless of whether the minor female or a next friend files the petition.

(B) Petition

(1) All actions pursuant to R.C. 2919.121 shall be commenced by filing a petition on "Form 23.1-A" in the juvenile court of the county in which the juvenile resides or in a county bordering the county where the juvenile resides. The petition shall be filed promptly upon the request of the petitioner.

(2) A certified copy of the second page of "Form 23.1-A," with the case number noted on it, shall be given to the petitioner after she or next friend signs it. The original second page of the form shall be removed from the file jacket and filed under seal in a safe or other secure place where access is limited to essential juvenile court personnel. All index records shall be filed under, "In re the Petition of Jane Doe."

(C) Assistance to minor

A minor seeking to file an action pursuant to R.C. 2919.121 shall be given prompt assistance by the clerk of the juvenile court in a private, confidential setting. Assistance shall include performing the notary services necessary to file the petition and affidavits described in this rule.

(D) Filing fees and court costs

The petition and other forms described in these rules shall be provided without cost to the petitioner. No filing fees or court costs shall be imposed on the petitioner in connection with these proceedings or any notice of appeal filed in connection with these proceedings.

(E) Appointment of counsel

Upon the filing of a petition pursuant to division (B) of this rule and at least twenty-four hours before the hearing scheduled pursuant to division (G) of this rule, the juvenile court shall appoint an attorney to represent the petitioner if she is not represented by an attorney. Court-appointed attorneys shall be paid by the court without expense to the petitioner.

(F) Appointment of guardian ad litem

Upon the filing of a petition pursuant to division (B) of this rule, the juvenile court shall appoint a guardian ad litem pursuant to Juv.R. 4.

(G) Hearing

(1) The juvenile court shall promptly conduct a hearing after the filing of a petition pursuant to division (B) of this rule and should, if possible, conduct the hearing within twenty-four hours. In no event shall the court hold the hearing later than five calendar days after the filing of the petition. The court shall accommodate school hours if at all possible. The hearing shall be conducted by a judge and shall not be heard by a magistrate. Hearings shall be closed to the public and exclude all persons except witnesses on behalf of the petitioner, her attorney, her guardian ad litem, her next friend, if any, and essential court personnel. The hearing shall be conducted in a manner that preserves the anonymity of the petitioner. The petitioner's name shall not appear on the record.

(2) If maturity and best interest are alleged in the petition, the court shall rule on the issue of maturity first. If the court finds against the petitioner on the issue of maturity, it then shall determine the issue of best interest.

(H) Judgment~~.~~

(1) If the juvenile court finds by clear and convincing evidence that the petitioner is sufficiently mature and well enough informed to decide intelligently whether to consent to an abortion or that the abortion is in the best interests of the petitioner, the court shall issue an order on "Form 23.1-B" authorizing the petitioner to consent to the performance of an abortion or giving judicial consent to the abortion. If the court does not find by clear and convincing evidence that the petitioner is sufficiently mature and well enough informed to decide intelligently or that the abortion is in the best interests of the petitioner, or if the court finds that it does not have jurisdiction over the petition, the court shall issue an order on "Form 23.1-B" denying or dismissing the petition. The court shall enter judgment as soon as possible and no later than twenty-four hours after the conclusion of the hearing.

(2) If the judgment is entered immediately at the conclusion of the hearing, the court shall provide the petitioner and her attorney with a copy of the judgment. If the court denies or dismisses the petition, the court shall notify the petitioner that she has a right to appeal pursuant to R.C. 2919.121(C)(6) and provide the petitioner and her attorney with a copy of the notice of appeal, "Form 23.1-C."

(3) If the judgment is not entered immediately at the conclusion of the hearing, the court shall do all of the following:

(a) Inform the petitioner that the judgment will be entered within twenty-four hours;

(b) Inform the petitioner that the court will notify her attorney of the judgment upon its issuance;

(c) Inform the petitioner of the availability of other confidential procedures, which have been established by the court, to notify the petitioner of the court's judgment, including, but not limited to, providing the petitioner with the name of a designated court employee whom the petitioner may contact to obtain the judgment, arranging for the pick-up of the judgment at the court, or arranging for delivery of the judgment to an address designated by the petitioner;

(d) Notify the petitioner that, if the court denies or dismisses the petition, she has the right to appeal pursuant to R.C. 2919.121(C)(6);

(e) Provide the petitioner and her attorney with a copy of the notice of appeal, "Form 23.1-C," and explain to the petitioner that the form may be filed only if the court denies or dismisses the petition.

(I) Appeals

(1) Immediately after the notice of appeal has been filed by the petitioner, the clerk of the juvenile court shall notify the court of appeals. Within four calendar days after the notice of appeal is filed, the clerk shall deliver a copy of the notice of appeal and the record, except page two of the petition, to the clerk of the court of appeals who immediately shall place the appeal on the docket of the court of appeals.

(2) The juvenile court shall prepare a written transcript if possible. If a transcript cannot be prepared timely and if the testimony is on an audio or video recording, the recording may be forwarded as part of the record in the case to the court of appeals without prior transcription, and the court of appeals shall accept the recording as the transcript in the case without prior transcription. The juvenile court shall ensure that the court of appeals has the necessary equipment to play the recording.

(J) General rule of expedition

(1) If a petitioner files a notice of appeal on the same day as the denial or dismissal of her petition, the entire court process, including the juvenile court hearing, appeal, and decision, shall be completed in sixteen calendar days from the time the petition was filed.

(2) If a petitioner files a notice of appeal after the day on which the court denies or dismisses her petition, the entire court process, including the juvenile court hearing, appeal, and decision, shall be completed in sixteen calendar days from the time the petition was filed, plus the number of calendar days that elapsed between the date on which the court's decision was issued and the date on which the notice of appeal was filed.

(K) Confidentiality

The juvenile court and the court of appeals shall not notify the parents, guardian, or custodian of the petitioner that she is pregnant, that she wants to have an abortion, or that the petition was filed. All court papers and records that pertain to the action shall be kept confidential and shall not be available for public access pursuant to Sup.R. 11.09 through 11.16.

Commentary (July 1, 2026)

Rule 23.1 was renumbered to Rule 8.51 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 15, 2001
Amended: January 1, 2015

RULE 8.52. Notifying Physicians of Affidavits Alleging Abuse Pursuant to R.C. 2919.12.

(A) Filing affidavits--procedure

(1) Pursuant to R.C. 2919.12(B)(1)(b), a minor may have notice of an intended abortion given to a specified adult instead of one of her parents, guardian, or custodian. Two affidavits shall be filed with the clerk of the juvenile court by anyone seeking to invoke the notice provisions of the law. The first affidavit is executed by the minor and should be on "Form 24-A." The second affidavit is executed by the specified adult and should be on "Form 24-B." Anyone receiving these forms also shall be given the accompanying instruction sheet.

(2) Upon the filing of both affidavits and upon the request of the minor, her attorney, or the person who will perform the abortion, the clerk of the juvenile court shall issue a notice on "Form 24-C" verifying that the affidavits have been filed with the court.

(B) Confidentiality

(1) All affidavits filed and notices issued pursuant to this rule shall be placed under seal in a safe or other secure place where access is limited to essential juvenile court personnel.

(2) Persons becoming aware of the contents of any affidavits prepared pursuant to this rule or R.C. 2919.12 are exempt from reporting such contents under R.C. 2151.421. Any reporting by court personnel would breach the duty of confidentiality and is prohibited by R.C. 102.03.

Commentary (July 1, 2026)

Rule 24 was renumbered to Rule 8.52 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: January 1, 2015

RULE 8.53. Procedure on Appeals Pursuant to R.C. 2151.85, 2919.121, and 2505.073.

(A) Definition

As used in this rule, "days" means calendar days and includes any intervening Saturday, Sunday, or legal holiday. If the last day on which a judgment is required to be entered falls on a Saturday, Sunday, or legal holiday, the computation of days shall not be extended and judgment shall be made either on the last business day before the Saturday, Sunday, or legal holiday, or on the Saturday, Sunday, or legal holiday.

(B) General rule of expedition

(1) If a complainant or petitioner files a notice of appeal on the same day on which the juvenile court denies or dismisses her complaint or petition, the entire court process, including the court hearing, appeal, and decision, shall be completed in sixteen calendar days from the time the complaint or petition was filed.

(2) If a complainant or petitioner files a notice of appeal after the day on which the juvenile court denies or dismisses her complaint or petition, the entire court process, including the court hearing, appeal, and decision, shall be completed in sixteen calendar days from the time the complaint or petition was filed, plus the number of calendar days that elapsed between the date on which the court's decision was issued and the date on which the notice of appeal was filed.

(C) Processing appeal

(1) Immediately after a notice of appeal has been filed by a complainant or petitioner, the clerk of the juvenile court shall notify the court of appeals. Within four days after the notice of appeal is filed, the clerk shall deliver a copy of the notice of appeal and the record, except page two of the complaint or petition, to the clerk of the court of appeals who immediately shall place the appeal on the docket of the court of appeals.

(2) Record of all testimony and other oral proceedings in actions pursuant to R.C. 2151.85 or 2919.121 may be made by audio or video recording. If the testimony is on a recording and a transcript cannot be prepared timely, the court of appeals shall accept the recording as the transcript in this case without prior transcription.

(3) The appellant under this section shall file her brief within four days after the appeal is docketed. Unless waived, the oral argument shall be within five days after docketing. Oral arguments shall be closed to the public and exclude all persons except the appellant, her attorney, her guardian ad litem, and essential court personnel.

(D) Confidentiality

All proceedings pursuant to R.C. 2505.073(A) or 2919.121 shall be conducted in a manner that preserves the anonymity of the appellant on appeal. Except as set forth in division (F) of this rule, all papers and records that pertain to an appeal pursuant to R.C. 2505.073 or 2919.121 shall be kept confidential and shall not be available for public access pursuant to Sup.R. 11.09 through 11.16.

(E) Judgment entry

The court of appeals shall enter judgment immediately after conclusion of oral argument or, if oral argument is waived, within five days after the appeal is docketed.

(F) Release of records

(1) The public shall be entitled to secure all of the following from the records pertaining to each case filed pursuant to R.C. 2505.073 or 2919.121:

(a) The docket number;

(b) The name of the judge;

(c) The judgment entry and, if appropriate, a properly redacted opinion.

(2) Opinions shall set forth the reasoning in support of the decision in a way that does not directly or indirectly compromise the anonymity of the minor. Opinions written in compliance with this requirement shall be considered public records available upon request. If, in the judgment of the court, it is impossible to release an opinion without compromising the anonymity of the minor, the entry that journalizes the outcome of the case shall include a specific finding that no opinion can be written without disclosing the identity of the minor. Such finding shall be a matter of public record.

(3) The court shall remove any and all information in its opinion that would directly or indirectly disclose the identity of the minor.

(G) Notice and hearing before release of opinion

(1) After an opinion is written and before it is available for release to the public, the court shall notify the minor and give her the option to appear and argue at a hearing if she believes the opinion may disclose her identity. Notice may be provided by including the following language in the opinion:

> "If appellant believes that this opinion may disclose her identity, appellant has a right to appear and argue at a hearing before this court. Appellant may

perfect this right to a hearing by filing a motion for a hearing within fourteen days of the date of this opinion.

The clerk is instructed that this opinion is not to be made available for release until either of the following:

- Twenty-one days have passed since the date of the opinion and appellant has not filed a motion;

- If appellant has filed a motion, after this court has ruled on the motion."

(2) Notice shall be provided by mailing a copy of the opinion to the attorney for the appellant or, if she is not represented, to the address provided by appellant for receipt of notice.

(H) Constructive order

Upon request of the appellant or her attorney in proceedings pursuant to R.C. 2151.85 or 2505.073, the clerk of the juvenile court shall verify on "Form 25-A" the date the appeal was docketed and whether a judgment has been entered within five days of that date. The completed form shall include the case number from the juvenile court and the court of appeals, and shall be filed and included as part of the record. A date-stamped copy shall be provided to the appellant or her attorney.

Commentary (July 1, 2026)

Rule 25 was renumbered to Rule 8.53 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: October 15, 2001; January 1, 2015

SECTION 9. INTERPRETIVE SERVICES.

RULE 9.00. Definitions.

As used in Sup.R. 9.00 through 9.11:

(A) Ancillary court services

"Ancillary court services" means any activity, other than a case or court function, that includes the exchange of legal or general court-related information with the public or parties in interest and is paid for, provided by, or ordered by the court. "Ancillary court services" includes, but is not limited to, the following:

(1) Dispute-resolution programs;

(2) Evaluations in the probate, guardianship, divorce, child-custody, and other judicial contexts;

(3) Information counters and clerk of courts' counters;

(4) Probation or criminal-diversion-program functions;

(5) Self-represented clinics, resources, or help centers established by the court;

(6) Specialized dockets and dedicated-subject-matter dockets.

(B) Case or court function

"Case or court function" means any hearing, trial, pre-trial conference, settlement conference, or other appearance before a court in an action, appeal, proceeding, or other matter conducted by a judge, magistrate, or other court official.

(C) Consecutive interpretation

"Consecutive interpretation" means interpretation in which a foreign language interpreter or sign language interpreter waits until the speaker finishes an entire message rendered in a source language before rendering the message in a target language.

(D) Crime of moral turpitude

"Crime of moral turpitude" means either of the following:

(1) A crime punishable by death or imprisonment in excess of one year pursuant to the law under which the person was convicted;

(2) A crime involving dishonesty or false statement, regardless of the punishment and whether based upon state or federal statute or local ordinance.

(E) Deaf blind

"Deaf blind" means a combination of hearing and vision loss of any varying degree that causes an individual extreme difficulty in attaining independence in daily life activities, achieving psychosocial adjustment, or obtaining vocational objectives.

(F) Foreign language interpreter

"Foreign language interpreter" means an individual who, as part of any case or court function, facilitates communication between or among legal professionals and a limited English proficient or non-English speaking party or witness through consecutive interpretation, simultaneous interpretation, or sight translation.

(G) Language-access plan

"Language-access plan" means a document that outlines how the court provides services to people who are limited English proficient, deaf, or hard of hearing. It should include the contact at the court responsible for managing the plan and for requests for assistance, timelines, and allocation of resources to maintain compliance with the language-access requirements under federal and state law.

(H) Limited English proficient

"Limited English proficient" means an individual who does not speak English as a primary language or who has a limited ability to read, speak, write, or understand English and requires the assistance of a foreign language interpreter or sign language interpreter to effectively communicate.

(I) Provisionally qualified foreign language interpreter

"Provisionally qualified foreign language interpreter" means a foreign language interpreter who has received provisional certification from the Supreme Court Language Services Section pursuant to Sup.R. 9.01(G)(3).

(J) Registered foreign language interpreter

"Registered foreign language interpreter" means a foreign language interpreter who has registered with the Supreme Court Language Services Section pursuant to Sup.R. 9.02.

(K) Registered sign language interpreter

"Registered sign language interpreter" means a sign language interpreter who has registered with the Supreme Court Language Services Section pursuant to Sup.R. 9.04.

(L) Sight translation

"Sight translation" means interpretation in which a foreign language interpreter or sign language interpreter renders in a target language a written document composed in a source language.

(M) Sign language interpreter

"Sign language interpreter" means an individual who, as part of any case or court function, facilitates communication between or among legal professionals and a deaf, hard-of-hearing, or deaf-blind party, witness, or juror through the use of sign language or other manual or oral representation of a spoken language.

(N) Simultaneous interpretation

"Simultaneous interpretation" means interpretation in which, after a brief pause to listen for or view key grammatical information, a foreign language interpreter or sign language interpreter renders in a target language the message of a person rendered in a source language as the person continues to communicate.

(O) Supreme Court certified foreign language interpreter

"Supreme Court certified foreign language interpreter" means a foreign language interpreter who has received certification from the Supreme Court Language Services Section pursuant to Sup.R. 9.01.

(P) Supreme Court certified sign language interpreter

"Supreme Court certified sign language interpreter" means a sign language interpreter who has received certification from the Supreme Court Language Services Section pursuant to Sup.R. 9.03.

(Q) Telephonic interpretation

"Telephonic interpretation" means the use via telephone of a foreign language interpreter who is in a location that is physically separate from that of the party or witness who is limited English proficient and requires the services of the interpreter for meaningful participation.

(R) Translator

"Translator" means an individual who, as part of any case or court function, takes written text composed in a source language and renders it into an equivalent written text of a target language.

(S) Video remote interpretation

"Video remote interpretation" means the use, via video, of a foreign language or sign language interpreter who is in a location that is physically separate from the limited English proficient, deaf, or hard-of-hearing individual who requires the services of the interpreter for meaningful participation.

Commentary (July 1, 2026)

Rule 80 was renumbered to Rule 9.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: January 1, 2010; January 1, 2013, July 1, 2014; July 1, 2016; January 1, 2021; July 1, 2023; November 13, 2025

RULE 9.01. Supreme Court Certified Foreign Language Interpreters, and Provisionally Qualified Foreign Language Interpreters.

(A) Certification

A foreign language interpreter may receive certification from the Supreme Court Language Services Section and be styled a "Supreme Court certified foreign language interpreter" pursuant to the requirements of this rule.

(B) General requirements for certification

An applicant for certification as a Supreme Court certified foreign language interpreter shall satisfy each of the following requirements:

(1) Be at least eighteen years old;

(2) Be a citizen or legal resident of the United States or have the legal right to remain and work in the United States;

(3) Have not been convicted of any crime involving moral turpitude.

(C) Application for certification

An applicant for certification as a Supreme Court certified foreign language interpreter shall file an application with the Section. The application shall include each of the following:

(1) Verification the applicant is at least eighteen years old;

(2) Verification the applicant is a legal resident or citizen of the United States or has the legal right to remain and work in the United States;

(3) A copy of an oral assessment in English and the target foreign language demonstrating at minimum general professional proficiency based on an oral proficiency interview;

(4) A nonrefundable application fee in an amount as determined by the Section.

(D) Orientation training

An applicant shall attend an orientation training session conducted or sponsored by the Section providing an introductory course to interpreting and addressing ethics, legal procedure and terminology, modes of interpretation, and other substantive topics. The Section may waive this requirement upon demonstration by the applicant of equivalent experience or training. The Section shall charge the applicant a nonrefundable fee in an amount as determined by the Section for attendance at a Section-sponsored training session.

(E) Written examination

(1) An applicant for certification as a Supreme Court certified foreign language interpreter shall take the written examination of the National Center for State Courts. The examination shall be administered by the Section in accordance with the standards described in the test administration manuals of the center.

(2) To pass the written examination, an applicant shall receive an overall score of eighty percent or better in the English language and grammar, court-related terms and usage, and professional conduct sections of the examination. The written exam score may be carried to qualify for the oral exam for a period of no more than five years.

(3) An applicant who fails the written examination shall wait no less than six months before retaking the examination provided that there are two written exams made available by the National Center for State Courts.

(4) An applicant who has taken the written examination in another state within the past twenty-four months may apply to the Section for recognition of the score. The Section shall recognize the score if it is substantially comparable to the score required under division (E)(2) of this rule.

(F) Post-written examination training course

Upon compliance with the written examination requirements of division (E) of this rule, an applicant for certification as a Supreme Court certified foreign language interpreter shall attend a training course sponsored by the Section focusing on simultaneous, consecutive, and sight translation modes of interpretation in English and the target language of the applicant. The Section may charge the applicant a nonrefundable fee in an amount as determined by the Section for attendance at the training course.

(G) Oral examination

(1) After attending the post-written examination training course pursuant to division (F) of this rule, an applicant for certification as a Supreme Court certified foreign language interpreter shall take the oral examination of the National Center for State Courts. The examination shall be administered by the Section in accordance with the standards described in the test administration manuals of the center.

(2) To pass oral examination, an applicant shall receive a score of seventy percent or better in each of the sections of the examination. The sight-translation section in either the English part or the foreign language part must be no less than sixty-four percent and must average at seventy percent or above in combination.

(3) An applicant who receives a score of less than seventy percent but at least fifty-five percent in each of the sections of the oral examination shall receive provisional certification from the Section and be styled a "provisionally qualified foreign language interpreter." The applicant may maintain provisional certification, provided the applicant's certification is not revoked pursuant to Sup.R. 9.05.

(4) An applicant who receives a score of at least seventy percent in two of the sections of the oral examination may carry forward the passing scores for up to thirty-six months or three testing cycles, whichever occurs last. If the applicant fails to successfully pass any previously failed sections of the examination during the time period which passing scores may be carried forward, the applicant shall complete all sections of the examination at a subsequent examination. An applicant may not carry forward passing scores from an examination taken in another state.

(H) Written and oral examination preparation

The Section shall provide materials to assist applicants for certification as Supreme Court certified foreign language interpreters in preparing for the written and oral examinations, including overviews of each examination. The Section also shall provide, approve, or coordinate training for applicants.

(I) Reciprocity

An applicant for certification as a Supreme Court certified foreign language interpreter who has previously received certification as a foreign language interpreter may apply to the Section for certification without fulfilling the training and examination requirements of division (D) through (G) of this rule as follows:

(1) An applicant who has received certification from the federal courts shall provide proof of certification and be in good standing with the certifying body.

(2) An applicant who has received certification from another state shall provide proof of having passed the oral examination. The Section may verify the test score information and testing history before approving certification.

(3) An applicant who has received certification from the National Association of Judiciary Interpreters and Translators shall provide proof of having received a score on the examination of the association substantially comparable to the scores required under divisions (E)(2) and (G)(2) of this rule. The Section may verify the test score information and testing history before approving reciprocal certification.

(4) Requests for reciprocal certification from all other applicants shall be reviewed by the Section on a case-by-case basis, taking into consideration

testing criteria, reliability, and validity of the examination procedure of the certifying body. The Section shall verify the test score of the applicant after accepting the certification criteria of the certifying body.

Commentary (July 1, 2026)

Rule 81 was renumbered to Rule 9.01 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: January 1, 2010; July 1, 2014; January 1, 2021; November 13, 2025

RULE 9.02. Registered Foreign Language Interpreters.

(A) Registration

A foreign language interpreter may register with the Supreme Court Language Services Section and be styled a "registered foreign language interpreter" pursuant to the requirements of this rule.

(B) Requirements for registration

An applicant for registration as a registered foreign language interpreter shall satisfy each of the following requirements:

(1) Be at least eighteen years old;

(2) Be a citizen or legal resident of the United States or have the legal right to remain and work in the United States;

(3) Have not been convicted of any crime involving moral turpitude;

(4) Is ineligible for certification as a Supreme Court certified foreign language interpreter due to the lack of an oral examination of the National Center for State Courts for that language or there are less than ten in-state certified interpreters for that foreign language listed on the Supreme Court roster;

(5) Receive an overall score of eighty percent or better in the English language and grammar, court-related terms and usage, and professional conduct sections of the written examination of the National Center for State Courts. The examination shall be administered by the Section in accordance with the standards described in the test administration manuals for the National Center for State Courts.

(6) Complete twenty-four hours of court interpreter training. The training shall consist of six hours of legal terminology, six hours of court interpreter ethics, and twelve hours of modes of interpretation.

(7) Complete an oral proficiency assessment in that foreign language and receive a score at the top of the scale demonstrating superior native fluency.

(C) Application for registration

An applicant for registration as a registered foreign language interpreter shall file an application with the Section. The application shall include each of the following:

(1) Verification the applicant is at least eighteen years old;

(2) Verification the applicant is a legal resident or citizen of the United States or has the legal right to remain and work in the United States;

(3) A copy of a completed criminal background check showing no conviction of a crime involving moral turpitude;

(4) A nonrefundable application fee in an amount as determined by the Section.

(5) An applicant from another state or the District of Columbia or a territory of the United States may apply for reciprocity of registered status as a registered foreign language interpreter provided that the applicant meets the requirements of division (B) of this rule.

Commentary (July 1, 2026)

Rule 81.01 was renumbered to Rule 9.02 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021
Amended: November 13, 2025

RULE 9.03. Certification for Sign Language Interpreters.

(A) Certification

A sign language interpreter who has received a passing score on the "Specialist Certification: Legal" examination of the Registry of Interpreters for the Deaf may receive certification from the Supreme Court Language Services Section and be styled a "Supreme Court certified sign language interpreter" pursuant to the requirements of this rule.

(B) General requirements for certification

An applicant for certification as a Supreme Court certified sign language interpreter shall satisfy each of the following requirements:

(1) Be at least eighteen years old;

(2) Be a citizen or legal resident of the United States or have the legal right to remain and work in the United States;

(3) Have not been convicted of any crime involving moral turpitude.

(C) Application for certification

An applicant for certification as a Supreme Court certified sign language interpreter shall file an application with the Section. The application shall include each of the following:

(1) Verification the applicant is at least eighteen years old;

(2) Verification the applicant is a legal resident or citizen of the United States or has the legal right to remain and work in the United States;

(3) A copy of a completed criminal background check showing no conviction of a crime involving moral turpitude;

(4) Proof of having received a passing score on the "Specialist Certification: Legal" examination;

(5) A nonrefundable application fee in an amount as determined by the Section.

Commentary (July 1, 2026)

Rule 82 was renumbered to Rule 9.03 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: January 1, 2010; July 1, 2014; January 1, 2021; November13, 2025

RULE 9.04. Registered Sign Language Interpreters.

(A) Registration

A sign language interpreter may be registered by the Supreme Court Language Services Section and be styled a "registered sign language interpreter" pursuant to the requirements of this rule.

(B) Requirements for registration

An applicant for registration as a registered sign language interpreter shall satisfy each of the following requirements:

(1) Be at least eighteen years old;

(2) Be a citizen or legal resident of the United States or have the legal right to remain and work in the United States;

(3) Have not been convicted of any crime involving moral turpitude;

(4) Hold one of the following certifications:

(a) A "National Interpreter Certification" from the Registry of Interpreters for the Deaf;

(b) A "Certification of Interpretation" and "Certification of Transliteration" from the Registry of Interpreters for the Deaf;

(c) A "Comprehensive Skills Certificate" from the Registry of Interpreters for the Deaf;

(d) A "Level V Certification" from the National Association of the Deaf;

(e) A "Level IV Certification" from the National Association of the Deaf;

(f) A "Level III Certification" from the National Association of the Deaf.

(5) Be in good standing with the entity from which the interpreter received certification;

(6) Receive an overall score of eighty percent or better in the English language and grammar, court-related terms and usage, and professional conduct

sections of the written examination of the National Center for State Courts. The examination shall be administered by the Section in accordance with the standards described in the test administration manuals of the center. An interpreter who has taken the written examination in another state within the past twenty-four months may apply to the Section for recognition of the score. The Section shall recognize the score if it is substantially comparable to the score required under this division.

(7) Complete twenty-four hours of court interpreter training. The training shall consist of six hours of legal terminology, six hours of court interpreter ethics, and twelve hours of modes of interpretation or other specialized legal topics for court interpreters.

(8) An applicant from another state or the District of Columbia or a territory of the United States may apply for reciprocity of registered status as a registered sign language interpreter provided the applicant meets the requirements of division (B) of this rule.

(C) Application for registration

An applicant for registration as a registered sign language interpreter shall file an application with the Section. The application shall include each of the following:

(1) Verification the applicant is at least eighteen years old;

(2) Verification the applicant is a legal resident or citizen of the United States or has the legal right to remain and work in the United States;

(3) A copy of a completed criminal background check showing no conviction of a crime involving moral turpitude;

(4) A nonrefundable application fee in an amount as determined by the Section.

Commentary (July 1, 2026)

Rule 82.01 was renumbered to Rule 9.04 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2021
Amended: July 1, 2023; November 13, 2025

RULE 9.05. Revocation of Supreme Court Credentials.

The Supreme Court Language Services Section may revoke the certification of a Supreme Court certified foreign language interpreter, a Supreme Court certified sign language interpreter, a provisionally qualified foreign language interpreter, a registered foreign language interpreter or a registered sign language interpreter for any of the following reasons:

(A) A material omission or misrepresentation in the application for certification from the interpreter;

(B) A substantial breach of the "Code of Professional Conduct for Court Interpreters and Translators," as set forth in Sup.R. 9.35 through 9.47;

(C) Noncompliance with the applicable continuing education requirements of Sup.R. 9.07;

(D) Revocation of credentials by initial certification body, another state court system, or other entity listed in Sup.R. 9.01(I).

Commentary (July 1, 2026)

Rule 83 was renumbered to Rule 9.05 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2010
Amended: July 1, 2014; January 1, 2021; November 13, 2025

RULE 9.06. Code of Professional Conduct for Court Interpreters and Translators.

Supreme Court certified foreign language interpreters, provisionally qualified foreign language interpreters, registered foreign language interpreters, Supreme Court certified sign language interpreters, registered sign language interpreters, and translators shall be subject to and take an oath or affirmation under which the interpreter or translator affirms to know, understand, and act in accordance with the "Code of Professional Conduct for Court Interpreters and Translators," as set forth in Sup.R. 9.35 through 9.47; to this rule. The Supreme Court Language Services Section shall maintain a signed oath as part of the records of the Section.

Commentary (July 1, 2026)

Rule 84 was renumbered to Rule 9.06 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: January 1, 2020; July 1, 2014; January 1, 2021; November 13, 2025

RULE 9.07. Continuing Education.

(A) Requirements

Each Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, registered foreign language interpreter, Supreme Court certified sign language interpreter, and registered sign language interpreter shall complete and report, on a form provided by the Supreme Court Language Services Section, at least twenty-four credit hours of continuing education offered or accredited by the Section for each two-year reporting period. Six of the credit hours shall consist of ethics instruction and the remaining eighteen general credit hours shall be relevant to the work of the interpreter in the legal setting. The interpreter may carry forward a maximum of twelve general credit hours into the following biennial reporting period.

(B) Compliance with requirements

The Section shall keep a record of the continuing education hours of each Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, registered foreign language interpreter, Supreme Court certified sign language interpreter, and registered sign language interpreter, provided it shall be the responsibility of the interpreter to inform the Section of meeting the continuing education requirements.

(C) Accreditation

The Section shall accredit continuing education programs, activities, and sponsors and establish procedures for accreditation, provided any continuing education programs or activities offered by the National Center for State Courts, the National Association of Judiciary Interpreters and Translators, the Registry of Interpreters for the Deaf, and the American Translators Association shall not require accreditation. The Section may assess a reasonable nonrefundable application fee in an amount as determined by the Section for a sponsor submitting a program or activity for accreditation.

Commentary (July 1, 2026)

Rule 85 was renumbered to Rule 9.07 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2010
Amended: July 1, 2014; January 1, 2021; July 1, 2023; November 13, 2025

RULE 9.08. Roster of Interpreters.

The Supreme Court Language Services Section shall maintain a roster of each Supreme Court certified foreign language interpreter, Supreme Court certified sign language interpreter, provisionally qualified foreign language interpreter, registered foreign language interpreter, and registered sign language interpreter who is in compliance with the applicable continuing education requirements of Sup.R. 9.07. The Section shall post the roster on the website of the Supreme Court. The Section may also include a list of assessed interpreters who have scored no less than 70 percent on the written exam, have attended twenty-four hours of court-related training, and have demonstrated proficiency in the foreign language through an oral proficiency interview. Assessed interpreters must also pass a background check showing no conviction of a crime involving moral turpitude and have the legal right to work in the United States.

Commentary (July 1, 2026)

Rule 86 was renumbered to Rule 9.08 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2010
Amended: July 1, 2014; January 1, 2021; November 13, 2025

RULE 9.09. Use of Artificial Intelligence in Court Interpretation and Translation.

(A) Translation

(1) A court shall not utilize artificial intelligence in translating any substantive legal writings. As used in this rule, "substantive legal writings" include legal forms, court orders, probation conditions, and any other similar writings that may impact the outcome of a case or constitutional or civil rights of a litigant.

(2) A court may use artificial intelligence in translating non-substantive, non-legal writings, provided the court clearly discloses to public users the use of artificial intelligence and as such may contain errors. As used in this rule, "non-substantive, non-legal writings" include materials relating to general court information such as websites, webpages, chatbots, court signage, court hours, department or office locations, and other writings that are not legal in nature and do not implicate a litigant's constitutional or civil rights.

(3) When possible, a court should review translated pages or items for accuracy and completeness. The review may be performed by a qualified human translator or a proficient native speaker of the language.

(B) Interpretation

A court shall not utilize artificial intelligence for interpretation in any substantive legal proceeding, case, or court function, whether this includes oral interpretation or translated closed captioning.

Commentary (November 13, 2025)

The use of artificial intelligence oral interpretation is subject to error, misrepresentation, breach of privacy, and may cause harm to the individual who receives the information in the foreign language, or when the court receives the information in English.

By using artificial intelligence oral interpretation, the output may jeopardize the litigant's constitutional or civil rights.

R.C. 2311.14(A) requires a court to appoint a "qualified" interpreter and to administer an oath before the interpreter enters upon official duties as specified in R.C. 2311.14(B).

Sup.R. 88(D) through (I) requires a court to appoint a certified, provisionally qualified, registered or language-skilled interpreter to participate "in-person" or through telephonic or video remote participation.

Sup.R. 87 may be subject to change as technology advances.

Commentary (July 1, 2026)

Rule 87 was renumbered to Rule 9.09 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 30, 2025
Amended: November 13, 2025

RULE 9.10. Appointment of a Foreign Language Interpreter or Sign Language Interpreter.

(A) When appointment of a foreign language interpreter is required

A court shall appoint a foreign language interpreter in a case or court function in either of the following situations:

(1) A party or witness who is limited English proficient or non-English speaking requests a foreign language interpreter and the court determines the services of the interpreter are necessary for the meaningful participation of the party or witness;

(2) Absent a request from a party or witness for a foreign language interpreter, the court concludes the party or witness is limited English proficient or non-English speaking and determines the services of the interpreter are necessary for the meaningful participation of the party or witness.

(B) When appointment of a sign language interpreter is required

(1) A court shall appoint a sign language interpreter in a case or court function in either of the following situations:

(a) A party, witness, or juror who is deaf, hard of hearing, or deaf blind requests a sign language interpreter;

(b) Absent a request from a party, witness, or juror for a sign language interpreter, the court concludes the party, witness, or juror is deaf, hard of hearing, or deaf blind and determines the services of the interpreter are necessary for the meaningful participation of the party, witness, or juror.

(2) When appointing a sign language interpreter pursuant to division (B)(1) of this rule, the court shall give primary consideration to the method of interpretation chosen by the party, witness, or juror, in accordance with 28 C.F.R. 35.160(b)(2), as amended.

(C) Appointments to avoid

A court shall use all reasonable efforts to avoid appointing an individual as a foreign language interpreter pursuant to division (A) of this rule or sign language interpreter pursuant to division (B) of this rule if any of the following apply:

(1) The interpreter is compensated by a business owned or controlled by a party or a witness;

(2) The interpreter is a friend or a family or household member of a party or witness;

(3) The interpreter is a potential witness;

(4) The interpreter is court personnel employed for a purpose other than interpreting;

(5) The interpreter is a law enforcement officer, probation-department personnel, prosecutor, defense counsel, or counsel for a party or witness;

(6) The interpreter has a pecuniary or other interest in the outcome of the case;

(7) The appointment of the interpreter would not serve to protect a party's rights or ensure the integrity of the proceedings;

(8) The interpreter does or may have a real or perceived conflict of interest or appearance of impropriety.

(D) Appointment of certified foreign language interpreters

Except as provided in divisions (E) through (G) of this rule, when appointing a foreign language interpreter pursuant to division (A) of this rule, a court shall appoint a Supreme Court certified foreign language interpreter to participate in-person at the case or court function.

(E) Appointment of provisionally qualified foreign language interpreters or registered foreign language interpreters

Except as provided in divisions (F) through (G) of this rule, if a Supreme Court certified foreign language interpreter does not exist or is not reasonably available to participate in-person at the case or court function and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified foreign language interpreter to participate in-person at the case or court function, a court may appoint a provisionally qualified foreign language interpreter or registered foreign language interpreter to participate in-person at the case or court function. The court shall summarize on the record its efforts to obtain a Supreme Court certified foreign language interpreter to participate in-person at the case or court function and the reasons for using a provisionally qualified foreign language interpreter.

(F) Appointment of language-skilled foreign language interpreters

(1) Except as provided in division (G) of this rule, if a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or registered foreign language interpreter does not exist or is not reasonably available to participate in-person at the case or court function and after considering the

gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or registered foreign language interpreter to participate in-person at the case or court function, a court may appoint a foreign language interpreter who demonstrates to the court proficiency in the target language and sufficient preparation to properly interpret the proceedings to participate in-person at the case or court function. Such interpreter shall be styled a “language-skilled foreign language interpreter.”

(2) The court shall summarize on the record its efforts to obtain a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or registered foreign language interpreter to participate in-person at the case or court function and the reasons for using a language-skilled foreign language interpreter.

(3) The language-skilled foreign language interpreter's experience, knowledge, and training should be stated on the record. Each language-skilled foreign language interpreter shall take an oath or affirmation under which the interpreter affirms to know, understand, and act according to the “Code of Professional Conduct for Court Interpreters and Translators,” as set forth in Sup.R. 9.35 through 9.47.

(G) Appointment of telephonic and video remote foreign language interpreters

(1) If a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, registered foreign language interpreter, or language-skilled foreign language interpreter does not exist or is not reasonably available to participate in-person at the case or court function and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, registered foreign language interpreter, or language-skilled foreign language interpreter to participate in-person at the case or court function, a court may appoint an interpreter to participate in the case or court function through telephonic or video remote interpretation.

(2) The court shall summarize on the record its efforts to obtain a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, registered foreign language interpreter, or language-skilled foreign language interpreter to participate in-person at the case or court function and the reasons for using an interpreter who will participate in the case or court function through telephonic or video remote interpretation.

(3) In appointing the interpreter, the court shall follow the order of certification preference in divisions (D) through (F) of this rule and comply with the “Standards for the Use of Telephonic Interpretation,” as set forth in Sup.R. 9.50 through 9.60, or the “Standards for the Use of Video Remote Interpretation,” as set forth in Sup.R. 9.20 through 9.32, as applicable.

(H) Appointment of certified, registered, and eligible sign language interpreters

(1) Except as provided in divisions (H)(2) through (6) of this rule, when appointing a sign language interpreter pursuant to division (B) of this rule, the court shall appoint a Supreme Court certified sign language interpreter.

(2) Except as provided in divisions (H)(3) through (H)(6) of this rule, if a Supreme Court certified sign language interpreter does not exist or is not reasonably available and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified sign language interpreter, a court may appoint a court interpreter certified by the Board for Evaluation of Interpreters (BEI) of the Texas Health and Human Services Office of Deaf and Hard of Hearing Services.

(3) Except as provided in divisions (H)(4) through (6) of this rule, if a Supreme Court certified sign language interpreter or a court interpreter certified by BEI does not exist or is not reasonably available and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified sign language interpreter or a court interpreter certified by BEI, a court may appoint a registered sign language interpreter.

(4) Except as provided in divisions (H)(5) and (6) of this rule, if a Supreme Court certified sign language interpreter, a court interpreter certified by BEI, or registered sign language interpreter, a court interpreter certified by BEI, does not exist or is not reasonably available and after considering the gravity of the proceedings and whether the matter could be rescheduled to obtain a Supreme Court certified sign language interpreter, a court interpreter certified by BEI, or registered sign language interpreter, a court may appoint an eligible sign language interpreter who holds one of the following certifications:

(a) A "National Interpreter Certification" from the Registry of Interpreters for the Deaf;

(b) A "Certification of Interpretation" and "Certification of Transliteration" from the Registry of Interpreters for the Deaf;

(c) A "Comprehensive Skills Certificate" from the Registry of Interpreters for the Deaf;

(d) A "Level V Certification" from the National Association of the Deaf;

(e) A "Level IV Certification" from the National Association of the Deaf;

(f) A “Level III Certification” from the National Association of the Deaf.

(5) If the communication mode of the deaf, hard-of-hearing, or deaf-blind party, witness, or juror is unique and cannot be adequately accessed by a sign language interpreter who is hearing, a court shall appoint a sign language interpreter certified as a “Certified Deaf Interpreter” by the Registry of Interpreters for the Deaf.

(6) If the communication mode of the deaf, hard-of-hearing, or deaf-blind party, witness, or juror requires silent oral techniques, a court may appoint a sign language interpreter who possesses an “Oral Transliteration Certificate” from the Registry of Interpreters for the Deaf.

(7) A court shall summarize on the record its efforts to obtain and reasons for not using a Supreme Court certified sign language interpreter or registered sign language interpreter. The sign language interpreter’s name, experience, knowledge, and training should be stated on the record.

(I) Appointment of multiple foreign language interpreters or sign language interpreters

(1) To ensure the accuracy and quality of interpretation, when appointing a foreign language interpreter pursuant to division (A) of this rule or sign language interpreter pursuant to division (B) of this rule, a court shall appoint two or more foreign language interpreters or sign language interpreters in either of the following situations:

(a) The case or court function will last two or more hours and requires continuous, simultaneous, or consecutive interpretation;

(b) The case or court function will last less than two hours, but the complexity of the circumstances warrants the appointment of two or more interpreters.

(2) To ensure the accuracy and quality of interpretation, a court shall appoint two or more foreign language interpreters or sign language interpreters for a case or court function involving multiple parties, witnesses, or jurors requiring the services of an interpreter.

(J) Examination on record

(1) In determining whether the services of a foreign language interpreter are necessary for the meaningful participation of a party or witness pursuant to division (A) of this rule, the court shall conduct an examination of the party or witness on the record. During the examination, the court shall utilize the services of a foreign language interpreter, who may participate remotely. However, in doing so the court

is not required to comply with the requirements of divisions (D) through (G) of this rule.

(2) In determining whether the services of a sign language interpreter are necessary for the meaningful participation of a party, witness, or juror, pursuant to division (B) of this rule, the court shall conduct an examination of the party, witness, or juror on the record. During the examination, the court shall utilize the services of a sign language interpreter, who may participate remotely. However, in doing so the court is not required to comply with the requirements of division (H) of this rule.

(K) Waiver

A party may waive the right to a foreign language interpreter under division (A) of this rule or sign language interpreter under division (B) of this rule, unless the court has determined the interpreter is required for the protection of the party's rights and the integrity of the case or court function. When accepting the party's waiver, the court shall utilize the services of a foreign language interpreter or sign language interpreter, who may participate remotely. However, in doing so the court is not required to comply with the requirements of divisions (D) through (H) of this rule.

(L) Administration of oath or affirmation

A court shall administer an oath or affirmation to a foreign language interpreter appointed pursuant to division (A) of this rule or sign language interpreter appointed pursuant to division (B) of this rule in accordance with R.C. 2311.14.

(M) Interpreter responsibility in case or court function and ancillary court services

When directed by the court, an interpreter appointed pursuant to divisions (D) through (H) of this rule shall provide interpreting services, without regard to whether the services take place inside the courtroom, for all of the following: proceedings, case or court function, ancillary court services, and attorney-client communications related to the proceeding or ancillary court service. The terms in this paragraph do not apply to an interpreter who is providing services as an expert witness and subject to Evid.R. 604 and 702.

Commentary (July 1, 2026)

Rule 88 was renumbered to Rule 9.10 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2013
Amended: July 1, 2014; January 1, 2021; July 1, 2023; November 13, 2025, July 1, 2026

RULE 9.11. Use of Communication Services in Ancillary Court Services.

(A) Limited English proficient individuals

A court shall provide foreign language communication services to limited English proficient individuals in conjunction with ancillary court services. Dependent upon the significance and complexity of the ancillary court service, the following individuals may provide the communication services in person, telephonically, or via other electronic means available:

(1) An employee of the court, other than a Supreme Court certified foreign language interpreter or provisionally qualified foreign language interpreter, who has demonstrated proficiency in English and the target language in accordance with standards set by Supreme Court Language Services Section and who the Section has determined is qualified to conduct communication services directly with a limited English proficient individual in the target language;

(2) A Supreme Court certified foreign language interpreter;

(3) A provisionally qualified foreign language interpreter;

(4) A registered foreign language interpreter;

(5) A language-skilled foreign language interpreter.

(B) Deaf, hard-of-hearing, and deaf-blind individuals

A court shall provide sign language communication services to deaf, hard-of-hearing, and deaf-blind individuals in conjunction with ancillary court services. Dependent upon the significance and complexity of the ancillary court service, a Supreme Court certified sign language interpreter, a court interpreter certified by BEI, a registered sign language interpreter, or an interpreter eligible pursuant to Sup.R. 9.10(H)(4) may provide the communication services in person, telephonically, or via other electronic means available.

Commentary (July 1, 2026)

Rule 89 was renumbered to Rule 9.11 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2016
Amended: January 1, 2021; July 1, 2023; November 13, 2025

Rules 9.12 through 9.19 are reserved for future use.

RULE 9.20. Applicability to Standards for the Use of Video Remote Interpretation.

These standards are established to guide Ohio courts appointing foreign language and sign language interpreters who participate through video remote interpretation pursuant to Sup.R. 9.10(G) and 9.11.

These standards set forth the minimum requirements and recommendations. The guiding principle for these standards is to ensure due process is preserved when using video remote interpretation. A limited English, deaf, or hard-of-hearing individual shall be able to fully participate and be afforded meaningful access, including the ability to access complete and accurate information, confer with counsel, and exercise all rights as if the individual were present in person. The best way to ensure the rights of these individuals are protected is to have the deaf or hard-of-hearing individual and the court interpreter present on-site where the proceeding takes place. However, due to public health orders, natural disasters, or scarcity of resources, courts may find it necessary to use technology.

These standards aim to identify critical infrastructure for video remote interpretation. Technological specifications remain general to allow local courts to work within their technological capacity and to guide considerations to establish a functional and effective set up.

Commentary (July 1, 2026)

Appendix G, Overview was renumbered to Rule 9.20 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.21. Video Remote Interpretation Technological Requirements and Recommendations.

(A) General requirements

A court shall have equipment, hardware, software, and connectivity that allows for the delivery of video remote interpretation without any issues with cameras, devices, audio, pixilation, platform, links, buffering, and internet connection. A Wi-Fi connection transmits data via wireless signals, while an Ethernet connection transmits data via cable. As such, Wi-Fi connection may not be accessible or stable in some places within the courthouse. Freezing and pixilation may be more frequent. Unless it is password protected, Wi-Fi may also not be as secure as a wired connection.

(B) Device screen

The device screen shall be of sufficient size to distinguish signs, fingerspelling, facial gestures, and capture sign language communication effectively and comply with the needs of visually impaired individuals.

(C) Video camera

The video camera shall have sharp high-definition resolution, to ensure clear viewing of images.

(D) Endpoint bandwidth

For the purposes of these guidelines each user terminal shall support at least 768k video calling.

(E) Computer

(1) The computer shall meet or exceed the following specifications:

(a) Processor speed of 2 GHz;

(b) 3 GB of physical RAM;

(c) 300 GB of hard-drive memory with at least 5 GB of free hard-drive memory;

(d) A dedicated video card;

(e) USB 2.0.

(2) The computer shall be dedicated to video remote interpretation during an interpreting event if operating a software endpoint.

(F) Quality of Service

Equipment shall have a connection to a wide-area-network circuit with quality-of-service settings that consider the potential number of concurrent video calls over the wide-area-network and the quality settings for each video call. In addition to the bandwidth reserved by quality-of-service settings, an adequate amount of bandwidth shall be available to support other operations, such as email and web traffic.

(G) Encryption

Each device or user terminal, regardless of type, such as room-based all-inclusive unit or software/computer-based, shall support encrypted transmissions, preferably using 256-bit Advanced Encryption Standard.

(H) Firewall opening

Equipment shall have the capability to safely traverse court firewalls without compromising security.

Commentary (July 1, 2026)

Appendix G, Standard 1 was renumbered to Rule 9.21 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.22. Video Remote Interpretation Placement Logistics.

(A) Visibility

All participants, interpreters, parties, judicial officers, court personnel, and attorneys shall be completely and clearly visible on the screen.

(B) Virtual backgrounds

Sign language interpreters and deaf or hard-of-hearing individuals and witnesses shall not use virtual backgrounds. Movement on the video disrupts the stability of the virtual background and may cause the sign language to be unclear.

(C) Video feeds

(1) A total of nine visible video feeds on the screen is recommended. However, no more than nine visible video feeds should be on the screen, as the visible video feed of the sign language interpreter and the deaf or hard-of-hearing individual are reduced in size, making visibility of small hand and face movement difficult. If more than twelve visible video feeds are necessary, technology shall be used to allow the visible video feed of the sign language interpreter and the deaf or hard-of-hearing individual to remain in a stable location on the screen or to be larger than other participants.

(2) Participants may not turn their video feed off and on once the proceeding has begun. Doing so may cause movement of individual visible video feed locations on the screen and disrupt the ability to seamlessly view the foreign language interpreter, the limited English proficient person, sign language interpreter, or deaf or hard-of-hearing individual. If it is critical that a video feed be turned off and on during the proceeding, technology should be used to allow the visible video feed of the limited English speaker, foreign language interpreter, sign language interpreter, and the deaf or hard-of-hearing individual to remain in a stable location on the screen or to be larger than other participants.

(3) Participants on the device screen shall be visible from approximately the waist to the top of the head to allow the deaf or hard-of-hearing individual to read participants' facial expressions and body language.

(D) Video screens

(1) Video screens used in the courtroom should be mobile to accommodate a variety of remote interpreting configurations.

(2) When a sign language interpreter is remote and the individual, the judicial officer, court personnel, and attorneys are in the courtroom, the video screen should be

placed so the deaf or hard-of-hearing individual can see both the interpreter and the judge in the same line of sight.

(3) Beware of using small tablets or phones with small screens that may not be adequate for sign language interpreting.

(E) Video camera placement

(1) Video camera placement in the courtroom shall allow for complete and clear visibility of a sign language interpreter and deaf or hard-of-hearing individual in a variety of remote interpreting configurations. Video cameras should be independent of the video screen and stationary during the proceeding.

(2) When a sign language interpreter is remote and the deaf or hard-of-hearing individual, the judicial officer, court personnel, and attorneys are in the courtroom, the video camera should be located so the deaf or hard-of-hearing individual is framed to be visible from approximately the waist to the top of the head.

(3) When a sign language interpreter and the deaf or hard-of-hearing individual are remote and the judicial officer, court personnel, and attorneys are in the courtroom, the video camera should be located so the interpreter and the deaf or hard-of-hearing individual can see the various parties in the courtroom.

(4) When the deaf or hard-of-hearing individual is remote and the judicial officer, court personnel, and attorneys are in the courtroom, the video camera in the external location should be located so the deaf or hard-of-hearing individual is clearly and completely visible to the sign language interpreter. The video camera in the courtroom should be placed so the sign language interpreter, as well as those in the courtroom who will be speaking primarily, are clearly and completely visible to the deaf or hard-of-hearing individual.

(F) Audio

(1) Audio shall allow for all to clearly hear what is being said by the interpreter, the judicial officer, court personnel, and attorney throughout the courtroom.

(2) When any participant is remote while others are in the courtroom, sound from the video screen should be amplified in some manner. Additionally, sound from the courtroom should be amplified in some manner so as to be audible to the interpreter, regardless of where the deaf or hard-of-hearing individual is in the courtroom.

(3) When all participants are remote, participants who will be using spoken language to communicate may use a microphone that is independent of the built-in microphone on the computer.

Commentary

Ideally, the screen will be placed so that the interpreter is also able to see everyone in the courtroom, save the judge. In this way, identification of who is speaking is more readily accomplished than by relying on the ability to discriminate between disembodied voices. This may require a larger screen than the minimum recommendation in this standard.

Polycom and other such platforms have video cameras that may be adjustable enough despite being somewhat stationary. Ideally, multiple video cameras would be employed to allow those who are remote to be able to clearly see all who are in the courtroom. As noted in this standard, this increases the effectiveness of the interpretation. Video cameras that are fixed to a ceiling location that record courtroom activity for safety and security purposes are not adequate to allow for effective remote sign language interpretation.

Commentary (July 1, 2026)

Appendix G, Standard 2 was renumbered to Rule 9.22 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.23. When Video Remote Interpretation Services May be Used.

A court may use video remote interpretation services in a case or court function or ancillary court service if all of the following apply:

(A) The court meets the minimum technological standards;

(B) The limited English proficient or deaf or hard-of-hearing individual, witness, or juror consents to the use of video remote interpretation services or the court determines the remote interpreting services are necessary for the meaningful participation of the deaf or hard-of-hearing individual, witness, or juror due to constitutional requirements, continuity of operations plan, or emergency health orders compliance;

(C) The court has the necessary video remote interpretation set up to offer services in a manner that is consistent with video, regulatory, and legal requirements;

(D) The matter is simple, routine, and brief, lasting no more than forty-five minutes;

(E) The quality of interpretation will not be compromised.

Commentary

While it is impossible to list all situations where video remote interpretation might be appropriate, the court may consider the following: initial appearances, arraignments, simple traffic hearings, uncontested name changes, uncontested guardianships, ex parte civil protection orders, and marriages. For ancillary court services, the court may consider the clerk's office, probation, intakes, and so forth. The court may identify any other instances where video remote interpretation may be suitable if the event is simple and routine.

Commentary (July 1, 2026)

Appendix G, Standard 3 was renumbered to Rule 9.23 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.24. When Video Remote Interpretation Should Not be Used.

A court may not use video remote interpretation services in a case or court function or ancillary court service if any of the following apply:

(A) A Supreme Court certified, provisionally qualified, registered foreign language or registered sign language interpreter is reasonably available to serve on-site;

(B) The matter can be postponed or delayed;

(C) The quality of interpretation will be compromised;

(D) The case, court function, or ancillary court service is expected to last longer than sixty minutes;

(E) The case, court function, or ancillary court service involves prolonged witness testimony or introduces complex evidence;

(F) The deaf or hard-of-hearing individual is a child, elderly, or an unsophisticated user of interpreter services and technology; has profound communication problems; or is perceived by the court to be mentally disabled or mentally ill;

(G) It is determined that using video remote interpretation would negatively impact access for any reason.

Commentary (July 1, 2026)

Appendix G, Standard 4 was renumbered to Rule 9.24 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.25. Compliance with Applicable Laws, Rules, and Standards.

A court using video remote interpretation shall comply with all court rules and federal and state laws, regulations, and standards pertaining to use of court interpretation services.

Commentary

When appointing a video remote interpreter, the court must comply with Sup.R. 88 and 89, Title II of the Americans with Disabilities Act, and Title VI of the Civil Rights Act of 1964. Even if the interpreters are out of state, the court must ensure compliance with Ohio requirements.

Commentary (July 1, 2026)

Appendix G, Standard 5 was renumbered to Rule 9.25 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.26. Provision of Case and Platform Information to Interpreter.

To allow an interpreter to work effectively, efficiently, and accurately, a court shall provide case information to the interpreter, including, but not limited to, the following:

(A) The name of the judge, magistrate, or judicial officer and the courtroom number or designation;

(B) The nature of the charges, type of hearing, case details, or category of event;

(C) Contact information of the person coordinating video remote interpretation, including the name, phone number, email address, and any other information needed to resolve technology or video platform issues;

(D) Information on the number of participants and their names, titles, or roles;

(E) Any documents that may be helpful, discussed, or viewed.

Commentary

Courts should provide general information about the case at the time of securing the service. If possible, case documents should be provided fifteen to thirty minutes prior to video remote interpretation session. A court may want to limit the number of people on the screen. Ideally, case information and details should be shared well in advance; at least seven days if possible.

Commentary (July 1, 2026)

Appendix G, Standard 6 was renumbered to Rule 9.26 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.27. Video Remote Interpretation Parameters and Protocols.

Before proceeding with a case or court function or ancillary court services, a court shall ensure all of the following:

(A) The connection is stable and ready to use;

(B) The speakers and microphone are tested to ensure communication is clear and can be accessible to participants;

(C) Lighting is appropriate and deaf or hard-of-hearing individuals are appropriately visible;

(D) If the deaf or hard-of-hearing individual is represented by counsel, counsel is equipped with a headset so private communication may occur with the deaf or hard-of-hearing individual or the attorney, deaf or hard-of-hearing individual, and interpreter can move to a cyberspace to have confidential and private communication. If the individual is deaf or hard of hearing and uses sign language, the court shall consider providing a private space so that the conversation between the deaf or hard-of-hearing individual and counsel cannot be visible to others.

(E) Participants are in place to commence the video remote event;

(F) The number of individuals on the screen is limited in order not to reduce the image of the interpreter or deaf or hard-of-hearing individual.

Commentary (July 1, 2026)

Appendix G, Standard 7 was renumbered to Rule 9.27 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.28. Accommodating Modes of Interpretation.

(A) General

Subject to division (B) of this standard, a court using video remote interpretation should accommodate sight translation, consecutive interpretation, or simultaneous interpretation as is necessary for proper and effective communication among the court, the parties, their representatives, and other applicable individuals.

(B) Sight translation

A court should not use sight translation with video remote interpretation unless the interpreter has access to the documents beforehand and ample time to render the document from one language into the other. If sight translation is used with video remote interpretation, the document should be short and routine.

Commentary (July 1, 2026)

Appendix G, Standard 8 was renumbered to Rule 9.28 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.29. Oath.

An interpreter participating through video remote interpretation shall take an oath or affirmation that the interpreter knows, understands, and will act according to the “Code of Professional Conduct for Court Interpreters and Translators,” as set forth in Sup.R. 9.35 through 9.47.

Commentary (July 1, 2026)

Appendix G, Standard 9 was renumbered to Rule 9.29 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.30. Coordination of Video Remote Interpretation Services.

A court using video remote interpretation may designate one individual to arrange and monitor the provision of the service to ensure its continuous and efficient operation.

Commentary

Having a coordinator arrange and monitor video remote interpretation helps ensure efficient operation and eliminate minor issues that can arise with the use of such technology. Additionally, the accumulated experience of one individual produces efficiency.

Commentary (July 1, 2026)

Appendix G, Standard 10 was renumbered to Rule 9.30 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.31. Training on the Use of Video Remote Interpretation.

A court using video remote interpretation shall provide training to users of the technology, relevant support staff, and other involved individuals to ensure efficient operation and the integrity in the use of the service.

Commentary (July 1, 2026)

Appendix G, Standard 11 was renumbered to Rule 9.31 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.32. Monitoring Video Remote Interpretation Services.

A court using video remote interpretation shall collect and analyze information regarding the performance of the service on a regular basis to evaluate the quality of the service, its benefits and limitations, and its cost-effectiveness.

Commentary (July 1, 2026)

Appendix G, Standard 12 was renumbered to Rule 9.32 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

Rules 9.33 through 9.34 are reserved for future use.

RULE 9.35. Preamble to Code of Professional Conduct for Court Interpreters and Translators.

Foreign language interpreters, sign language interpreters, and translators help ensure that individuals enjoy equal access to justice, including case and court functions and court support services. Foreign language interpreters, sign language interpreters, and translators are highly skilled professionals who fulfill an essential role by assisting in the pursuit of justice. They act strictly in the interest of the courts they serve and are impartial officers of those courts, with a duty to enhance the judicial process.

Commentary (July 1, 2026)

Appendix H, Preamble was renumbered to Rule 9.35 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.36. Definitions.

As used in this code, “provisionally qualified foreign language interpreter,” “Supreme Court certified foreign language interpreter,” “Supreme Court certified sign language interpreter,” “registered foreign language interpreter,” “registered sign language interpreter,” “telephonic interpretation,” “video remote interpretation,” and “translator” have the same meanings as in Rule 9.00 of the Rules of Superintendence for the Courts of Ohio.

Commentary (July 1, 2026)

Appendix H, Definitions was renumbered to Rule 9.36 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.37. Applicability.

This code applies to Supreme Court certified foreign language interpreters, provisionally qualified foreign language interpreters, Supreme Court certified sign language interpreters, registered foreign language interpreters, registered sign language interpreters, telephonic interpreters, video remote interpreters, and translators. This code shall bind all agencies and organizations that administer, supervise, use, or deliver interpreting or translating services in connection with any case or court function.

A court may use this code to assist it in determining the qualifications of any individual providing services as an interpreter under Rule 702 of the Rules of Evidence.

Commentary (July 1, 2026)

Appendix H, Applicability was renumbered to Rule 9.37 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.38. High Standards of Conduct.

Interpreters and translators shall conduct themselves in a manner consistent with the dignity of the court and shall be as unobtrusive as possible, consistent with the ends of justice.

Commentary

Interpreters and translators should maintain high standards of conduct at all times to promote public confidence in the administration of justice, including compliance with all state and federal laws and regulations and court rules and policies.

Commentary (July 1, 2026)

Appendix H, Canon 1 was renumbered to Rule 9.38 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.39. Accuracy and Completeness.

Interpreters and translators shall render a complete and accurate interpretation or translation without altering, omitting, or adding anything to what is spoken or written, and shall do so without explaining the statements of the original speaker or writer.

Commentary

In order to preserve the record of the court and assist in the administration of justice, interpreters should completely and accurately interpret the exact meaning of what is said or written without embellishing, explaining, omitting, adding, altering, or summarizing anything. This includes maintaining accuracy of style or register of speech, as well as not distorting the meaning of the source language, even if it appears obscene, incoherent, non-responsive, or a misstatement. Interpreters and translators have a duty to inform the court of any error, misinterpretation, or mistranslation so that the record may be promptly corrected. The terms “accurately,” “completely,” and “exact” do not signify a word-for-word or literal interpretation, but rather mean to convey the exact meaning of the discourse of the speaker or writer.

Commentary (July 1, 2026)

Appendix H, Canon 2 was renumbered to Rule 9.39 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.40. Impartiality and Avoidance of Conflicts of Interest.

Interpreters and translators shall be impartial and unbiased. Interpreters and translators shall refrain from conduct that may give the appearance of bias and shall disclose any real or perceived conflict of interest.

Commentary

Interpreters and translators must disclose to the court any prior involvement with a case or court function, parties, or witnesses that creates or could be viewed as creating a conflict of interest, provided such disclosure must not include anything that is privileged or confidential. The court must then determine whether the interpreter or translator may continue on the case or court function. Counsel for either party may petition the court for appointment of a different interpreter or translator on the basis of a conflict of interest and the court must determine on the record whether to release the interpreter or translator from the case or court function.

Commentary (July 1, 2026)

Appendix H, Canon 3 was renumbered to Rule 9.40 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.41. Confidentiality.

Interpreters and translators shall protect from unauthorized disclosure all privileged or other confidential communications, documents, or information they hear or obtain while acting in a professional capacity.

Commentary

Interpreters and translators must maintain confidentiality with respect to any communication, document, information, or other type of confidential matter, including police and medical records and attorney-client privileged communications protected under section 2317.02 of the Revised Code. Interpreters and translators must not derive, either directly or indirectly, any profit or advantage from any confidential communication, document, or information acquired while acting in a professional capacity.

Commentary (July 1, 2026)

Appendix H, Canon 4 was renumbered to Rule 9.41 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.42. Representation of Qualifications.

Interpreters and translators shall accurately and completely represent their credentials, certifications, training, references, and pertinent experience.

Commentary

Interpreters and translators have a duty to present accurately and completely any applicable credentials, certifications, training, references, and pertinent experience, consistent with Canon 6 of this code. It is essential that interpreters and translators present a complete and truthful account of their qualifications before appointment to allow the court to fairly evaluate their qualifications for delivering interpreting or translating services.

Commentary (July 1, 2026)

Appendix H, Canon 5 was renumbered to Rule 9.42 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.43. Proficiency.

Interpreters and translators shall provide professional services only in matters in which they can proficiently perform.

Commentary

By accepting an assignment, interpreters and translators warrant they have the skills, training, and understanding of terminology to interpret or translate accurately and effectively in the given setting, are fluent in the required languages, and have the ability to understand regional differences and dialects. Interpreters have a duty to request from the court and the parties all pertinent information and materials necessary to prepare for the case or court function.

Interpreters and translators should strive continually to improve language skills and knowledge of specialized vocabulary and familiarize themselves with the judicial system and any applicable court rules. Interpreters and translators are responsible for having the proper dictionaries and other reference materials available when needed.

Commentary (July 1, 2026)

Appendix H, Canon 6 was renumbered to Rule 9.43 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.44. Assessing and Reporting Impediments to Performance.

Interpreters and translators shall at all times assess their ability to perform effectively and accurately. If an interpreter or translator discovers anything impeding full compliance with the oath or affirmation of the interpreter or translator and this code, the interpreter or translator shall immediately report this information to the court. Interpreters and translators shall not accept assignments they cannot fulfill. Interpreters and translators shall further refrain from recommending other interpreters or translators who are unqualified.

Commentary

Interpreters and translators must immediately inform the court of any condition interfering with their ability to provide accurate and complete interpretation or translation. This may include excessively rapid, quiet, or indistinct speech, physical interference such as inability to see exhibits, noise in their surroundings, or any other interfering factor.

Interpreters and translators must inform the court if they are having difficulties obtaining pertinent information or materials required to prepare for a case or court function that may impede their ability to perform adequately. If at the time of a hearing or trial the interpreter or translator has not been provided with necessary information or materials, the interpreter or translator must inform the court on the record and request a recess to review such information or materials.

Interpreters and translators should withdraw from an assignment if they are unable to understand or satisfactorily communicate with the non-English speaking, limited English proficient, deaf, deaf-blind, or hard-of-hearing party, witness, or juror, or if they lack required skills, preparation, or terminology to perform effectively in the case or court function for which they have been summoned.

If, after accepting an assignment, an interpreter or translator is unable to fulfil the same, the interpreter or translator shall notify the court. Interpreters or translators shall not transfer their assignments. Interpreters who knowingly recommend unqualified interpreters may be subject to disciplinary action pursuant to Sup.R. 83.

Commentary (July 1, 2026)

Appendix H, Canon 7 was renumbered to Rule 9.44 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.45. Duty to Report Ethical Violations.

Interpreters and translators shall report to the court any efforts to impede their compliance with any law, this code, or other official policy governing interpreting or translating. Interpreters and translators shall promptly report to the appropriate legal or disciplinary authority if they observe another interpreter or translator improperly performing an assignment; accepting remuneration apart from authorized fees; disclosing privileged or confidential communications, documents, or information; or otherwise committing a breach of this code.

Commentary

Interpreters and translators must report to the court any ethical violation, action, or information that refers to the persistence of a party demanding that an interpreter or translator violate this code, subject to any applicable privilege.

Commentary (July 1, 2026)

Appendix H, Canon 8 was renumbered to Rule 9.45 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.46. Scope of Practice.

Interpreters and translators shall not give legal advice, communicate their conclusions with respect to any answer, express personal opinions to individuals for whom they are interpreting or translating, or engage in any other activity that may be construed to constitute a service other than interpreting or translating while serving as an interpreter.

Commentary

Since interpreters and translators are only responsible for enabling others to communicate, they should exclusively limit themselves to the activity of interpreting and translating. Interpreters and translators should refrain from initiating communications while interpreting or translating or at all times except as set out below.

Interpreters may be required to initiate communications during a case or court function when they find it necessary to seek assistance in performing their duties. Examples of such circumstances include seeking direction when unable to understand or express a word or thought, requesting speakers to moderate their rate of communication or repeat or rephrase something, correcting their own interpreting errors, or notifying the court of reservations about their ability to satisfy an assignment competently. In such instances the interpreter should refer to him or herself in the third person, making it clear and on the record that the interpreter is speaking for him or herself.

At no time may an interpreter give advice. An interpreter should not explain the purpose of forms, services, or otherwise act as counselor or advisor. The interpreter may sight translate language on a form, but may not provide independent legal advice as to the purpose of the form or instruct the litigant as to the proper manner of completing the form.

Interpreters and translators should not personally serve to perform acts that are the official responsibility of other court officials including, but not limited to, court clerks, pretrial release investigators or interviewers, or probation officers, except as required by and in the presence of such officials.

Commentary (July 1, 2026)

Appendix H, Canon 9 was renumbered to Rule 9.46 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

RULE 9.47. Restrictions from Public Comment.

Consistent with Sup.R. 9.41, interpreters and translators shall not publicly discuss, report, or offer an opinion concerning a matter in which they are or have been engaged, even when that information is not privileged or required by law to be confidential.

Commentary

Interpreters and translators must refrain from making public comments or giving opinions or reports concerning any particulars of a case or court function in which they are or have provided professional services, regardless whether the information is privileged or confidential. This restriction does not apply to general public comments or reports concerning the interpreting or translating professions.

Commentary (July 1, 2026)

Appendix H, Canon 10 was renumbered to Rule 9.47 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2023
Amended: November 13, 2025

Rules 9.48 through 9.49 are reserved for future use.

RULE 9.50. Preamble to Standards for the Use of Telephonic Interpretation.

These standards apply to courts appointing a foreign language interpreter who, pursuant to Sup.R. 9.10(G), is participating in the case or court function through telephonic interpretation.

Due process requires courts to ensure limited English proficient individuals are able to fully participate in the proceedings of and are afforded meaningful access in case and court functions. The fundamental role of a foreign language interpreter is to provide complete and accurate interpretation services in the case or court function in order to meet these due process requirements. The best way to accomplish this, especially in complex or prolonged proceedings, is to have the foreign interpreter present on-site where the case or court function is taking place.

However, in some instances, this may prove difficult due to factors such as the interpreter's lack of proximity. In these instances telephonic interpretation may be an appropriate alternative. However, telephonic interpretation should not be used when a Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter is reasonably available to facilitate communication in person.

Furthermore, the quality and success of telephonic interpretation depend on a variety of factors. Examples include the interpreter's quality of training, the quality of the equipment used, the length of the case or court proceeding, the number of speakers, and whether reference will be made to evidence or documents to which the interpreter does not have access. These and other factors can all have a bearing on the effectiveness of the telephonic interpretation.

Ultimately, telephonic interpretation services should aim to provide the same quality of services as in-person interpretation. To this end, these standards represent recommended practices and minimum requirements to ensure the efficient and effective administration of justice and are intended to complement court rules and federal and state laws, regulations, and standards pertaining to use of court interpretation services.

Commentary (July 1, 2026)

Appendix J, Preamble was renumbered to Rule 9.50 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2014
Amended: November 13, 2025

RULE 9.51. Definitions.

As used in these standards, “case or court function,” “consecutive interpretation,” “foreign language interpreter,” “limited English proficient,” “provisionally qualified foreign language interpreter,” “sight translation,” “simultaneous interpretation,” “Supreme Court certified foreign language interpreter,” and “telephonic interpretation” have the same meanings as in Sup.R. 9.00 and “language-skilled foreign language interpreter” means a foreign language interpreter appointed by a court pursuant to Sup.R. 9.10(F).

Commentary (July 1, 2026)

Appendix J, Definitions was renumbered to Rule 9.51 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2014
Amended: November 13, 2025

RULE 9.52. When Telephonic Interpretation May be Used.

A court may use telephonic interpretation in a case or court function if all of the following apply:

(A) A Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter is not reasonably available to serve on-site;

(B) The matter cannot be postponed or delayed;

(C) The quality of interpretation will not be compromised.

Commentary

While it is impossible to list all situations where telephonic interpretation might be appropriate, the court may consider the following: initial appearances, arraignments, simple traffic hearings, uncontested name changes, uncontested guardianships, ex parte civil protection orders, and marriages. The court may identify any other instances where telephonic interpretation may be suitable.

Commentary (July 1, 2026)

Appendix J, Standard 1 was renumbered to Rule 9.52 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2014
Amended: November 13, 2025

RULE 9.53. When Telephonic Interpretation Should Not be Used.

A court should not use telephonic interpretation in a case or court function if any of the following apply:

(A) A Supreme Court certified foreign language interpreter, provisionally qualified foreign language interpreter, or language-skilled foreign language interpreter is reasonably available to serve on-site;

(B) The interpretation is necessary for a proceeding that is expected to last longer than forty-five minutes, provided the interpretation may exceed forty-five minutes if the communication is clear, the proceeding is simple and routine, and the rights of the party are not compromised;

(C) The interpretation is necessary for a proceeding that involves witness testimony or introduces complex evidence;

(D) The limited English proficient party or witness is a child, is elderly, is an unsophisticated user of interpreter services, has profound speech or language problems, or is or is alleged to be mentally disabled or mentally ill;

(E) It is determined that using telephonic interpretation would negatively impact access for any reason.

Commentary (July 1, 2026)

Appendix J, Standard 2 was renumbered to Rule 9.53 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2014
Amended: November 13, 2025

RULE 9.54. Compliance with Applicable Laws, Rules, and Standards.

A court using telephonic interpretation shall comply with all court rules and federal and state laws, regulations, and standards pertaining to use of court interpretation services.

Commentary (July 1, 2026)

Appendix J, Standard 3 was renumbered to Rule 9.54 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2014
Amended: November 13, 2025

RULE 9.55. Accommodating Modes of Interpretation.

(A) General

Subject to division (B) of this Rule 9.55, court using telephonic interpretation should accommodate sight translation, consecutive interpretation, or simultaneous interpretation, as is necessary for proper and effective communication between the court, the parties, and the limited English proficient speaker.

(B) Sight translation

A court should not use sight translation with telephonic interpretation unless the foreign language interpreter has access to the documents beforehand and ample time to render the document from one language into the other. If sight translation is used with telephonic interpretation, the document should be short and routine.

Commentary (July 1, 2026)

Appendix J, Standard 4 was renumbered to Rule 9.55 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2014
Amended: November 13, 2025

RULE 9.56. Oath.

A foreign language interpreter participating through telephonic interpretation shall take an oath or affirmation that the interpreter knows, understands, and will act according to the “Code of Professional Conduct for Court Interpreters and Translators,” incorporated as Sup.R 9.35 through 9.47 and that the interpreter will make a true translation or interpretation as required by Evid.R. 604.

Commentary (July 1, 2026)

Appendix J, Standard 5 was renumbered to Rule 9.56 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2014
Amended: November 13, 2025

RULE 9.57. Telephonic Interpretation Equipment.

(A) Adequacy of equipment

A court using telephonic interpretation should have adequate equipment in the courtroom and other locations where case and court functions involving the presence and participation of limited English proficient individuals take place.

(B) Quality of transmission

A court using telephonic interpretation should ensure the telephonic interpretation equipment has the capacity to deliver clear and audible transmission of voice and minimizes background noise and disruptions that might affect the quality of the interpretation.

(C) Integration into existing audio speaker system

A court using telephonic interpretation may integrate the telephonic interpretation into a courtroom's existing audio speaker system using a digital audio platform device or a simple stand-alone device with amplification.

Commentary (July 1, 2026)

Appendix J, Standard 6 was renumbered to Rule 9.57 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2014
Amended: November 13, 2025

RULE 9.58. Coordination of Telephonic Interpretation Services.

A court using telephonic interpretation should designate one individual to arrange and monitor the provision of the service in order to ensure continuous and efficient operation.

Commentary

Having a coordinator to arrange and monitor telephonic interpretation helps to ensure an efficient operation and eliminate minor issues that can arise with the use of telephonic interpretation. Additionally, the accumulated experience of one individual produces efficiency.

Commentary (July 1, 2026)

Appendix J, Standard 7 was renumbered to Rule 9.58 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2014
Amended: November 13, 2025

RULE 9.59. Training on the Use of Telephonic Interpretation Services.

A court using telephonic interpretation should provide training to users of the technology, relevant support staff, and other involved individuals in order to ensure an efficient operation and the integrity in the use of the service.

Commentary (July 1, 2026)

Appendix J, Standard 8 was renumbered to Rule 9.59 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2014
Amended: November 13, 2025

RULE 9.60. Monitoring Telephonic Interpretation Services.

A court using telephonic interpretation should collect and analyze information regarding the performance of the service on a regular basis in order to evaluate the quality of the service, its benefits and limitations, and its cost-effectiveness.

Commentary (July 1, 2026)

Appendix J, Standard 9 was renumbered to Rule 9.60 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2014
Amended: November 13, 2025

SECTION 10. RECORDING OF PROCEEDINGS.

RULE 10.00. Official Recording of Court Proceedings.

(A) Recording methods

Proceedings before any court may be recorded by methods including, but not limited to, stenographic, audio, or audio/video. The administrative judge may order the use of any method of recording authorized by this rule.

(B) Custody

Electronic recordings of proceedings shall be maintained in the manner directed by the trial court.

(C) Transcript

Electronic recordings of proceedings shall be transcribed in the manner directed by the trial court and in accordance with the Ohio Rules of Appellate Procedure.

(D) Inspection of electronic recordings of proceedings

A party may request a copy of an electronic recording of a proceeding, or a portion of the recording. The court may permit a party to listen to or view the recording maintained by the court.

(E) Expense of electronic recordings of proceedings

The expense of copies of electronic recordings of proceedings or a portion of the recording shall be borne by the requesting party or as provided by law. The expense of listening to or viewing an electronic recording of proceedings under division (D) of this rule shall be borne by the requesting party.

Commentary (April 1, 2025)

Rule 11 is updated and simplified to reflect changes in court technology and to harmonize its provisions with the amendments to App.R. 9 that ensued over the years since this rule was enacted. In particular, App.R. 9 has evolved to require typed and printed transcripts in all cases. See 2011 Staff Notes to App.R. 9 ("Under App.R. 9(A), trial courts may choose to record proceedings through…an audio-recording device, and/or a video-recording device….Regardless of the method of recording the proceedings, a transcript is required for the record on appeal; a videotaped recording of the trial court proceedings is no longer adequate.").

Commentary (July 1, 2026)

Rule 11 was renumbered to Rule 10.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1 ,1997
Amended: April 1, 2025

RULE 10.01. Deposition Testimony and Evidence.

(A) **Use of depositions.** Recorded depositions are authorized by Civ.R. 30(B)(3).

(B) **Notice.** The notice requirements of Civ.R. 30(B)(3) regarding the manner of recording, preserving, and filing depositions apply to recorded depositions. Notice is sufficient if it specifies the deposition is to be taken pursuant to the provisions of this rule.

(C) **Persons authorized to take depositions.** The officer before whom a recorded deposition is taken shall be one of those persons enumerated in Civ.R. 28.

(D) **Date and time recording.** A date and time generator shall be used to superimpose the year, month, day, hour, minute, and second over the video portion of the recording during the taking of the deposition. The total deposition time shall be noted on the outside of the videotape, disc, or other storage device.

(E) **Objections.** The officer shall keep a log of objections referenced to the time of making each objection as superimposed on the video portion of the recording. If the deposition is transcribed, the log shall include the page of the transcript on which each objection occurs.

(F) **Copies of the deposition.** Upon the request of a party, the officer shall provide a recording of the deposition at the conclusion of its taking. Upon the request of a party, the officer shall provide a copy of the deposition in the medium of videotape, disc, or other storage device or a written transcript of the deposition within a reasonable period of time. The requesting party shall bear the cost of the copy requested.

(G) **Submission to witness.** After a recorded deposition is taken, a recording of the testimony shall be shown immediately to the witness for his examination, unless the examination is waived by the witness and the parties. If viewing is not waived by the witness, Civ.R. 30(E) shall govern the review process and timing for its completion.

(H) **Certification of original recorded deposition.** The officer before whom the recorded deposition is taken shall cause a written certification to be attached to the original videotape, disc, or other storage device. The certification shall state the witness was fully sworn or affirmed by the officer and the videotape, disc, or other storage device is a true record of the testimony given by the witness. If the witness has not waived the right to a showing and examination of the recorded deposition, the witness shall also sign the certification.

When an officer makes a copy or a transcription of the recorded deposition in any medium, the officer shall attach a written certification to the copy or transcription. The certification shall state the copy is a true record of the recorded testimony of the witness.

(I) **Certification of edited recorded depositions.** The officer who edits the original recorded deposition shall attach a written certification to the edited copy of the recorded deposition.

The certification shall state the editing complies with the rulings of the court and the original recorded deposition has not been affected by the editing process.

(J) **Filing where objections not made.** Where objections are not made by a party or witness during the recorded deposition and, if pursuant to Civ.R. 30(F)(1) a party requests, or the court orders, that the deposition be filed with the court, the officer shall file the recorded deposition with the clerk of the court.

(K) **Filing where objections made.** When a recorded deposition containing objections is filed with the court pursuant to Civ.R. 30(F)(1), the officer's log of objections shall accompany it. A party may request the court rule upon the objections within fourteen days of the filing of the deposition or within a reasonable time as stipulated by the parties. In ruling upon objections, the court may view the recording in its entirety or view only those parts of the recording pertinent to the objections made. If the parties are not present at the time the court's rulings are made, the court shall provide the parties with copies of its rulings on the objections and his instructions as to editing.

(L) **Editing alternatives.** The original recording shall not be affected by any editing process.

(1) In its order and editing instructions the court may do any of the following:

(a) Release the recording to the officer with instructions to keep the original recording intact and make an edited copy of the recording that deletes all references to objections and objectionable material;

(b) Order the person showing the original recording at trial to suppress the objectionable audio portions of the recording;

(c) Order the person showing the original recording at trial to suppress the objectionable audio and video portions of the recording.

(2) If the court uses the alternative in division (L)(1)(a) of this rule, the officer shall cause both the original recording and the edited recording, each clearly identified, to be filed with the clerk of the court. If the court uses the alternative in division (L)(1)(b) of this rule, it shall, in jury trials, instruct the jury to disregard the video portions of the presentation when the audio portion is suppressed. If the court uses the alternative in division (L)(1)(c) of this rule, it shall, in jury trials, instruct the jury to disregard any deletions apparent in the playing of the recording.

(M) **Storage.** Each court shall provide secure and adequate facilities for the storage of recordings.

(N) **Inspection or viewing.** Except upon order of the court and upon such terms as it may provide, the recordings on file with the clerk of the court shall not be available for inspection or viewing after filing and prior to use at trial or disposition in accordance with this rule. Upon the request of a party under division (C) of this rule, the clerk, without court order, may release the recording to the officer to allow the making of a copy of the recording.

(O) Objections at trial. Objections should be made prior to trial, and all objections shall be made before actual presentation of the recording at trial. If an objection is made at trial that has not been waived pursuant to Civ.R. 32(D)(3) or previously raised and ruled upon, the objection shall be made before the recorded deposition is presented. The trial judge shall rule on objections prior to the presentation of the recording. If an objection is sustained, that portion of the recording containing the objectionable testimony shall not be presented.

Commentary (July 1, 1997)

Rule 13 is analogous to former C.P. Sup.R. 12 and M.C. Sup.R. 10. The rule is revised to require the exterior of the videotape to include the total deposition time [division (A)(4)]; to require objections to be noted on the log of transcripted depositions [division (A)(5)]; and to allow expenses associated with the use of videotape to be allocated as costs in the proceeding [division (D)(6)(b)].

In general, the rule implements Civ.R. 30(B)(3), which permits the recording of oral depositions by a means other than stenographic, and Civ.R. 40, which authorizes the prerecording of testimony on videotape for presentation at trial. The rule adapts the provisions developed in stenographic recording to use in electronic recording. Depositions in criminal cases are taken in the same manner as in civil cases. Crim.R. 15(E).

Rule 13(A) Videotape depositions

Rule 13(A)(2) Notice

Civ.R. 30(B)(3) provides that the notice must specify the manner of recording, preserving, and filing of the deposition taken by other than stenographic means. A complete statement of notice would be lengthy, serve no useful purpose, refer to procedures within the control of the court, and not be uniform. Division (A) specifies the manner of recording, preserving and filing; thus it is necessary in the notice to merely make reference to Rule 13 to satisfy the requirements of Civ. R. 30(B)(3).

Rule 13(A)(3) Persons authorized to take depositions

R.C. 147.01 was amended in 1977 to provide that a notary public is appointed and commissioned as a notary public for the state. A videotape equipment operator need only be commissioned as a notary public to be an officer before whom a deposition may be taken anywhere in the state.

Rule 13(A)(4) Date and time recording

A date and time generator is required because it facilitates reference to any portion of the tape and provides an assurance that no material has been edited out of the tape.

Rule 13(A)(5) Objections

The officer before whom the deposition is taken is required to keep a log of objections and where recorded on the tape to facilitate reference to the objections. For the same purpose, the log must include the page of the transcript on which objections occur if the videotaped deposition is transcribed.

Rule 13(A)(6) Copies of the deposition

This provision was formerly a part of division (A)(3). It is more specific than its predecessor by providing for immediate delivery of an audio cassette recording and by placing the responsibility for the cost of copies on the requesting party.

Rule 13(A)(7) Submission to witnesses

Civ.R. 30(E) provides that an oral deposition, when fully transcribed, is to be submitted to the witness for examination and reading. The rule provides that changes in form or substance desired by the witness may be entered on the deposition with a statement as to the reasons the witness had for making the changes. The changes are not corrections. They are additions with explanations for the additions. When videotape is used, there is no necessity for waiting for a transcription into written form. As soon as the deposition is completed, it is ready for viewing by the witness. If there are changes desired, those additions may be made to the deposition, together with the reasons therefor, and recorded on the videotape in the same manner that the initial testimony was entered. The showing can be waived just as the reading can be waived.

In neither the stenographic method of recording nor in the videotape method of recording is the primary purpose of the review by the witness a check on the accuracy of the recording. It is intended to be an assurance that the final product is the testimony that the deponent wants used in the trial or proceeding.

Rule 13(A)(8) Certification of original videotape deposition

Civ.R. 30(F), relating to certification by the officer before whom the deposition was taken, was designed for the written deposition. Division (A)(8) allays confusion as to how a reel of videotape can be signed. It provides that a written certification be attached to the original videotape recording reel. The content of the certification is the same for either method. The rule also provides for adding the signature of the witness, if the witness' signing is not waived by the parties. Civ.R. 30(E) incorporates the requirement that the witness sign a written deposition.

The final paragraph of division (A)(8) provides for a different certification. It relates to the officer's certification as to the authenticity of a copy. It is applicable to every copy or transcription the officer makes.

Rule 13(A)(9) Certification of edited videotape depositions

When the court requires an edited copy of a videotape deposition pursuant to division (A)(12), the officer who makes the edited copy is required to certify the conformity of the edited copy to the rulings of the court. The officer also is required to certify that the integrity of the original videotape recording has not been breached.

Rule 13(A)(10) Filing where objections not made

The rule is the counterpart of a provision in Civ.R. 30(F)(1). Filing is not automatic in the case of a deposition irrespective of the medium in which it is recorded. Filing depends upon the request of the party or order of the court. When there are no objections interposed, there is no further step to be taken before the deposition is viewed by the trier of fact.

Civ.R. 30(F)(3) requires that the party requesting the filing of a deposition give notice of its filing to all other parties. Civ.R. 5(A). The modes of service are set forth in Civ.R. 5(B). Filing of the notice with proof of service is provided for in Civ.R. 5(D).

Rule 13(A)(11) Filing where objections made

The officer's log of objections is required by division (A)(5) and provides a means of easy reference to the location of the objections by listing the time of the objection as shown by the date and time generator's recording. When there are objections, a party may request the court to rule on the objections. The appropriate form of request would be a written motion. The rule has extended the period for filing the request to fourteen days from the filing of the deposition or such reasonable time as may be stipulated by the parties. Civ.R. 32(A) provides that a deposition need be filed only one day before trial to be used in the trial. In the event of late filing of a deposition, the disposition of the objections should be as the court directs.

Rarely does an objecting party urge all objections made. Good procedure requires the objecting party to indicate, by log reference, the objections no longer urged.

Rule 13(A)(12) Editing alternatives

It is vital to the use of videotape that the integrity of the original recording be maintained at every stage of the proceedings. No mode of editing may alter the original recording. The rule specifies three alternatives to be followed in the editing process, the choice among which lies with the court. The court, in an order to the officer, specifies the method desired.

One of the purposes of videotape usage is to provide an uninterrupted flow of admissible testimony. Editing serves to keep inadmissible testimony from the jurors.

The first alternative involves the making of a second tape, which is a copy of the original except that it omits all reference to inadmissible testimony. This method has the disadvantage of additional expense in material and time in creating the second tape, the one actually played to the jury.

The second alternative involves the use of the original videotape deposition. At the playing of the tape to the jury, the operator suppresses the sound where there is inadmissible testimony. A schedule of suppression, keyed to the time recorded on the videotape, is prepared in advance by the officer. The operator merely follows the directions of the schedule in playing the videotape recording. Editing for that mode consists of creating the suppression schedule in conformity to the court's rulings. Usage has demonstrated that the jury is not adversely affected by viewing the picture during the period of sound suppression. The method has the advantage of economy in preparation.

The third alternative involves the suppression of the picture as well as the sound.

The rule requires the court to instruct the jury against reading some meaning into the periods of suppression.

Rule 13(A)(13) Storage

The provision is necessitated by Civ.R. 30(B)(3), which requires the notice to contain information as to the method of preserving the recording. Rule 12(A)(2) permits compliance by a reference to Civ.R. 30(B)(3).

Rule 13(A)(14) Inspection or viewing

Former R.C. 2319.19 provided that a deposition, when sealed and filed, remained sealed until opened by the clerk for use, by order of the Court, or at the request of a party or counsel. Civ.R. 30(F)(1), which superseded the statute, provides that the deposition is sealed only upon request or upon court order with the implication of its unavailability to others until it is offered into evidence. The videotape medium requires mechanical aid in viewing that places an additional limitation upon inspection. Division (A)(14) limits inspection to that ordered by the court. Provision for copies of depositions in the form of videotape, audio recording, or written transcript is made in division (A)(6). The simplest and most economical copy is on audio tape and it obviates the necessity for viewing of the videotape deposition. To facilitate the making of a copy for a party, division (A)(14) provides for release of the original recording to the officer before whom the deposition was taken for the purpose of making a copy. Release may be by the clerk without a court order.

Rule 13(A)(15) Objections at trial

The rule recognizes that it is not possible for all objections to be ruled upon in advance of trial. For example, an objection to a hypothetical question propounded to a medical witness may be found to incorporate facts not established in the trial. Until the testimony relative to the facts has been introduced, the sufficiency of the question cannot be determined. In addition, it cannot be assumed that attorneys can foresee every valid objection, particularly when the testimony is being taken out of the normal sequence. The rule recognizes the possibility of a proper objection made at the trial for the first time. Two limitations are placed upon such objections. It cannot be the renewal of an objection previously ruled upon and it cannot be an objection waived under Civ.R. 32(D)(3). Under division (D)(3)(a) of that rule, objection to the competency of a witness or the competency, relevancy, or materiality of testimony is not waived by failure to raise at the deposition unless the ground might have been obviated or removed, if presented then. Errors and irregularities (e.g., form of question, which might be obviated), if raised, are waived unless objected to at the hearing. Division (A)(15) provides that objections raised at trial must be considered and ruled upon in advance of the playing of the recording. Testimony ruled inadmissible at that point poses no problem. The sound (and picture) may be suppressed for that testimony and thus not heard by the jury.

Commentary (July 1, 2026)

Division (A) of Rule 13 was renumbered to Rule 10.01 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2022

RULE 10.02. Use of Pre-Recorded Testimony at Trial.

(A) Authority. Presenting pre-recorded testimony at trial may include testimony pre-recorded in-person or remotely, as authorized by Civ.R. 40. A recording is the exclusive medium of presenting testimony irrespective of the availability of the individual witness to testify in person. All testimony is recorded on videotape, disc, or other storage device and the limitations of Civ.R. 32 upon the use of depositions shall not apply.

(B) Initiation of trial with pre-recorded testimony. By agreement of the parties and with the consent of the trial judge all or a portion of testimony and appropriate evidence may be presented via a recording. The trial judge may order the recording of all or a portion of testimony and evidence on videotape, disc, or other storage device in an appropriate case. In determining whether to order a trial by pre-recorded testimony, the trial judge, after consultation with counsel, shall consider the costs involved, the nature of the action, and the nature and amount of testimony.

(C) Procedure. Sup.R. 10.01(C) through (M), and Sup.R. 10.04 apply to trials by pre-recorded testimony. The sequence of taking the testimony of individual witnesses and the sequence of presentation of that testimony shall be at the option of the proponent. In ordering or consenting to the recording of all of the testimony on videotape, disc, or other storage device, the trial judge shall fix a date prior to the date of trial by which all pre-recorded testimony shall be filed with the clerk of the court.

(D) Objections. All objections shall be made and ruled upon in advance of the trial. Objections may not be made during the presentation of the evidence.

(E) Presence of counsel and trial judge. In jury trials, counsel for the parties and the trial judge are not required to be present in the courtroom when the pre-recorded testimony is played to the jury. If the trial judge leaves the courtroom during the playing of the recording, the judge shall admonish the jurors regarding their duties and responsibilities. In the absence of the judge, a responsible officer of the court shall remain with the jury. The trial judge shall remain within such proximity to the courtroom that the judge can be readily summoned.

Commentary (July 1, 1997)

Rule 13(B) Videotape trials

Rule 13(B)(1) Authority

Division (B) implements Civ.R. 40, which permits the presentation of the entire testimony and other appropriate evidence in a civil case by videotape. It does not authorize the use of videotape for the presentation of part of the testimony. If only part of the testimony is to be offered on videotape, then the deposition procedure of division (A) is to be followed. Division (B)(1) spells out the limitation of the concept to the entirety of the testimony in a civil trial and also provides that the limitations placed upon the use of depositions do not apply when Civ.R. 40 is invoked. The reason is that the deposition rule does not apply because depositions are not being offered.

In State v. Gettys (1976), 49 Ohio App. 2d 241, a local rule of court required the prerecording of testimony on videotape in a criminal case for presentation to the jury without the intervention of testimony from the witness stand. The court of appeals held the rule to be unconstitutional as a violation of Article I, Section 10 of the Ohio Constitution, which limits depositions in criminal cases to situations of witness unavailability. The Court viewed the videotape recording of all testimony as a collection of depositions. The court also noted that the procedure was inconsistent with Crim.R. 15(A) and (F).

Rule 13(B)(2) Initiation of videotape trial

The procedure is to be invoked by agreement between the parties with the consent of the trial judge or upon the order of the trial judge in appropriate cases. The current application in municipal and county courts is more limited than in the common pleas court. Rising jurisdictional levels, refinements in docket control and scheduling, together with the development and usage of the medium, may increase the use of videotape prerecorded testimony in all courts. In its present form, agreement of the parties is necessary. A court is empowered to order the use of the procedure only after inquiry into the appropriateness of the measure.

Rule 13(B)(3) Procedure

The entire prerecording of testimony is distinguished from the taking of a deposition in division (B)(1). Although the concept is different, there are parallels. Division (B)(3) takes advantage of the similarity by making the procedures relative to the taking of depositions applicable to the taking of the entire testimony. If the parties do not simplify the procedure by stipulation pursuant to Civ.R. 29, the procedure of Civ.R. 30, as supplemented by division (A), is applicable. Division (B)(3) contains a very important reference to an inclusion in the order for prerecording of the entire testimony. That inclusion is the date for filing of all of the videotape. The trial judge must set a date that will permit him or her to rule on all objections before trial as required in division (B)(4).

The cost provisions for videotape trials parallel those for depositions. The proponent bears the cost of the videotape used to record the testimony because it is returned to the proponent for reuse when it has fulfilled its purpose. Requesting parties bear the cost of copies of the videotape or of transcriptions they have made in accordance with the basic rule practice expressed in Civ.R. 30(F)(2). For the same reasons expressed in the comment to division (D), the expense of the playback of the videotape trial is a general expense of the court not allocable as costs to the parties. All other expenses are costs to be charged or allocated as provided by law.

Rule 13(B)(4) Objections

The procedure differs significantly from the provision for objections relative to depositions as set forth in division (A). In a Civ.R. 40 proceeding, all objections must be ruled upon in advance of trial and no objections may be made at trial. With all of the evidence recorded, there is no development at trial that is not known upon the completion of the recording of all of the evidence. The videotape record played to the jury must exclude all nonadmissible testimony. The method of editing may be the creation of a second videotape or the suppression of the audio, or audio and video, relating to inadmissible evidence.

Rule 13(B)(5) Presence of counsel and trial judge

The provision clarifies the practice and answers the questions as to the obligations of the judge and counsel during the playing of the testimony.

Commentary (July 1, 2026)

Division (B) of Rule 13 was renumbered to Rule 10.02 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2022

RULE 10.03. Video Equipment Standards.

(A) **Standard.** There are several recording formats used in the trial courts of this state. Proponents of pre-recorded testimony or evidence shall determine the format utilized by the trial court in which the recording is to be filed and shall make the recording in the appropriate format. If a party records testimony or evidence in a format that is not compatible with the trial court equipment, the party shall be responsible for the furnishing of reproduction equipment of institutional quality or for the conversion of the recording to the format used in trial court equipment, all of which shall be at the cost of the party and not chargeable as costs of the action.

Each court shall provide for the availability of playback equipment. As may be appropriate, the court may purchase or lease equipment or make contract for the equipment on occasions of need. The court shall provide for the adequate training of an operator from the personnel of the court or for the services of a competent operator to operate the equipment when pre-recorded testimony or evidence is presented in court.

(B) **Minimum equipment.** At a minimum, facilities for playback at trial shall consist of a videotape player and one monitor, having at least a fourteen-inch screen. Color facilities are not required.

(C) **Maintenance.** The trial court shall take reasonable steps to ensure that the equipment is maintained within operating tolerances. The trial court shall provide for competent regular maintenance of equipment that is owned or leased by the court.

Commentary (July 1, 1997)

Rule 13(C) Equipment

Rule 13(C)(1) Standard

Compatibility of equipment is absolutely essential. Thus, the standard is set in the rule using the only existing accepted standard in equipment of less than broadcast quality. A party deviates from the standard at the party's expense.

This provision affirms the obligation of the court to provide facilities for replay of videotape and indicates that the court may own or lease the necessary equipment or may contract with a service company where usage is infrequent. The purpose of the provision is to make clear that the furnishing of playback equipment is no different from the obligation to provide adequate furniture, supplies, and equipment for the conduct of the court. The cost of providing the videotape equipment is indistinguishable from the cost of providing a blackboard in terms of obligation.

It is incumbent upon counsel to determine what equipment the court has or can acquire and conform to that standard. If the proponent does not conform, the proponent has the obligation to provide equipment or pay the cost incurred in providing it.

Rule 13(C)(2) Minimum equipment

The rule specifies minimum facilities, but the specification does not foreclose the court from providing additional or more highly developed equipment utilizing the same standard.

Rule 13(C)(3) Maintenance

Compatibility relates to maintenance as well as to the size of the tape and the specifications for recorders and players. If either the recording equipment or the playback equipment is running at a speed outside the tolerances specified in the standard, the reproduction will be adversely affected. It is essential that the equipment be properly maintained whether leased or owned. The court shall take appropriate steps to maintain the equipment used.

Commentary (July 1, 2026)

Division (C) of Rule 13 was renumbered to Rule 10.03 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2022

RULE 10.04. Video Costs.

(A) The expense of recording as a material shall be borne by the proponent.

(B) The reasonable expense of pre-recorded testimony, the expense of playing the recording at trial, and the expense of playing the recording for the purpose of ruling upon objections shall be allocated as costs in the proceeding in accordance with Civ.R. 54.

(C) The expense of producing the edited version of the recording shall be costs in the action, provided the expense of the videotape, disc, or other storage device, as a material, shall be borne by the proponent of the testimony.

(D) The expense of a copy of the recording shall be borne by the party requesting the copy.

Commentary (July 1, 1997)

Rule 13(D) Costs; videotape depositions

Material. The proponent of a deposition must bear the cost of the videotape used to record the deposition. There is no provision that the amount be charged as costs in the action because, under Rule 13(E), the videotape is returned to the proponent after it has served its purpose.

Recording and playback expense. The reasonable expense of recording and playing a videotape deposition is charged as costs in the action pursuant to Civ.R. 54. "Reasonable" is inserted to make it clear that, for example, a color videotape of broadcast quality may not be used to increase the cost burden on a losing party.

Costs of copies. Under Civ.R. 30(F)(2), copies of depositions are the responsibility of the requesting party.

Commentary (July 1, 2026)

Division (D) of Rule 13 was renumbered to Rule 10.04 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2022

RULE 10.05. Disposition of Videotape.

(A) Ownership. The videotape, disc, or other storage device used in recording testimony shall remain the property of the proponent of the testimony. The videotape, disc, or other storage device may be reused, but the proponent is responsible for submitting a recording of acceptable quality.

(B) Release of recordings.

(1) The court may authorize the clerk of the court to release the original recording and the edited recording to the owner of the videotape, disc, or other storage device upon any of the following:

(a) The final disposition of the cause where no trial occurs;

(b) The expiration of the appeal period following trial, if no appeal is taken;

(c) The final determination of the cause, if an appeal is taken.

If the testimony is recorded stenographically by a court reporter during the playing of the recording at trial, the videotape, disc, or other storage device may be returned to the proponent upon disposition of the cause following the trial.

(2) The court shall order release by journal entry.

Commentary (July 1, 1997)

Rule 13(E) Disposition of videotape filed with the court

Rule 13(E)(1) Ownership

The provision as to ownership is essential because the videotape has substantial value and may be reused.

Rule 13(E)(2) Release of videotape recording

The provisions are keyed to final disposition of the case except where the testimony is converted to stenographic recording during the presentation of the evidence in the trial, in which case the release may be made following the trial on the basis that the transcript of proceedings will be made up from the stenographic recording. The provision emerged in the early consideration of videotape applications when stenographic recording of the testimony as played at the trial was considered a safety factor. It is unlikely that the duplication would appear in current practice. When the trial is of a criminal matter rather than a civil matter, the finality of disposition of the case may be more difficult to establish. The testimony recorded on videotape may be converted to some other method of recording, audio or stenographic, upon the ostensible closing of the case. The videotape could then be released and reused. Should the testimony be essential to some post-judgment proceeding, it could be used in the converted form. Prudence would dictate the transcription of the stenographic recording into the written form at the time of the release. Release is to be by order, hence the provision for journalization.

Commentary (July 1, 2026)

Division (E) of Rule 13 was renumbered to Rule 10.05 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2022

SECTION 11. ACCESS TO COURT PROCEEDINGS AND COURT RECORDS.

RULE 11.00. Media Broadcasting~~,~~ and Recording.

(A) Procedure

Requests for permission to broadcast, televise, record, or take photographs in the courtroom shall be in writing. Unless otherwise provided by law or local rule, the judge assigned to the proceeding shall permit audio, audio-video recording, broadcasting by electronic means, and taking photographs in court proceedings that are open to the public. After consultation, the judge shall specify the place or places in the courtroom where the operators and equipment are to be positioned. The written order of the judge shall be made a part of the record of the proceedings.

(B) Limitations

(1) There shall be no audio recording or audio broadcast of conferences conducted in a court facility between attorneys and clients or co-counsel, of conferences conducted at the bench, or from the courtroom when court is not in session.

(2) The judge shall permit any victim or witness who objects to being recorded, broadcasted, or photographed the opportunity to be heard in advance of testifying. A victim or witness may not object to the court recording the proceeding as part of its official record.

(3) This rule shall not be construed to grant any greater rights than permitted by law.

(C) Revocation of permission

Upon the failure of any person to comply with the conditions prescribed by this rule or the judge, the judge may revoke the permission to record, broadcast, or photograph the proceeding.

(D) Permissible equipment and operators

(1) Video, still photography, audio recording, or broadcasting of court proceedings shall be limited to one videographer, one still photographer, and one audio technician, unless otherwise ordered by the judge. In the event of multiple requests, the judge may order coverage of court proceedings to be conducted by pool representation. Individuals participating in the pool shall designate a pool representative. Access to video, photographs, and audio shall be shared with the pool. The pool arrangement shall be by agreement of the participants and the judge shall resolve any dispute.

(2) The judge shall prohibit equipment or activity that is distracting to the proceedings. No artificial lighting other than that normally used in the courtroom shall be employed, provided that, if the normal lighting in the courtroom can be improved without becoming obtrusive, the judge may permit modification.

(3) For audio recording or broadcast purposes, not more than one audio system shall be permitted in the courtroom. Where available and suitable, existing audio pickup systems in the court facility shall be used. If existing audio pickup systems are not available, microphones and other electronic equipment necessary for the audio pickup shall be as inconspicuous as possible but shall be visible.

(4) Videographers, photographers, and audio technicians shall not move about the courtroom while court is in session.

(E) Prohibition on recording jurors, witnesses, and juvenile defendants

No audio recording, video or photograph of any juror, witness, or juvenile defendant shall be taken by any means by a person other than as approved by the judge. This division shall not apply to the court recording the proceeding as part of its official record.

Commentary (July 1, 1997)

The judge assigned to the trial or hearing shall permit the broadcasting or recording by electronic means and the taking of photographs in court proceedings open to the public, upon request, if the judge determines that to do so would not distract the participants, impair the dignity of the proceedings or otherwise materially interfere with the achievement of a fair trial. Both the request for permission and the ruling on the request must be in writing and made a part of the record of the proceedings.

After consultation, the judge specifies the locations within the courtroom where operators and equipment may be located.

Commentary (April 1, 2024)

Rule 12 is updated and simplified to reflect changes in court technology and court practice, especially post-COVID-19 pandemic, including the routine broadcasting by courts of their public proceedings on websites such as YouTube and holding hearings publicly accessible online using programs like Zoom.

Additionally, the amended rule and updated commentary delete portions of former Sup.R. 12(C) and previously existing commentary stating that "[t]he filming, videotaping, recording, or taking of photographs of victims or witnesses who object shall not be permitted." That rule provision and commentary mirrored Canon (3)(A)(7)(c)(iii) of the Code of Judicial Conduct. That Code section no longer exists; thus, the amended rule and updated commentary no longer require or permit blanket orders not to film, videotape, record, or photograph objecting victims or witnesses.

Commentary (July 1, 2026)

Rule 12 was renumbered to Rule 11.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: April 1, 2025

Rules 11.01 through 11.08 are reserved for future use.

RULE 11.09. Public Access Definitions.

In addition to the applicability of these rules as described in Sup.R. 1.00 through 1.04, Sup.R. 11.09 through 11.16 apply to the Supreme Court.

As used in Sup.R.11.09 through 11.16:

(A) "Actual cost" means the cost of depleted supplies; records storage media costs; actual mailing and alternative delivery costs, or other transmitting costs; and any direct equipment operating and maintenance costs, including actual costs paid to private contractors for copying services.

(B) "Court record" means both a case document and an administrative document, regardless of physical form or characteristic, manner of creation, or method of storage.

(C)(1) "Case document" means a document and information in a document submitted to a court or filed with a clerk of court in a judicial action or proceeding, including exhibits, pleadings, motions, orders, and judgments, and any documentation prepared by the court or clerk in the judicial action or proceeding, such as journals, dockets, and indices, subject to the exclusions in division (C)(2) of this rule.

(2) The term "case document" does not include the following:

(a) A document or information in a document exempt from disclosure under state, federal, or the common law;

(b) Personal identifiers, as defined in division (H) of this rule;

(c) A document or information in a document to which public access has been restricted pursuant to Sup.R. 11.14;

(d) Except as relevant to the juvenile's prosecution later as an adult, a juvenile's previous disposition in abuse, neglect, and dependency cases, juvenile civil commitment files, post-adjudicatory residential treatment facility reports, and post-adjudicatory releases of a juvenile's social history;

(e) Notes, drafts, recommendations, advice, and research of judicial officers and court staff;

(f) Forms containing personal identifiers, as defined in division (H) of this rule, submitted or filed pursuant to Sup.R. 11.13(B);

(g) Information on or obtained from the Ohio Courts Network, except that the information shall be available at the originating source if not otherwise exempt from public access;

(h) In a court of common pleas or a division thereof with domestic relations or juvenile jurisdiction, the following documents, including but not limited to those prepared pursuant to R.C. 2151.281, 3105.171(E)(3), and 3109.04 and Sup.R. 8.00:

(i) Health care documents, including but not limited to physical health, psychological health, psychiatric health, mental health, and counseling documents;

(ii) Drug and alcohol use assessments and pre-disposition treatment facility reports;

(iii) Guardian ad litem reports, including collateral source documents attached to or filed with the reports;

(iv) Home investigation reports, including collateral source documents attached to or filed with the reports;

(v) Child custody evaluations and reports, including collateral source documents attached to or filed with the reports;

(vi) Domestic violence risk assessments;

(vii) Supervised parenting time or companionship or visitation records and reports, including exchange records and reports;

(viii) Financial disclosure statements regarding property, debt, taxes, income, and expenses, including collateral source documents attached to or filed with records and statements;

(ix) Asset appraisals and evaluations.

(D) "Case file" means the compendium of case documents in a judicial action or proceeding.

(E) "File" means to deposit a document with a clerk of court, upon the occurrence of which the clerk time or date stamps and dockets the document.

(F) "Submit" means to deliver a document to the custody of a court for consideration by the court.

(G)(1) "Administrative document" means a document and information in a document created, received, or maintained by a court that serves to record the administrative, fiscal, personnel, or management functions, policies, decisions, procedures, operations, organization, or other activities of the court, subject to the exclusions in division (G)(2) of this rule.

(2) The term "administrative document" does not include the following:

(a) A document or information in a document exempt from disclosure under state, federal, or the common law, or as set forth in the Rules for the Government of the Bar;

(b) Personal identifiers, as defined in division (H) of this rule;

(c) A document or information in a document describing the type or level of security in a court facility, including a court security plan and a court security review conducted by a local court, the local court's designee, or the Supreme Court;

(d) An administrative or technical security record-keeping document or information;

(e) Test questions, scoring keys, and licensing, certification, or court-employment examination documents before the examination is administered or if the same examination is to be administered again;

(f) Computer programs, computer codes, computer filing systems, and other software owned by a court or entrusted to it;

(g) Information on or obtained from the Ohio Courts Network, except that the information shall be available at the originating source if not otherwise exempt from public access;

(h) Data feeds by and between courts when using the Ohio Courts Network.

(H) "Personal identifiers" means social security numbers, except for the last four digits; financial account numbers, including but not limited to debit card, charge card, and credit card numbers; employer and employee identification numbers; and a juvenile's name in an abuse, neglect, or dependency case, except for the juvenile's initials or a generic abbreviation such as "CV" for "child victim."

(I) "Public access" means both direct access and remote access.

(J) "Direct access" means the ability of any person to inspect and obtain a copy of a court record at all reasonable times during regular business hours at the place where the record is made available.

(K) "Remote access" means the ability of any person to electronically search, inspect, and copy a court record at a location other than the place where the record is made available.

(L) "Bulk distribution" means the distribution of a compilation of information from more than one court record.

(M)(1) "New compilation" means a collection of information obtained through the selection, aggregation, or reformulation of information from more than one court record.

(2) The term "new compilation" does not include a collection of information produced by a computer system that is already programmed to provide the requested output.

Commentary (July 1, 2026)

Rule 44 was renumbered to Rule 11.09 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; January 1, 2016; January 1, 2021

RULE 11.10. Presumption of Public Access.

Court records are presumed open to public access.

Commentary (July 1, 2026)

Division (A) of Rule 45 was renumbered to Rule 11.10 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; January 1, 2021

RULE 11.11. Direct Access.

(A) A court or clerk of court shall make a court record available by direct access, promptly acknowledge any person's request for direct access, and respond to the request within a reasonable amount of time.

(B) Except for a request for bulk distribution pursuant to Sup.R. 11.15, a court or clerk of court shall permit a requestor to have a court record duplicated upon paper, upon the same medium upon which the court or clerk keeps it, or upon any other medium the court or clerk determines it can be reasonably duplicated as an integral part of its normal operations.

(C) A court or clerk of court shall mail, transmit, or deliver copies of a requested court record to the requestor within a reasonable time from the request, provided the court or clerk may adopt a policy allowing it to limit the number of court records it will mail, transmit, or deliver per month, unless the requestor certifies in writing that the requestor does not intend to use or forward the records, or the information contained in them, for commercial purposes. For purposes of this division, "commercial" shall be narrowly construed and does not include news reporting, the gathering of information to assist citizens in the understanding of court activities, or nonprofit educational research.

(D) A court or clerk of court may charge its actual costs incurred in responding to a request for direct access to a court record. The court or clerk may require a deposit of the estimated actual costs.

Commentary (July 1, 2026)

Division (B) of Rule 45 was renumbered to Rule 11.11 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; January 1, 2021

RULE 11.12. Remote Access.

(A) A court or clerk of court may offer remote access to a court record. If a court or clerk offers remote access to a court record and the record is also available by direct access, the version of the record available through remote access shall be identical to the version of the record available by direct access, provided the court or clerk may exclude an exhibit or attachment that is part of the record if the court or clerk includes notice that the exhibit or attachment exists and is available by direct access.

(B) Nothing in division (A) of this rule shall be interpreted as requiring a court or clerk of court offering remote access to a case document in a case file to offer remote access to other case documents in that case file.

(C) Nothing in division (A) of this rule shall be interpreted as prohibiting a court or clerk of court from making available on a website any court record that exists only in electronic form, including an on-line journal or register of actions.

Commentary (July 1, 2026)

Division (C) of Rule 45 was renumbered to Rule 11.12 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; January 1, 2021

RULE 11.13. Omission of Personal Identifiers.

(A) When submitting a case document to a court or filing a case document with a clerk of court, a party to a judicial action or proceeding shall omit personal identifiers from the document.

(B) When personal identifiers are omitted from a case document submitted to a court or filed with a clerk of court pursuant to division (A) of this rule, the party shall submit or file that information on a separate form. The court or clerk may provide a standard form for parties to use. Redacted or omitted personal identifiers shall be provided to the court or clerk upon request or a party to the judicial action or proceeding upon motion.

(C) The responsibility for omitting personal identifiers from a case document submitted to a court or filed with a clerk of court pursuant to (A) of this rule shall rest solely with the party. The court or clerk is not required to review the case document to confirm that the party has omitted personal identifiers, and shall not refuse to accept or file the document on that basis.

Commentary (July 1, 2026)

Division (D) of Rule 45 was renumbered to Rule 11.13 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; January 1, 2021

RULE 11.14. Restricting Public Access.

(A) Restricting public access to a case document

(1) Any party to a judicial action or proceeding or other person who is the subject of information in a case document may, by written motion to the court, request that the court restrict public access to the information or, if necessary, the entire document. Additionally, the court may restrict public access to the information in the case document or, if necessary, the entire document upon its own order. The court shall give notice of the motion or order to all parties in the case. The court may schedule a hearing on the motion.

(2) A court shall restrict public access to information in a case document or, if necessary, the entire document, if it finds by clear and convincing evidence that the presumption of allowing public access is outweighed by a higher interest after considering each of the following:

(a) Whether public policy is served by restricting public access;

(b) Whether any state, federal, or common law exempts the document or information from public access;

(c) Whether factors that support restriction of public access exist, including risk of injury to persons, individual privacy rights and interests, proprietary business information, public safety, and fairness of the adjudicatory process.

(3) When restricting public access to a case document or information in a case document pursuant to this division, the court shall use the least restrictive means available, including but not limited to the following:

(a) Redacting the information rather than limiting public access to the entire document;

(b) Restricting remote access to either the document or the information while maintaining its direct access;

(c) Restricting public access to either the document or the information for a specific period of time;

(d) Using a generic title or description for the document or the information in a case management system or register of actions;

(e) Using initials or other identifier for the parties' proper names.

(4) If a court orders the redaction of information in a case document pursuant to this division, a redacted version of the document shall be filed in the case file along with a copy of the court's order. If a court orders that the entire case document be restricted from public access, a copy of the court's order shall be filed in the case file. A journal entry shall reflect the court's order. Case documents ordered restricted from public access or information in documents ordered redacted shall not be available for public access and shall be maintained separately in the case file.

(B) Obtaining access to a case document that has been granted restricted public access

(1) Any person, by written motion to the court, may request access to a case document or information in a case document that has been granted restricted public access pursuant to division (A) of this rule. The court shall give notice of the motion to all parties in the case and, where possible, to the non-party person who requested that public access be restricted. The court may schedule a hearing on the motion.

(2) A court may permit public access to a case document or information in a case document if it finds by clear and convincing evidence that the presumption of allowing public access is no longer outweighed by a higher interest. When making this determination, the court shall consider whether the original reason for the restriction of public access to the case document or information in the case document pursuant to division (A) of this rule no longer exists or is no longer applicable and whether any new circumstances, as set forth in that division, have arisen which would require the restriction of public access.

Commentary (July 1, 2026)

Divisions (E) and (F) of Rule 45 were renumbered to Rule 11.14 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; January 1, 2021

RULE 11.15. Bulk Distribution of Information and New Compilations.

(A) Requests for bulk distribution and new compilations

(1) Bulk distribution

(a) Any person, upon request, shall receive bulk distribution of information in court records, provided that the bulk distribution does not require creation of a new compilation. The court or clerk of court shall permit the requestor to choose that the bulk distribution be provided upon paper, upon the same medium upon which the court or clerk keeps the information, or upon any other medium the court or clerk determines it can be reasonably duplicated as an integral part of its normal operations, unless the choice requires a new compilation.

(b) The bulk distribution shall include a time or date stamp indicating the compilation date. A person who receives a bulk distribution of information in court records for redistribution shall keep the information current and delete inaccurate, sealed, or expunged information in accordance with Sup.R. 11.28.

(2) New compilation

(a) A court or clerk of court may create a new compilation customized for the convenience of a person who requests a bulk distribution of information in court records.

(b) In determining whether to create a new compilation, a court or clerk of court may consider if creating the new compilation is an appropriate use of its available resources and is consistent with the principles of public access.

(c) If a court or clerk of court chooses to create a new compilation, it may require personnel costs in addition to actual costs. The court or the clerk may require a deposit of the estimated actual and personnel costs to create the new compilation.

(d) A court or clerk of court shall maintain a copy and provide public access to any new compilation. After recouping the personnel costs to create the new compilation from the original requestor, the court or clerk may later assess only actual costs.

(B) Contracts with providers of information technology support

A court or clerk of court that contracts with a provider of information technology support to gather, store, or make accessible court records shall require the provider to comply with requirements of Sup.R. 11.09 through 11.16, agree to protect the confidentiality of the records, notify the court or clerk of court of all bulk distribution and new compilation requests, including its own, and acknowledge that it has no ownership or proprietary rights to the records.

Commentary (July 1, 2026)

Rule 46 was renumbered to Rule 11.15 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; January 1, 2021

RULE 11.16. Application, Remedies, and Liability.

(A) Application

(1) The provisions of Sup.R.11.09 through 11.16 requiring redaction or omission of information in case documents or restricting public access to case documents shall apply only to case documents in actions commenced on or after July 1, 2009. Access to case documents in actions commenced prior to July 1, 2009, shall be governed by federal and state law.

(2) The provisions of Sup.R. 11.09 through 11.16 restricting public access to administrative documents shall apply to all documents regardless of when created.

(3) The provisions of Sup.R. 11.09(C)(2)(h) restricting public access to certain case documents of a court of common pleas or a division thereof with domestic relations or juvenile jurisdiction shall apply only to case documents in actions commenced on or after January 1, 2016.

(B) Denial of public access - remedy

A person aggrieved by the failure of a court or clerk of court to comply with the requirements of Sup.R. 11.09 through 11.16 may pursue an action in mandamus pursuant to Chapter 2731. of the Revised Code.

(C) Liability and immunity

Sup.R. 11.09 through 11.16 do not affect any immunity or defense to which a court, court agency, clerk of court, or their employees may be entitled under section 9.86 or Chapter 2744. of the Revised Code.

(D) Review

Sup.R. 11.09 through 11.16 shall be subject to periodic review by the Commission on the Rules Superintendence.

Commentary (July 1, 2026)

Rule 47 was renumbered to Rule 11.16 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: July 1, 2009; January 1, 2016; January 1, 2021

RULE 11.17. Forms For Sealing or Expungement of or Restricting Public Access to Court Records.

Forms 96-A1 through 96-G3 are standard forms for use in sealing or expungement of or restricting public access to court records pursuant to R.C. 2151.356, 2151.358, 2953.32, 2953.37, 2953.38, and 2953.52 and Sup.R. 11.10 through 11.14. Forms 96-A1 through 96-G3 shall be accepted for filing by courts, provided forms adopted by local courts substantially similar to Forms 96-A1 through 96-G3 may also be accepted for filing.

Commentary (July 1, 2026)

Rule 96 was renumbered to Rule 11.17 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 1, 2020

Rules 11.18 through 11.27 are reserved for future use.

RULE 11.28. Court Records Management and Retention.

(A) Applicability and intent

(1) Sup.R. 11.28 through 11.34 are intended to provide minimum standards for maintaining, preserving, and destroying court records and authorizing alternative electronic methods and techniques. Implementation of Sup.R. 11.28 through 11.34 is a judicial, governmental function.

(2) Acknowledging that courts use differing methods of records retention, Sup.R. 11.28 through 11.34 shall be interpreted to allow for technological advances that improve efficiency of courts and simplify maintenance, preservation, and destruction of court records.

(3) Sealed case files shall be retained in accordance with the applicable retention period associated with the case file.

(4) Effective April 1, 2025, any record that was properly disposed of under a then-effective records retention period does not constitute a violation of these rules.

(B) Definitions

As used in Sup.R. 11.28 through 11.34:

(1) "Administrative document" means a document and information in a document created, received, or maintained by a court that records the administrative, fiscal, personnel, or management functions, policies, decisions, procedures, operations, organization, or other activities of the court.

(2) "Case document" means a document and information in a document regarding a case that is submitted to a court or filed with a clerk of court in a judicial action or proceeding, including pleadings, motions, applications, proof or failure of service, exhibits, depositions, transcripts, orders, judgments, and any documents prepared by the court or clerk regarding a case, such as journals, dockets, and indices.

(3) "Case file" means the compendium of case documents filed in a judicial action or proceeding.

(4) "Court" means courts of appeal; all common pleas courts and divisions, including, but not limited to, general, domestic relations, juvenile, family, probate, or any combined divisions; and municipal and county courts.

(5) "Court record" means a case document or an administrative document, regardless of physical form or characteristic, manner of creation, or method of storage.

(6) "Docket" means the record where the clerk of a court enters all information required by the Revised Code or Supreme Court rule.

(7) "Filed" means the date or date and time stamping of a document.

(8) "Final judgment" means the order, disposition, or ruling by a court that terminates the case.

(9) "Financial record" means any document and information in a document that records a monetary transaction.

(10) "Index" means the reference record used to locate journal, docket, or case file records.

(11) "Journal" means the verbatim record of every order or judgment of a court.

(12) "OHC" means the Ohio History Connection, State Archives Division.

(13) "Recordings of proceedings" means audio recordings, video recordings, and stenographic notes.

(14) "Submit" means to deliver a document to the custody of and for consideration by a court.

(C) Required records

(1) Each court, through its clerk, shall maintain an index, docket, journal, and case files.

(2) A stamp indicating the day, month, and year of filing shall be placed on the paper or electronic entry of any paper or electronic entry permitted by the court.

(D) Content of docket

A docket shall include, at a minimum, all of the following:

(1) Names and addresses of all parties;

(2) Names, addresses, and Supreme Court attorney registration numbers of all counsel;

(3) Issuance of documents for service upon a party and the return of service or lack of return;

(4) Brief descriptions of all records and orders filed in the proceeding, including the date filed and cross-references to other records as appropriate;

(5) A schedule of court proceedings;

(6) All actions taken by a court to enforce orders or judgments;

(7) Any information necessary to document the activity of the clerk of court regarding the case. The docket shall provide the dates and a description of all hearings, pleadings, orders, and other filings in an action, proceeding, or other matter in the court. The docket shall be organized in a case specific and chronological manner.

(E) Combined records

Indexes, dockets, journals, and case files may be combined. Combined records must be retained in accordance with the record that has the longest retention period.

(F) Allowable record media

(1) A court record may be created, recorded, maintained, copied, replaced, or preserved on paper; electronic media, including text or digital images; or microfilm.

(2) A court record may be converted from its original medium to another medium. Upon conversion, the original or prior medium may be destroyed.

(3) Any records and information management process, including photography, microfilm, and electronic data processing, may be used as an alternative to paper, provided that the process produces an accurate record or copy of the record.

(a) The court shall cause a backup copy of a record to be made of any record that is created, recorded, maintained, copied, replaced, or preserved. A backup copy shall be made at periodic and reasonable times to ensure security and continued availability of the information. A backup of a record required to be permanently retained shall be stored in a different location than the record it secures.

(b) Records shall be maintained in a conveniently accessible and secure location. Provisions shall be made for inspecting and copying any public records in accordance with applicable statutes and rules. Machines and equipment necessary to allow inspection and copying of public records shall be provided.

(c) In accordance with applicable law and purchasing requirements, a court or clerk of court may acquire equipment, computer software, and related supplies and services for records and information management processes authorized by this division.

(G) Local rules and general retention schedules

(1) By local rule, a court may establish retention schedules for any records not listed in Sup.R. 11.29 through 11.34 and may extend, but not limit, the retention schedule for any record listed in Sup.R. 11.29 through 11.34.

(2) Any record not listed in Sup.R. 11.29 through 11.34 but listed in a general retention schedule established pursuant to R.C. 149.331 may be retained for the time set by that general retention schedule and then destroyed.

(H) Extension of retention period for individual case files

A court may order the retention period for an individual case file extended beyond the period specified in Sup.R. 11.30 through 11.33 for the case file.

Commentary (July 1, 2026)

Rule 26 was renumbered to Rule 11.28 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 1, 1997
Amended: July 1, 2001; April 1, 2025

RULE 11.29. Administrative Records Retention Schedule.

The following retention schedule shall apply for the administrative documents of the courts, regardless of physical form or characteristic, manner of creation, or method of storage:

(A) Administrative journal

Administrative journals that consist of court entries, or a record of court entries, regarding policies and issues not related to cases shall be retained permanently.

(B) Annual reports

Any required annual report shall be retained permanently.

(C) Communication, correspondence, calendar, and general office records

Communication, correspondence, calendar, and general office records, including paper, telephonic, and electronic records, may be destroyed as soon as they are considered to be of no value by the person holding them.

(D) Drafts and informal notes

Drafts and informal notes may be destroyed as soon as they are considered to be of no value by the person holding them.

(E) Employment applications

Employment applications shall be retained for two years.

(F) Employee benefit and leave records

Employee benefit and leave records, including life and medical insurance records, not retained by the appropriate city, county, or state fiscal officer shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

(G) Employee history and discipline records

Records concerning the hiring, promotion, evaluation, attendance, medical issues, discipline, termination, and retirement of court employees shall be retained for ten years after termination of employment.

(H) Financial records

Financial records, including cash books, bank transaction records, and expense and receipt ledgers, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

(I) Fiscal records

Fiscal records, including copies of transactional budgeting and purchasing documents maintained by another office or agency, shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

(J) Grant records

Records of grants made or received by a court shall be retained for three years after expiration of the grant. Records of unsuccessful grant applications submitted by a court may be destroyed as soon as they are considered to be of no value by the person holding them.

(K) Payroll records

Payroll records of personnel time and copies of payroll records maintained by another office or agency shall be retained for three years or until the issuance of an audit report by the Auditor of State, whichever is later.

(L) Publications received

Publications received by a court may be destroyed as soon as they are considered to be of no value by the person holding them.

(M) Requests for proposals, bids, and resulting contracts

Requests for proposals, bids received in response to requests for proposals, and contracts resulting from requests for proposals shall be retained for three years after the expiration of the contract that is awarded.

Commentary (July 1, 2026)

Rule 26.01 was renumbered to Rule 11.29 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 1, 1997
Amended: April 1, 2025

RULE 11.30. Courts of Appeal Retention Schedule.

(A) Retention schedule for the index, docket, and journal

The index, docket, and journal of the courts of appeal shall be retained permanently.

(B) Retention schedule for case files and recordings of proceedings

(1) Courts of appeal case files shall be retained for two years after the final judgment in the appellate case, except for files where the death penalty is imposed, which shall be retained permanently.

(2) Courts of appeal recordings of proceedings shall be retained for two years after the final judgment in the case, except for cases where the death penalty is imposed, which shall be retained permanently.

(C) Judge, magistrate, and clerk drafts, notes, and research

Judge, magistrate, and clerk drafts, notes, and research may be destroyed as soon as they are considered to be of no value by the person holding them.

Commentary (July 1, 2026)

Rule 26.02 was renumbered to Rule 11.30 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 1, 1997
Amended: April 1, 2025

RULE 11.31. General, Domestic Relations, and Juvenile Divisions Retention Schedule.

(A) Retention schedule for the index, docket, and journal

The index, docket, and journal of a division shall be retained permanently.

(B) Recordings of proceedings

Recordings of proceedings shall be retained for five years after the final judgment in the case, except for cases where the death penalty is imposed, which shall be retained permanently.

(C) Judge, magistrate, and clerk drafts, notes, and research

Judge, magistrate, and clerk drafts, notes, and research may be destroyed as soon as they are considered to be of no value by the person holding them.

(D) Retention schedule for court of common pleas — general jurisdiction case files

(1) Death penalty cases

Case files where the death penalty is imposed shall be retained permanently.

(2) Real estate

Case files of matters that resulted in a final judgment determining title or interest in real estate shall be retained permanently.

(3) Search and interception warrant records

Search and interception warrant records shall be indexed. Search warrants, returns, and the corresponding index shall be retained for five years after the date of service or last service attempt. Interception warrants, returns, and the corresponding index shall be retained for ten years after the date of service or last service attempt.

(4) Voluntary dismissals

Case files of matters that are voluntarily dismissed shall be retained for three years after the date of the dismissal.

(5) Civil stalking protection order petitions

(a) Case files of petitions for civil stalking protection orders shall be retained for one year after the expiration of any resulting protection order.

(b) Case files of petitions for civil stalking protection orders in which no protection order was issued shall be retained for one year after the date the petition was filed.

(c) Case files of petitions for civil stalking protection orders in which post-decree motions have been filed shall be retained for one year after the adjudication of the post-decree motion.

(6) Felony convictions

(a) Depositions and transcripts filed in cases resulting in a conviction of a felony of the first, second, or third degree or an unclassified felony shall be retained for fifty years after final judgment.

(b) Depositions and transcripts filed in cases resulting in a conviction of a felony of the fourth or fifth degree shall be retained for twelve years after final judgment.

(7) Other case files

Any case file not listed in this division shall be retained for twelve years after the final judgment. Documents within a case file admissible as evidence of a prior conviction, including evidence that a defendant was represented by counsel or waived their right to counsel, shall be retained for fifty years after the final judgment.

(E) Retention schedule for court of common pleas — domestic relations jurisdiction case files

(1) Real estate

Case files of matters that resulted in a final judgment determining title or interest in real estate shall be retained permanently.

(2) Divorce, dissolution, legal separation, annulment, custody, parentage, visitation, support enforcement, or Uniform Interstate Family Support Act: with minor children

Case files of divorce, dissolution, legal separation, annulment, custody, parentage, visitation, support enforcement or the Uniform Interstate Family Support Act that involve minor children shall be retained for twenty-five years after the date of the final judgment.

(3) Divorce, dissolution, legal separation, or annulment: without minor children

Case files of divorce, dissolution, legal separation, or annulment not involving minor children shall be retained for twelve years after the final judgment.

(4) Divorce, dissolution, legal separation, or annulment: with adult children

Case files of divorce, dissolution, legal separation, or annulment that involve children whose parents have a duty to support a child beyond the age of majority shall be retained for five years after the support obligation is terminated or as stated in (E)(2), whichever is later.

(5) Domestic violence and dating violence protection order petitions

(a) Case files of petitions for domestic violence or dating violence protection orders shall be retained for one year after the expiration of any resulting protection order.

(b) Case files of petitions for domestic violence or dating violence protection orders in which no protection order was issued shall be retained for one year after the date the petition was filed.

(c) Case files of petitions for domestic violence or dating violence protection orders in which post-decree motions have been filed shall be retained for one year after the adjudication of the post-decree motion.

(d) Case files of petitions for domestic violence or dating violence protection orders in which the parties are also parties to a divorce, dissolution, or legal separation shall be retained for one year after the expiration of any resulting protection order, until the parties are legally separated, or their marriage is terminated, whichever is later.

(6) Registration or adoption of foreign decree

Case files of registrations or adoptions of foreign decrees shall be retained for two years after the emancipation of all of the parties' minor children. Case files of registrations or adoptions of foreign decrees in which post-decree motions have been filed shall be retained for two years after the adjudication of the post-decree motion.

(F) Retention schedule for court of common pleas — juvenile jurisdiction case files

(1) Adult criminal case files

Adult criminal case files shall be retained for five years after the final judgment. Documents admissible as evidence of a prior conviction, including evidence that a defendant was represented by counsel or waived their right to counsel, shall be retained for fifty years after the final judgment.

(2) Delinquency, unruly, and marriage consent case files

Delinquency, unruly, and marriage consent case files shall be retained for three years after the final judgment.

(3) Juvenile by-pass case files

Juvenile by-pass case files shall be maintained in two separate and secure files. The first file shall contain the first page of the complaint and other relevant documents and the second file shall contain the second page of the complaint bearing the signature of the complainant. Each file shall be retained for two years after the final judgment of the juvenile division or court of appeals, whichever is later.

(4) Permanent custody, custody, parentage, visitation, support enforcement, abuse, neglect, dependency, and Uniform Interstate Family Support Act case files

Permanent custody, custody, parentage, visitation, support enforcement, abuse, neglect, dependency, and Uniform Interstate Family Support Act case files shall be retained for two years after the child who is the subject of the case reaches the age of majority. Cases that involve children whose parents have a duty to support a child beyond the age of majority shall be retained for five years after the support obligation is terminated.

(5) Search and interception warrant records

Search and interception warrant records shall be indexed. Search warrants, returns, and the corresponding index shall be retained for five years after the date of service or last service attempt. Interception warrants, returns, and the corresponding index shall be retained for ten years after the date of service or last service attempt.

(6) Traffic case files

Unclassified and minor misdemeanor traffic case files shall be retained for five years after the final judgment. All other traffic case files shall be retained until the minor child reaches the age of twenty-three.

(7) Juvenile civil protection order petitions

(a) Case files of petitions for juvenile civil protection orders shall be retained for one year after the expiration of any resulting protection order.

(b) Case files of petitions for juvenile civil protection orders in which no protection order was issued shall be retained for one year after the date the petition was filed.

(c) Case files of petitions for juvenile civil protection orders in which post-decree motions have been filed shall be retained for one year after the adjudication of the post-decree motion.

Commentary (April 1, 2025 Amendments)

Drafts, notes, and research

Drafts, notes, and research created by judicial officers and staff are not "case documents" subject to public access, even when stored in the case file. But to avoid inadvertent disclosure in response to public access requests; drafts, notes, and research stored in the case file should be segregated in a clearly marked subfile.

Commentary (July 1, 2026)

Rule 26.03 was renumbered to Rule 11.31 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 1, 1997
Amended: October 1, 1997; September 23, 2004; March 23, 2005; April 1, 2025

RULE 11.32. Probate Division Retention Schedule.

(A) Definition

"Record of documents" means a collection of single or several page documents, which includes petitions, applications, or affidavits, either original or copies, and information pertaining to those documents, or other information considered necessary by the court.

(B) Closed case file

For purposes of this rule, a case file of an estate, trust, or other fiduciary relationship shall be considered closed when a final accounting has been filed and, if required by law at the time of the filing, the account has been approved and settled. All other case files shall be considered closed when the probate division orders the matter closed or issues a final judgment.

(C) Required records

(1) Dockets

(a) The probate division shall maintain the following dockets:

(i) An administration docket showing the grant of letters of administration or letters testamentary, the name of the decedent, the amount of bond and names of sureties in the bond, the date of filing, and a brief note of each order or proceeding relating to the estate with reference to the journal or other record in which the order or proceeding is found;

(ii) A guardian's docket showing the name of each ward and, if the ward is a minor, the ward's age and name of the ward's parents, any limited powers or limited duration of powers, date of filing, and a brief note of orders and proceedings as described in division (i) of this section;

(iii) A civil docket showing the names of the parties, commencement date, filings and a brief note of orders, and date of filings and orders in actions and proceedings;

(iv) A testamentary trust docket showing the names of the testator and trustee or trustees;

(v) A change of name docket showing the name of the petitioner and the present and proposed name of the person whose name is to be changed;

(vi) A birth registration and correction docket showing the name of the person whose birth certificate is being registered or corrected. The docket shall be kept in the form and manner that may be designated by the director of health.

(vii) A civil commitment docket showing the name of the prospective patient;

(viii) A separate adoption docket, in accordance with R.C. 3107.17, showing the name of the child as it would exist after finalization of the adoption and the name or names of the adoptive parent or parents;

(ix) A miscellaneous docket showing the names of parties or petitioners and the nature of the action or proceeding. The miscellaneous docket shall be limited to actions within the probate division's jurisdiction that are not kept in one of the other dockets described in division (C)(1) of this rule. A miscellaneous docket may be subdivided or grouped into sections containing files or records of similar content if the number of filings merits.

(b) All dockets of the probate division shall contain the following information, to the extent applicable:

(i) The dates of filing or occurrence;

(ii) A brief description of any bond and surety;

(iii) Letters of authority;

(iv) Each filing, order, or record of proceeding related to the case or action, with a reference to the file or record where the bond and surety, letter of authority, filing, order, or record of proceeding is to be found;

(v) Such other information as the court considers necessary.

(2) Records of documents

The probate division shall maintain both of the following records of documents:

(a) A record of wills, if wills are not copied and permanently retained as part of an estate case file under division (C)(1) of this rule. The wills proved in the court shall be recorded with a certificate of the probate of the will. The wills proved elsewhere shall be recorded with the certificate of the probate of the will, authenticated copies of which have been admitted to record by the court.

(b) A marriage record showing the names of persons applying for a license, a brief statement of the facts sworn to by persons applying for a license, the names of persons to whom a license is issued, the license, and the return of the person solemnizing the marriage.

(3) Journal

The probate division shall maintain an administrative journal for orders, entries, or judgments, including the following:

(a) Orders of appointment and oaths of office pursuant to R.C. 2101.11 of court personnel and other nonfiduciary appointees;

(b) Orders of reference to magistrates;

(c) Changes to the local rules of the probate division.

(4) Indexes

The probate division shall maintain an index for each docket, record of documents, and journal described in division (C) of this rule. Each index shall be kept current with names or captions of proceedings in alphabetical order and references to a docket, record or documents, journal, or case file where information pertaining to those names or proceedings may be found.

(D) Destruction and preservation of probate records

(1) All records, vouchers, inventories, accounts, pleadings, applications, petitions, records of adoptions, marriages, and mental health commitments, wills, trusts, journals, indexes, dockets, records, or documents related to estate or inheritance taxes, and other papers and filings of the probate division, may be preserved in accordance with Sup.R. 11.28(F).

(2) In the probate division's discretion, any note, notice, letter, form, or other paper, document, or memorandum in a case file that is not essential to providing a record of the case and the judgment of the probate division may be destroyed as soon as they are considered to be of no value by the person holding them. Evidence of service of notice of the initial complaint, petition, or application that establishes the probate division's jurisdiction shall be retained in accordance with the applicable retention period associated with the case file.

(3) Judge, magistrate, investigator, and clerk drafts, notes, and research may be destroyed as soon as they are considered to be of no value by the person holding them.

(E) Case file and probate record retention schedule

(1) Adoption records

Adoption records shall be retained permanently.

(2) Birth and death registrations

Birth and death registrations occurring within the county, reported as provided by law, shall be retained permanently.

(3) Civil commitment records

Civil commitment records shall be retained for three years after the case is closed.

(4) Dockets, journals, and indexes

Dockets, journals, and indexes shall be retained permanently.

(5) Recordings of proceedings

Recordings of proceedings shall be retained for five years after the proceeding.

(6) Evidence filed in support of expenditures or distributions

Vouchers, proof, or other evidence filed in support of expenditures or distributions stated in an account may be returned to the fiduciary or retained in accordance with division (C)(1) of this rule for five years after the Court's approval of the final account.

(7) Marriage license records

Marriage license records shall be retained permanently.

(8) Trust accountings

Trust accountings shall be retained for twelve years after the court approves the accounting.

(9) Deposited wills

A deposited will that is not delivered or disposed of shall be retained for one hundred years after the date it was deposited. An electronic copy of the will shall be made before disposing of the will and retained permanently.

(10) Guardianship guide

The form executed by a guardian confirming receipt of the guardianship guide shall be retained permanently.

(11) All other records

All other records shall be retained for twenty-one years after the date the case, cause, proceeding, or matter is closed or completed.

Commentary (July 1, 2026)

Rule 26.04 was renumbered to Rule 11.32 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 1, 1997
Amended: October 1, 1997; September 23, 2004; March 23, 2005; April 1, 2025

RULE 11.33. Municipal and County Courts Retention Schedule.

(A) Retention schedule for financial records

(1) Auditor reports

Auditor of State reports shall be retained permanently.

(2) Separate account of receipts and disbursements records

A separate account of receipts and disbursements in civil and criminal cases shall be retained permanently.

(3) Rental escrow account records

Rental escrow account records shall be retained for five years after the last date of deposit.

(B) Retention schedule for the index, docket, and journal

The index, docket, and journal shall be retained for twenty-five years.

(C) Recordings of proceedings

Recordings of proceedings shall be retained for five years after the final judgment in the case.

(D) Judge, magistrate, and clerk drafts, notes, and research

Judge, magistrate, and clerk drafts, notes, calendars, and research may be destroyed as soon as they are considered to be of no value by the person holding them.

(E) Retention schedule for case files

(1) Civil case files

Civil case files shall be retained for two years after the final judgment and issuance of an audit report by the Auditor of State, unless a longer minimum retention period is established by local rule.

(2) OVI case files

Operating a vehicle under the influence of alcohol or drug case files shall be retained for fifteen years after the final judgment. Documents within a case file admissible as evidence of a prior conviction, including evidence that a defendant was represented by counsel or waived their right to counsel, shall be retained for fifty years after the final judgment.

(3) Felony criminal case files

Felony criminal case files shall be retained for two years after the final judgment of the municipal or county court.

(4) Misdemeanor criminal case files

Except for minor misdemeanor criminal cases, misdemeanor criminal case files shall be retained for fifteen years after the final judgment of the municipal or county court. Documents within a case file admissible as evidence of a prior misdemeanor criminal conviction, including evidence that a defendant was represented by counsel or waived their right to counsel, shall be retained for fifty years after the final judgment.

(5) First through fourth degree misdemeanor traffic files

Except for operating a vehicle under the influence of alcohol or drug case files, first through fourth degree misdemeanor traffic files shall be retained fifteen years after the final judgment of the municipal or county court. Documents within a case file admissible as evidence of a prior conviction including evidence that a defendant was represented by counsel or waived their right to counsel, shall be retained for twenty-five years after the final judgment.

(6) Unclassified misdemeanor, minor misdemeanor traffic, and minor misdemeanor criminal case files

Unclassified misdemeanor, minor misdemeanor traffic, and minor misdemeanor criminal case files shall be retained for five years after the final order of the municipal or county court.

(7) Parking ticket records

Parking ticket records shall be retained until the ticket is paid and the Auditor of State issues an audit report.

(8) Real estate

Case files of matters that resulted in a final judgment determining title or interest in real estate shall be retained permanently.

(9) Search warrant records

Search warrant records shall be indexed and the warrants and returns retained in their original form for five years after the date of service or last service attempt.

Commentary (July 1, 2026)

Rule 26.05 was renumbered to Rule 11.33 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 1, 1997
Amended: October 1, 1997; September 23, 2004; March 23, 2005; April 1, 2025

RULE 11.34. Destruction of Court Records.

(A) Destruction of records

(1) Subject to the notification and transfer requirements of division (A)(2) of this rule, a record and any back-up copy of a record produced in accordance with Sup.R. 11.28(F)(3)(a) may be destroyed after the record and its back-up copy have been retained for the applicable retention period set forth in Sup.R. 11.29 through 11.33.

(2) If Sup.R. 11.29 through 11.33 set forth a retention period greater than ten years and the record was created more than fifty years ago, the court shall notify the OHC in writing of the court's intention to destroy the record at least sixty days prior to the destruction of the record. Upon request of the OHC, the court shall transfer the record to the OHC or to a designated agency or institution.

(B) Exhibits

(1) Exhibits containing biological evidence shall be returned to the party who tendered the exhibit after final judgment for retention or destruction in accordance with the Revised Code.

(2) Unless otherwise provided by any other provision set forth in Sup.R. 11.28 through 11.33, exhibits may be destroyed at the conclusion of litigation, including times for direct appeal, if all of the following conditions are satisfied:

  (a) The party who tendered the exhibits is notified in writing, at their last known address, that the party may retrieve exhibits, depositions, or transcripts within sixty days from the date of the written notification;

  (b) The written notification informs the party that the exhibits will be destroyed if not retrieved within sixty days from the date of the notification;

  (c) The written notification informs the party of the location for retrieval.

(3) Exhibits may be destroyed one year following the date from the written notification if the notification is returned addressee unknown, undeliverable, or moved, with no forwarding address.

(4) For cases concluding on or after April 1, 2025, after one year from the conclusion of litigation, including times for direct appeal, exhibits may be destroyed without prior notice to the party who tendered the exhibits.

Commentary (July 1, 2026)

Rule 26.06 was renumbered to Rule 11.34 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: April 1, 2025

SECTION 12. TECHNOLOGY.

RULE 12.00. Electronic Case Management System Connectivity to the Ohio Courts Network.

(A) Definitions

As used in this rule:

(1) Computer case management system

"Computer case management system" means the system of one or more software applications that dockets and indexes all cases filed with a court and includes features such as the management of case information, workflow implementation, data organization, and the generation of notices and reports.

(2) Ohio courts network

"Ohio courts network" means the electronic statewide information exchange system operated by the Supreme Court that facilitates the exchange of data and information by and between the courts of the state and other justice system partners through a centralized warehouse.

(B) Connectivity of current computer case management systems

Effective July 1, 2016, a computer case management system utilized by a court or division of a court that is capable of sending case data to the Ohio courts network in the data formats required shall be connected with that network.

(C) Connectivity of new or upgraded case management systems

Effective July 1, 2016, any new computer case management system purchased, built, or otherwise procured by a court or division and any existing computer case management system upgraded by a court or division shall be capable of sending case data to the Ohio courts network in the data formats required and shall be connected with that network.

Commentary (July 1, 2026)

Rule 34 was renumbered to Rule 12.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2015
Amended: November 13, 2025

Rule 12.01 is reserved for future use.

RULE 12.02. Facsimile Filing Standards Definitions.

(A) "**Facsimile transmission**" means the transmission of a source document by a facsimile machine that encodes a document into signals, transmits, and reconstructs the signals to print a duplicate of the source document at the receiving end.

(B) "**Facsimile machine**" means a machine that can send and receive a facsimile transmission either as a stand alone device or as part of a computer system.

(C) "**Fax**" is an abbreviation for "facsimile" and refers, as indicated by the context, to facsimile transmission or to a document so transmitted.

(D) "**Source document**" means the document transmitted to the court by facsimile machine/system.

(E) "**Effective original document**" means the facsimile copy of the source document received by the Clerk of Court and maintained as the original document in the court's file.

(F) "**Effective date and time of filing**" means the date and time that a facsimile filing is accepted by the Clerk of court for filing.

Commentary (July 1, 2026)

E-mailing of filing is not considered part of fax filing. It will be addressed in electronic filing standards.

Appendix E, 1.00 was renumbered to Rule 12.02 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: May 1, 2004

RULE 12.03. Applicability of Local Facsimile Filing Rules.

(A) All local rules of court adopted to permit filing of facsimile documents will be deemed to permit filing of all pleadings, motions, exhibits and other documents that may be filed with the Clerk of Courts. The local rules must specify any exceptions to this permission.

(B) All local rules of court for facsimile filing SHALL place a requirement that the filer provide a cover page containing the following:

(1) the caption of the case;

(2) the case number;

(3) the assigned judge;

(4) a description of the document being filed;

(5) the date of transmission;

(6) the transmitting fax number; and

(7) an indication of the number of pages included in the transmission, including the cover page.

If a document is sent by fax to the Clerk of Court without the cover page information listed above, it may be deposited in the case jacket but need not be entered into the Case Docket and may be considered to be a nullity and thereby stricken from the record.

Commentary (July 1, 2026)

There is not a mandate that requires a court to accept filings by FAX. Only those Courts, that choose to accept faxes, need to create local rules that meet the minimum standards set. We also created a "model rule" for those courts that are looking for more guidance. Clerks who serve in more than one location should specify all exceptions to fax filing.

Appendix E, 2.00 was renumbered to Rule 12.03 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: May 1, 2004

RULE 12.04. Place of Filing.

All local rules of court must specify the telephone number of the facsimile machine receiving transmission. The facsimile machine must have a dedicated telephone line and must be available to receive facsimile transmissions on the basis of 24 hours per day 7 days per week.

Commentary (July 1, 2026)

Appendix E, 3.00 was renumbered to Rule 12.04 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: May 1, 2004

RULE 12.05. Time of Filing.

(A) All local rules of court must specify that the date and time of receipt of any document is the date and time imprinted on the document by the facsimile machine receiving the transmission.

(B) All local rules of court must permit receipt of facsimile transmissions on the basis of 24 hours per day 7 days per week.

(C) All local rules of court may specify the effective date and time of filing for all documents received outside of the normal business hours of the office of the Clerk of Court and queue them in order of their receipt as documented by the date and time imprinted by the receiving facsimile machine.

(D) The Clerk of Court may but need not acknowledge receipt of a facsimile transmission.

Commentary (July 1, 2026)

It was the intention of the committee that if for any reason the fax is not received, the burden of validating or confirming the receipt of the complete fax transmission is on the sending party. Most Fax machines are equipped with the capacity to report back to the sending party, a validation of transmission or a “failed transmission” report.

Appendix E, 4.00 was renumbered to Rule 12.05 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: May 1, 2004

RULE 12.06. Filing of Originals.

(A) All local rules of court must provide that documents filed by facsimile are accepted as the effective original document in the court file. The source document need not be filed. However, the sending party must maintain possession of the source document and make them available for inspection by the court upon request.

(B) Documents shall be filed with a signature or notation "/s/" followed by the name of the person signing the source document. The person transmitting the document represents that the signed source document is in his/her possession.

(C) A local rule of court may limit the number of pages that it will accept by facsimile transmission. If the document to be transmitted exceeds the page limit established by local rule, the original must be filed. All local rules of court may permit exhibits that cannot be transmitted accurately or are lengthy to be replaced by an insert page describing the exhibit. The local rules may provide that the original of such an exhibit may be filed within a specified time subsequent to the facsimile filing.

(D) A local rule may be adopted that is not inconsistent with any standard regarding the filing of an original source document.

Commentary (July 1, 2026)

The Standards Subcommittee recommends that local rules address the issue of retention of the source document until opportunities for the post judgment relief are exhausted.

The local rule should address and define what it felt was reasonable page limit. A filing that exceeds the page limit detailed in the local rule would either require filing through other allowable channels. or as is the case with Exhibits in the Model rule; if the filing has exhibit(s) that cause it to exceed the page limit, then, in the fax filing the exhibit (or other lengthy document), would be "replaced by an insert page describing the exhibit and why it is missing. Unless the court otherwise orders, the missing exhibit shall be filed with the court, as a separate document, not later than five (5) court days following the filing of the facsimile document. Failure to file the missing exhibits as required by this paragraph may result in the court striking the document and/or exhibit." This allows the local court to facilitate filing by allowing faxes without placing an unusual burden on the clerk's office.

Appendix E, 5.00 was renumbered to Rule 12.06 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: May 1, 2004

RULE 12.07. Filing Fees.

All local rules of court must specify the effective methods of paying fees and costs for any pleading or other document requiring such a fees or costs. The local rules may provide that the Clerk of Court does not have to accept a facsimile transmission filing unless the acceptable method of payment has been paid or arranged to be paid. Local rules of court may not require premium fee schedules for facsimile filings.

Commentary (July 1, 2026)

In terms of costs associated with acceptance of fax filings, some clerks have expressed concern over related costs. In the case of FAX filing, the only substantive difference between a single original coming in over the counter and one coming in via FAX is the presentation. Section 6 of Appendix C specifically prohibits the charging of fees above and beyond the $3.00/$10.00 fee allowed for court technology, for accepting a FAX filing. However, if it's customary for a clerk's office to charge for copies (including service copies) or additional charges for administrative costs, mailing /postage costs, etc. ... then those fees would still apply regardless of how the original filing came in. Those additional fees would most likely fall under a separate local rule regarding fees that your court would already have in place.

Appendix E, 6.00 was renumbered to Rule 12.07 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: May 1, 2004

RULE 12.08. Effective Date of Local Rules.

All local rules of court will become effective upon approval by the Supreme Court Committee on Technology and the Courts.

Commentary (July 1, 2026)

Appendix E, 7.00 was renumbered to Rule 12.08 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: May 1, 2004

RULE 12.09. Time to Compliance.

Courts which choose to offer facsimile filing shall submit local rules for approval by the Supreme Court of Ohio. Courts offering facsimile filing at the time this standard is adopted shall submit their local rule for approval within six months of the adoption of this standard.

Commentary (July 1, 2026)

Appendix E, 8.00 was renumbered to Rule 12.09 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: May 1, 2004

SECTION 13. FACILITIES.

RULE 13.00. General Considerations.

In order to maintain suitable judicial atmosphere and properly serve the public, clean, well-lighted, adequately heated and air-conditioned court facilities shall be provided and maintained.

Commentary (July 1, 2026)

Appendix D, Division (A) was renumbered to Rule 13.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 13.01. Facilities Location.

The facilities should be located in a courthouse or county or municipal building. The location within the building should be separate from the location of non-judicial governmental agencies. Court facilities should be located in a building that is dignified and properly maintained.

Commentary (July 1, 2026)

Appendix D, Division (B) was renumbered to Rule 13.01 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 13.02. Courtroom Facilities.

(A) Every trial judge should have a separate courtroom.

(B) The courtroom should have adequate seating capacity so that litigants and others are not required to stand or wait in hallways and areas adjacent to the courtroom.

(C) All participants must be able to hear and to be heard. If the room acoustics are not satisfactory, an efficient public address system shall be provided.

(D) Every courtroom should have an elevated bench. Adequate shelving should be provided adjacent to the bench for legal reference materials. United States and Ohio flags should flank the bench.

(E) The witness chair should be near the bench, slightly elevated, and situated in an appropriate enclosure.

(F) Desks, tables, and chairs should be provided for all court personnel regularly present in the courtroom.

(G) Tables and chairs should be provided for parties and counsel. Tables shall be situated to enable all participants to hear and to allow private interchanges between litigants and counsel.

(H) Each trial courtroom should be equipped with a jury box, suitable for seating jurors and alternates sufficient to meet the demands of the court. The jury box should be situated so that jurors may observe the demeanor of witnesses and hear all proceedings.

(I) A blackboard and other necessary demonstrative aids should be readily available. Unnecessary material or equipment should not be kept in the courtroom.

(J) Each judge should have private chambers convenient to the courtroom. Access from chambers to the courtroom should be private. Chambers should be decorated and equipped in appropriate fashion.

Commentary (July 1, 2026)

Appendix D, Division (C) was renumbered to Rule 13.02 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 13.03. Library Facilities.

Each court shall be provided an adequate law library comprised of those materials, including electronic media, considered necessary by the court.

Commentary (July 1, 2026)

Appendix D, Division (D) was renumbered to Rule 13.03 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 13.04. Magistrate Facilities.

Magistrates should have courtroom and office facilities similar to those of a judge.

Commentary (July 1, 2026)

Appendix D, Division (E) was renumbered to Rule 13.04 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 13.05. Juror and Witness Facilities.

(A) Each trial courtroom shall have a soundproof jury deliberation room located in a quiet area as near the courtroom as possible. Access from the jury deliberation room to the courtroom should be private. Private personal convenience facilities should be available for the jurors.

(B) An adequate waiting room must be provided for jurors. Reading material of general interest, television, and telephones should be provided.

(C) A waiting room comparable to the jurors' waiting room should be provided for witnesses.\

Commentary (July 1, 2026)

Appendix D, Division (F) was renumbered to Rule 13.05 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 13.06. Consultation Room.

A room should be provided for use of attorneys.

Commentary (July 1, 2026)

Appendix D, Division (G) was renumbered to Rule 13.06 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 13.07. Violations Bureaus and Pay-in Windows.

Facilities for violations bureaus and pay-in windows should be located near public parking areas.

Commentary (July 1, 2026)

Appendix D, Division (H) was renumbered to Rule 13.07 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 13.08. Court-Staff and Court-Related Personnel Facilities.

(A) Adequate space and equipment shall be provided for court personnel to prepare, maintain, and store necessary court records. Space and equipment should be utilized to ensure efficiency, security, and confidentiality.

(B) Adequate restroom facilities separate from public restroom facilities should be provided for all court personnel.

Commentary (July 1, 2026)

Appendix D, Division (I) was renumbered to Rule 13.08 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

RULE 13.09. Public Convenience Facilities.

Clean, modern restroom facilities should be available in the vicinity of the public areas of the court. Public telephones should be available and afford privacy.

Commentary (July 1, 2026)

Appendix D, Division (J) was renumbered to Rule 13.09 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997

SECTION 14. SECURITY.

RULE 14.00. Judicial Emergency.

(A) Issuance of order

In the event of a natural or man-made disaster, civil disorder, or any extraordinary circumstance that interrupts or threatens to interrupt the orderly operation of a court or division of a court, the Chief Justice of the Supreme Court may issue an order declaring a judicial emergency for the affected court or division. The order shall include each of the following:

(1) The name of the affected court or division;

(2) A description of the circumstances necessitating the declaration of the judicial emergency;

(3) The duration of the judicial emergency. The duration of the judicial emergency shall be limited to an initial period of not more than thirty days, provided at the end of that period the Chief Justice may issue additional orders extending the duration of the judicial emergency for additional periods of time as determined by the Chief Justice in consultation with the administrative judge of the affected court or division. The Chief Justice may withdraw, cancel, or rescind an order at any time after its issuance.

(4) Any other information relevant to the declaration of the judicial emergency.

(B) Filing of order

The Chief Justice shall file an order declaring or extending a judicial emergency with the clerk of the Supreme Court. If possible given the circumstances of the judicial emergency, the Chief Justice shall file a copy of the order with the clerk of the affected court or division.

(C) Authority

The authority of the Chief Justice to declare a judicial emergency pursuant to this rule shall be independent of the authority of the administrative judge of a court or division to issue an order authorizing the court or division to operate at a temporary location pursuant to R.C. 1901.0211(A), 1907.0111(A), 2301.011(A), or 2501.04(A).

Commentary (July 1, 2026)

Rule 14 was renumbered to Rule 14.00 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: January 1, 2015

RULE 14.01. Authority of Chief Justice During Judicial Emergency.

During a judicial emergency declared pursuant to Sup.R. 14.00, the Chief Justice of the Supreme Court may do any of the following:

(A) Suspend or modify the operation of any local rule of the affected court or division of the court;

(B) Adopt temporary local rules for the affected court or division;

(C) Suspend or modify the operation of any rule or requirement of the Supreme Court for the affected court or division;

(D) Adopt temporary rules of the Supreme Court for the affected court or division;

(E) Authorize the use of any audiovisual devices for actions and proceedings of the affected court or division;

(F) Assign and transfer any sitting or retired judge to emergency judicial duty at the affected court or division;

(G) Do and direct to be done all things necessary to ensure the orderly and efficient administration of justice for the duration of the judicial emergency.

Commentary (July 1, 2026)

Rule 14.01 kept the same Rule number, Rule 14.01, as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2015

RULE 14.02. Consultation with Affected Court or Division and Notification of Justices During Judicial Emergency.

During a judicial emergency declared pursuant to Sup.R. 14.00, the Chief Justice of the Supreme Court, whenever possible under the circumstances, shall do both of the following:

(A) Consult with the administrative judge and court administrator of the affected court or division of the court prior to taking any actions in accordance with Sup.R. 14.01;

(B) Report to the Justices of the Supreme Court any actions taken in accordance with Sup.R. 14.01.

Commentary (July 1, 2026)

Rule 14.02 kept the same Rule number, Rule 14.02, as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: January 1, 2015

Rules 14.03 through 14.09 are reserved for future use.

RULE 14.10. Court Security Plans.

(A) Court security plan

For purposes of ensuring security in court facilities, each court shall develop and implement a court security plan. If more than one court occupies a court facility, the courts shall collectively develop and implement a single court security plan. In addition to any other provisions necessary to satisfy the purposes of this rule, the plan shall address the provisions of the Ohio court security standards adopted by the Supreme Court and as set forth in Appendix C to this rule.

(B) Public access

For purposes of ensuring security in court facilities, a court security plan, including any security policy and procedures manual, emergency preparedness manual, and continuity of operations manual adopted as part of the court security plan, shall not be available for public access.

Commentary (July 1, 2026)

Rule 9 was renumbered to Rule 14.10 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 1997
Amended: May 12, 1998; January 30, 2001; March 1, 2009

RULE 14.11. Court Security Committee.

Each court shall appoint a court security committee to meet on a periodic basis for the purpose of implementing these standards. If more than one court occupies a court facility, the courts shall collectively appoint a single committee.

Commentary

Court security issues affect many sectors of the community and include differing local needs and serious funding concerns. Therefore, a Court Security Committee should review these issues in a cooperative and constructive manner.

The Court Security Committee should include representatives of first responders, emergency management agencies, and funding authorities, and may include representatives from each entity within the court facility and the community.

Commentary (July 1, 2026)

Appendix C, Standard 1 was renumbered to Rule 14.11 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: March 1, 2009

RULE 14.12. Security Policy and Procedures Manual.

(A) Adoption of manual

As part of its court security plan, each court shall adopt a written security policy and procedures manual governing security of the court and the court facility to ensure consistent, appropriate, and adequate security procedures. The manual shall include each of the following:

(1) A physical security plan;

(2) Routine security operations;

(3) An emergency action plan that addresses events such as a hostage situation, an escaped prisoner, violence in the courtroom, a bomb threat, and fire;

(4) A high risk trial plan.

(B) Review of manual

A court shall periodically test and update its security policy and procedures manual for operational effectiveness.

(C) Multiple courts

If more than one court occupies a court facility, the courts shall collectively adopt and review a single security policy and procedures manual.

Commentary

Although traditional forms of security, such as security searches of entrants to the court facility, are an excellent primary safeguard, it is important that courts have a written Security Policy and Procedures Manual addressing the items listed above.

To ensure a thorough knowledge of the court's Security Policy and Procedures Manual, all court security officers should review the manual as a part of their orientation and as a component of regular, continuing education for retained court security officers.

A copy of the Security Policy and Procedures Manual should be available to all court security officers to ensure they understand the appropriate security procedures.

All court security officers should be immediately informed of any changes or amendments to the Security Policy and Procedures Manual.

Security Policy and Procedures Manual is a protected document which should not be shared with non-security court personnel other than court leadership. However, it is recommended that a shorter guidebook be prepared for all other court personnel, which should include emergency evacuation procedures, routes, and building safety guidelines.

Commentary (July 1, 2026)

Appendix C, Standard 2 was renumbered to Rule 14.12 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: March 1, 2009

RULE 14.13. Emergency Preparedness Manual.

(A) Adoption of manual

As part of its court security plan, each court shall adopt a written emergency preparedness manual. The manual shall include a plan providing for the safety of all persons present within the court facility during an emergency.

(B) Review of manual

A court shall periodically test and update its emergency preparedness manual for operational effectiveness.

(C) Multiple courts

If more than one court occupies a court facility, the courts shall collectively adopt and review a single emergency preparedness manual.

Commentary (July 1, 2026)

Appendix C, Standard 3 was renumbered to Rule 14.13 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: March 1, 2009

RULE 14.14. Continuity of Operations Manual.

(A) Adoption of manual

As part of its court security plan, each court shall adopt a written continuity of operations manual. The manual shall include a plan that addresses each of the following:

(1) The continued operation of the court at an alternative site should its present site be rendered inoperable due to a natural disaster, act of terrorism, security breach within the building, or other unforeseen event;

(2) The provisions of the "Court Continuity of Operations (COOP) Plan Template" available on the website of the Supreme Court.

(B) Review of manual

A court shall periodically test and update its continuity of operations manual for operational effectiveness.

(C) Multiple courts

If more than one court occupies a court facility, the courts shall collectively adopt and review a single continuity of operations manual.

Commentary (July 1, 2026)

Appendix C, Standard 4 was renumbered to Rule 14.14 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: March 1, 2009

RULE 14.15. Persons Subject to a Security Search.

All persons entering a court facility shall be subject to a security search. A security search should occur for each visit to the court facility, regardless of the purpose or the hour.

Commentary

The credibility of court security requires the public be subject to a security search when entering a court facility. Any exemption of personnel from the security search process, including elected officials, court personnel, attorneys, law enforcement officers, or court security officers, should be decided and documented by the Court Security Committee.

At a minimum, each court facility should have at least one portable walk-through magnetometer and a hand-held magnetometer, with court security officers trained in the proper use of that equipment. Walk-through magnetometers at a single point of entry, with accompanying x-ray viewing of packages and handbags, is the optimal method of searching entrants to a court facility and should be utilized to provide the type of security needed to ensure a safe environment. A single point of entry for the public is strongly recommended.

Commentary (July 1, 2026)

Appendix C, Standard 5 was renumbered to Rule 14.15 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: March 1, 2009

RULE 14.16. Court Security Officers.

(A) Assignment

Uniformed court security officers should be assigned in sufficient numbers to ensure the security of each courtroom and the court facility.

(B) Certification and training

All court security should be certified through the Ohio Peace Officers Training Council. These officers should receive specific training on court security and weapons instruction specific to the court setting.

Commentary

For the purpose of these standards, “court security officer” means an individual employed or contracted to perform security duties or functions at a court facility and includes a law enforcement officer assigned to court security and a bailiff who performs court security duties or functions. “Court security officer” does not include an administrative bailiff who does not perform court security duties or functions.

Law enforcement officers who are present within the court facility for purposes other than court security, such as testifying at a trial, should not be considered a component of the court security system. These law enforcement officers' full attention should be directed to the duties to which they are assigned. The security of the court should not be reliant upon these law enforcement officers, who may have no specific training in court security.

Commentary (July 1, 2026)

Appendix C, Standard 6 was renumbered to Rule 14.16 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: March 1, 2009

RULE 14.17. Weapons in Court Facilities.

(A) Prohibition

No weapons should be permitted in a court facility except those carried by court security officers or as permitted under division (B)(1) of this standard. The court should establish and install adequate security measures to ensure no one will be armed with any weapon in the court facility.

(B) Law enforcement

(1) Each court should promulgate a local court rule governing the carrying of weapons into the court facility by law enforcement officers who are not a component of court security and are acting within the scope of their employment. If more than one court occupies a court facility, the courts shall collectively promulgate a single rule.

(2) In all cases, law enforcement officers who are parties to a judicial proceeding as a plaintiff, defendant, witness, or interested party outside of the scope of their employment should not be permitted to bring weapons into the court facility.

Commentary

There is no issue more controversial relating to court security than whether law enforcement officers should be required to surrender their weapons at the court facility door. As a result, each individual court should review its needs and formulate policy based upon local needs and realities.

Commentary (July 1, 2026)

Appendix C, Standard 7 was renumbered to Rule 14.17 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: March 1, 2009

RULE 14.18. Prisoner Transport Within Court Facilities.

(A) Transport

Prisoners should be transported into and within a court facility through areas that are not accessible to the public. When a separate entrance is not available and public hallways must be utilized, prisoners should be handcuffed behind the back or handcuffed with use of "belly chains" to limit hand movement and always secured by leg restraints.

(B) Carrying of firearms

During the transport of prisoners, personnel in direct contact with the prisoners should not carry firearms. However, an armed court security officer should be present.

(C) Holding area

Once within a court facility, prisoners should be held in a secure holding area equipped with video monitoring, where practicable, while awaiting court hearings and during any recess.

Commentary

If prisoners cannot be transported through private court facility entrances, public movement in the area should be restricted during the time of prisoner transport since transport through a public area exposes the public to danger, enhances the possibility of prisoner escape, and increases the ability to transfer weapons or other contraband to prisoners.

Law enforcement officers should accompany prisoners to the courtroom, remain during the hearing, and return prisoners to the secured holding area. Court security officers should not assume this responsibility.

Commentary (July 1, 2026)

Appendix C, Standard 8 was renumbered to Rule 14.18 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: March 1, 2009

RULE 14.19. Duress Alarms for Judges and Court Personnel.

All courtrooms, hearing rooms, judges' chambers, clerks of courts' offices, and reception areas should be equipped with a duress alarm system connected to a central security station. The duress alarm system should include enunciation capability.

Commentary

There are times when individuals may be able to circumvent standard court security measures. Judges and court personnel should have a readily accessible signal system upon which to rely in emergency situations.

It is important that the duress alarm system be a type which includes an audible alarm at the central security station. However, the system should not include an audible alarm at the activation site. The duress alarm system should quickly summon additional help from the county sheriff's department or the nearest police jurisdiction when needed.

To ensure confidence in the duress alarm system is maintained, duress alarms should be tested periodically and all efforts should be made to minimize false alarms.

Commentary (July 1, 2026)

Appendix C, Standard 9 was renumbered to Rule 14.19 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: March 1, 2009

RULE 14.20. Closed-Circuit Video Surveillance.

If a court utilizes closed-circuit video surveillance, the system should include the court facility parking area, entrance to the court facility, court lobby, courtroom, and all other public areas of the court facility.

Commentary

Posted notices that every judicial proceeding is under surveillance may dissuade those who have intentions of disrupting a hearing. Some court facilities may lack the architectural and structural elements necessary for court security and, therefore, require greater reliance on security devices. Closed-circuit video surveillance is secondary to security searches of entrants to a court facility.

Commentary (July 1, 2026)

Appendix C, Standard 10 was renumbered to Rule 14.20 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: March 1, 2009

RULE 14.21. Restricted Access to Offices.

To ensure safe and secure work areas and to protect against inappropriate interaction between judges and participants in the judicial process, an effective secondary security perimeter should be utilized at the entrance to the office space housing judges and court personnel.

Commentary

The security of the office space housing judges and court personnel must be maintained. Unlimited access to these areas is dangerous and unnecessary. The general public should not be permitted to wander through these areas for any reason. However, attorneys should have controlled access to the areas. Persons having business with a judge or court personnel should be encouraged to make appointments.

Steps which may be taken to facilitate this standard include a main receptionist checkpoint, passive or active electromagnetic hall locks, and cardreader door locks.

Also, the judges' chambers, as differentiated from the staff offices, and judges' parking spaces should not be designated by "Judge" signage.

Finally, parking spaces should be located as close as possible to an entrance.

Commentary (July 1, 2026)

Appendix C, Standard 11 was renumbered to Rule 14.21 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: March 1, 2009

RULE 14.22. Off-Site Personal Security.

As part of its court security plan, each court, in conjunction with law enforcement officers, should adopt procedures for the personal security of judges and court personnel at locations outside the court facility. If more than one court occupies a court facility, the courts shall collectively adopt procedures applicable to all judges and court personnel in the court facility.

Commentary

The protection of judges and court personnel from work-related threats and acts of violence outside the court facility is important. It is essential that procedures be in place, when necessary, to respond to such incidents.

The particular procedures may include personal security profiles, residential alarm systems, cellular telephones, weapons training, self-defense training, and personal/family bodyguard security. While all of these steps include some financial commitment, the procedures may be graduated to respond to the needs of any given situation.

Commentary (July 1, 2026)

Appendix C, Standard 12 was renumbered to Rule 14.22 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: October 17, 1994
Amended: January 30, 2001; March 1, 2009

RULE 14.23. Structural Design of Court Facilities and Courtrooms.

When designing new or remodeling old court facilities, consideration should be given to circulation patterns that govern the movement of people to, from, and in the courtroom. Judges, juries, court personnel, and prisoners should have routes to and from the courtroom separate from public routes. Waiting areas should be available to allow separation of parties, victims, and witnesses.

Commentary

The circulation patterns should separate the prisoners from all other persons. The public should also be separated from the judges, juries, and court personnel.

Commentary (July 1, 2026)

Appendix C, Standard 13 was renumbered to Rule 14.23 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: March 1, 2009

RULE 14.24. Security Incident Reporting.

(A) Reporting of security incidents

(1) Every violation of law that occurs within a court facility should be reported to the law enforcement agency having jurisdiction. To facilitate reporting, all court personnel should familiarize themselves with the law enforcement agency that has jurisdiction within and around their court facility.

(2) Each court should adopt a policy for reporting court security incidents and should include the policy in the court's security policy and procedures manual. If more than one court occupies a court facility, the courts shall collectively adopt a single policy.

(3) A summary of court security incidents should be compiled annually for the court's benefit in evaluating security measures.

(B) Periodic review of security incidents

All courts within the court facility should periodically review all court security incidents so the judges and court personnel are aware of recent events.

Commentary

Although the facility may be a county court facility, in some areas, if the facility is located within the limits of a municipal corporation, the local police may be the law enforcement agency having jurisdiction.

A "court security incident" is any infraction outlined within the court's Security Policy and Procedures Manual and includes any and all disruptions made in the confines of the court facility.

To measure the effectiveness of court security procedures and to aid in securing necessary funding for court security measures, it is useful to recognize and record court security incidents. A standard incident reporting form should be utilized by court personnel to record each event which compromised the security of the court and/or the safety of the participants in the judicial process. Additionally, each court should do an annual summary of court security incidents for its own benefit in evaluating court security measures using the model incident reporting form.

Commentary (July 1, 2026)

Appendix C, Standard 14 was renumbered to Rule 14.24 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: March 1, 2009

RULE 14.25. Communication Devices in the Court Facility.

The court security committee, along with other court officials, should consider and formulate a plan that governs the presence and use of communication devices in the courthouse, courtroom, and surrounding courthouse grounds. "Communication device" means any device intended to communicate, disperse, or retrieve information, including cell phones, computers, tablet computers, and cameras. The plan should comply with the requirements of Rule 11 of the Rules of Superintendence for the Courts of Ohio and provide all of the following:

(A) The use of communication devices in the courtroom, as well as the entrance into and departure from the courtroom, should be minimally intrusive so as not to disturb court functions or distract the court proceedings in any manner;

(B) Communication devices should be used and moved into and out of the courtroom safely, so as to protect all persons in the courtroom and not create an impediment to court operations;

(C) Except as provided in paragraphs (D) and (E) of this standard, at no time should the public, jurors, or witnesses be permitted to use communication devices in the courtroom. The plan should explicitly prohibit the public, jurors, and witnesses from using any communication devices while in attendance at trial. "Use" includes texting, audio and video recording, and still photography.

(D) If the court determines there is a need for such use, the court may permit the use of communication devices in the courtroom for scheduling purposes and to obtain or disseminate information. Other uses of communication devices in the courtroom should be at the court's discretion. Communication devices should either be turned off or put in silent mode when not in use.

(E) With the court's prior approval, the news media must be permitted to use communication devices in the courtroom. However, the plan should provide that no audio recording, video, or photograph of any juror, witness, or juvenile defendant should be taken.

(F) Appropriate signage should be posted identifying the procedure for use of communication devices in the courtroom and stating that use of communication devices in the courtroom may be prohibited if it interferes with the administration of justice, poses a threat to safety or security, or compromises the integrity of the proceedings.

Commentary

The presence of communication devices in the courtroom during court operations should be pre-approved to avoid disruption of court proceedings.

Commentary (July 1, 2026)

Appendix C, Standard 15 was renumbered to Rule 14.25 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: March 1, 2009
Amended: July 1, 2021

RULE 14.26. Information Technology Operations Security.

With the proliferation of court information technology standards, each court should periodically evaluate and update its security for its information technology systems and operations. Information technology security is a broad and complex arena and this standard is best addressed by having a discussion with the court information technology representative and ensuring that these issues are understood. An adequate information technology security plan should include at least the following components:

(A) Disaster recovery

A disaster recovery plan is one of the most important aspects of every information technology security program. A disaster recovery plan, also known as a business continuity plan, can be defined as a set of steps an entity will take to get its business up and running in the event of a disaster.

(B) Physical security

Physical security addresses where key information technology equipment, such as servers, core routers and switches, and data storage, is housed and who has access to it. A well-designed server room should have access control restrictions. Only the people who need to be in the server room should have access to it. There should be humidity and temperature control in the room, as well as protection systems for smoke, fire, and water. Since server rooms tend to house critical equipment, backup emergency power, such as an uninterrupted power source or generator, should be considered.

(C) Patch management

Patch management involves keeping computer system firmware and software up to date. It is one of the most difficult administrative tasks for information technology professionals. New vulnerabilities are found every day. Keeping all systems up to date on patches and fixes can take much time and effort, but can also provide the greatest benefit in terms of security threats.

(D) Endpoint/antivirus security

A comprehensive endpoint antivirus security solution should be used on all network attached computers to prevent malware infections on user devices. Antivirus software must frequently be updated in order to protect against the ever-growing list of threats. A good antivirus product will be one that can be automatically updated on a daily basis with new threat detection files.

(E) Access control security

Access control involves managing who has access to different resources. The principle of least privilege for users, groups, and applications should be used. This principle involves restricting access for users, groups, and applications to only those required to perform the job.

(F) Authentication and authorization

Authentication is the use of security methods and processes such as identification and passwords to verify the identity of a user. Authorization is the process of checking whether a person, an information technology component, or an application is authorized to perform a specific action.

(G) Network security

Network security can involve a wide range of tools and methods to help secure the information technology systems. At a minimum, the information technology security plan should include both of the following components:

(1) A firewall, which is a system or set of systems that control access between the internal network and some other external network, such as the internet. A firewall is a gateway to the network that controls access. Firewalls provide the first line of defense for network security infrastructure. The firewall protection methods may include access control lists, blacklists, VPN's, proxy/NAT, etc.

(2) Access control lists on network routers and switches. An access control list is an ordered set of rules that is used on routers and switches to filter traffic. Access control lists are used to protect networks and specific hosts from unnecessary or unwanted traffic. For example, access control lists can be used to disallow internet traffic from a high-security network to the internet.

(H) Email security and protection

Email security appliances and software, such as spam filters, should be used to protect against phishing and virus emails and to keep unwanted email from entering your users' inboxes and junk folders. Users also should be taught how to identify junk mail even if it's from a trusted source.

(I) Data Security, protection, and backup

Data security refers to the protection of data's confidentiality, availability, and integrity. "Data protection" refers to the protection of personal data against misuse by third parties. "Data backup" refers to the copying of existing data to prevent its loss.

Commentary (July 1, 2026)

Appendix C, Standard 16 was renumbered to Rule 14.26 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: March 1, 2009
Amended: July 1, 2021

RULES 14.27 through 14.29 are reserved for future use.

RULE 14.30. Local Child Restraint Rule.

Each court or division of a court shall adopt a local rule governing the use of physical restraints on children appearing in court proceedings before the court or division. The local rule shall do all of the following:

(A) Create a presumption that physical restraint shall not be utilized unless the judge or magistrate before whom the child is appearing makes an individualized determination on the record that there is no less restrictive alternative to the use of physical restraint and that the physical restraint of the child is necessary because of either of the following:

(1) The child represents a current and significant threat to the safety of the child's self or other persons in the courtroom;

(2) There is a significant risk the child will flee the courtroom.

(B) Require the judge or magistrate to permit any party, as defined in Juv.R. 2(Y), to be heard on the issue of whether the use of physical restraint is necessary for that particular child at that particular proceeding;

(C) If physical restraint is found necessary by the judge or magistrate, require the restraint be the least restrictive necessary to meet the risk requiring the restraint and in a manner which does not unnecessarily restrict the movement of the child's hands.

Commentary (July 1, 2026)

Rule 5.01 was renumbered to Rule 14.30 as part of the 2026 restructuring of the Rules of Superintendence.

Effective Date: July 1, 2016

APPENDIX A
STATISTICAL REPORTING FORMS

APPENDIX B
OHIO TRIAL COURT JURY USE AND MANAGEMENT STANDARDS

The Ohio Trial Court Jury Use and Management Standards
were adopted by the Supreme Court of Ohio on August 16, 1993.

APPENDIX B
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STANDARD 1 OPPORTUNITY FOR SERVICE

A. The opportunity for jury service should not be denied or limited on the basis of race, national origin, gender, age, religious belief, income, occupation, disability, or any other factor that discriminates against a cognizable group in the jurisdiction.

B. Jury service is an obligation of all qualified citizens.

Commentary

Standard 1 is essentially identical to the ABA Standard.

It is the obligation of every court to reasonably accommodate the special needs of physically handicapped jurors. While physically handicapped jurors may pose special issues for courts and their personnel, these issues are manageable.

Support agencies and advancing technologies exist to aid courts in accommodating the special needs of hearing impaired and visually impaired jurors, for example.

The obligation of jury service falls on all citizens; it is vitally important that the legal system open its doors to each person who desires to serve on a jury.

Reference is made to the ADA.

Ohio Statutes

O.R.C. 2313.47 Race or color shall not disqualify a juror.

STANDARD 2 JURY SOURCE LIST

A. The names of potential jurors should be drawn from a jury source list compiled from one or more regularly maintained lists of persons residing in the court jurisdiction.

B. The jury source list should be representative and should be as inclusive of the adult population in the jurisdiction as is feasible.

C. The court should periodically review the jury source list for its representativeness and inclusiveness of the adult population in the jurisdiction as is feasible.

D. Should the court determine that improvement is needed in the representativeness or inclusiveness of the jury source list, appropriate corrective action should be taken.

Commentary

Standard 2 is identical to the ABA Standard.

There should be a periodic review of the representativeness and inclusiveness of the jury source list.

Ohio Statutes

O.R.C. 1901.25	Selection and impaneling of a jury.
O.R.C. 1907.28	Authorizes county courts to adopt local rules regarding jury selection and impaneling.
O.R.C. 2311.42	Authorizes the drawing of a jury from an adjoining county if a party to the case is the board of county commissioners.
O.R.C. 2313.06	Provisions relative to the summoning of jurors using lists of voters and licensed drivers.
O.R.C. 2313.07	Construction of a jury wheel and the use of data processing equipment in drawing jurors.
O.R.C. 2313.08	Contains provisions relative to the annual jury list.
O.R.C. 2313.09	Supplemental jury lists.
O.R.C. 2313.15	Report of names of jurors excused.
O.R.C. 2313.20	Notice of drawing.
O.R.C. 2313.21	Conduct of drawing.
O.R.C. 2313.26	Order for additional number of jurors.

STANDARD 3 RANDOM SELECTION PROCEDURES

A. Random selection procedures should be used throughout the juror selection process. Any method may be used, manual or automated, that provides each eligible and available person with an equal probability of selection. These methods should be documented.

B. Random selection procedures should be employed in:

1. Selecting persons to be summoned for jury service;
2. Assigning prospective jurors to panels; and
3. Calling prospective jurors for voir dire.

C. Departures from the principle of random selection are appropriate:

1. To exclude persons ineligible for service in accordance with Standard 4;
2. To excuse or defer prospective jurors in accordance with Standard 6;
3. To remove prospective jurors for cause or if challenged peremptorily in accordance with Standards 8 and 9; and
4. To provide all prospective jurors with an opportunity to be called for jury service and to be assigned to a panel in accordance with Standard 13.

Commentary

Standard 3 is essentially identical to the ABA Standard.

Ohio Statutes

O.R.C. 1901.25	Selection and impaneling of a jury.
O.R.C. 1907.28	Authorizes county courts to adopt local rules regarding jury selection and impaneling.
O.R.C. 2101.30	Drawing of a jury in probate cases.
O.R.C. 2313.07	Construction of a jury wheel and the use of data processing equipment in drawing jurors.
O.R.C. 2313.08	Contains provisions relative to the annual jury list.
O.R.C. 2313.09	Supplemental jury lists.
O.R.C. 2313.15	Report of names of jurors excused.
O.R.C. 2313.21	Conduct of drawing.

STANDARD 4 ELIGIBILITY FOR JURY SERVICE

All persons should be eligible for jury service except those who:

A. Are less than eighteen years of age;
B. Are not citizens of the United States;
C. Are not residents of the jurisdiction in which they have been summoned to serve;
D. Are not able to communicate in the English language; or
E. Have been convicted of a felony and have not had their civil rights restored.

Commentary

Standard 4 is identical to the ABA Standard.

Legislative changes recommended in order for Standard 4 to be consistent with Standard 6.

Ohio Statutes

O.R.C. 1901.25	Selection and impaneling of a jury.
O.R.C. 1907.28	Authorizes county courts to adopt local rules regarding jury selection and impaneling.
O.R.C. 2961.01	Precludes convicted felons from serving as jurors.

STANDARD 5 TERM OF AND AVAILABILITY FOR JURY SERVICE

A. The time that persons are called upon to perform jury service and to be available should be the shortest period consistent with the needs of justice.

B. A term of service of one day or the completion of one trial, whichever is longer, is recommended. However, a term of one week or the completion of one trial, whichever is longer, is acceptable.

C. Persons should not be required to maintain a status of availability for jury service for longer than two weeks except in jurisdictions where it may be appropriate for persons to be available for service over a longer period of time.

Commentary

Standard 5 is essentially identical to the ABA Standard.

Courts should reduce, to the extent possible, the number of days a person serves and the period of availability.

STANDARD 6 EXEMPTION, EXCUSE, AND DEFERRAL

A. All automatic excuses or exemptions, with the exception of statutory exemptions, from jury service should be eliminated.

B. Eligible persons who are summoned may be excused from jury service only if:

1. Their ability to receive and evaluate information is so impaired that they are unable to perform their duties as jurors and they are excused for this reason by a judge; or

2. They request to be excused because their service would be a continuing hardship to them or to members of the public and they are excused by a judge or a specifically authorized court official.

C. Deferrals for jury service for reasonably short periods of time may be permitted by a judge or a specifically authorized court official.

D. Requests for excuses and deferrals and their disposition should be written or otherwise made or recorded. Specific uniform guidelines for determining such requests should be adopted by the court.

Commentary

Standard 6 has been changed from the ABA Standard to be consistent with the O.R.C.

Deferrals are encouraged rather than the granting of excuses.

With a shorter term of service (see Standard 5), reasons for being excused should be reduced.

The Jury Management Project Team recommends that all statutory exceptions be eliminated.

Ohio Statutes

O.R.C. 737.26	Exempts fireman from jury duty.
O.R.C. 1901.25	Selection and impaneling of a jury.
O.R.C. 1907.28	Authorizes county courts to adopt local rules regarding jury selection and impaneling.
O.R.C. 2313.12	Jury exemptions; proof of exemptions.
O.R.C. 2313.13	Postponement of jury service; temporary excuse or discharge.
O.R.C. 2313.14	Failure to attend after postponed service.
O.R.C. 2313.15	Report of names of jurors excused.
O.R.C. 2313.16	Reasons for which jurors may be excused.
O.R.C. 2313.27	Evasion of jury service.
O.R.C. 2313.36	Exemptions from jury service in court of record.
O.R.C. 5919.20	Exempts certain officers and personnel of the Ohio National Guard from jury service.
O.R.C. 5920.10	Exempts members of the Ohio Military Reserve from jury duty.
O.R.C. 5921.09	Exempts members of the Ohio Naval Militia from jury service.

STANDARD 7 VOIR DIRE

A. Voir dire examination should be limited to matters relevant to determining whether to remove a juror for cause and to determine the juror's fairness and impartiality.

B. To reduce the time required for voir dire, basic background information regarding panel members should be made available to counsel in writing for each party on the day on which jury selection is to begin.

C. The trial judge should conduct a preliminary voir dire examination. Counsel shall then be permitted to question panel members for a reasonable period of time.

D. The judge should ensure that the privacy of prospective jurors is reasonably protected, and the questioning is consistent with the purpose of the voir dire process.

E. In criminal cases, the voir dire process shall be held on the record. In civil cases, the voir dire process shall be held on the record unless waived by the parties.

Commentary

Standard 7 is essentially identical to the ABA Standard.

The questionnaire shall be handled in a manner to ensure privacy.

When prospective jurors are initially sworn, the oath should also indicate that the answers to the jury questionnaire are true.

Ohio Statutes

O.R.C. 1901.25	Selection and impaneling of a jury.
O.R.C. 1907.28	Authorizes county courts to adopt local rules regarding jury selection and impaneling.

Court Rules

Civ. R. 47	Jurors.
Crim. R. 24	Trial jurors.

STANDARD 8 REMOVAL FROM THE JURY PANEL FOR CAUSE

If the judge determines during the voir dire process that any individual is unable or unwilling to hear the particular case at issue fairly and impartially, that individual should be removed from the panel. Such a determination may be made on motion of counsel or by the judge.

Commentary

Standard 8 is essentially identical to the ABA Standard.

Jurors should be reminded that jury service is an obligation of each qualified citizen (see Standard 1).

Ohio Statutes

O.R.C. 1901.25	Selection and impaneling of a jury.
O.R.C. 1907.28	Authorizes county courts to adopt local rules regarding jury selection and impaneling.
O.R.C. 2313.42	Challenge for cause of persons called as jurors.
O.R.C. 2313.43	Challenge of petit jurors.
O.R.C. 2945.25	Causes for challenging jurors.
O.R.C. 2945.26	Challenge of juror for cause.

Court Rules

Civ. R. 47	Jurors.
Crim. R. 24	Trial jurors.

STANDARD 9 PEREMPTORY CHALLENGES

A. Rules determining procedure for exercising peremptory challenges should be uniform throughout the state.

B. Peremptory challenges should be limited to a number no larger than necessary to provide reasonable assurance of obtaining an unbiased jury.

C. In civil cases, the number of peremptory challenges should not exceed three for each side. If the court finds that there is a conflict of interest between parties on the same side, the court may allow each conflicting party up to three peremptory challenges.

D. In criminal cases, the number of peremptory challenges should not exceed:

   1. Six for each side when a death sentence may be imposed upon conviction;
   2. Four for each side when a sentence of imprisonment (state institution) may be imposed upon conviction; or
   3. Three for each side in all other prosecutions. One additional peremptory challenge should be allowed for each defendant in a multi-defendant criminal proceeding.

E. In criminal and civil proceedings each side should be allowed one peremptory challenge if one or two alternate jurors are impaneled, two peremptory challenges if three or four alternates are impaneled, and three peremptory challenges if five or six alternates are impaneled. These additional peremptory challenges shall be used against an alternate juror only, and the other peremptory challenges allowed by law shall not be used against an alternate juror.

Commentary

Standard 9 has been changed from the ABA Standard to be consistent with the O.R.C. and Ohio Rules of Court.

Ohio Statutes

O.R.C. 1901.25	Selection and impaneling of a jury.
O.R.C. 1907.28	Authorizes county courts to adopt local rules regarding jury selection and impaneling.
O.R.C. 2938.06	Number of jurors and challenges.
O.R.C. 2945.21	Peremptory challenges.
O.R.C. 2945.23	Use of peremptory challenges.

Court Rules

Civ. R. 47	Jurors.
Crim. R. 24	Trial jurors.

STANDARD 10 ADMINISTRATION OF THE JURY SYSTEM

A. The responsibility for administration of the jury system should be vested exclusively in the judicial branch of government.

B. All procedures concerning jury selection and service should be governed by the Ohio Constitution, the Revised Code, rules promulgated by the Supreme Court of Ohio, and local rules of the court or division of the court.

C. Responsibility for administering the jury system should be vested in a single administrator acting under the supervision of the administrative judge of the court or division of the court.

Commentary

Standard 10 is essentially identical to the ABA Standard.

Standard 10 suggests that current legislation be repealed.

Ohio Constitution

Article IV, Section 5(B)	Allows the Supreme Court to adopt Rules of Practice and Procedure and permits courts to adopt rules concerning local practice that do not conflict with Supreme Court Rules.

Ohio Statutes

O.R.C. 1901.14	Authorizes the adoption of local rules regarding the summoning of jurors.
O.R.C. 1907.28	Authorizes county courts to adopt local rules regarding jury selection and impaneling.
O.R.C. 2313.01	Authorizes the appointment of jury commissioners.
O.R.C. 2313.02	Compensation and appointment of deputies and clerks in the office of jury commissioners.
O.R.C. 2313.03	Oath of office for jury commissioners.
O.R.C. 2313.04	Lists cases in which the deputy jury commissioner may act.

STANDARD 11 NOTIFICATION AND SUMMONING PROCEDURES

A. The notice summoning a person to jury service and the questionnaire eliciting essential information regarding that person should be:

1. Combined in a single document;
2. Phrased so as to be readily understood by an individual unfamiliar with the legal and jury systems; and
3. Delivered by ordinary mail.

B. A summons should clearly explain how and when the recipient must respond and the consequences of a failure to respond.

C. The questionnaire should be phrased and organized so as to facilitate quick and accurate screening and should request only that information essential for:

1. Determining whether a person meets the criteria for eligibility;
2. Providing basic background information ordinarily sought during voir dire examination; and
3. Efficiently managing the jury system.

D. Policies and procedures should be established for monitoring failures to respond to a summons and for enforcing a summons to report for jury service.

Commentary

Standard 11 is essentially identical to the ABA Standard.

Ohio Statutes

O.R.C. 1905.28	Gives the mayor of a municipal corporation the authority to compel the attendance of jurors.
O.R.C. 1907.29	Cross-references to civil and criminal rules and authorizes the punishment by contempt for summoned jurors who refuse to serve.
O.R.C. 2101.30	Drawing of a jury in probate cases.
O.R.C. 2313.10	Notice to jurors to appear and testify before jury commissioners.
O.R.C. 2313.11	Failure of summoned juror to attend or testify.
O.R.C. 2313.14	Failure to attend after postponed service.
O.R.C. 2313.25	Service and return of venire.
O.R.C. 2313.26	Order for additional number of jurors.
O.R.C. 2313.29	Failure of juror to attend.
O.R.C. 2313.30	Arrest for failure to attend.

STANDARD 12 MONITORING THE JURY SYSTEM

Courts should collect and analyze information regarding the performance of the jury system on a regular basis in order to evaluate:

A. The representativeness and inclusiveness of the jury source list;

B. The effectiveness of qualification and summoning procedures;

C. The responsiveness of individual citizens to jury duty summonses;

D. The efficient use of jurors; and

E. The cost-effectiveness of the jury management system.

Commentary

Standard 12 is essentially identical to the ABA Standard, and the Jury Standard Project Team recognizes that the information gathered must be analyzed to ensure efficient jury management.

STANDARD 13 JUROR USE

A. Courts should employ the services of prospective jurors so as to achieve optimum use with a minimum of inconvenience to jurors.

B. Courts should determine the minimally sufficient number of jurors needed to accommodate trial activity. This information and appropriate management techniques should be used to adjust both the number of individuals summoned for jury duty and the number assigned to jury panels.

   1. Courts using jury pools should ensure that each prospective juror who has reported to the court is assigned for voir dire; and
   2. Courts using panels should ensure that each prospective juror who has reported to the court is assigned for voir dire.

C. Courts should coordinate jury management and calendar management to make effective use of jurors.

Commentary

Standard 13 is essentially identical to the ABA Standard.

Ohio Statutes

O.R.C. 2313.19 Number of jurors drawn.
O.R.C. 2313.24 Number of jurors; exception for smaller counties.

STANDARD 14 JURY FACILITIES

A. Courts should provide an adequate and suitable environment for jurors.

B. The entrance and registration area should be clearly identified and appropriately designed to accommodate the daily flow of prospective jurors to the courthouse.

C. Jurors should be accommodated in pleasant waiting facilities furnished with suitable amenities.

D. Jury deliberation rooms should include space, furnishings, and facilities conducive to reaching a fair verdict. The safety and security of the deliberation rooms should be ensured.

E. To the extent feasible, juror facilities should be arranged to minimize contact between jurors, parties, counsel, and the public.

Commentary

Standard 14 is essentially identical to the ABA Standard.

Ohio Statutes

O.R.C. 1907.29	Cross-references to civil and criminal rules and authorizes the punishment by contempt for summoned jurors who refuse to serve.
O.R.C. 2313.05	Office and supplies for the jury commissioners.
O.R.C. 2315.03	Deliberations of jury.
O.R.C. 2945.33	Keeping and conduct of the jury after case is submitted to the jury.

Rules of Superintendence

Appendix D	Court facility standards.

STANDARD 15 JUROR COMPENSATION

A. Persons called for jury service should receive a reasonable fee for their service and expenses.

B. Such fees should be paid promptly.

C. Employers shall be prohibited from discharging, laying-off, denying advancement opportunities to, or otherwise penalizing employees who miss work because of jury service.

Commentary

Standard 15 is essentially identical to the ABA Standard.

Ohio Statutes

O.R.C. 1901.25	Selection and impaneling of a jury.
O.R.C. 1907.28	Authorizes county courts to adopt local rules regarding jury selection and impaneling.
O.R.C. 2101.16	Cross-references to other sections regarding jury fees.
O.R.C. 2313.34	Discharge of juror; compensation.

STANDARD 16 JUROR ORIENTATION AND INSTRUCTION

A. Orientation programs should be:

1. Designed to increase prospective jurors' understanding of the judicial system and prepare them to serve competently as jurors; and
2. Presented in a uniform and efficient manner using a combination of written, oral, and audiovisual materials.

B. Courts should provide some form of orientation or instructions to persons called for jury service:

1. Upon initial contact prior to service;
2. Upon first appearance at the court; and
3. Upon reporting to a courtroom for voir dire.

C. The trial judge should:

1. Give preliminary instructions to all prospective jurors.
2. Give instructions directly following impanelment of the jury to explain the jury's role, the trial procedures including notetaking and questioning by jurors, the nature of evidence and its evaluation, the issues to be addressed, and the basic relevant legal principles;
3. Prior to the commencement of deliberations, instruct the jury on the law, on the appropriate procedures to be followed during deliberations, and on the appropriate method for reporting the results of its deliberations. Such instructions should be made available to the jurors during deliberations;
4. Prepare and deliver instructions which are readily understood by individuals unfamiliar with the legal system; and
5. Recognize utilization of written instructions is preferable.
6. Before dismissing a jury at the conclusion of a case:
    a. Release the jurors from their duty of confidentiality;
    b. Explain their rights regarding inquiries from counsel or the press;
    c. Either advise them that they are discharged from service or specify where they must report; and
    d. Express appreciation to the jurors for their service, but not express approval or disapproval of the result of the deliberation.

D. All communications between the judge and members of the jury panel from the time of reporting to the courtroom for voir dire until dismissal shall be in writing or on the record in open court. Counsel for each party shall be informed of such communication and given the opportunity to be heard.

Commentary

Standard 16 is essentially identical to the ABA Standard with addition of C., 4.

Reference may be made to Ohio Jury Instructions.

Ohio Statutes

O.R.C. 2945.10	Order of trial proceedings, including the charge to the jury.
O.R.C. 2945.11	Charge to the jury on questions of law and fact.
O.R.C. 2945.34	Admonition to be administered to jurors if they are separate during trial.

Court Rules

Civ. R. 51	Instructions to the jury; objections.
Crim. R. 30	Instructions to the jury.

STANDARD 17 JURY SIZE AND UNANIMITY OF VERDICT

Jury size and unanimity in civil and criminal cases shall conform with existing Ohio law.

Commentary

Standard 17 has been changed from the ABA Standard to be consistent with the O.R.C.

Ohio Constitution

Article I, Section 5	Trial by jury; reform in civil jury system

Ohio Statutes

O.R.C. 1901.24	Cross-references to civil and criminal rules relating to juries.
O.R.C. 1907.29	Cross-references to civil and criminal rules and authorizes the punishment by contempt for summoned jurors who refuse to serve.
O.R.C. 2938.06	Number of jurors and challenges.

Court Rules

Civ. R. 38	Jury trial of right.
Civ. R. 48	Juries; majority verdict; stipulation of number of jurors.
Civ. R. Form 18	Judgment on jury verdicts.
Crim. R. 23	Trial by jury or by the court.

STANDARD 18 JURY DELIBERATIONS

A. Jury deliberations should take place under conditions and pursuant to procedures that are designed to ensure impartiality and to enhance rational decision-making.

B. The judge should instruct the jury concerning appropriate procedures to be followed during deliberations in accordance with Standard 16C.

C. The deliberation room should conform to the recommendations set forth in Standard 14C.

D. The jury should not be sequestered except under the circumstances and procedures set forth in Standard 19.

E. A jury should not be required to deliberate after a reasonable hour unless the trial judge determines that evening or weekend deliberations would not impose an undue hardship upon the jurors and are required in the interest of justice.

F. Training should be provided to personnel who escort and assist jurors during deliberation.

Commentary

Standard 16 is essentially identical to the ABA Standard.

Counsel and appropriate court personnel should remain readily available during jury deliberations.

Juries should be provided with a pleasant, comfortable, secure, and safe place in which to work.

Ohio Statutes

O.R.C. 2315.03	Deliberations of jury.
O.R.C. 2315.04	Duty of officer in charge of jury.
O.R.C. 2945.32	Contains the oath to be administered to an officer if the jury is sequestered.
O.R.C. 2945.33	Keeping and conduct of the jury after case is submitted to the jury.

Court Rules

Civ. R. Form 18	Judgment on jury verdict.
Crim. R. 30	Instructions to the jury.

STANDARD 19 SEQUESTRATION OF JURORS

A. A jury should be sequestered only for good cause, including but not limited to insulating its members from improper information or influences.

B. During deliberations in the guilt phase and penalty phase, the jury shall be sequestered in a capital case.

C. The trial judge shall have the discretion to sequester a jury on the motion of counsel or on the judge's initiative and shall have the responsibility to oversee the conditions of sequestration.

D. Standard procedures should be promulgated to:

1. Achieve the purpose of sequestration; and
2. Minimize the inconvenience and discomfort of the sequestered jurors.

E. Training shall be provided to personnel who escort and assist jurors during sequestration.

Commentary

Standard 19 differs from the ABA Standard.

1. "Should" was changed to "shall" in C and E.
2. Jury escorts may be law enforcement personnel.

Standard 19 has been changed to be consistent with the O.R.C.

Ohio Statutes

O.R.C. 2315.04	Duty of officer in charge of jury.
O.R.C. 2945.31	Allows, but does not require, sequestering of jurors after a trial has commenced.
O.R.C. 2945.33	Requires sequestration of jurors in capital cases once a case is submitted to the jury.

Court Rules

Crim. R. 24	Trial jurors.

APPENDIX C

Model Facsimile Filing Rule for Ohio Courts

The Model Facsimile Rule for Ohio Courts is included for illustration. This form is expressly declared as sufficient to meet the requirements of the Facsimile Filing Standards for Ohio Courts. Departures from this form shall not void a local rule that is otherwise sufficient to meet the requirements of the aforesaid Facsimile Filing Standards for Ohio Courts.

STANDARDS SUBCOMMITTEE OF THE SUPREME COURT ADVISORY COMMITTEE ON TECHNOLOGY AND THE COURTS

MODEL FACSIMILE FILING RULE FOR OHIO COURTS

The provisions of this local rule are adopted under [Civ.R. 5(E)] [Civ.R. 73(J)] [Crim.R.12(B)] [Juv.R. 8] [App.R. 13(A)].

Pleadings and other papers may be filed with the Clerk of Courts by facsimile transmission to [area code and number of receiving machine] subject to the following conditions:

APPLICABILITY

1.01 These rules apply to [civil], [criminal], [small claims], [probate], [juvenile], [appellate] and [domestic relations], proceedings in the [name of court].

1.02 These rules do not apply to [civil], [criminal], [small claims], [probate], [juvenile], [appellate] and [domestic relations], proceedings. In these proceedings no facsimile transmission of documents will be accepted.

1.03 The following documents will not be accepted for fax filing: [original wills and codicils] **[cognovit promissory notes],** [insert other examples]

ORIGINAL FILING

2.01 A document filed by fax shall be accepted as the effective original filing. The person making a fax filing need not file any source document with the Clerk of Court but must, however, maintain in his or her records and have available for production on request by the court the source document filed by fax, with original signatures as otherwise required under the applicable rules, together with the source copy of the facsimile cover sheet used for the subject filing.

2.02 The source document filed by fax shall be maintained by the person making the **filing** until the case is closed and all opportunities for post judgment relief are exhausted.

DEFINITIONS

As used in these rules, unless the context requires otherwise:

3.01 A “facsimile transmission” means the transmission of a source document by a facsimile machine that encodes a document into optical or electrical signals, transmits and reconstructs the signals to **print** a duplicate of the source document at the receiving end.

3.02 A “facsimile machine" means a machine that can send and receive a facsimile transmission.

3.03 “Fax” is an abbreviation for "facsimile" and refers, as indicated by the context, to facsimile transmission or to a document so transmitted.

COVER PAGE

4.01 The person filing a document by fax shall also provide therewith a cover page containing the following information: [See appendix for sample cover page form.]

(I) the name of the court;
(II) the title of the case;
(III) the case number;
(IV) the assigned judge;
(V) the title of the document being filed (e.g. Defendant Jones’ Answer to Amended Complaint; Plaintiff Smith’s Response to Defendants’ Motion to Dismiss; Plaintiff Smith’s Notice of Filing Exhibit “G” to Plaintiff Smith’s Response to Defendants’ Motion to Dismiss) ;
(VI) the date of transmission;
(VII) the transmitting fax number;
(VIII) an indication of the number of pages included in the transmission, including the cover page;
(IX) if a judge or case number has not been assigned, state that fact on the cover page;
(X) the name, address, telephone number, fax number, Supreme Court registration number, if applicable, and e-mail address of the person filing the fax document if available; and
(XI) if applicable, a statement explaining how costs are being submitted.

4.02 If a document is sent by fax to the Clerk of Court without the cover page information listed above, the Clerk may, at its discretion:

(I) **enter the document in the Case Docket and file the document; or**

(II) deposit the document in a file of failed faxed documents with a notation of the reason for the failure; in this instance, the document *shall not* be considered filed with the Clerk of Courts.

4.03 The Clerk of Court is not required to send any form of notice to the sending party of a failed fax filing. However, if practicable, the Clerk of Court may inform the sending party of a failed fax filing.

SIGNATURE

5.01 A party who wishes to file a signed source document by fax shall either:

(I) fax a copy of the signed source document; or

(II) fax a copy of the document without the signature but with the notation "/s/" followed by the name of the signing person where the signature appears in the signed source document.

5.02 A party who files a signed document by fax represents that the physically signed source document is in his/her possession or control.

[*Commentary: 5.01 (II) addresses those instances where the fax transmission is generated by the sending party's computer and therefore the document is not printed and capable of being signed prior to transmission.]*

EXHIBITS

6.01 Each exhibit to a facsimile produced document that cannot be accurately transmitted via facsimile transmission for any reason must be replaced by an insert page describing the exhibit and why it is missing. Unless the court otherwise orders, the missing exhibit shall be filed with the court, as a separate document, not later than five (5) court days following the filing of the facsimile document. Failure to file the missing exhibits as required by this paragraph may result in the court striking the document and/or exhibit.

6.02 Any exhibit filed in this manner shall be attached to a cover sheet containing the caption of the case which sets forth the name of the court, title of the case, the case number, name of the judge and the title of the exhibit being filed (e.g., **Plaintiff Smith's Notice of Filing Exhibit "G" to Plaintiff Smith's Response to Defendants' Motion to Dismiss), and shall be signed and served in conformance with the rules governing the signing and service of pleadings in this court. [See appendix for sample exhibit cover sheet.]**

TIME OF FILING

(OPTION I)

7.01 Subject to the provisions of these rules, all documents sent by fax and accepted by the Clerk shall be considered filed with the Clerk of Courts as of the date and time the fax transmission was received by the Clerk of Court. The office of the Clerk of Court will be deemed open to receive facsimile transmission of documents on the basis of 24 hours per day seven days per week including holidays. Each page of any document received by the Clerk will be automatically imprinted with the date and time of receipt. The date and time imprinted on the document will determine the time of filing, provided the document is deemed accepted by the Clerk.

(OPTION II)

7.01 Subject to the provisions of these rules, all documents sent by fax and accepted by the Clerk shall be considered filed with the Clerk of Courts as of the date and time the Clerk time-stamps the document received, as opposed to the date and time of the fax transmission. The office of the Clerk of Court will be deemed open to receive facsimile transmission of documents on the same days and at the same time the court is regularly open for business.

7.02 Fax filings may NOT be sent directly to the court for filing but may only be transmitted directly through the facsimile equipment operated by the Clerk of Courts.

7.03 The Clerk of Court may, but need not, acknowledge receipt of a facsimile transmission.

7.04 The risks of transmitting a document by fax to the Clerk of Courts shall be borne entirely by the sending party. Anyone using facsimile filing is urged to verify receipt of such filing by the Clerk of Court through whatever technological means are available.

FEES AND COSTS

8.01 No document filed by facsimile that requires a filing fee shall be accepted by the Clerk for filing until court cost and fees have been paid. Court cost and fees may be paid by credit or debit cards or through an escrow account established with the Clerk. The forms necessary for the authorization of payment by credit card or escrow account shall be available at the Clerk's office during normal business hours [and are accessible on-line at ______]. Documents tendered to the Clerk without payment of court cost and fees, or with incomplete information on the charge authorization or request, or which do not conform to applicable rules will not be filed. [See appendix for sample credit card payment form.]

[*Commentary: Information furnished for authorization of payment by credit/debit card shall not be part of the case file.]*

8.02 No additional fee shall be assessed for facsimile filings.

LENGTH OF DOCUMENT

9.01 Facsimile filings shall not exceed _________ pages in length. The filer shall not transmit service copies by facsimile.

[Commentary: The local rule should address and define what it felt to be a reasonable page limit. The subcommittee also recommends that service copies not be sent by fax. However, this is optional, and at the discretion of the local court.]

EFFECTIVE DATE

10.01 These local rules shall be effective [insert date], and shall govern all proceedings in actions brought after they take effect and also further proceedings in pending actions, except to the extent that, in the opinion of the court, their application in a particular action pending on the effective date would not be feasible or would work an injustice, in which event, the former procedure applies.

[Commentary: Facsimile filing standards in the model rule contemplate the facsimile transmission of documents to a court by electronic means. The court receiving the facsimile transmission will maintain its equipment to reconstruct a paper copy version of the source document to serve as the original document. These standards should be differentiated from other types of electronic filing, for which other standards will apply.]

APPENDIX

1. **Sample Facsimile Filing Cover Page**

2. **Sample Exhibit Cover Page**

3. **Sample Credit Card Payment Form**

FACSIMILE FILING COVER PAGE

RECIPIENT INFORMATION:

NAME OF COURT: ______________________________

FAX NUMBER: ______________________________

SENDING PARTY INFORMATION:

NAME: ______________________________

SUPREME COURT
REGISTRATION NO. (if applicable): ______________________________

OFFICE/FIRM: ______________________________

ADDRESS: ______________________________

TELEPHONE NO. ______________________________

FAX NUMBER: ______________________________

E-MAIL ADDRESS (if available): ______________________________

CASE INFORMATION:

TITLE OF THE CASE: ______________________________

CASE NUMBER*: ______________________________

TITLE OF THE DOCUMENT: ______________________________

____

JUDGE*: ______________________________

FILING INFORMATION:

DATE OF FAX TRANSMISSION: ______________________________

NUMBER OF PAGES (including this page): ______________________________

STATEMENT EXPLAINING HOW COSTS ARE BEING SUBMITTED, IF APPLICABLE: ______________________________

____

*If a judge or case number has not been assigned, please state that fact in the space provided.

IN THE COURT OF COMMON PLEAS
_____________ COUNTY, OHIO

JOHN SMITH, Plaintiff,	
v.	Case No.: 1234567
BILL JONES, Defendant.	Judge __________________ *(in the alternative a notation here that the case is not yet assigned)*

PLAINTIFF SMITH'S NOTICE OF FILING EXHIBIT "G"
TO
PLAINTIFF SMITH'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS

Plaintiff Smith, through counsel, hereby files Exhibit "G" to Plaintiff Smith's Response to Defendant's Motion to Dismiss. The referenced pleading was filed by facsimile transmission with the Court on [date]. Exhibit "G" could not be accurately transmitted by fax and is therefore being timely filed as a separate document with the Court pursuant to Local Rule XX.X.

Respectfully Submitted,

____
Attorney Name (Sup. Crt. Reg. No.)
Office/Firm
Address
Telephone
Facsimile
E-mail

Counsel for Plaintiff John Smith

CERTIFICATE OF SERVICE

I certify that a copy of this Notice of Filing Exhibit "G" was sent by ordinary U.S. mail on [date] to counsel for defendant Bill Jones, [name and address of recipient].

____
Attorney Name
Counsel for Plaintiff John Smith

<u>CREDIT / DEBIT CARD AUTHORIZATION FORM</u>

To: Clerk, _________________ County Common Pleas Court ______________ Division

Fax No:____

Regarding (if applicable):

Case Name:____
Case Number:____

Dear Clerk's Office Representative:

Please charge my credit / debit card in the amount of $________________ in payment of fees for the following court costs/service(s): <u>[Identify document to be filed or other service to be performed by the Clerk's Office for which a fee is assessed.]</u> _______

____

Circle One: MasterCard Visa

Credit / Debit Card Number: ____
Expiration Date: ____

Name of Cardholder: ____

Billing Address: ____

____

Telephone No.: ____

Fax No.: ____

Cardholder Signature: ____

Date: ____

Name & Telephone No. of Person Submitting This form: _________________________

APPENDIX D

Forms for Sealing or Expungement of or Restricting Public Access to Court Records.

Forms 96-A1 through 96-G3 are standard forms for use in sealing or expungement of or restricting public access to court records pursuant to R.C. 2151.356, 2151.358, 2953.32, 2953.37, 2953.38, and 2953.52 and Sup.R. 11.10 through 11.14. Forms 96-A1 through 96-G3 shall be accepted for filing by courts, provided forms adopted by local courts substantially similar to Forms 96-A1 through 96-G3 may also be accepted for filing.

IN THE ______________________________COURT

________________ COUNTY, OHIO

______________________________	:	
Applicant Name	:	Case No(s). ____________________________
	:	____________________________
	:	
	:	Judge:________________________________
	:	
	:	**Application to Seal Juvenile Record Pursuant to**
	:	**R.C. 2151.356**

The Applicant moves the Court to order the sealing of records pertaining to a juvenile pursuant to R.C. 2151.356. In support of this application, the Applicant provides the following information:

1. Type of Case: ☐ Delinquency ☐ Traffic ☐ Unruly child

2. Were you on probation or parole as a result of this charge? ☐ Yes ☐ No

   If Yes, name of probation or parole officer __________________________

3. To the best of your knowledge, have you been adjudicated or convicted of any other juvenile and/or adult criminal or traffic offense since your last contact with the Court for this offense or this case? ☐ Yes ☐ No

   If Yes, please complete the following (you may attach additional pages if necessary):

Date	Offense	Court or Location

4. If you have a driver's license, is it currently suspended? ☐ Yes ☐ No

5. Please indicate any other information you would like the Court to know in reviewing your application (you may attach additional pages if necessary).

____

____

____

____

____

____

The Applicant hereby certifies all requirements for sealing the records are met.

______________________________	______________________________
Name of Applicant	Name of Attorney (if applicable)
______________________________	______________________________
Signature of Applicant (if pro se)	Signature of Attorney (if applicable)
______________________________	______________________________
Street Address of Applicant	Attorney Registration No. (if applicable)
______________________________	______________________________
City, State, and Zip Code of Applicant	Street Address of Attorney (if applicable)
______________________________	______________________________
Driver's License No. of Applicant (if applicable)	City, State, and Zip Code of Attorney (if applicable)
______________________________	______________________________
Telephone of Applicant (if pro se)	Email Address of Attorney (if applicable)
	______________________________
	Telephone of Attorney (if applicable)

(TO BE COMPLETED BY THE COURT)

SERVICE

A copy of this application was served by this Court on the Office of the Prosecutor for________________________________, this ______ day of ___________________, 20___.

IN THE ______________________________COURT

________________ COUNTY, OHIO

______________________________	:	
Name	:	Case No(s). ______________________________
	:	______________________________
	:	
	:	Judge:______________________________
	:	
	:	**Decision of Magistrate to Seal Juvenile Record**
	:	**Pursuant to R.C. 2151.356**

This matter to order the sealing of records pertaining to a juvenile pursuant to R.C. 2151.356 came before the Court on ☐ the Court's own motion or ☐ the Applicant's application.

The Court finds the applicable requirements for sealing under R.C. 2151.356 have been met.

Notice has been given to the Prosecuting Attorney and the following public office(s) or agency(ies) the Court has reason to believe may have a record of the sealed record:

____

____

____.

THEREFORE, all official records pertaining to the Applicant shall be sealed.

____________________ ____________________________
Date Magistrate

Written objections to the magistrate's decision must be filed within fourteen (14) days of the filing of this decision. The objections must be specific and state with particularity the grounds of the objections. A party may request findings of fact and conclusions of law before the entry of a magistrate's decision or within seven days after the filing of a magistrate's decision. A party shall not assign as error on appeal the court's adoption of a magistrate's factual finding or legal conclusion in this decision unless the party timely and specifically objects to that finding or conclusion as required by Juv.R. 40.

ENTRY ADOPTING THE DECISION OF THE MAGISTRATE

Upon an independent review of the record and the Decision of the Magistrate, the Court hereby:

☐ Adopts the Decision of the Magistrate as reported and ORDERS all official records pertaining to this case to be sealed.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;

2. ____

____

____

____.

IT IS SO ORDERED.

☐ Rejects the Decision of the Magistrate.

☐ Modifies the Decision of the Magistrate as follows: __________________________________

____

____

____.

____________________ ____________________________

Date Judge

IN THE ______________________________COURT

________________ COUNTY, OHIO

State of Ohio	:	
	:	Case No(s). ______________________________
v.	:	______________________________
	:	
	:	Judge:______________________________
______________________________	:	
Name	:	**Order of Judge to Seal Juvenile Record Pursuant**
	:	**to R.C. 2151.356**

This matter to order the sealing of records pertaining to a juvenile pursuant to R.C. 2151.356 came before the Court on ☐ the Court's own motion or ☐ the Applicant's application.

The Court finds the applicable requirements for sealing under R.C. 2151.356 have been met.

Notice has been given to the Prosecuting Attorney and the following public office(s) or agency(ies) the Court has reason to believe may have a record of the sealed record:

____

____

____.

THEREFORE, IT IS HEREBY ORDERED that all official records pertaining to the Applicant shall be sealed.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;

2. ____

   ____

   ____

   ____.

IT IS SO ORDERED.

____________________ ______________________________

Date Judge

IN THE ______________________________COURT

________________ COUNTY, OHIO

____________________________	:	
Applicant Name	:	Case No(s). ______________________
	:	______________________
	:	
	:	Judge:__________________________
	:	
	:	**Application to Expunge Juvenile Record**
	:	**Pursuant to R.C. 2151.358**

The Applicant moves the Court to order the expungement of records pertaining to a juvenile pursuant to R.C. 2151.358. In support of this application, the Applicant provides the following information:

1. Type of Case: ☐ Delinquency ☐ Traffic ☐ Unruly child

2. Date of sealing order: __________________________

3. Nature of the offense for which the records were sealed: ___________________________
____

4. Are you aware of any civil case that has been filed regarding this case that has been sealed? ☐ Yes ☐ No

5. To the best of your knowledge, have you been adjudicated or convicted of any other juvenile and/or adult criminal or traffic offense since your last contact with the Court for this offense or this case? ☐ Yes ☐ No

   If Yes, please complete the following (you may attach additional pages if necessary):

Date	Offense	Court or Location

6. Please provide your education and employment history below (you may attach additional pages if necessary):

Employer	Dates Employed	Reason for Leaving

Name of School	Date of Graduation	Area of Study / Degree

7. Please indicate any other information you would like the Court to know in reviewing your application (you may attach additional pages if necessary).
____
____
____
____

The Applicant hereby certifies all requirements for expunging the records are met.

____
Name of Applicant

____
Signature of Applicant (if pro se)

____
Street Address of Applicant

____
City, State, and Zip Code of Applicant

____
Driver's License No. of Applicant (if applicable)

____
Telephone of Applicant (if pro se)

____
Name of Attorney (if applicable)

____
Signature of Attorney (if applicable)

____
Attorney Registration No. (if applicable)

____
Street Address of Attorney (if applicable)

____
City, State, and Zip Code of Attorney (if applicable)

____
Email Address of Attorney (if applicable)

____
Telephone of Attorney (if applicable)

(TO BE COMPLETED BY THE COURT)

SERVICE

A copy of this application was served by this Court on the Office of the Prosecutor for________________________________, this ______ day of ___________________, 20___.

IN THE ______________________________COURT

________________ COUNTY, OHIO

____________________________	
Name	Case No(s). ________________________
	________________________
	Judge:____________________________
	Decision of Magistrate to Expunge Juvenile Record Pursuant to R.C. 2151.358

This matter to order the expungement of records pertaining to a juvenile pursuant to R.C. 2151.358 came before the Court on ☐ the Court's own motion or ☐ the Applicant's application.

The Court finds the applicable requirements for expungement under R.C. 2151.358 have been met.

Notice has been given to the Prosecuting Attorney and the following public office(s) or agency(ies) the Court has reason to believe may have a record of the expunged record:

____

____

____.

THEREFORE, all official records pertaining to the Applicant shall be expunged.

________________	________________________
Date	Magistrate

Written objections to the magistrate's decision must be filed within fourteen (14) days of the filing of this decision. The objections must be specific and state with particularity the grounds of the objections. A party may request findings of fact and conclusions of law before the entry of a magistrate's decision or within seven days after the filing of a magistrate's decision. A party shall not assign as error on appeal the court's adoption of a magistrate's factual finding or legal conclusion in this decision unless the party timely and specifically objects to that finding or conclusion as required by Juv.R. 40.

ENTRY ADOPTING THE DECISION OF THE MAGISTRATE

Upon an independent review of the record and the Decision of the Magistrate, the Court hereby:

☐ Adopts the Decision of the Magistrate as reported and ORDERS all official records pertaining to this case to be expunged.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;

2. ____

IT IS SO ORDERED.

☐ Rejects the Decision of the Magistrate.

☐ Modifies the Decision of the Magistrate as follows:

Date

Judge

IN THE ______________________________COURT

________________ COUNTY, OHIO

State of Ohio	:	
	:	Case No(s). ______________________
v.	:	______________________
	:	
	:	Judge:______________________
______________________	:	
Name	:	**Order of Judge to Expunge Juvenile Record**
	:	**Pursuant to R.C. 2151.358**

This matter to order the expungement of records pertaining to a juvenile pursuant to R.C. 2151.358 came before the Court on ☐ the Court's own motion or ☐ the Applicant's application.

The Court finds the applicable requirements for expungement under R.C. 2151.358 have been met.

Notice has been given to the Prosecuting Attorney and the following public office(s) or agency(ies) the Court has reason to believe may have a record of the expunged record:

____

____

____.

THEREFORE, IT IS HEREBY ORDERED that all official records pertaining to the Applicant shall be expunged.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;

2. ____

____

____

____.

IT IS SO ORDERED.

____________________ ____________________________

Date Judge

IN THE ______________________________COURT

________________ COUNTY, OHIO

____________________________	:	
Applicant Name	:	Case No(s).__________________________
	:	__________________________
	:	
	:	
	:	Judge:______________________________
	:	
	:	**Application to Seal Record of Conviction**
	:	**Pursuant to R.C. 2953.32**

The Applicant moves the Court to order the sealing of the record of conviction in this case and all related records pursuant to R.C. 2953.32.

The Applicant hereby certifies all requirements for sealing the record of conviction are met.

____________________________	____________________________
Name of Applicant	Name of Attorney (if applicable)
____________________________	____________________________
Signature of Applicant (if pro se)	Signature of Attorney (if applicable)
____________________________	____________________________
Street Address of Applicant	Attorney Registration No. (if applicable)
____________________________	____________________________
City, State, and Zip Code of Applicant	Street Address of Attorney (if applicable)
____________________________	____________________________
Driver's License No. of Applicant (if applicable)	City, State, and Zip Code of Attorney (if applicable)
____________________________	____________________________
Telephone of Applicant (if pro se)	Email Address of Attorney (if applicable)
	____________________________
	Telephone of Attorney (if applicable)

(TO BE COMPLETED BY THE COURT)

SERVICE

A copy of this application was served by this Court on the Office of the Prosecutor for________________________________, this ______ day of ___________________, 20___.

IN THE ______________________________ COURT

________________ COUNTY, OHIO

____________________________	:	
Applicant Name	:	Case No(s). ____________________
	:	____________________
	:	
	:	Judge:____________________
	:	
	:	**Decision of Magistrate to Seal Record of**
	:	**Conviction Pursuant to R.C. 2953.32**

This matter came before the Court on the Applicant's application to seal the Applicant's record of conviction pursuant to R.C. 2953.32.

Notice has been given to the Prosecuting Attorney and the Probation Department, and a report has been received from the Probation Department as to the Applicant.

Upon evidence, the Court finds the Applicant was convicted of the following offense(s):____, the required time period has passed since the final discharge, there are no criminal proceedings now pending against the Applicant, the Applicant is an eligible offender and the offense is eligible for sealing, and the Applicant's interests in having these records sealed outweigh the legitimate needs, if any, of the government to maintain the records.

The State of Ohio has / has no **[circle one]** objections to the motion.

The Applicant was represented by himself / herself pro se or by ____________________________

____.

THEREFORE, all official records pertaining to this case shall be sealed; all index references hereto shall be deleted; the proceedings in this case shall be deemed not to have occurred; and the Applicant's arrest and conviction records shall be sealed, subject to the exceptions and provisions of R.C. 2953.31 to 2953.36.

____________________ ____________________________

Date Magistrate

Written objections to the magistrate's decision must be filed within fourteen (14) days of the filing of this decision. The objections must be specific and state with particularity the grounds of the objections. A party may request findings of fact and conclusions of law before the entry of a magistrate's decision or within seven days after the filing of a magistrate's decision. A party shall not assign as error on appeal the court's adoption of a magistrate's factual finding or legal conclusion in this decision unless the party timely and specifically objects to that finding or conclusion as required by Crim.R.19.

ENTRY ADOPTING THE DECISION OF THE MAGISTRATE

Upon an independent review of the record and the Decision of the Magistrate, the Court hereby:

☐ Adopts the Decision of the Magistrate as reported and ORDERS all official records pertaining to this case to be sealed.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;
2. The law enforcement official in charge of the agency or organization that caused the Applicant's arrest;
3. The Prosecutor for ______________________________;
4. Any other public office or agency the Court knows or has reason to believe may have any record of the case that is the subject of this order.

IT IS FURTHER ORDERED that none of the foregoing persons or agencies shall inspect or use such records, or permit the inspection or use of such records, except as provided by R.C. 2953.32.

IT IS SO ORDERED.

☐ Rejects the Decision of the Magistrate.

☐ Modifies the Decision of the Magistrate as follows: ______________________________

____

____

____.

____________________   ____________________________
Date   Judge

IN THE ________________________________COURT

_________________ COUNTY, OHIO

State of Ohio	:	
	:	Case No(s). ____________________________
v.	:	____________________________
	:	
	:	Judge:________________________________
______________________________	:	
Applicant Name	:	**Order of Judge to Seal Record of Conviction**
	:	**Pursuant to R.C. 2953.32**

This matter came before the Court on the Applicant's application to seal the Applicant's record of conviction pursuant to R.C. 2953.32.

Notice has been given to the Prosecuting Attorney and the Probation Department, and a report has been received from the Probation Department as to the Applicant.

Upon evidence, the Court finds the Applicant was convicted of the following offense(s):____, the required time period has passed since the final discharge, there are no criminal proceedings now pending against the Applicant, the Applicant is an eligible offender and the offense is eligible for sealing, and the Applicant's interests in having these records sealed outweigh the legitimate needs, if any, of the government to maintain the records.

The State of Ohio has / has no **[circle one]** objections to the motion.

The Applicant was represented by himself / herself pro se or by __________________________

____.

THEREFORE, IT IS HEREBY ORDERED that all official records pertaining to this case shall be sealed; all index references hereto shall be deleted; the proceedings in this case shall be deemed not to have occurred; and the Applicant's arrest and conviction records shall be sealed, subject to the exceptions and provisions of R.C. 2953.31 to 2953.36.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;
2. The law enforcement official in charge of the agency or organization that caused the Applicant's arrest;
3. The Prosecutor for _______________________________;
4. Any other public office or agency the Court knows or has reason to believe may have any record of the case that is the subject of this order.

IT IS FURTHER ORDERED that none of the foregoing persons or agencies shall inspect or use such records, or permit the inspection or use of such records, except as provided by R.C. 2953.32.

IT IS SO ORDERED.

____________________ ______________________________
Date Judge

IN THE ______________________________COURT

________________ COUNTY, OHIO

____________________________________ Applicant Name	Case No(s). _______________________________ _______________________________
	Judge:_____________________________________
	Application to Expunge Record of Conviction for Improperly Handling Firearm in Motor Vehicle Pursuant to R.C. 2953.37

The Applicant moves the Court to order the expungement of the record of conviction for improperly handling a firearm in a motor vehicle pursuant to R.C. 2953.37. In support of this application, the Applicant provides the following information:

1. Please complete the following (you may attach additional pages if necessary):

Offense	Date of the Conviction or Guilty Plea	Court

2. Please attach evidence the offense was a violation of R.C. 2923.16 (B), (C), or (E) and the Applicant is authorized by R.C. 2923.16(H)(2)(a) to file this application.

3. Please indicate any other information you would like the Court to know in reviewing your application (you may attach additional pages if necessary).

____

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____

The Applicant hereby certifies all requirements for expunging the records are met.

______________________ Name of Applicant	______________________ Name of Attorney (if applicable)
______________________ Signature of Applicant (if pro se)	______________________ Signature of Attorney (if applicable)
______________________ Street Address of Applicant	______________________ Attorney Registration No. (if applicable)
______________________ City, State, and Zip Code of Applicant	______________________ Street Address of Attorney (if applicable)
______________________ Driver's License No. of Applicant (if applicable)	______________________ City, State, and Zip Code of Attorney (if applicable)
______________________ Telephone of Applicant (if pro se)	______________________ Email Address of Attorney (if applicable)
	______________________ Telephone of Attorney (if applicable)

(TO BE COMPLETED BY THE COURT)

SERVICE

A copy of this application was served by this Court on the Office of the Prosecutor for________________________________, this ______ day of ___________________, 20___.

IN THE ______________________________COURT

________________ COUNTY, OHIO

____________________________	
Applicant Name	Case No(s). ______________________________
	______________________________
	Judge: __________________________________
	Decision of Magistrate to Expunge Record of Conviction for Improperly Handling Firearm in Motor Vehicle Pursuant to R.C. 2953.37

This matter came before the Court on the Applicant's application to expunge the record of conviction for improperly handling a firearm in a motor vehicle pursuant to R.C. 2953.37.

☐ Notice has been given to the Prosecuting Attorney.

☐ A probation officer, a state probation officer, or the department of probation of the county in which the applicant resides has made inquiries and written reports as the Court requires concerning the applicant.

Upon evidence, the Court finds the Applicant was convicted of an offense, more than________ year(s) has lapsed since the Applicant completed this sentence, the Applicant has not been convicted of or pleaded guilty to any other applicable prohibitions against improperly handling firearms in a motor vehicle, and the Applicant's interests in having these records expunged outweigh the interests of the government in keeping the arrest, charge, and conviction on the Applicant's record.

THEREFORE, all official records pertaining to this case shall be expunged; all index references hereto shall be deleted; the proceedings in this case shall be deemed not to have occurred; and the Applicant's arrest and conviction records shall be expunged, subject to the exceptions and provisions of R.C. 2953.31 to 2953.36.

____________________ ____________________________

Date Magistrate

Written objections to the magistrate's decision must be filed within fourteen (14) days of the filing of this decision. The objections must be specific and state with particularity the grounds of the objections. A party may request findings of fact and conclusions of law before the entry of a magistrate's decision or within seven days after the filing of a magistrate's decision. A party shall not assign as error on appeal the court's adoption of a magistrate's factual finding or legal conclusion in this decision unless the party timely and specifically objects to that finding or conclusion as required by Crim.R.19.

ENTRY ADOPTING THE DECISION OF THE MAGISTRATE

Upon an independent review of the record and the Decision of the Magistrate, the Court hereby:

☐ Adopts the Decision of the Magistrate as reported and ORDERS all official records pertaining to this case to be expunged.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;

2. The law enforcement official in charge of the agency or organization that caused the Applicant's arrest;

3. The Prosecutor for ________________________________;

4. Any other public office or agency the Court knows or has reason to believe may have any record of the case that is the subject of this order.

IT IS FURTHER ORDERED that none of the foregoing persons or agencies shall inspect or use such records, or permit the inspection or use of such records, except as provided by R.C. 2953.32.

IT IS SO ORDERED.

☐ Rejects the Decision of the Magistrate.

☐ Modifies the Decision of the Magistrate as follows: ____________________________________

____

____

____.

____________________	_____________________________
Date	Judge

IN THE _____________________________COURT

_______________ COUNTY, OHIO

State of Ohio	:	
	:	Case No(s). ___________________________
v.	:	___________________________
	:	
	:	Judge: ________________________________
______________________________	:	
Applicant Name	:	**Order of Judge to Expunge Record of Conviction**
	:	**for Improperly Handling Firearm in Motor Vehicle Pursuant to R.C. 2953.37**

This matter came before the Court on the Applicant's application to expunge the record of conviction for improperly handling a firearm in a motor vehicle pursuant to R.C. 2953.37.

☐ Notice has been given to the Prosecuting Attorney.

☐ A probation officer, a state probation officer, or the department of probation of the county in which the applicant resides has made inquiries and written reports as the Court requires concerning the applicant.

Upon evidence, the Court finds the Applicant was convicted of an offense, more than________ year(s) has lapsed since the Applicant completed this sentence, the Applicant has not been convicted of or pleaded guilty to any other applicable prohibitions against improperly handling firearms in a motor vehicle, and the Applicant's interests in having these records expunged outweigh the interests of the government in keeping the arrest, charge, and conviction on the Applicant's record.

THEREFORE, IT IS HEREBY ORDERED that all official records pertaining to this case shall be expunged; all index references hereto shall be deleted; the proceedings in this case shall be deemed not to have occurred; and the Applicant's arrest and conviction records shall be expunged, subject to the exceptions and provisions of R.C. 2953.31 to 2953.36.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;

2. The law enforcement official in charge of the agency or organization that caused the Applicant's arrest;

3. The Prosecutor for ______________________________;

4. Any other public office or agency the Court knows or has reason to believe may have any record of the case that is the subject of this order.

IT IS FURTHER ORDERED that none of the foregoing persons or agencies shall inspect or use such records, or permit the inspection or use of such records, except as provided by R.C. 2953.32.

IT IS SO ORDERED.

________________ ________________________

Date Judge

IN THE _______________________________COURT

_________________ COUNTY, OHIO

____
Applicant Name

Case No._____________________________________

Judge:_______________________________________

Application to Expunge Record of Conviction as Victim of Human Trafficking Pursuant to R.C. 2953.38

The Applicant moves the Court to order the expungement of record of conviction as a victim of human trafficking pursuant to R.C. 2953.38. In support of this application, the Applicant provides the following information:

1. Please complete the following (you may attach additional pages if necessary):

Date	Offense	Court or Location

2. Please describe the evidence and provide copies of any document showing you are entitled to have the records expunged (you may attach additional pages if necessary).

____
____
____
____
____
____
____
____
____
____
____
____

The Applicant hereby certifies all requirements for expunging the records are met.

______________________________ Name of Applicant	______________________________ Name of Attorney (if applicable)
______________________________ Signature of Applicant (if pro se)	______________________________ Signature of Attorney (if applicable)
______________________________ Street Address of Applicant	______________________________ Attorney Registration No. (if applicable)
______________________________ City, State, and Zip Code of Applicant	______________________________ Street Address of Attorney (if applicable)
______________________________ Driver's License No. of Applicant (if applicable)	______________________________ City, State, and Zip Code of Attorney (if applicable)
______________________________ Telephone of Applicant (if pro se)	______________________________ Email Address of Attorney (if applicable)
	______________________________ Telephone of Attorney (if applicable)

(TO BE COMPLETED BY THE COURT)

SERVICE

A copy of this application was served by this Court on the Office of the Prosecutor for____________________________________, this ______ day of ____________________, 20___.

IN THE _____________________________ COURT

_______________ COUNTY, OHIO

______________________________	:	
Applicant Name	:	Case No(s). ______________________
	:	______________________
	:	
	:	Judge: ______________________
	:	
	:	**Decision of Magistrate to Expunge Record of**
	:	**Conviction as Victim of Human Trafficking**
	:	**Pursuant to R.C. 2953.38**

This matter came before the Court on the Applicant's application to expunge the Applicant's record of conviction as a victim of human trafficking pursuant to R.C. 2953.38.

Notice has been given to the Prosecuting Attorney and the Probation Department, and a report has been received from the Probation Department as to the Applicant.

The Court finds the Applicant's participation in the offense with which the Applicant was convicted was the result of the Applicant having been a victim of human trafficking and the Applicant's interests in having these records expunged outweigh the interests of the government in keeping the arrest, charge, and conviction on the Applicant's record.

THEREFORE, all official records pertaining to this case shall be expunged; all index references hereto shall be deleted; the proceedings in this case shall be deemed not to have occurred; and the Applicant's arrest and conviction records shall be expunged, subject to the exceptions and provisions of R.C. 2953.31 to 2953.36.

________________	________________________
Date	Magistrate

Written objections to the magistrate's decision must be filed within fourteen (14) days of the filing of this decision. The objections must be specific and state with particularity the grounds of the objections. A party may request findings of fact and conclusions of law before the entry of a magistrate's decision or within seven days after the filing of a magistrate's decision. A party shall not assign as error on appeal the court's adoption of a magistrate's factual finding or legal conclusion in this decision unless the party timely and specifically objects to that finding or conclusion as required by Crim.R.19.

ENTRY ADOPTING THE DECISION OF THE MAGISTRATE

Upon an independent review of the record and the Decision of the Magistrate, the Court hereby:

☐ Adopts the Decision of the Magistrate as reported and ORDERS all official records pertaining to this case to be expunged.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;

2. The law enforcement official in charge of the agency or organization that caused the Applicant's arrest;

3. The Prosecutor for ________________________________;

4. Any other public office or agency the Court knows or has reason to believe may have any record of the case that is the subject of this order.

IT IS FURTHER ORDERED that none of the foregoing persons or agencies shall inspect or use such records, or permit the inspection or use of such records, except as provided by R.C. 2953.32.

IT IS SO ORDERED.

☐ Rejects the Decision of the Magistrate.

☐ Modifies the Decision of the Magistrate as follows: ____________________________________

____

____

____.

____________________ ____________________________

Date Judge

IN THE ______________________________COURT

________________ COUNTY, OHIO

State of Ohio	:	
	:	Case No(s). __________________________
v.	:	__________________________
	:	
	:	Judge:______________________________
______________________________	:	
Applicant's Name	:	**Order of Judge to Expunge Record of Conviction**
	:	**as Victim of Human Trafficking Pursuant to R.C. 2953.38**

This matter came before the Court on the Applicant's application to expunge the Applicant's record of conviction as a victim of human trafficking pursuant to R.C. 2953.38.

Notice has been given to the Prosecuting Attorney and the Probation Department, and a report has been received from the Probation Department as to the Applicant.

The Court finds the Applicant's participation in the offense with which the Applicant was convicted was the result of the Applicant having been a victim of human trafficking and the Applicant's interests in having these records expunged outweigh the interests of the government in keeping the arrest, charge, and conviction on the Applicant's record.

THEREFORE, IT IS HEREBY ORDERED that all official records pertaining to this case shall be expunged; all index references hereto shall be deleted; the proceedings in this case shall be deemed not to have occurred; and the Applicant's arrest and conviction records shall be expunged, subject to the exceptions and provisions of R.C. 2953.31 to 2953.36.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;

2. The law enforcement official in charge of the agency or organization that caused the Applicant's arrest;

3. The Prosecutor for ____________________________;

4. Any other public office or agency the Court knows or has reason to believe may have any record of the case that is the subject of this order.

IT IS FURTHER ORDERED that none of the foregoing persons or agencies shall inspect or use such records, or permit the inspection or use of such records, except as provided by R.C. 2953.32.

IT IS SO ORDERED.

____________________ ______________________________

Date Judge

IN THE ______________________________COURT

________________ COUNTY, OHIO

_____________________________ Applicant Name	Case No(s). __________________________
	__________________________
	Judge:______________________________
	Application to Seal Records of Nonconviction Pursuant to R.C. 2953.52

The Applicant moves the Court to order the sealing of the record of arrest, charge(s), and ____ in this case and all related records. The Applicant is not depositing a fee with this application, as R.C. 2953.52 does not require a fee to seal records after a not guilty finding, dismissal of proceedings, or a no bill by a grand jury. The Applicant hereby certifies all requirements for sealing the records are met.

_____________________________ Name of Applicant	_____________________________ Name of Attorney (if applicable)
_____________________________ Signature of Applicant (if pro se)	_____________________________ Signature of Attorney (if applicable)
_____________________________ Street Address of Applicant	_____________________________ Attorney Registration No. (if applicable)
_____________________________ City, State, and Zip Code of Applicant	_____________________________ Street Address of Attorney (if applicable)
_____________________________ Driver's License No. of Applicant (if applicable)	_____________________________ City, State, and Zip Code of Attorney (if applicable)
_____________________________ Telephone of Applicant (if pro se)	_____________________________ Email Address of Attorney (if applicable)
	_____________________________ Telephone of Attorney (if applicable)

(TO BE COMPLETED BY THE COURT)

SERVICE

A copy of this application was served by this Court on the Office of the Prosecutor for________________________________, this _____ day of __________________, 20___.

IN THE ______________________________ COURT

________________ COUNTY, OHIO

______________________________	:	
Applicant Name	:	Case No.______________________________
	:	
	:	
	:	Judge:______________________________
	:	
	:	**Decision of Magistrate to Seal Record of Nonconviction Pursuant to R.C. 2953.52**

This matter came before the Court on Applicant's application to seal the Applicant's record of arrest, charge, and ________________________ pursuant to R.C. 2953.52.

Notice has been given to the Prosecuting Attorney and the Probation Department, and a report has been received from the Probation Department as to the Applicant.

Upon evidence, the Court finds the Applicant was charged with following offense(s): ____, and the charge(s) was/were ______________________________________, there are no criminal proceedings now pending against the Applicant; if applicable, two years have passed since the grand jury reported a no bill; and the Applicant's interests in having the Applicant's records sealed outweigh the interests of the government in keeping the arrest and charge on the Applicant's record.

The State of Ohio has / has no [**circle one]** objections to the motion.

The Applicant was represented by himself / herself pro se or by ____________________________

____.

THEREFORE, all official records pertaining to this case shall be sealed, including any DNA specimens, DNA records, and DNA profiles unless the Applicant is otherwise eligible to have DNA records or a DNA profile in the National DNA Index System; all index references hereto shall be deleted; the proceedings in this case shall be deemed not to have occurred; and the Applicant's arrest and dismissal records shall be sealed, subject to the exceptions and provisions of R.C. 2953.51 to 2953.56.

____________________	______________________________
Date	Magistrate

Written objections to the magistrate's decision must be filed within fourteen (14) days of the filing of this decision. The objections must be specific and state with particularity the grounds of the objections. A party may request findings of fact and conclusions of law before the entry of a magistrate's decision or within seven days after the filing of a magistrate's decision. A party shall not assign as error on appeal the court's adoption of a magistrate's factual finding or legal conclusion in this decision unless the party timely and specifically objects to that finding or conclusion as required by Crim.R.19.

ENTRY ADOPTING THE DECISION OF THE MAGISTRATE

Upon an independent review of the record and the Decision of the Magistrate, the Court hereby:

☐ Adopts the Decision of the Magistrate as reported and ORDERS all official records pertaining to this case to be sealed.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;
2. The law enforcement official in charge of the agency or organization that caused the Applicant's arrest;
3. The Prosecutor for ______________________________________;
4. All parties in the case;
5. Any other public office or agency the Court knows or has reason to believe may have any record of the case that is the subject of this order.

IT IS FURTHER ORDERED that the Clerk of Courts shall remove all references to this case from its public accessible computer information.

IT IS FURTHER ORDERED that none of the foregoing persons or agencies shall inspect or use such records, or permit the inspection or use of such records, except as provided by R.C. 2953.52.

IT IS SO ORDERED.

☐ Rejects the Decision of the Magistrate.

☐ Modifies the Decision of the Magistrate as follows: ______________________________________

____

____

____.

____________________	____________________________
Date	Judge

IN THE ______________________________COURT

________________ COUNTY, OHIO

State of Ohio	:	
	:	Case No(s). ____________________________
v.	:	____________________________
	:	
	:	Judge:______________________________
______________________________	:	
Applicant's Name	:	**Order of Judge to Seal Record of Nonconviction**
	:	**Pursuant to R.C. 2953.52**

This matter came before the Court on Applicant's application to seal the Applicant's record of arrest, charge, and ____________________ pursuant to R.C. 2953.52.

Notice has been given to the Prosecuting Attorney and the Probation Department, and a report has been received from the Probation Department as to the Applicant.

Upon evidence, the Court finds the Applicant was charged with following offense(s): ____, and the charge(s) was/were ______________________________, there are no criminal proceedings now pending against the Applicant; if applicable, two years have passed since the grand jury reported a no bill; and the Applicant's interests in having the Applicant's records sealed outweigh the interests of the government in keeping the arrest and charge on the Applicant's record.

The State of Ohio has / has no **[circle one]** objections to the motion.

The Applicant was represented by himself / herself pro se or by ______________________

____.

THEREFORE, IT IS HEREBY ORDERED that all official records pertaining to this case shall be sealed, including any DNA specimens, DNA records, and DNA profiles unless the Applicant is otherwise eligible to have DNA records or a DNA profile in the National DNA Index System; all index references hereto shall be deleted; the proceedings in this case shall be deemed not to have occurred; and the Applicant's arrest and dismissal records shall be sealed, subject to the exceptions and provisions of R.C. 2953.51 to 2953.56.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts to the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;

2. The law enforcement official in charge of the agency or organization that caused the Applicant's arrest;

3. The Prosecutor for ______________________________;

4. All parties in the case;

5. Any other public office or agency the Court knows or has reason to believe may have any record of the case that is the subject of this order.

IT IS FURTHER ORDERED that the Clerk of Courts shall remove all references to this case from its public accessible computer information.

IT IS FURTHER ORDERED that none of the foregoing persons or agencies shall inspect or use such records, or permit the inspection or use of such records, except as provided by R.C. 2953.52.

IT IS SO ORDERED.

____________________ ______________________________
Date Judge

IN THE ______________________________COURT

________________ COUNTY, OHIO

______________________________	:
Applicant Name	: Case No(s). ____________________________
	: ____________________________
	:
	: Judge:______________________________
	:
	: **Motion to Restrict Public Access to Civil or Criminal Case Document Pursuant to Sup.R. 45(E)**

The Applicant moves the Court to restrict public access to a case document or information in a case document pursuant to Sup.R. 45(E). The presumption of allowing public access to the case document or information in the case document is outweighed by a higher interest based upon the following:

____

____

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____

The Applicant hereby certifies that all requirements for restricting access to the case document or information in the case document are met.

Notice to Applicant: Restricting public access to a case document or information in the case document pursuant to Sup.R. 45(E) means the public will generally no longer have the right to see or copy the case document or information. Restricting public access does not have the same effect as the sealing or expungement of a case document. Sealing the document generally prevents anyone from seeing it without receiving a court order while expunging a case document generally means it is destroyed.

______________________________	______________________________
Name of Applicant	Name of Attorney (if applicable)
______________________________	______________________________
Signature of Applicant (if pro se)	Signature of Attorney (if applicable)
______________________________	______________________________
Street Address of Applicant	Attorney Registration No. (if applicable)
______________________________	______________________________
City, State, and Zip Code of Applicant	Street Address of Attorney (if applicable)

____
Driver's License No. of Applicant (if applicable)

____
Telephone of Applicant (if pro se)

____
City, State, and Zip Code of Attorney (if applicable)

____
Email Address of Attorney (if applicable)

____
Telephone of Attorney (if applicable)

IN THE ______________________________COURT

________________ COUNTY, OHIO

______________________________	:	
Applicant Name	:	Case No(s). __________________________
	:	__________________________
	:	
	:	Judge: ______________________________
	:	
	:	**Decision of Magistrate to Restrict Public Access**
	:	**to Civil or Criminal Case Document Pursuant to**
	:	**Sup.R. 45(E)**

This matter to order the restriction of public access to a case document or information in a case document pursuant to Sup.R. 45(E) came before the Court on ☐ the Court's own motion or ☐ the Applicant's motion.

The Court finds by clear and convincing evidence the presumption of allowing public access to the case document or information in the case document is outweighed by a higher interest based upon the following:____

____

____

____

____

____

____

THEREFORE, public access to the case document or information in the case document shall be restricted as follows: ____

____

____

____

____

____

____

Notice: The restriction of public access to the case document or information in the case document means the public will generally no longer have the right to see or copy the document or information. The restriction of public access does not have the same effect as the sealing or expungement of the case document. Sealing the case document generally prevents anyone from seeing it without receiving a court order while expunging the case document generally means it is destroyed.

____________________	______________________________
Date	Magistrate

Written objections to the magistrate's decision must be filed within fourteen (14) days of the filing of this decision. The objections must be specific and state with particularity the grounds of the objections. A party may request findings of fact and conclusions of law before the entry of a magistrate's decision or within seven days after the filing of a magistrate's decision. A party shall not assign as error on appeal the court's adoption of a magistrate's factual finding or legal conclusion in this decision unless the party timely and specifically objects to that finding or conclusion as required by Civ.R. 53, Crim.R. 19, or Juv.R. 40, as applicable.

ENTRY ADOPTING THE DECISION OF THE MAGISTRATE

Upon an independent review of the record and the Decision of the Magistrate, the Court hereby:

☐ Adopts the Decision of the Magistrate as reported and ORDERS public access to the case document or information in the case document be so restricted.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts on the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;
2. ______________________________

____

____

____

____

IT IS SO ORDERED.

☐ Rejects the Decision of the Magistrate.

☐ Modifies the Decision of the Magistrate as follows: ______________________________

____

____

______________________________.

______________________ Date

______________________ Judge

IN THE ______________________________COURT

________________ COUNTY, OHIO

State of Ohio	:	
	:	Case No(s). ____________________________
v.	:	____________________________
	:	
	:	Judge:______________________________
______________________________	:	
Name	:	**Order of Judge to Restrict Public Access to Civil or Criminal Case Document Pursuant to Sup.R. 45(E)**

This matter to order the restriction of public access to a case document or information in a case document pursuant to Sup.R. 45(E) came before the Court on ☐ the Court's own motion or ☐ the Applicant's motion.

The Court finds by clear and convincing evidence the presumption of allowing public access to the case document or information in the case document is outweighed by a higher interest based upon the following:____

____

____

____

____

____

____

THEREFORE, IT IS HEREBY ORDERED that public access to the case document or information in the case document shall be restricted as follows:____

____

____

____

____

____

____

Notice: The restriction of public access to the case document or information in the case document means the public will generally no longer have the right to see or copy the document or information. The restriction of public access does not have the same effect as the sealing or expungement of the case document. Sealing the case document generally prevents anyone from seeing it without receiving a court order while expunging the case document generally means it is destroyed.

IT IS FURTHER ORDERED that certified copies of this entry shall be served by the Clerk of Courts on the following:

1. The Applicant, or the Applicant's attorney (if applicable), at the address that appears on the application filed in this matter;

2. ____

____

____

____

____.

IT IS SO ORDERED.

______________________ ______________________________

Date Judge

APPENDIX E
CIVIL STALKING PROTECTION ORDER FORMS

IN THE COURT OF COMMON PLEAS ____________________ COUNTY, OHIO

General Division

______________________________ **Petitioner**	:	**Case No.** ______________________
v.	:	**Judgment Entry and Order Adopting Agreement and Dismissing Case without Prejudice**
______________________________ **Respondent**	:	

This matter is before the Court upon a Mediation Agreement signed by both parties and dated ______________________________ . The Court has reviewed said Mediation Agreement, accepts the same as being fair, just, and equitable, and hereby adopts the Mediation Agreement as an Order of this Court, attached as Exhibit A.

The court hereby retains jurisdiction to enforce the mediation agreement reached between the parties.

Parties are hereby advised that this matter is subject to the provisions of Civ.R. 53 and Civ.R. 65.1

Therefore, the Petition and the accompanying Ex Parte Orders, if any, previously entered in this matter, be and hereby are dismissed, without prejudice.

IT IS SO ORDERED.

____
JUDGE

IN THE COURT OF COMMON PLEAS

______________________________ **COUNTY, OHIO**

______________________________ **Petitioner**	:	Case No. ______________________
v.	:	Judge ______________________
______________________________ **Respondent**	:	**JUDGMENT ENTRY ON MOTION TO DISMISS CIVIL STALKING PROTECTION ORDER**

Upon request of ______________________________ (Petitioner), Petitioner's Petition for Civil Stalking Protection Order filed on ____________________ is voluntarily dismissed without prejudice.

☐ The Ex Parte Civil Stalking Protection Order issued on ____________________ is hereby dissolved and set aside.

☐ Furthermore, the Court directs law enforcement to amend the expiration date of the Ex Parte Civil Stalking Protection Order to ____________________ and remove the order from the active NCIC Protection Order file. The Court has sent Form 10-A of the Rules of Superintendence for Ohio Courts to law enforcement and indicated the expiration date of the Ex Parte Civil Stalking Protection Order.

☐ Petitioner and ______________________________ (Respondent) have mediated the disputes alleged in the Petition for Civil Stalking Protection Order and have reached an agreement, which was memorialized in the Mediation Agreement and signed by the Petitioner and Respondent.

☐ Petition and Respondent are advised and agree that the terms of their Agreement shall be incorporated into this dismissal judgement entry

☐ The court hereby retains jurisdiction to enforce the Mediation Agreement reached between the Petitioner and Respondent on ____________________ .

☐ Parties are hereby advised that this matter is subject to the provisions of Civ.R. 53 and Civ.R. 65.1

The court costs for this action are waived.

IT IS SO ORDERED.

______________________________ ______________________________

MAGISTRATE **JUDGE**

TO THE CLERK:
COPIES OF THIS ORDER SHALL BE DELIVERED TO:
☐ Petitioner
☐ Attorney for Petitioner
☐ Respondent
☐ Attorney for Respondent
☐ Other:

IN THE COURT OF COMMON PLEAS
__________________ COUNTY, OHIO

______________________________ **Petitioner**	:	Case No. ____________________
v.	:	Judge ____________________
______________________________ **Respondent**	:	**MOTION TO DISMISS AND VACATE EX PARTE CIVIL STALKING PROTECTION ORDER**

Now comes the Petitioner, ____________________________ and moves this Court to dismiss without prejudice the Civil Stalking Protection Order case filed on ______________________ . Petitioner moves that the Ex Parte Civil Stalking Protection Order issued on ________________ be dismissed.

The reason for this request to dismiss the Ex Parte Civil Stalking Protection Order action is that the Petitioner and Respondent have mediated the disputes alleged in the Petition and have reached a mediation agreement.

The parties agree the Court retains jurisdiction to enforce this Agreement and the terms of this Agreement shall be incorporated into the dismissal judgement entry.

The parties agree that this matter is subject to the provisions of Civ.R. 53 and Civ.R. 65.1

Respectfully submitted,

____

SIGNATURE OF PETITIONER

Sworn to and subscribed before me on this _______ day of ______________ , v________

____

NOTARY PUBLIC

REQUEST FOR SERVICE

Please serve a copy of the foregoing Motion upon Respondent, __________________________

by certified mail, pursuant to Civ,R, 65.1, at the following address: ________________________

____

____
PETITIONER

v.

MEDIATION AGREEMENT

____
RESPONDENT

A mediation was held on [date(s)] _______________.

☐ The Petitioner agrees to dismiss the Civil Stalking Protection Order case filed on _______________ without prejudice.

☐ The parties agree the Court retains jurisdiction to enforce this Agreement and the terms of this Agreement shall be incorporated into the dismissal judgment entry. The parties agree that this matter is subject to the provisions of Civ.R. 53 and Civ.R. 65.1.

Furthermore, the parties acknowledge and agree that this Agreement does not have the full force and effect of a Civil Stalking Protection Order and is not enforceable as a protection order pursuant to R.C. 2903.214 or 2919.27.

☐ The parties agree to incorporate this Agreement by reference as a term of the Civil Stalking Protection Order of Dismissal. Furthermore, the parties acknowledge that by mediating the allegations in the petition, the parties have waived the right to have a full hearing, present or cross-examine witnesses, review or present evidence, and object to the granting or denial of a Civil Stalking Protection Order.

☐ Furthermore, the parties agree:

____

____

____

____

____

____

____

____

____

By signature below, we acknowledge that we have read, understand, and agree to this Agreement.

Petitioner: ____
Signature Date

Respondent: ____
Signature Date

APPENDIX F
R.C. 2151.85 Forms

FORM 23-A. COMPLAINT FOR AN ORDER AUTHORIZING CONSENT TO AN ABORTION WITHOUT NOTIFICATION OF A PARENT, GUARDIAN, OR CUSTODIAN (R.C. 2151.85)

JUVENILE COURT

________________COUNTY, OHIO

In re complaint of Jane Doe

Case No. ______________________

COMPLAINT
Promulgated by the Supreme Court of Ohio pursuant to R.C. 2151.85(G)

I swear or affirm that:

1. I am pregnant.

2. I am unmarried, under 18 years of age, and unemancipated.

3. I wish to have an abortion without notification of my parent, guardian, or custodian.

4. This complaint is being filed in the juvenile court of the county where I reside or have a legal settlement or in a county bordering the county where I reside or have a legal settlement.

[CHECK ONE OR MORE OF THE FOLLOWING STATEMENTS.]

5. ___ I am sufficiently mature and well enough informed to intelligently decide whether to have an abortion without the notification of my parent, guardian, or custodian.

___ One or both of my parents, my guardian, or my custodian has engaged in a pattern of physical, sexual, or emotional abuse against me.

___ Notification of my parent, guardian, or custodian of my desire to have an abortion is not in my best interest.

[CHECK ONE OF THE FOLLOWING STATEMENTS.]

6. ___ I do not have a lawyer.

___ I have a lawyer. The name, address, and telephone number of my lawyer are:

Lawyer's Name: ____
Lawyer's Address: ____
____
Lawyer's Telephone No: ____

THEREFORE, I request that this Court issue an order authorizing me to consent to an abortion without the notification of my parent, guardian, or custodian.

Case no. __________

THIS PAGE OF THE ORIGINAL MUST BE REMOVED AND PLACED UNDER SEAL IN A SAFE OR OTHER SECURE PLACE AS REQUIRED BY RULE 23(A)(2) OF THE RULES OF SUPERINTENDENCE FOR OHIO COURTS.

I swear or affirm that the information in the attached complaint is true and accurate to the best of my knowledge and belief.

____
Signature

Sworn to or affirmed in my presence this _______ day of_________, ____.

____
Notary Public

* *

PLEASE NOTE:

If you do **not** have a lawyer, please provide in the spaces below any address and telephone number where the Court may contact you until a lawyer is appointed to represent you. You do **not** need to use your home address and telephone number.

Address: ___________________________
____

Telephone No: ___________________________

COMPLAINT FOR AN ORDER AUTHORIZING CONSENT TO AN ABORTION WITHOUT NOTIFICATION OF A PARENT, GUARDIAN, OR CUSTODIAN (R.C. 2151.85)

INSTRUCTIONS

If you are pregnant; unmarried, under 18 years old, and unemancipated; and want to have an abortion without telling your parent, guardian, or custodian, you may ask a juvenile court for permission. The court will then decide whether your parent, guardian, or custodian must be told before you may have an abortion. The attached form, called a complaint, should be used to ask a court to let you have an abortion without telling your parent, guardian, or custodian.

If you are under 18 and not married, you are "unemancipated" if any of the following apply:

1. You have not entered the armed services of the United States;

2. You do not have a job and support yourself;

3. You are under the care and control of your parent, guardian, or custodian.

By law, you do not have to pay a filing fee or any court costs. If you do not have a lawyer, the court will appoint one for you free of charge.

The court is not allowed to tell your parent, guardian, or custodian that you are pregnant or that you want to have an abortion. The court must keep the complaint and all other papers in your case confidential.

The complaint must be filed in a juvenile court in the county where you reside or have a legal settlement or in any county that borders the county where you reside or have a legal settlement.

HOW TO FILL OUT THE FORM

Completing Statement #5: Check one or more of the statements. If you check the first statement, the court will first consider if you are mature enough and well enough informed to intelligently decide whether to have an abortion without telling your parent, guardian, or custodian. If the court does not find that you are sufficiently mature and well enough informed to make the decision, and you have checked either or both of the remaining statements, the court will then consider either of the following:

- Whether there is a pattern of physical, sexual, or emotional abuse of you by your parent, guardian, or custodian;

- Whether telling your parent, guardian, or custodian is not in your best interest.

Completing Statement #6: Check the statement that applies to you. If you have a lawyer, fill in the name, address, and telephone number of your lawyer.

Completing the Top of Page 2: The law requires that the statements in the complaint be made under oath. This part of the form must be completed in the presence of a person who is allowed to administer oaths, such as a notary public. After you sign your name on the signature line, that person should notarize the form.

Completing the Bottom of Page 2: Fill out the bottom of Page 2 only if you do not have a lawyer. Provide any address and telephone number where you may be contacted about this matter. When the court appoints a lawyer for you, the lawyer will reach you at the address or telephone number you provide. You do not have to complete the bottom of Page 2 until after the notary public signs the top of Page 2.

FORM 23-B. JUDGMENT

JUVENILE COURT

______________COUNTY, OHIO

In re complaint of Jane Doe   Case No.___________

JUDGMENT

This matter came on for hearing on the __________ day of__________, _____. Based upon the testimony and evidence presented, this court finds:

1. The complainant is an unemancipated minor.

2. The complainant is pregnant and she wishes to obtain an abortion.

3. No parent, guardian, or custodian of the complainant has been notified that she is seeking an abortion.

4. That clear and convincing evidence has been presented to support the following [decide maturity issue first if pleaded]:

____ Complainant is sufficiently mature and well enough informed to decide intelligently whether to have an abortion without notifying a parent, guardian, or custodian.

____ There is evidence of a pattern of physical, sexual, or emotional abuse of the complainant by one or both of her parents, her guardian, or her custodian.

____ Notification of a parent, guardian, or custodian would not be in complainant's best interest.

____ None of the criteria set forth in paragraph 4 has been established by clear and convincing evidence.

THEREFORE, IT IS ORDERED:

____ The complaint is granted and the complainant is hereby authorized to consent to the performance or inducement of an abortion without the notification of a parent, guardian, or custodian.

____ The complaint is dismissed. The Clerk is instructed to provide the complainant with the notice of appeal form and advise her of her right to an expedited appeal.

___________________________, Ohio   ________________________________
Judge

____________, _____

Amended: 01/01/2015
Discard all previous versions of this form

FORM 23-C. NOTICE OF APPEAL

JUVENILE COURT

___________COUNTY, OHIO

In re complaint of Jane Doe   Case No.__________

NOTICE OF APPEAL
Promulgated by the Supreme Court of Ohio pursuant to R.C. 2151.85(G)

Notice is hereby given that the complainant appeals to the Court of Appeals for _________ County from the final order entered in the above-styled cause on__________, _____, dismissing the complaint seeking an abortion without notification of complainant's parents, guardian, or custodian.

____
Signature of Attorney for Complainant

____
Attorney Name

____
Attorney Address

____

____
Attorney Telephone

Amended: 01/01/2015
Discard all previous versions of this form

FORM 23-D. VERIFICATION

JUVENILE COURT

__________COUNTY, OHIO

In re complaint of Jane Doe   Case No.__________

VERIFICATION
Promulgated by the Supreme Court of Ohio pursuant to R.C. 2151.85(G)

This will verify that on__________, _____, Jane Doe filed her complaint for an order authorizing consent to an abortion without notification of a parent, guardian, or custodian and as of__________, _____, which is more than five business days after the filing of the complaint, the court has not held a hearing to consider her complaint.

____
Clerk

(Seal)

APPENDIX G
R.C. 2919.121 Forms

FORM 23.1-A. PETITION FOR AUTHORIZATION TO CONSENT TO AN ABORTION OR FOR JUDICIAL CONSENT TO AN ABORTION (R.C. 2919.121)

JUVENILE COURT

________________COUNTY, OHIO

In re petition of Jane Doe. Case No.__________________

PETITION

I swear or affirm that:

1. I am pregnant.

2. I am unmarried, _____ years of age, and unemancipated.

3. I wish to have an abortion and have been fully informed of the risks and consequences of an abortion.

4. This petition is being filed in the juvenile court of the county where I reside or have a legal settlement or in a county bordering the county where I reside or have a legal settlement.

[CHECK ONE OR BOTH OF THE FOLLOWING STATEMENTS.]

5. ___ I am sufficiently mature and well enough informed to decide intelligently decide whether to have an abortion.

   ___ The court should find by clear and convincing evidence that an abortion is in my best interests and give judicial consent to the abortion.

[CHECK ONE OF THE FOLLOWING STATEMENTS.]

6. ___ I do not have a lawyer and ask that the court appoint a lawyer free of charge.

___ I have a lawyer. The name, address, and telephone number of my lawyer are:

Lawyer's Name: ____

Lawyer's Address: ____

____

Lawyer's Telephone No: ____

Case no. __________

THIS PAGE OF THE ORIGINAL MUST BE REMOVED AND PLACED UNDER SEAL IN A SAFE OR OTHER SECURE PLACE AS REQUIRED BY RULE 23.1(B)(2) OF THE RULES OF SUPERINTENDENCE FOR THE COURTS OF OHIO.

7. The following is/are the name(s) and address(es) of my parent(s), guardian(s), custodian(s) or, if my parents are deceased and no guardian(s) is/are appointed, any person standing in place of my parent(s), guardian(s), or custodian(s):

Name(s): ____

Address(es): ____

____

THEREFORE, I request that this Court appoint a lawyer if I do not already have one, appoint a guardian ad litem to represent my best interests, and issue an order authorizing me to consent or granting judicial consent to an abortion without the consent of my parent, guardian, or custodian.

I swear or affirm that the information in the attached petition is true and accurate to the best of my knowledge and belief.

____
Signature (Minor or Next Friend)

If this petition is being filed by a next friend on behalf of a minor, the minor's initials are: _______.

Sworn to or affirmed in my presence this _______ day of _________, ____.

____
Notary Public

* *

PLEASE NOTE:

If you do not have a lawyer, please provide in the spaces below any address and telephone number where the Court may contact you until a lawyer is appointed to represent you. You do not need to use your home address and telephone number.

Address: ______________________________

____

Telephone No: ______________________________

PETITION FOR CONSENT TO AN ABORTION OR FOR JUDICIAL CONSENT TO AN ABORTION (R.C. 2919.121).

INSTRUCTIONS

If you are pregnant; unmarried, under 18 years old, and unemancipated; and want to have an abortion without the consent of your parents, you may ask a juvenile court for permission. The court will then decide whether you are sufficiently mature and well-enough informed to decide intelligently to have an abortion or whether an abortion is in your best interests. The attached form, called a petition, should be used to ask a court to let you have an abortion without the consent of your parents.

If you are under 18 and not married, you are "unemancipated" if any of the following apply:

1. You have not entered the armed services of the United States;

2. You do not have a job and support yourself;

3. You are under the care and control of your parent, guardian, of custodian.

By law, you do not have to pay a filing fee or any court costs. If you do not have a lawyer, the court will appoint one for you free of charge. The court also will appoint a guardian ad litem, who is a person responsible for protecting your interests. The court may appoint your lawyer to be your guardian ad litem.

The court is not allowed to tell your parent, guardian, or custodian that you are pregnant or that you want to have an abortion. The court must keep the petition and all other papers in your case confidential.

The petition must be filed in a juvenile court in the county where you reside or have a legal settlement or in any county that borders the county where you reside or have a legal settlement.

HOW TO FILL OUT THE FORM

Completing Statement #5: Check one or both of the statements. If you check the first statement, the court will first consider if you are mature enough and well enough informed to intelligently decide whether to have an abortion. If the court does not find that you are sufficiently mature and well enough informed to make the decision, and you have checked the second statement, the court will then consider whether the abortion is in your best interest. If you are not sure which statement to check, you may check both and then discuss this with your lawyer.

Completing Statement #6: Check the statement that applies to you. If you have a lawyer, fill in the name, address, and telephone number of your lawyer.

Completing the Top of Page 2: The law requires that the statements in the petition be made under oath. This part of the form must be completed by you or someone who is assisting you (called a “next friend”) in the presence of a person who is allowed to administer oaths, such as a notary public. After you or the person assisting you signs the petition, the person who administers oaths should sign the form.

Completing the Bottom of Page 2: Fill out the bottom of page 2 only if you do not have a lawyer. Provide any address and telephone number where you may be contacted about this matter. When the court appoints a lawyer for you, the lawyer will reach you at the address or telephone number you provide. You do not have to complete the bottom of page 2 until after the notary public signs on page 2.

FORM 23.1-B. JUDGMENT

JUVENILE COURT

______________COUNTY, OHIO

In re petition of Jane Doe Case No.___________

JUDGMENT

This matter came on for hearing on the _____ day of __________, ______. Based upon the testimony and evidence presented, this court finds:

1. The court:

_____ Has jurisdiction over the petition.

_____ Does not have jurisdiction over the petition for the following reasons:
____
____
____.

2. _____ The petitioner is an unemancipated minor.

3. _____ The petitioner is pregnant and she wishes to obtain an abortion.

4. _____ The petitioner has been fully informed of the risks and consequences of the abortion.

5. _____ The court has specifically inquired about the minor's understanding of the possible physical and emotional complications of abortion and how the minor would respond if the minor experienced those complications after the abortion.

6. _____ The court has specifically inquired about the extent to which anyone has instructed the minor on how to answer questions and on what testimony to give at the hearing.

7. That clear and convincing evidence has been presented to support the following [decide maturity issue first if pleaded]:

a.____ Petitioner is sufficiently mature and well enough informed to decide intelligently whether to have an abortion without obtaining the consent of a parent, guardian, or custodian.

b.____ The abortion would be in petitioner's best interest for the following reasons:

____

____

____.

c.____ Neither 5a. nor 5b. has been established for the following reasons:

____

____

____.

THEREFORE, IT IS ORDERED:

____ The petition is granted and the petitioner is hereby authorized to consent to the performance or inducement of an abortion.

____ The court finds the abortion is in the best interest of the petitioner and judicial consent is hereby authorized.

____ The petition is denied. The Clerk is instructed to provide the petitioner with the notice of appeal form and advise her of her right to an expedited appeal.

____ The petition is dismissed for lack of jurisdiction. The Clerk is instructed to provide the petitioner with the notice of appeal form and advise her of her right to an expedited appeal.

_____________________________, Ohio

____
Judge

____
Date

NOTICE REGARDING THE OCTOBER 15, 2001 AMENDMENTS TO SUPERINTENDENCE RULES 8.51 AND 8.53 AND ACCOMPANYING FORMS

The October 15, 2001 amendments to Superintendence Rules 8.51 and 8.53 and the accompanying forms are intended to provide procedures implementing Amended Substitute House Bill 421 of the 122nd General Assembly, effective May 6, 1998. The United States District Court for the Southern District of Ohio has enjoined enforcement of this legislative enactment by order dated April 29, 1998. The text of the district court order is as follows:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Cincinnati Women's Services, Inc., et al.	:	CIVIL ACTION NO. C-1-98-289 (Beckwith, J.)
Plaintiffs,	:	
vs.	:	AGREED ORDER GRANTING INJUNCTION
George Voinovich, et al.,	:	
Defendants.	:	

This matter came on for a scheduling conference on April 23, 1998. The parties reported to the court that the Ohio Supreme Court has not yet issued rules to guide the juvenile courts under HB 421 and is not expected to have such rules in place before the effective date of the Act on May 6, 1998. For this and other good cause shown, and on agreement of the parties as detailed in the parties' Joint Motion for Agreed Order Maintaining Status Quo of Existing Law, the court hereby preliminarily enjoins defendants and their employees, agents, servants and those acting in concert with them from enforcing House Bill 421. This order shall remain in place until further order of the court following full briefing and hearing pursuant to a schedule to be established by the court in due course.

No bond shall be required of the plaintiffs.

SO ORDERED

/s/
Sandra S. Beckwith
United States District Judge

Agreed:

/s/
Alphonse A. Gerhardstein
Trial Attorney for Plaintiffs

/s/
Roger E. Friedmann
Trial Attorney for Defendant Deters

/s/
Arthur Marziale, Jr.
Trial Attorney for Defendants Montgomery and Voinovich

Filed by Kenneth J. Murphy, Clerk
April 29, 1998 @ 3:29 p.m.

APPENDIX H
R.C. 2919.12 Forms

FORM 24-A. AFFIDAVIT OF MINOR

JUVENILE COURT

____________ COUNTY, OHIO

In re complaint of Jane Doe   Case No.______________

AFFIDAVIT
R.C. 2919.12(B)(1)(b)(ii)

STATE OF OHIO)
)
COUNTY OF)

I, ____, being duly sworn, state as follows:

1. I am pregnant, unmarried, under 18 years of age, and unemancipated.

2. I wish to have an abortion without notification of a parent, guardian, or custodian.

3. I request instead that notice of my intention to have the abortion be given to one of the following [Select One]:

   a. ______________________________, a brother or sister 21 years of age or older or,
   Name

   b. ______________________________, a stepparent or grandparent.
   Name

4. I am in fear of physical, sexual, or severe emotional abuse from a parent, guardian, or custodian who otherwise would be notified of my intention to have an abortion pursuant to R.C. 2919.12.

5. My fear is based on a pattern of physical, sexual, or severe emotional abuse exhibited by a parent, guardian, or custodian.

6. I understand that upon the filing of this affidavit and an affidavit from the person specified above with the juvenile court, an officer of that court will prepare a notice verifying that the affidavits have been filed.

7. The person who intends to perform or induce my abortion and the address of that person are as follows:

____
Name of Abortion Provider

____
Address

____
Signature

Before me appeared the above named person who under oath or by affirmation did sign this affidavit this ___________ day of__________, _____.

____
Notary Public

Amended: 01/01/2015
Discard all previous versions of this form

FORM 24-B. AFFIDAVIT OF RECIPIENT OF NOTICE OF MINOR'S INTENTION TO RECEIVE AN ABORTION

JUVENILE COURT

______________COUNTY, OHIO

In re complaint of Jane Doe

Case No.________________

AFFIDAVIT
R.C. 2919.12(B)(1)(b)(iii)

STATE OF OHIO)
)
COUNTY OF)

____, being duly sworn, states as follows:
(Name)

1. I am [select appropriate one]

   ____ over 21 years of age and I am a brother or sister of

   ____ a stepparent or grandparent of

   _________________________, (hereafter, minor) who has [name of pregnant minor] filed an affidavit with the Juvenile Court pursuant to R.C. 2919.12(B)(1)(b)(ii).

2. I have been specified in the minor's affidavit as the person to receive notice of the minor's intention to receive an abortion.

3. The minor has reason to fear physical, sexual, or severe emotional abuse from a parent, guardian, or custodian who otherwise would be notified of her intention to have an abortion pursuant to R.C. 2919.12.

4. Her fear is based on a pattern of physical, sexual, or severe emotional abuse exhibited by a parent, guardian, or custodian.

____
Signature

Before me appeared the above named person who under oath or by affirmation did sign this affidavit this ______________ day of____________, ____.

____
Notary Public

Amended: 01/01/2015
Discard all previous versions of this form

FORMS ALLEGING ABUSE BY PARENT AND REQUESTING THAT NOTIFICATION OF ABORTION BE PROVIDED TO OTHER RELATIVE

INSTRUCTIONS FOR FORMS 24-A and 24-B

If you use these forms, the person performing your abortion will not be required to give notice of your abortion to a parent, guardian, or custodian. Instead, you can choose to have notice provided to a brother or sister over 21 years of age or a stepparent or grandparent.

These forms are called affidavits. An affidavit is a sworn statement signed before a person authorized to administer oaths, such as a notary public. The clerk's office will provide a notary public if you want to complete the forms in the clerk's office.

These forms may be used if all of the following apply.

You are:

1. Pregnant;
2. Unmarried;
3. Under 18 years old;
4. Unemancipated, which means that any of the following apply:

- You have not entered the armed forces of the United States;
- You do not have a job and support yourself;
- You are under the care and control of a parent, guardian, or custodian.

5. You fear, based on events that have happened in the past, physical, sexual, or severe emotional abuse if notice of the abortion is given to a parent, guardian, or custodian.

These forms will be filed with the juvenile court and kept confidential. The clerk of the court will provide notice to the abortion provider that the forms have been filed and the clerk will inform the abortion provider of the name of the person you have chosen to receive notice of your abortion. The forms will not be released by the court.

You do not have to pay any filing fee or court costs to the clerk for notarizing these forms, filing these forms, or issuing the notice to the abortion provider.

The affidavit must be filed in a juvenile court in the county where you reside or have a legal settlement or in any county that borders the county where you reside or have a legal settlement.

HOW TO FILL OUT THE FORMS

There are two forms. You complete one of them. The other form is completed by the person you select to receive notice of your abortion. That must be a brother or sister over 21 years old or a stepparent or grandparent.

Your form requires that you name the person to receive notice and provide the name and address of the person to perform the abortion.

Both of the forms must be signed in front of a notary public or other person, such as a judge or attorney, authorized to administer oaths.

WHAT TO DO AFTER FILLING OUT THE FORMS

After the forms are signed and notarized, give them to the juvenile court clerk, who will file them in a confidential place within the clerk's office. Then the clerk will issue a notice that you may take to the abortion provider. With that notice the abortion provider will be authorized to provide notice of the abortion to the brother, sister, stepparent, or grandparent that you have selected.

FORM 24-C. NOTICE

JUVENILE COURT

________________COUNTY, OHIO

In re complaint of Jane Doe   Case No.___________________

NOTICE

Notice is hereby given that on___________, _____, (minor's name) filed affidavits pursuant to R.C. 2919.12(B)(1)(b)(ii) and (iii) and may therefore proceed to have any notifications required by that statute issued to the following specified adult: _____________________.

____
Clerk

(Seal)

APPENDIX I
Appeals Pursuant to R.C. 2151.85, 2919.121, and 2505.073

FORM 25-A. VERIFICATION

COURT OF APPEALS

____________COUNTY, OHIO

In re complaint of Jane Doe

Case No.__________________

Juvenile Court No.__________

VERIFICATION

This will verify that on___________, ______, the appeal of Jane Doe was docketed in this court pursuant to R.C. 2151.85 or 2505.073 and as of ________, _____, which is more than five calendar days after the docketing of the appeal, the court has not rendered a judgment in the matter.

____
Clerk

(Seal)

NOTICE REGARDING THE OCTOBER 15, 2001 AMENDMENTS TO SUPERINTENDENCE RULES 8.51 AND 8.53 AND ACCOMPANYING FORMS

The October 15, 2001 amendments to Superintendence Rules 8.51 and 8.53 and the accompanying forms are intended to provide procedures implementing Amended Substitute House Bill 421 of the 122nd General Assembly, effective May 6, 1998. The United States District Court for the Southern District of Ohio has enjoined enforcement of this legislative enactment by order dated April 29, 1998. The text of the district court order is as follows:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Cincinnati Women's Services, Inc., et al.	:	CIVIL ACTION NO. C-1-98-289 (Beckwith, J.)
Plaintiffs,	:	
vs.	:	AGREED ORDER GRANTING INJUNCTION
George Voinovich, et al.,	:	
Defendants.	:	

This matter came on for a scheduling conference on April 23, 1998. The parties reported to the court that the Ohio Supreme Court has not yet issued rules to guide the juvenile courts under HB 421 and is not expected to have such rules in place before the effective date of the Act on May 6, 1998. For this and other good cause shown, and on agreement of the parties as detailed in the parties' Joint Motion for Agreed Order Maintaining Status Quo of Existing Law, the court hereby preliminarily enjoins defendants and their employees, agents, servants and those acting in concert with them from enforcing House Bill 421. This order shall remain in place until further order of the court following full briefing and hearing pursuant to a schedule to be established by the court in due course.

No bond shall be required of the plaintiffs.

SO ORDERED

/s/
Sandra S. Beckwith
United States District Judge

Agreed:

/s/
Alphonse A. Gerhardstein
Trial Attorney for Plaintiffs

/s/
Roger E. Friedmann
Trial Attorney for Defendant Deters

/s/
Arthur Marziale, Jr.
Trial Attorney for Defendants Montgomery and Voinovich

Filed by Kenneth J. Murphy, Clerk
April 29, 1998 @ 3:29 p.m.

APPENDIX J
AFFIDAVIT OF GUARDIANSHIP APPLICANT FORM

STATE OF OHIO)
)
COUNTY OF________________) **SS:**

AFFIDAVIT OF GUARDIAN APPLICANT

I, ___________________________ affirm the following:
(Name)

☐ I have no pending misdemeanor or felony cases and have not been convicted of or pleaded guilty to any misdemeanor or felony offense; **OR**

☐ I have pending misdemeanor or felony cases or have been convicted of or pleaded guilty to a misdemeanor or felony offense. (*List below any pending cases or convictions that have not been sealed pursuant to R.C. 2953.31-2953.62.*)

DATE	TYPE OF CHARGE	COURT NAME	PENDING / CONVICTED / PLEADED GUILTY
_________	________________	________________	☐ Pending ☐ Convicted ☐ Pleaded Guilty
_________	________________	________________	☐ Pending ☐ Convicted ☐ Pleaded Guilty
_________	________________	________________	☐ Pending ☐ Convicted ☐ Pleaded Guilty
_________	________________	________________	☐ Pending ☐ Convicted ☐ Pleaded Guilty

I understand that I have a duty to notify _____________________________ within seventy-two
(Court Name)
hours if the information contained in this affidavit should change.

____
Signature of Applicant

SWORN TO, BEFORE ME, and subscribed in my presence, on this ________ day of ____________________, 20_____.

____
Notary Public / Deputy Clerk

____
Printed Name of Notary Public

Commission Expiration Date: ________________
(Affix seal here)